

City Council

Regular Meeting Agenda

Monday, January 5, 2015
7:00 p.m., Council Chambers



1. Call to Order

2. Invocation

- Rev. Travis Wilson – Peace Lutheran

3. Roll Call

4. Approval of Agenda

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

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

- A. Council will be requested to approve the City Council Minutes of December 15, 2014.
- B. Bills totaling \$1,586,178.53 for the period ending January 6, 2015 be approved and forwarded to the Clerk and Treasurer for payment.
- C. Council will be asked to receive an annual report from the Planning Commission.
- D. Council will be asked to approve the 2015 employment agreement with the City Manager, Brian Dissette.
- E. Council will be asked to consider the following contracts for the Core City Secondary Electrical Upgrade Project – Phase 2:
 - 1) Extend the contract with Kent Power, Inc., of Kent City, Michigan for construction services. Labor and materials to be provided are defined in the contract documents prepared by GRP Engineering.
 - 2) Award the contract for professional services for community outreach and communication to Abonmarche Engineering, in the amount of \$33,500.
 - 3) Award the contract for pre-construction videotaping services to Structures, Inc., in the not-to-exceed amount of \$18,923.
- F. Council will be asked to receive the following administrative reports and approved minutes to be placed on file:
 - 1) 11-17-2014 ZBA Minutes
 - 2) 11-24-2014 BPU 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.

UNFINISHED BUSINESS

6. Council will be asked to approve a code amendment to repeal Chapter 58, Article II, Division 3 of the City's Code of Ordinances.

NEW BUSINESS

7. Council will be asked to consider Special Event 2015-01, Harborfest to be held June 18-21, 2015.
8. Council will be asked to consider Resolution 2015-01, a resolution updating state required poverty income standards for property tax poverty exemption guidelines for tax year 2015.
9. Council will be asked to consider Resolution 2015-02, a resolution adopting poverty level income standards for the special assessment poverty exemption guidelines for tax year 2015.
10. Council will be asked to consider Resolution 2015-03, a resolution authorizing the City Manager to enter into a lease for the former State Police Post storage building and parking area.

11. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda
(You will be given up to 5 minutes to address your concerns.)

12. City Manager's Comments

13. Mayor and Councilperson's Comments

14. Adjourn

RESPECTFULLY SUBMITTED,



Brian Dissette, City Manager

City Council

Regular Meeting Minutes

Monday, December 15, 2014
7:00 p.m., Council Chambers



1. Call to Order by Mayor 7:00 p.m.

2. Invocation – Moment of silence.

3. Roll Call

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

4. Approval of Agenda

Moved by Patterson to approve the agenda. Seconded by Fitzgibbon.

Voted Yes: All. Motion carried.

5. Consent Agenda: Items A thru E (Roll Call Vote Required)

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

- A. Council will be requested to approve the City Council Minutes of December 1, 2014.
 - B. Bills totaling \$923,076.97 for the period ending December 16, 2014 be approved and forwarded to the Clerk and Treasurer for payment.
 - C. Council will be asked to consider acceptance of a donated Sequoia tree, for placement in Stanley Johnston Park, by Mr. Jon Jillson.
 - D. Council will be asked to consider the following regarding the Center for the Arts fire escape replacement:
 - 1) Award the base bid and Alternate # 2 to David Noosbond for a total amount of \$20,020.
 - 2) Award the exit door removal and replacement (Alternate # 1) to Wagenmaker Construction for the amount of \$8,890.
 - E. Council will be asked to receive the following administrative reports and approved minutes to be placed on file:
 - 1) 05-27-2014 SHARA Minutes
 - 2) 07-14-2014 BRA Minutes
- 07-14-2014 LDFA Minutes

A Roll Call Vote was taken:

Yeas: Arnold, Fitzgibbon, Gruber, Klavins, Kozlik Wall, Patterson, Burr
Nays: None

Motion carried.

BOARD APPOINTMENTS

- 6. Council will be asked to appoint Mary Whiteford to fill a 4 year term on the DDA Board, expiring in 2018.**

Moved by Patterson to appoint Mary Whiteford to fill a 4 year term on the DDA Board, expiring in 2018. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried.

- 7. Council will be asked to appoint Sue Frederick to fill a 4 year term on the DDA Board, expiring in 2018.**

Moved by Fitzgibbon to appoint Sue Frederick to fill a 4 year term on the DDA Board, expiring in 2018. Seconded by Gruber.

Voted Yes: All. Motion carried.

NEW BUSINESS

- 8. Council will be asked to receive the 2014 Comprehensive Annual Financial Report presentation.**

Background Information: The City of South Haven's annual audit has been completed for the fiscal year ended June 30, 2014. Mr. Doug Vredevelde from the City's independent auditing firm Vredevelde Haefner, LLC will present an overview of the Comprehensive Annual Financial report and respond to any questions the City Council may have. Below is a link to the audit report that is posted on the City's website.

http://www.south-haven.com/pages/finance/pdf/2014_South_Haven_CAFR.pdf

Doug Vredevelde – Spoke about the 2014 Comprehensive Annual Financial Report.

- 9. Council will be asked to affirm the design choice for the 2015-2017 beach parking sticker.**

Background Information: The City Council will be asked to affirm the design choice for the 2015-2017 beach parking sticker.

The current beach parking sticker was designed by a local graphic designer, who has since left the community. That design was used as part of a three-year period that included the 2012, 2013, and 2014 summer seasons. As a result of the original designer's relocation, staff contracted with Lambrix Designs, Inc. to develop the beach parking sticker design for the 2015, 2016, and 2017 summer season. Lambrix Designs, Inc. has completed numerous projects for the city, including the city's economic development packet, and the graphics for the city's website and DIG SoHa website.

The process to select the new beach parking sticker design began in June, 2014. Staff initially met with the design consultant and requested ten sticker design proposals. Once

received, staff chose five designs to present to the beach parking sticker committee. The committee was comprised of three City Council members. The committee met to review the five designs, at which time, three designs were chosen and small revisions were requested. The committee met once again prior to the December 1st City Council meeting to review the revised sticker designs. One sticker design was chosen and is being recommended to City Council for confirmation.

Once the design is selected, staff will begin the process of ordering the stickers, preparing a mailing to announce the new design, and delivering the stickers for the 2015 summer season. The stickers which will be ordered will have outdoor durability, which is planned to last up to three years.

Moved by Patterson to affirm the design choice for the 2015-2017 beach parking sticker.
Seconded by Arnold.

Voted Yes: All. Motion carried.

10. Council will be asked to introduce a code amendment to repeal Chapter 58, Article II, Division 3 of the City's Code of Ordinances.

Background Information: The City Council will be asked to consider a motion to introduce a code amendment that, if approved, will repeal Chapter 58, Article II, Division 3 of the city's Code of Ordinances. If the amendment is approved, the Liberty Hyde Bailey Museum (LHBM) can consolidate the governance of the museum.

Over the past year, the city's staff and attorney have actively worked with representatives from LHBM. During that time, it has been noted that LHBM has two governing bodies. The LHBM is a public board which is created by ordinance that consists of up to seven members appointed by the City Council. The LHBM also has a Memorial Fund, which is a private non-profit corporation. The non-profit was created for the purpose of promoting and improving the museum. Many of the LHBM board members are active in the non-profit, and the functions of the two bodies overlap. For many months, staff and the attorney have worked with LHBM to determine the most prudent way to address the museum's management structure. Staff recommends this approach, as it allows for continued local control, but provides LHBM with greater flexibility (e.g., this approach allows LHBM to recruit members from the city and from outside of the city and adopt new bylaws which allow for greater fundraising opportunities.)

The proposed ordinance amendment will strike Chapter 58, Article II, Division 3 of the city's Code of Ordinances, which is the portion of the code that establishes the LHBM Board. If approved, the ordinance amendment allows the city to establish a new governing structure at the LHBM, through a contract agreement with the LHBM non-profit. If the code amendment is approved, staff will immediately supply the contract agreement to the City Council for consideration. In addition to the code changes and contract for service, LHBM will be asked to adopt new bylaws, which reflect the various changes to operations.

Please note; the ordinance amendment preserves the LHBM's status as a public park. However, the ordinance amendment makes clear that the LHBM's oversight will be provided by the City Council, instead of the city's Parks Commission.

Finally, the LHBM Board has actively considered the proposed changes, and has voted to recommend the changes. Attached is a cover letter from LHBM which endorses the proposed changes.

Moved by Fitzgibbon to introduce a code amendment to repeal Chapter 58, Article II, Division 3 of the City's Code of Ordinances. Seconded by Patterson.

Voted Yes: All. Motion carried.

11. Council will be asked to consider the following Special Events:

- A. Special Event 2014-56, Warm Your Heart "Bridge Sit/Island Sit".**
- B. Special Event 2014-59, South Haven Farmer's Market 2015.**
- C. Special Event 2014-57, Break the Ice 5k and Kid's Frosty Dash.**
- D. Special Event 2014-58, Daily Lunch Combo at Dyckman Park.**
- E. Addendum to Special Event 2014-49, Ice Breaker 2015.**

Item A: Special Event 2014-56, Warm Your Heart "Bridge Sit/Island Sit

Background Information: Bridge Sit has been held on Dyckman Bridge every year. Due to the bridge being closed, We Care I.N.C. is requesting use of the "island" for this event. Cosy FM will do 12 hours of live broadcasting with various community leaders and groups scheduled. Approximately \$8,000 was raised for We Care's Heat Assistance Fund last year, and the hope is to raise that much or more this year. This event will take place on February 28, 2015 from 7:00 am to 7:00 pm.

Moved by Patterson to approve Special Event 2014-56 Warm Your Heart "Bridge Sit/Island Sit. Seconded by Klavins.

Voted Yes: All. Motion carried.

Item B: Special Event 2014-59, South Haven Farmer's Market 2015

Background Information: The City of South Haven in care of the Chamber of Commerce will present the South Haven Farmer's Market in 2015. Vendors will be under the pavilion and in the parks area. This event will take place every Wednesday and Saturday from May until October in 2015 from 8:00 am to 2:00 pm.

Kathy Wagaman – Spoke about the Farmer's Market.

Moved by Fitzgibbon to approve Special Event 2014-59, South Haven Farmer's Market 2015. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried.

Item C: Special Event 2014-57, Break the Ice 5k and Kid's Frosty Dash

Background Information: Break the Ice 5k and Kid's Frosty Dash is ready for Council approval. This event is a 5k walk/run and also a kid's small walk/run dash. This event will be put on by the High/Middle School cross country track and field. The event will be timed with age groups and awards. All proceeds from the race will go directly to South Haven Public Schools. This event will take place on Saturday, January 31st, 2015 from 8:00 am to 12:00 pm.

Lindsay Hagg – Spoke about her event.

Moved by Kozlik Wall to approve Special Event 2014-57, Break the Ice 5k and Kid's Frosty Dash. Seconded by Klavins.

Voted Yes: All. Motion carried.

Item D: Special Event 2014-58, Daily Lunch Combo at Dyckman Park.

Background Information: The Foundry Hall wants to sponsor a free concert event at Dyckman Park on December 19, 2014 from 6:00 pm to 9:00 pm. This event is named: Daily Lunch Combo at Dyckman Park.

Ben Holt – Spoke about this event.

Moved by Gruber to approve Special Event 2014-58, Daily Lunch Combo at Dyckman Park. Seconded by Patterson.

Voted Yes: All. Motion carried.

Item E: Addendum to Special Event 2014-49, Ice Breaker 2015

Background Information: In response to requests from residents and business owners from the North Side, the Chamber is seeking approval on an addendum to the original Special Event application. This would include a one hour loop with 9 bus stops identified with signage and marketed on event brochure. There will be no cost for those riding the shuttle.

Kathy Wagaman – Spoke about the addendum.

Moved by Fitzgibbon to approve an addendum to Special Event 2014-49, Ice Breaker 2015. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried.

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

13. City Manager's Comments

14. Mayor and Councilperson's Comments

Kozlik Wall – No comment

Gruber – No comment

Fitzgibbon – Spoke about leaf pick-up

Patterson – Happy Holidays and be safe!

Arnold – Happy Holidays and be safe!

Klavins – Happy Holidays and be safe!

Burr – Spoke about bridge being on schedule. Happy Holidays. See you next year!

15. City Council will be asked to go into closed session pursuant to the Michigan Open Meetings Act; Public Act No. 267 of 1978; 15.268; Section 8(a) for annual personnel evaluation for the City Manager.

Moved by Kozlik Wall to go into closed session pursuant to the Michigan Open Meetings Act; Public Act No. 267 of 1978; 15.268; Section 8(a) for annual personnel evaluation for the City Manager.. Seconded by Fitzgibbon.

A Roll Call was taken:

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

Nays: None

Motion carried. Council adjourned into closed session at 7:42 p.m.

Moved by Fitzgibbon to return to return to open session. Seconded by Patterson.

Voted Yes: All. Motion carried. Council returned to open session at 7:58 p.m.

16. Adjourn

Moved by Patterson to adjourn. Seconded by Fitzgibbon.

Voted Yes: All. Motion carried. Meeting adjourned at 7:58 p.m.

RESPECTFULLY SUBMITTED,



Michelle Coffey
Deputy City Clerk

Approved by City Council: **DRAFT**

**CITY OF SOUTH HAVEN
JANUARY 6, 2015**

	PREPAID	CURRENT	TOTAL
101-GENERAL FUND	\$ 129,238.36	\$ 21,995.12	\$ 151,233.48
202-MAJOR STREET FUND	\$ 48.01	\$ -	\$ 48.01
203-LOCAL STREET FUND	\$ -	\$ -	\$ -
204-STREET FUND	\$ 36,204.93	\$ 212,630.22	\$ 248,835.15
226-GARBAGE/REFUSE FUND	\$ -	\$ -	\$ -
250-DOWNTOWN DEVELOPMENT	\$ 795.13	\$ 6,133.15	\$ 6,928.28
251-LDFA #1	\$ -	\$ -	\$ -
252- LDFA #2	\$ -	\$ -	\$ -
253-LDFA #3	\$ 6,802.09	\$ -	\$ 6,802.09
260-BROWNFIELD AUTHORITY	\$ -	\$ -	\$ -
265-NARCOTICS UNIT	\$ 603.64	\$ -	\$ 603.64
266-POLICE TRAINING	\$ -	\$ 387.00	\$ 387.00
296-RIVER MAINTENANCE	\$ -	\$ -	\$ -
363- CAPITAL BOND	\$ -	\$ -	\$ -
370- BUILDING AUTHORITY #2	\$ -	\$ -	\$ -
371-CAPITAL BOND DEBT SERV	\$ -	\$ -	\$ -
372-WATER PLANT FUND	\$ -	\$ -	\$ -
395-DDA DEBT SERVICE	\$ -	\$ -	\$ -
396- DDA DISTRICT #2	\$ -	\$ -	\$ -
401-CAPITAL PROJECTS	\$ -	\$ -	\$ -
402-CAPITAL PROJECTS #2	\$ -	\$ 45,476.02	\$ 45,476.02
466- PAVILION AND ICE RINK	\$ -	\$ -	\$ -
545-BLACK RIVER PARK	\$ 176.74	\$ -	\$ 176.74
577-BEACH FUND	\$ 873.02	\$ -	\$ 873.02
582-ELECTRIC FUND	\$ 713,953.34	\$ 290,950.18	\$ 1,004,903.52
591-WATER FUND	\$ 24,088.90	\$ 15,448.50	\$ 39,537.40
592-SEWER FUND	\$ 10,327.38	\$ 4,689.24	\$ 15,016.62
594-MUNICIPAL MARINA	\$ 15,831.00	\$ 2,550.00	\$ 18,381.00
636-INFORMATION SERVICES	\$ 2,794.73	\$ 1,335.90	\$ 4,130.63
661-MOTOR POOL	\$ 2,222.72	\$ -	\$ 2,222.72
677-SELF INSURANCE	\$ 595.00	\$ -	\$ 595.00
703-TAX FUND	\$ 33,885.21	\$ -	\$ 33,885.21
718-TRUST & AGENCY	\$ 6,143.00	\$ -	\$ 6,143.00
750-EMPLOYEE WITHHOLDING	\$ -	\$ -	\$ -
TOTAL	\$ 984,583.20	\$ 601,595.33	\$ 1,586,178.53

User: ksteinman
DB: South Haven

BANK CODE: 1 CHECK DATE: 01/06/2015 INVOICE PAY DATE FROM 01/06/2015 TO 01/06/2015

Check Date	Bank	Check #	Vendor Code	Vendor Name	Invoice Total	Credit Total	Total Amount	# Invoices
01/06/2015	1	49782	000014	ABONMARCHE CONSULTANTS INC	347.25	0.00	347.25	1
01/06/2015	1	49783	000074	ALTEC INDUSTRIES INC	1,124.45	0.00	1,124.45	1
01/06/2015	1	49784	003338	BENTLEY SYSTEMS, INC.	9,169.70	129.20	9,040.50	2##
01/06/2015	1	49785	000418	CDW GOVERNMENT INC	241.80	0.00	241.80	1
01/06/2015	1	49786	000453	CHIEF SUPPLY CORP	737.45	0.00	737.45	2
01/06/2015	1	49787	000502	COMMUNITY ANSWERING SERVICE	534.45	0.00	534.45	1
01/06/2015	1	49788	000505	COMPTON INC	8,923.00	0.00	8,923.00	4
01/06/2015	1	49789	000531	CORE TECHNOLOGY CORP	4,865.00	0.00	4,865.00	1
01/06/2015	1	49790	000807	FLEMING BROS OIL CO INC	1,078.52	0.00	1,078.52	1
01/06/2015	1	49791	003316	GARMENT DISTRICT DBA JIM AND TONI'S	125.00	0.00	125.00	1
01/06/2015	1	49792	003250	GREAT LAKES SCUTTLEBUTT	500.00	0.00	500.00	1
01/06/2015	1	49793	000963	GRP ENGINEERING INC	87,090.77	0.00	87,090.77	4
01/06/2015	1	49794	001007	HARDESTY & HANOVER, LLP	45,476.02	0.00	45,476.02	1
01/06/2015	1	49795	001126	ICE BUILDERS SUPPLY, INC	482.50	0.00	482.50	1
01/06/2015	1	49796	001127	ICE RINK SUPPLY	3,763.00	0.00	3,763.00	2
01/06/2015	1	49797	001225	KALIN CONSTRUCTION CO, INC	209,327.59	0.00	209,327.59	1
01/06/2015	1	49798	001252	KENT POWER INC	180,294.78	0.00	180,294.78	1
01/06/2015	1	49799	003339	LIFELINE TRAINING, LTD & CALIBRE PR	387.00	0.00	387.00	1
01/06/2015	1	49800	001467	MARK A MANNING	4,280.00	0.00	4,280.00	1
01/06/2015	1	49801	001500	MATERIALS TESTING CONSULTANTS	4,887.40	0.00	4,887.40	2
01/06/2015	1	49802	001616	MICHIGAN MARITIME MUSEUM	2,000.00	0.00	2,000.00	1
01/06/2015	1	49803	001675	MIDWEST CIVIL ENGINEERS INC	3,422.00	0.00	3,422.00	1
01/06/2015	1	49804	001704	MISS DIG SYSTEM INC	874.52	0.00	874.52	1
01/06/2015	1	49805	001848	NORTH SHORE PEST CONTROL INC	50.00	0.00	50.00	1
01/06/2015	1	49806	001888	OKUN BROTHERS SHOES	137.21	0.00	137.21	1
01/06/2015	1	49807	002020	POWER LINE SUPPLY CO	22,326.88	0.00	22,326.88	16
01/06/2015	1	49808	002080	QUALITY DOOR OF SO HAVEN INC	186.15	0.00	186.15	1
01/06/2015	1	49809	003340	RCP, LLC	300.00	0.00	300.00	1
01/06/2015	1	49810	002186	ROK SYSTEMS, INC	140.00	0.00	140.00	1
01/06/2015	1	49811	002268	SECURALARM SYSTEMS INC	515.15	0.00	515.15	2
01/06/2015	1	49812	002478	STAPLES ADVANTAGE	920.84	0.00	920.84	6
01/06/2015	1	49813	002499	STATE OF MICHIGAN - MDEQ	595.00	0.00	595.00	1
01/06/2015	1	49814	003079	STATE OF MICHIGAN-MDEQ	1,720.00	0.00	1,720.00	1
01/06/2015	1	49815	003337	TOP GRADE SITE MANAGMENT, LLC	800.00	0.00	800.00	1
01/06/2015	1	49816	002728	USA BLUE BOOK	2,221.36	0.00	2,221.36	5
01/06/2015	1	49817	002746	VAN BUREN CONSERVATION DISTRIC	542.30	0.00	542.30	1
01/06/2015	1	49818	002751	VAN BUREN COUNTY CLERK	1,050.00	0.00	1,050.00	1
01/06/2015	1	49819	002800	VILLAGE MARKET #869	117.39	0.00	117.39	1
01/06/2015	1	49820	002883	WEST MICHIGAN DOCUMENT	90.00	0.00	90.00	1
01/06/2015	1	49821	002977	ZEE MEDICAL, INC	80.05	0.00	80.05	1

Num Checks: 40

Num Stubs: 0

Num Invoices: 75

Total Amount: 601,595.33

Denotes that check has vendor credit applied.

INVOICE DUE DATES 01/06/2015 - 01/06/2015

JOURNALIZED OPEN AND PAID

BANK CODE: 1 - CHECK TYPE: PAPER CHECK

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
110282 42962	ABONMARCHE CONSULTANTS INC CENTER FOR THE ARTS FIRE ESCAPE RE 101-804-802-000	12/12/2014 ksteinman	01/06/2015	347.25 347.25	0.00	P	Y 12/29/2014
5161246 42963	ALTEC INDUSTRIES INC PARTS, EQUIPMENT AND SUPPLIES 582-558-802-000 582-558-741-000 582-558-933-000	12/03/2014 ksteinman	01/06/2015	1,124.45 1,060.50 26.45 37.50	0.00	P	Y 12/29/2014
47649573 43029	BENTLEY SYSTEMS, INC. BENTLEY WATER GEMS AND 5,000 PIPES 591-558-741-000 591-558-958-000	12/29/2014 ksteinman	01/06/2015	9,169.70 8,784.00 385.70	0.00	P	Y 12/30/2014
47649529 43030	BENTLEY SYSTEMS, INC. WATERCAD STANDALONE 1000 PIPES SEL 591-558-741-000	12/29/2014 ksteinman	01/06/2015	(129.20) (129.20)	0.00	P	Y 12/30/2014
RG27643 42966	CDW GOVERNMENT INC COMPUTER HARDWARE 636-258-980-001	12/09/2014 ksteinman	01/06/2015	241.80 241.80	0.00	P	Y 12/29/2014
180509 42964	CHIEF SUPPLY CORP UNIFORMS 101-301-729-000	12/09/2014 ksteinman	01/06/2015	264.18 264.18	0.00	P	Y 12/29/2014
177263 42965	CHIEF SUPPLY CORP UNIFORMS 101-301-729-000	12/04/2014 ksteinman	01/06/2015	473.27 473.27	0.00	P	Y 12/29/2014
475312082014 42967	COMMUNITY ANSWERING SERVICE ANSWERING SERVICES 101-350-802-000	12/08/2014 ksteinman	01/06/2015	534.45 534.45	0.00	P	Y 12/29/2014
121421 42968	COMPTON INC REPAIR SIDEWALK AT MOVIE THEATER	12/18/2014 ksteinman	01/06/2015	365.00	0.00	P	Y 12/29/2014

12/30/2014 10:43 AM
 User: ksteinman
 DB: South Haven

INVOICE REGISTER REPORT FOR CITY OF SOUTH HAVEN
 INVOICE DUE DATES 01/06/2015 - 01/06/2015
 JOURNALIZED OPEN AND PAID
 BANK CODE: 1 - CHECK TYPE: PAPER CHECK

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
	101-446-802-000	OTHER CONTRACTUAL SERVICES		365.00			
121420 42969	COMPTON INC VETERANS BLVD CATCH BASIN 101-446-802-000	12/18/2014 ksteinman OTHER CONTRACTUAL SERVICES	01/06/2015	3,236.00 3,236.00	0.00	P	Y 12/29/2014
121402 42970	COMPTON INC ICE SKATING GUARD IN CHANGING ROOM 101-751-802-000	12/02/2014 ksteinman OTHER CONTRACTUAL SERVICES	01/06/2015	1,822.00 1,822.00	0.00	P	Y 12/29/2014
111434 43035	COMPTON INC 1074 MONROE BLVD DRIVEWAY ENTRANCE 101-446-802-000	11/14/2014 ksteinman OTHER CONTRACTUAL SERVICES	01/06/2015	3,500.00 3,500.00	0.00	P	Y 12/30/2014
65215 42971	CORE TECHNOLOGY CORP SUPPORT 101-301-802-001	12/11/2014 ksteinman SERVICE CONTRACTS	01/06/2015	4,865.00 4,865.00	0.00	P	Y 12/29/2014
205060 42972	FLEMING BROS OIL CO INC DIESEL 591-559-741-000	12/16/2014 ksteinman OPERATING SUPPLIES	01/06/2015	1,078.52 1,078.52	0.00	P	Y 12/29/2014
4 42973	GARMENT DISTRICT DBA JIM AND TONI'S CLEANING SERVICES 101-301-801-021	12/12/2014 ksteinman LAUNDRY & DRYCLEANING	01/06/2015	125.00 125.00	0.00	P	Y 12/29/2014
532275 42974	GREAT LAKES SCUTTLEBUTT 1/2 PAGE, COLOR ADVERTISEMENT ISSU 594-776-964-000	12/10/2014 ksteinman MARKETING	01/06/2015	500.00 500.00	0.00	P	Y 12/29/2014
20140955 42975	GRP ENGINEERING INC ENGINEERING SERVICES 582-558-801-000-0309	12/01/2014 ksteinman PROFESSIONAL/CONSULTING FEES	01/06/2015	1,500.00 1,500.00	0.00	P	Y 12/29/2014
20140950 42976	GRP ENGINEERING INC ENGINEERING SERVICES 582-558-801-000-0163	12/01/2014 ksteinman PROFESSIONAL/CONSULTING FEES	01/06/2015	1,257.28 1,257.28	0.00	P	Y 12/29/2014

INVOICE DUE DATES 01/06/2015 - 01/06/2015

JOURNALIZED OPEN AND PAID

BANK CODE: 1 - CHECK TYPE: PAPER CHECK

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
20140951 42977	GRP ENGINEERING INC ENGINEERING SERVICES 582-558-801-000-0175	12/11/2014 ksteinman	01/06/2015	8,367.51	0.00	P	Y 12/29/2014
	PROFESSIONAL/CONSULTING FEES			8,367.51			
PAY REQ #4							
42981*	GRP ENGINEERING INC CORE CITY PHASE I 582-558-802-000-0175 582-002-211-130	12/09/2014 ksteinman	01/06/2015	75,965.98	0.00	P	Y 12/29/2014
	OTHER CONTRACTUAL SERVICES			84,406.64			
	CONTR RET PYBLE-KENT POWER			(8,440.66)			
2804.00X17 42978	HARDESTY & HANOVER, LLP ENGINEERING SERVICES 402-202-988-010	12/12/2014 ksteinman	01/06/2015	45,476.02	0.00	P	Y 12/29/2014
	MAJOR STREET UPGRADES			45,476.02			
6402 42979	ICE BUILDERS SUPPLY, INC SKATES 250-751-741-000	12/15/2014 ksteinman	01/06/2015	482.50	0.00	P	Y 12/29/2014
	ICE RINK SUPPLIES			482.50			
IRS-12112014 43032	ICE RINK SUPPLY SLICK ICE 250-751-741-000	12/11/2014 ksteinman	01/06/2015	2,920.00	0.00	P	Y 12/30/2014
	ICE RINK SUPPLIES			2,920.00			
IRS-11252014 43033	ICE RINK SUPPLY SLICK ICE 250-751-741-001	11/25/2014 ksteinman	01/06/2015	843.00	0.00	P	Y 12/30/2014
	CHEMICALS			843.00			
PARTIAL PAY REQ #2							
42982*	KALIN CONSTRUCTION CO, INC DYCKMAN AVE RECONSTRUCTION 204-446-801-000-0158 204-002-211-127	11/29/2014 ksteinman	01/06/2015	209,327.59	0.00	P	Y 12/29/2014
	PROFESSIONAL/CONSULTING FEES			232,586.21			
	CONTR RETAIN PYBLE - KALIN			(23,258.62)			
PAY REQ #3							
42980*	KENT POWER INC PHOENIX RD SUBSTATION 582-558-802-000-0163 582-002-211-130	12/08/2014 ksteinman	01/06/2015	180,294.78	0.00	P	Y 12/29/2014
	OTHER CONTRACTUAL SERVICES			200,327.53			
	CONTR RET PYBLE-KENT POWER			(20,032.75)			
22519 42983	LIFELINE TRAINING, LTD & CALIBRE PR FEMALE ENFORCERS	12/11/2014 ksteinman	01/06/2015	387.00	0.00	P	Y 12/29/2014

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
	266-301-861-000	POLICE TRAINING		387.00			
474 42984	MARK A MANNING ATTORNEY SERVICES 101-210-801-000	12/22/2014 ksteinman	01/06/2015	4,280.00	0.00	P	Y 12/29/2014
	101-210-801-000	PROFESSIONAL/CONSULTING FEES		4,280.00			
0050465 42985	MATERIALS TESTING CONSULTANTS MATERIALS TESTING SERVICES FOR KEN 250-729-974-018-0157	12/10/2014 ksteinman	01/06/2015	1,701.50	0.00	P	Y 12/29/2014
	250-729-974-018-0157	MATERIALS TESTING SERVICES FOR KENTUCKY		1,701.50			
0050466 42986	MATERIALS TESTING CONSULTANTS MATERIALS TESTING SDRVICES FOR DYC 204-446-801-000-0158 591-558-801-000-0158 592-558-801-000-0158	12/10/2014 ksteinman	01/06/2015	3,185.90	0.00	P	Y 12/29/2014
	204-446-801-000-0158	MATERIALS TESTING- STREETS		1,061.97			
	591-558-801-000-0158	MATERIALS TESTING- WATER		1,061.97			
	592-558-801-000-0158	MATERIALS TESTING- SEWER		1,061.96			
100 43034	MICHIGAN MARITIME MUSEUM HARBORWALK SIGNAGE 594-776-802-000	12/10/2014 ksteinman	01/06/2015	2,000.00	0.00	P	Y 12/30/2014
	594-776-802-000	OTHER CONTRACTUAL SERVICES		2,000.00			
05-10417 43031	MIDWEST CIVIL ENGINEERS INC CONSTRUCTION STAKING FOR DYCKMAN A 591-558-801-000-0158 592-558-801-000-0158 204-446-801-000-0158	12/18/2014 ksteinman	01/06/2015	3,422.00	0.00	P	Y 12/30/2014
	591-558-801-000-0158	CONSTRUCTION STAKING- WATER		1,140.67			
	592-558-801-000-0158	CONSTRUCTION STAKING- SEWER		1,140.67			
	204-446-801-000-0158	CONSTRUCTION STAKING- STREET		1,140.66			
201504036 42987	MISS DIG SYSTEM INC ANNUAL MEMBERSHIP 591-558-801-000	12/11/2014 ksteinman	01/06/2015	874.52	0.00	P	Y 12/29/2014
	591-558-801-000	PROFESSIONAL/CONSULTING FEES		874.52			
97999 42988	NORTH SHORE PEST CONTROL INC PEST CONTROL 594-776-931-000	12/09/2014 ksteinman	01/06/2015	50.00	0.00	P	Y 12/29/2014
	594-776-931-000	REPAIRS/MAINT-BLDS & STRCTRES		50.00			
11417772994 42989	OKUN BROTHERS SHOES BOOTS 101-446-729-001	12/05/2014 ksteinman	01/06/2015	137.21	0.00	P	Y 12/29/2014
	101-446-729-001	OTHER CLOTHING & SUPPLIES		137.21			

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5887612 42990	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	12/16/2014 ksteinman	01/06/2015	116.16	0.00	P	Y 12/29/2014
		REPAIRS/MAINTENANCE - EQUIPM		116.16			
5887736 42991	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	12/16/2014 ksteinman	01/06/2015	304.68	0.00	P	Y 12/29/2014
		REPAIRS/MAINTENANCE - EQUIPM		304.68			
5887769 42992	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-729-001	12/16/2014 ksteinman	01/06/2015	62.50	0.00	P	Y 12/29/2014
		OTHER CLOTHING & SUPPLIES		62.50			
5887611 42993	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	12/16/2014 ksteinman	01/06/2015	47.11	0.00	P	Y 12/29/2014
		REPAIRS/MAINTENANCE - EQUIPM		47.11			
5887600 42994	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	12/16/2014 ksteinman	01/06/2015	535.18	0.00	P	Y 12/29/2014
		REPAIRS/MAINTENANCE - EQUIPM		535.18			
5887686 42995	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	12/16/2014 ksteinman	01/06/2015	846.60	0.00	P	Y 12/29/2014
		REPAIRS/MAINTENANCE - EQUIPM		846.60			
5887610 42996	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	12/16/2014 ksteinman	01/06/2015	2,784.61	0.00	P	Y 12/29/2014
		REPAIRS/MAINTENANCE - EQUIPM		2,784.61			
5889350 42997	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-729-001	12/22/2014 ksteinman	01/06/2015	63.00	0.00	P	Y 12/29/2014
		OTHER CLOTHING & SUPPLIES		63.00			
5889811 42998	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	12/23/2014 ksteinman	01/06/2015	25.26	0.00	P	Y 12/29/2014
		REPAIRS/MAINTENANCE - EQUIPM		25.26			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
5889800 42999	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	12/23/2014 ksteinman	01/06/2015	304.68	0.00	P	Y 12/29/2014
		REPAIRS/MAINTENANCE - EQUIPM		304.68			
5889539 43000	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	12/22/2014 ksteinman	01/06/2015	288.98	0.00	P	Y 12/29/2014
		REPAIRS/MAINTENANCE - EQUIPM		288.98			
5887604 43001	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	12/16/2014 ksteinman	01/06/2015	553.53	0.00	P	Y 12/29/2014
		REPAIRS/MAINTENANCE - EQUIPM		553.53			
5885572 43002	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	12/09/2014 ksteinman	01/06/2015	11,159.76	0.00	P	Y 12/29/2014
		REPAIRS/MAINTENANCE - EQUIPM		11,159.76			
5885937 43003	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	12/10/2014 ksteinman	01/06/2015	2,639.44	0.00	P	Y 12/29/2014
		REPAIRS/MAINTENANCE - EQUIPM		2,639.44			
5887602 43004	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-988-000-0175	12/16/2014 ksteinman	01/06/2015	2,222.39	0.00	P	Y 12/29/2014
		ELECTRICAL SYSTEM CONSTR		2,222.39			
5885622 43005	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-729-001	12/09/2014 ksteinman	01/06/2015	373.00	0.00	P	Y 12/29/2014
		OTHER CLOTHING & SUPPLIES		373.00			
SH141243 43006	QUALITY DOOR OF SO HAVEN INC DOOR REPAIR 250-751-741-000	12/16/2014 ksteinman	01/06/2015	186.15	0.00	P	Y 12/29/2014
		ICE RINK SUPPLIES		186.15			
2501 43007	RCP, LLC SCAN BLUE PRINTS 204-446-801-000	12/16/2014 ksteinman	01/06/2015	300.00	0.00	P	Y 12/29/2014
		PROFESSIONAL/CONSULTING FEES		300.00			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
11273 43008	ROK SYSTEMS, INC SUPPORT 636-258-980-002	12/11/2014 ksteinman COMPUTER SOFTWARE	01/06/2015	140.00 140.00	0.00	P	Y 12/29/2014
99913 43009	SECURALARM SYSTEMS INC SERVICE CALL 636-258-933-000	12/04/2014 ksteinman REPAIRS/MAINTENANCE - EQUIP	01/06/2015	197.15 197.15	0.00	P	Y 12/29/2014
100091 43010	SECURALARM SYSTEMS INC CENTRAL STATION MONITORING 636-258-933-000	12/01/2014 ksteinman REPAIRS/MAINTENANCE - EQUIP	01/06/2015	318.00 318.00	0.00	P	Y 12/29/2014
7129168103-000001 43011	STAPLES ADVANTAGE SUPPLIES 101-371-727-000	12/23/2014 ksteinman OFFICE SUPPLIES	01/06/2015	59.96 59.96	0.00	P	Y 12/30/2014
7128017202-00001 43012	STAPLES ADVANTAGE SUPPLIES 101-301-727-000	12/06/2014 ksteinman OFFICE SUPPLIES	01/06/2015	65.52 65.52	0.00	P	Y 12/30/2014
7128017202-001001 43013	STAPLES ADVANTAGE SUPPLIES 101-301-727-000	12/06/2014 ksteinman OFFICE SUPPLIES	01/06/2015	20.49 20.49	0.00	P	Y 12/30/2014
7128962475-000001 43014	STAPLES ADVANTAGE SUPPLIES 636-258-727-000	12/18/2014 ksteinman OFFICE SUPPLIES	01/06/2015	438.95 438.95	0.00	P	Y 12/30/2014
7128803064-00001 43015	STAPLES ADVANTAGE SUPPLIES 591-558-727-000 592-558-727-000 582-558-727-000 101-446-727-000 101-447-727-000 591-558-741-000 592-558-741-000	12/16/2014 ksteinman OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES OPERATING SUPPLIES OPERATING SUPPLIES	01/06/2015	197.38 33.28 33.28 33.28 33.28 33.28 6.20 6.20	0.00	P	Y 12/30/2014

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	101-446-741-000	OPERATING SUPPLIES		6.20			
	101-447-741-000	OPERATING SUPPLIES		6.19			
	582-558-741-000	OPERATING SUPPLIES		6.19			
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7128942143-000001							
43016	STAPLES ADVANTAGE SUPPLIES	12/17/2014 ksteinman	01/06/2015	138.54	0.00	P	Y 12/30/2014
	101-371-727-000	OFFICE SUPPLIES		72.07			
	101-265-727-000	OFFICE SUPPLIES		66.47			
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900518							
43017	STATE OF MICHIGAN - MDEQ SAMPLES	12/11/2014 ksteinman	01/06/2015	595.00	0.00	P	Y 12/30/2014
	591-559-802-000	OTHER CONTRACTUAL SERVICES		595.00			
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901897							
43018	STATE OF MICHIGAN-MDEQ BIOSOLIDS LAND APPLICATION FEE	12/15/2014 ksteinman	01/06/2015	1,720.00	0.00	P	Y 12/30/2014
	592-559-802-000	OTHER CONTRACTUAL SERVICES		1,221.20			
	592-566-802-000	OTHER CONTRACTUAL SERVICES		149.64			
	592-567-802-000	OTHER CONTRACTUAL SERVICES		349.16			
<hr/>							
7102							
43036	TOP GRADE SITE MANAGMENT, LLC DYCKMAN RD BRIDGE	12/05/2014 ksteinman	01/06/2015	800.00	0.00	P	Y 12/30/2014
	204-446-801-000-0158	PROFESSIONAL/CONSULTING FEES		800.00			
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527911							
43019	USA BLUE BOOK LAB SUPPLIES	12/23/2014 ksteinman	01/06/2015	270.47	0.00	P	Y 12/30/2014
	591-559-741-000	OPERATING SUPPLIES		270.47			
<hr/>							
522135							
43020	USA BLUE BOOK LAB SUPPLIES	12/15/2014 ksteinman	01/06/2015	171.28	0.00	P	Y 12/30/2014
	592-559-741-000	OPERATING SUPPLIES		171.28			
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517647							
43021	USA BLUE BOOK LAB SUPPLIES	12/09/2014 ksteinman	01/06/2015	555.85	0.00	P	Y 12/30/2014
	592-569-933-000-0080	REPAIRS/MAINTENANCE - EQUIP		555.85			
<hr/>							
511523							
43022	USA BLUE BOOK LAB SUPPLIES	12/02/2014 ksteinman	01/06/2015	274.92	0.00	P	Y 12/30/2014
	591-558-741-000	OPERATING SUPPLIES		274.92			

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514010 43023	USA BLUE BOOK LAB SUPPLIES 591-558-741-000	12/04/2014 ksteinman OPERATING SUPPLIES	01/06/2015	948.84 948.84	0.00	P	Y 12/30/2014
1467 43024	VAN BUREN CONSERVATION DISTRIC HOUSEHOLD HAZARDOUS WASTE RECYCLIN 101-622-959-004	12/10/2014 ksteinman VBC HAZARDOUS WASTE	01/06/2015	542.30 542.30	0.00	P	Y 12/30/2014
12-17-14 43025	VAN BUREN COUNTY CLERK NOVEMBER 4, 2014 ELECTION CHARGES 101-191-801-000	12/17/2014 ksteinman PROFESSIONAL/CONSULTING FEES	01/06/2015	1,050.00 1,050.00	0.00	P	Y 12/30/2014
11/27/14 43026	VILLAGE MARKET #869 FUEL 582-558-748-000 591-558-748-000	11/27/2014 ksteinman MOTOR FUEL MOTOR FUEL	01/06/2015	117.39 73.83 43.56	0.00	P	Y 12/30/2014
45514 43027	WEST MICHIGAN DOCUMENT SHREDDING SERVICE 101-265-802-000	12/10/2014 ksteinman OTHER CONTRACTUAL SERVICES	01/06/2015	90.00 90.00	0.00	P	Y 12/30/2014
0139599153 43028	ZEE MEDICAL, INC SAFETY SUPPLIES 591-559-741-000	12/18/2014 ksteinman OPERATING SUPPLIES	01/06/2015	80.05 80.05	0.00	P	Y 12/30/2014
# of Invoices:	74	# Due:	0	Totals:	601,724.53	0.00	
# of Credit Memos:	1	# Due:	0	Totals:	(129.20)	0.00	
Net of Invoices and Credit Memos:					601,595.33	0.00	
* 3 Net Invoices have Credits Totalling:					(51,732.03)		

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
--- TOTALS BY FUND ---							
	101 - GENERAL FUND			21,995.12	0.00		
	204 - STREET FUND			212,630.22	0.00		
	250 - DOWNTOWN DVLP AUTHORITY			6,133.15	0.00		
	266 - POLICE TRAINING FUND			387.00	0.00		
	402 - CAPITAL PROJECTS FUND 2			45,476.02	0.00		
	582 - ELECTRIC FUND			290,950.18	0.00		
	591 - WATER FUND			15,448.50	0.00		
	592 - SEWER FUND			4,689.24	0.00		
	594 - MARINA FUND			2,550.00	0.00		
	636 - INFORMATION SERVICES FUND			1,335.90	0.00		
--- TOTALS BY DEPT/ACTIVITY ---							
	002 - LIABILITIES			(51,732.03)	0.00		
	191 - ELECTIONS			1,050.00	0.00		
	202 - CITY TREASURER			45,476.02	0.00		
	210 - LEGAL & PROFESSIONAL			4,280.00	0.00		
	258 - DATA PROCESSING			1,335.90	0.00		
	265 - BUILDINGS & GROUNDS			156.47	0.00		
	301 - POLICE			6,200.46	0.00		
	350 - INFORMATION CENTER			534.45	0.00		
	371 - BUILDING INSPECTIONS			132.03	0.00		
	446 - HIGHWAYS & STREETS			243,166.53	0.00		
	447 - ENGINEERING			39.47	0.00		
	558 - OPERATIONS			335,090.16	0.00		
	559 - TREATMENT			3,416.52	0.00		
	566 - TREATMENT - CASCO TWP			149.64	0.00		
	567 - TREATMENT - SH TWP			349.16	0.00		
	569 - LIFSTATIONS - SOUTH HAVEN T			555.85	0.00		
	622 - ENVIRONMENTAL CLEANUP			542.30	0.00		
	729 - DOWNTOWN DEVELOPMENT			1,701.50	0.00		
	751 - PARK DEPARTMENT			6,253.65	0.00		
	776 - OPERATIONS			2,550.00	0.00		
	804 - MUSEUMS			347.25	0.00		

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank 1 FIFTH THIRD BANK					
12/11/2014	1	49668	003304	APPRAISALS PLUS GROUP, INC.	3,500.00
12/11/2014	1	49669	000145	ARISTA TRUCK SYSTEMS, INC	733.00
12/11/2014	1	49670	000162	ASR HEALTH BENEFITS	300.00
12/11/2014	1	49671	003334	BASIC CORPORATE	295.00
12/11/2014	1	49672	003048	TODD BLOOMSTINE	290.94
12/11/2014	1	49673	UB REFUND	BRAYMAN, JORDAN T	47.68
12/11/2014	1	49674	000430	CENTURY LINK	58.38
12/11/2014	1	49675	000463	CITY OF SOUTH HAVEN	14.81
12/11/2014	1	49676	000514	CONSTRUCTION ASSOCIATES INC	3,346.91
12/11/2014	1	49677	000519	CONSUMERS ENERGY	225.00
12/11/2014	1	49678	000548	COVERT TOWNSHIP	4,712.81
12/11/2014	1	49679	000994	HAPA LLC	6,054.99
12/11/2014	1	49680	001107	HULL LIFT TRUCK INC	277.84
12/11/2014	1	49681	001171	J & L ORCHARD SUPPLY LLC	78.95
12/11/2014	1	49682	001196	JOHN'S STEREO INC	80.00
12/11/2014	1	49683	UB REFUND	KNIGHT, LINDA K	164.16
12/11/2014	1	49684	003335	KRISTY JENKS	79.00
12/11/2014	1	49685	001373	LAWN BOYS INC	6,000.00
12/11/2014	1	49686	001387	LERMA INC	35.00
12/11/2014	1	49687	001888	OKUN BROTHERS SHOES	88.46
12/11/2014	1	49688	001892	SHAWN OLNEY	64.00
12/11/2014	1	49689	UB REFUND	PLEASANT VIEW MHP-SOUTH HAVEN	89.57
12/11/2014	1	49690	003131	SOUTH HAVEN FAMILY CAMPGROUND	280.00
12/11/2014	1	49691	UB REFUND	SURPASS RENOVATIONS	28.88
12/11/2014	1	49692	002824	ED WAINRIGHT	5,566.50
12/11/2014	1	49693	UB REFUND	WILLIAMS, JENNIFER L	81.32
12/11/2014	1	49694	003220	WINGFOOT COMMERCIAL TIRE SYSTEMS	1,339.92
12/12/2014	1	49695	000043	AIRGAS USA, LLC	50.06
12/12/2014	1	49696	000177	AUTOWARES INC	739.79
12/12/2014	1	49697	003145	CANNEY'S WATER TREATMENT	33.00
12/12/2014	1	49698	000418	CDW GOVERNMENT INC	222.22
12/12/2014	1	49699	000505	COMPTON INC	2,365.00
12/12/2014	1	49700	000622	DELL MARKETING L P	9,425.61
12/12/2014	1	49701	000716	EJ USA INC	1,661.31
12/12/2014	1	49702	MISC	GREGORY W. DARR	75.00
12/12/2014	1	49703	001400	LIFELOC TECHNOLOGIES INC	165.00
12/12/2014	1	49704	001544	MENARDS	113.17
12/12/2014	1	49705	001657	MICHIGAN TOWNSHIP SERVICES	1,029.00
12/12/2014	1	49706	001866	NYE UNIFORM COMPANY	31.93
12/12/2014	1	49707	001913	OUDBIER INSTRUMENT CO	676.00
12/12/2014	1	49708	002002	PLUMBER'S PORTABLE TOILETS	140.00
12/12/2014	1	49709	002155	RIDGE AND KRAMER AUTO PARTS	77.84
12/12/2014	1	49710	003132	SOUTH HAVEN HEALTH SYSTEM	152.00
12/12/2014	1	49711	002418	SOUTH HAVEN SMALL ENGINES	437.07
12/12/2014	1	49712	002453	SPENCER MANUFACTURING, INC	57.50
12/12/2014	1	49713	002504	STATE OF MICHIGAN-MDEQ	5,500.00
12/12/2014	1	49714	002949	WOLVERINE HARDWARE	264.79
12/15/2014	1	49715	001329	LAKE MICHIGAN COLLEGE	961.21
12/15/2014	1	49716	002395	SOUTH HAVEN COMMUNITY HOSPITAL	177.93
12/15/2014	1	49717	002410	SOUTH HAVEN MEMORIAL LIBRARY	317.64
12/15/2014	1	49718	002415	SOUTH HAVEN PUBLIC SCHOOLS	11,440.40
12/15/2014	1	49719	002417	SOUTH HAVEN SENIOR SERVICES	134.59
12/15/2014	1	49720	002757	VAN BUREN COUNTY TREASURER	7,091.49
12/15/2014	1	49721	002758	VAN BUREN INTERMEDIATE	3,215.59
12/16/2014	1	49722	003213	DALE CLAYTON	67.20
12/16/2014	1	49723	UB REFUND	GREENTREE SERVICING	550.94
12/16/2014	1	49724	UB REFUND	ILG, KATHY L	81.49
12/16/2014	1	49725	001350	LAMBRIX DESIGN AND COMPANY	750.00
12/16/2014	1	49726	UB REFUND	PLEASANT VIEW MHP-SOUTH HAVEN	249.67
12/16/2014	1	49727	002415	SOUTH HAVEN PUBLIC SCHOOLS	26,235.72
12/16/2014	1	49728	002757	VAN BUREN COUNTY TREASURER	7,649.49
12/17/2014	1	49729	000475	CLARK HILL PLC	1,358.45
12/17/2014	1	49730	003336	E.H. WACHS	567.20
12/17/2014	1	49731	000716	EJ USA INC	3,464.05
12/17/2014	1	49732	003193	FISBECK, THOMPSON, CARR & HUBER	4,315.00
12/17/2014	1	49733	000872	GEMPLER'S	163.00
12/17/2014	1	49734	001853	NORTHERN FIRST AID	190.05
12/17/2014	1	49735	001888	OKUN BROTHERS SHOES	122.21
12/17/2014	1	49736	001889	OLD DOMINION BRUSH	155.83
12/17/2014	1	49737	002080	QUALITY DOOR OF SO HAVEN INC	90.00
12/17/2014	1	49738	003132	SOUTH HAVEN HEALTH SYSTEM	603.64
12/17/2014	1	49739	002478	STAPLES ADVANTAGE	1,271.67
12/17/2014	1	49740	002491	STATE OF MICHIGAN	6,802.09
12/17/2014	1	49741	002644	TRACE ANALYTICAL LAB INC	465.00
12/17/2014	1	49742	002654	TRANE U.S. INC	360.00
12/17/2014	1	49743	UB REFUND	CHEMICAL BANK	87.28
12/17/2014	1	49744	UB REFUND	GALLAS, CINDY ANN	196.00
12/17/2014	1	49745	UB REFUND	MELNICOFF, BEATRIZ E	130.00

Check Date	Bank	Check	Vendor	Vendor Name	Amount
12/17/2014	1	49746	UB REFUND	NELSON, TAMMY A	110.00
12/17/2014	1	49747	UB REFUND	SHAH, NIRAJ M	89.32
12/18/2014	1	49748	003021	MICHIGAN PAVING & MATERIALS CO	36,165.75
12/18/2014	1	49749	000177	AUTOWARES INC	293.76
12/18/2014	1	49750	MISC	C.A. HULL CO, INC.	500.00
12/18/2014	1	49751	000430	CENTURY LINK	5.34
12/18/2014	1	49752	000843	FRONTIER	711.36
12/18/2014	1	49753	001544	MENARDS	160.05
12/18/2014	1	49754	001610	MICHIGAN GAS UTILITIES	6,575.83
12/18/2014	1	49755	002645	TRACTOR SUPPLY CREDIT PLAN	26.93
12/18/2014	1	49756	003306	UNDERGROUND PIPE & VALVE	174.63
12/18/2014	1	49757	002724	UPS STORE #5080	13.19
12/22/2014	1	49758	003072	MARY ANN FRAZIER	70.00
12/22/2014	1	49759	000463	CITY OF SOUTH HAVEN	767.02
12/22/2014	1	49760	003180	COPS HEALTH TRUST	3,318.40
12/22/2014	1	49761	000624	DELTA DENTAL OF MICHIGAN	5,317.81
12/22/2014	1	49762	001405	LINCOLN NATIONAL LIFE INS CO	3,052.86
12/22/2014	1	49763	002386	SOUTH HAVEN AREA CHAMBER	149.00
12/23/2014	1	49764	000430	CENTURY LINK	5.42
12/23/2014	1	49765	000637	DICKINSON WRIGHT	7,104.50
12/23/2014	1	49766	000843	FRONTIER	847.32
12/23/2014	1	49767	000847	FUEL MANAGEMENT SYSTEM	4,605.26
12/23/2014	1	49768	001161	INTERSTATE ALL BATTERY CENTER	591.36 V
12/23/2014	1	49769	MISC	KEITH OLSON	298.02
12/23/2014	1	49770	UB REFUND	KRAUS, HAROLD	44.83
12/23/2014	1	49771	001544	MENARDS	193.76
12/23/2014	1	49772	001610	MICHIGAN GAS UTILITIES	6,251.70
12/23/2014	1	49773	UB REFUND	MORRIS, CARL M	113.95
12/23/2014	1	49774	002155	RIDGE AND KRAMER AUTO PARTS	150.15
12/23/2014	1	49775	002447	LINDA SPEARS	99.00
12/23/2014	1	49776	003058	NATALIE THOMPSON	14.95
12/23/2014	1	49777	003327	UNITED HEALTHCARE	60,850.56
12/23/2014	1	49778	002724	UPS STORE #5080	16.63
12/23/2014	1	49779	002755	VAN BUREN COUNTY ROAD COMM	48.01
12/23/2014	1	49780	002792	VERIZON WIRELESS	1,769.99
12/23/2014	1	49781	002949	WOLVERINE HARDWARE	171.12

1 TOTALS:

Total of 114 Checks:	276,992.02
Less 1 Void Checks:	591.36
Total of 113 Disbursements:	276,400.66

12/30/2014 10:45 AM
User: ksteinman
DB: South Haven

CHECK REGISTER FOR CITY OF SOUTH HAVEN
CHECK DATE FROM 12/18/2014 - 12/18/2014

Page: 1/1

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank 1 FIFTH THIRD BANK					
12/18/2014	1	70(E)	000087	AMERICAN ELECTRIC POWER	<u>708,182.54</u>
1 TOTALS:					
Total of 1 Checks:					708,182.54
Less 0 Void Checks:					<u>0.00</u>
Total of 1 Disbursements:					708,182.54



Planning Commission Annual Report to City Council

City of South Haven

Background Information: The Michigan Planning Enabling Act (Article II, Section 19-2) requires that the Planning Commission prepare an annual report to the City Council concerning “its operations and the status of planning activities, including recommendations regarding actions by the legislative body...” This report has been prepared in accordance with that requirement.

This year the planning commission heard five (5) applications for special use permits and considered a number of amendments to the zoning ordinance. A subcommittee of the commission spent several months working on ordinance reviews and recommendations as requested by City Council.

Recommendation: This report is informational only. No action needs to be taken.

Support Material: Annual Report to the City Council on Planning Commission Activities for 2014

Annual Report to the City Council on
 Planning Commission Activities for 2014

Meeting Date	Agenda Items	Planning Commission Action
January 9	Public hearing for amendment to add single family homes to the B-3 uses	Tabled
	Public hearing for amendment to add certain properties in the B-3 zone to the CBD	Tabled
	Public hearing for amendment to limit building height in the previous amendment	Tabled
February 6	Further discussion of amendment to add single family homes to the B-3 uses	Forwarded to Council
	Further discussion of amendment to add certain properties in the B-3 zone to the CBD	No action taken
	Further discussion of amendment to limit building height in the previous amendment	No action taken
March 6 Worksession	Discussion of review and amendments to the Noise and Vendor ordinances per City Council request	Subcommittees established
April 11	No meeting	
May 1	Special use request for a seasonal farm market on private property in B-2 zone	Approved
	Special use request for an inground pool on a waterfront lot (711 Northshore)	Approved
	Plan review for a barge restaurant on the Black River (Admiral Jack's)	Approved w/conditions

June 5	<p>Public hearing on amendment to change site plan for Phase 2 of Riverwatch Condominiums</p> <p>Special use permit request to split land in the B-3 zone for a single family residence</p> <p>Draft Noise Ordinance subcommittee update</p> <p>Discussion of changes to B-3 ordinance as proposed by City Council</p>	<p>Public hearing continued to next meeting (later withdrawn by applicant)</p> <p>Tabled</p> <p>Information only</p> <p>Public hearing set</p>
July 10	<p>Amendment to clarify the permitting of single family homes in the B-3 zone</p> <p>Request to rezone 38 Northshore from the B-3 to the R1-A zoning district</p> <p>Site plan review for Goodwill store</p> <p>Draft Noise Ordinance discussion</p> <p>Discussion of procedure to expand mini-storage facility on 2nd Avenue</p>	<p>Tabled for further study</p> <p>Tabled</p> <p>Tabled until ZBA rules on variances needed</p> <p>Public hearing set for August meeting PC decided the matter should come before them as opposed to ZBA</p>
August 7	<p>Public hearing on Noise Ordinance amendments</p> <p>Continued public hearing on Riverwatch Condominium amendment</p> <p>Discussion of changes requested by City Council to B-3 amendments adopted in March.</p> <p>Final approval for new Goodwill store</p>	<p>No action taken</p> <p>Application amended requiring new hearing and notifications</p> <p>Changes approved w/minor modification and sent back to Council</p> <p>Approved</p>
September 4	<p>Public hearing for revised amendment to Riverwatch Condominiums (removing Phase 2)</p> <p>Special use request for an inground pool on a waterfront lot (902 Monroe Blvd)</p> <p>Special use request for an inground pool on a waterfront lot (906 Monroe Blvd.)</p>	<p>Forwarded to City Council</p> <p>Approved</p> <p>Approved</p>
October 2	<p>Action on proposed rezoning of 38 Northshore</p>	<p>Forwarded to City Council</p>
November 7	<p>Draft Noise Ordinance review</p>	<p>Forwarded to City Council</p>
December 1	<p>No meeting</p>	<p>None</p>

Although not required, we have also prepared a summary of Zoning Board of Appeals (ZBA) activities in 2014:

The ZBA met six (6) times and heard eleven (11) appeals. The summary follows:

- One (1) interpretation appeal to zoning administrator decision – upheld
- Two (2) side yard setback appeals – approved
- Two (2) front yard setbacks – approved
- Three (3) rear yard setbacks – two (2) denied
- One (1) appeal seeking relief from front landscaping requirements - approved
- One (1) seeking lot coverage above the maximum allowed - denied
- One (1) height variance - approved

**EMPLOYMENT AGREEMENT
(City Manager)**

This Employment Agreement is made between the City of South Haven, a Michigan municipal corporation (the "City"), and Brian C. Dissette, an individual ("Employee").

IN CONSIDERATION OF the following terms conditions and covenants, the parties agree:

1. EMPLOYMENT. The City employs Employee as the City Manager of the City. Employee accepts such employment/appointment and agrees to work with and be responsible to the City Council. Employee understands and acknowledges that under the City Charter, Employee shall serve in the office at the pleasure of the majority of the City Council.
2. TERM. Pursuant to the City Charter, Employee's period for employment shall be for an indefinite term. The parties anticipate that Employee's tenure as City Manager will be for a period of five (5) years or longer. However, there is no agreement or commitment for any definite minimum term of employment in that Employee is an at-will employee and can be terminated at any time under the terms of Items 13 and 14 in this agreement.
3. DUTIES. Employee shall perform all duties specified in Section 4.7 of the City Charter, all duties specified by ordinances, and all such other proper duties as assigned by the City Council from time to time. Employee agrees to devote full time to his duties as City Manager. Employee shall not directly engage in or carry on any other business activity for compensation for his own benefit or for the benefit of any other person, entity, firm or corporation without the prior consent of the City Council. Employee agrees to carry out his duties in an efficient and conscientious manner, and to exercise his discretion and judgment in the best interests of the City at all times.
4. SALARY. The City shall pay Employee as compensation for services rendered, an annual salary of \$99,527.69 payable in accordance with the payroll schedule applicable to other employees of the City. A performance bonus of four thousand dollars (\$4,000) will be paid with the first pay period following the execution of this agreement. Subsequent adjustments in Employee's salary shall be made in conjunction with the annual performance review/evaluation of Employee conducted by the City Council. If, due to general budget cutbacks, a reduction is made to Employee's and City department directors' salaries, Employee's salary shall not be reduced by a larger percentage than the average percentage reduction for department directors. Salary adjustments during Employee's employment will be based upon relevant factors including without limitation, Employee's formal performance review, City Charter requirements, budget limits, availability of funds, provisions of state law, and compensation adjustments for other City employees under any plan/policy adopted by the City Council. Any such future adjustments of Employee's annual salary shall take effect as of the employee's anniversary date in current position.
5. PERFORMANCE REVIEW/EVALUATION.
 - A. The City Council shall conduct an annual performance review/evaluation of Employee, which shall be completed prior to the City Council's approval of the City's budget for the next fiscal year. The method of evaluation shall be formulated by the City Council in consultation with Employee.

- B. Promptly after the annual performance review, the City Council and Employee shall establish performance goals and objectives for the following fiscal year.
6. RESIDENCY. It is the express desire of the City Council that Employee shall reside within the City limits during Employee's employment, although the Council recognizes that residency cannot be required according to State Statute.
7. VACATION. For the purpose of determining the vacation benefit, Employee shall be credited with ten years of employment and thus shall receive twenty (20) work days of vacation leave credits. Such vacation leave credits will accrue for each year in the manner provided in the Personnel Policy and Procedures adopted, and as may be modified from time to time, by the City, applicable to all full-time management employees. Vacation leave credits not used during the calendar year in which they accrue may not be carried over into the following calendar year(s), except as provided by the City's Personnel Policy. Employee shall obtain prior approval of the City Council for use of vacation leave credits. Upon resignation, Employee is not entitled to use the balance of his accrued vacation to fulfill the 30 day notice requirement. Employee is entitled to be paid for any accrued but unused vacation in the event of resignation, retirement, termination, or vacancy in the office under 13D.
8. PAID TIME OFF. Employee shall receive 60 hours of paid time off (PTO) days at the commencement of each year of employment and shall accumulate paid time off according to the provisions of the Personnel Policy and Procedures as adopted, and as may be amended from time to time, by the City applicable to all full-time management employees. Use of such PTO days shall be subject to and governed by the City's Personnel Policy and Procedures.
9. COMPUTER AND CELL PHONE. Employee's duties require that Employee may find it necessary to work at home after normal working hours, so the City shall provide Employee with a reasonably up-to-date laptop computer and software to be maintained and repaired by City. Employee shall use that computer in accordance with City policies and shall adhere to generally accepted standards for the care of such equipment. The City shall provide and pay operating charges for a cell phone for Employee for business and personal use.
10. HOLIDAYS. Employee shall receive paid holidays in accordance with those uniformly provided to the City's full-time management employees.
11. BENEFITS – INSURANCE.
- A. Term Life Insurance. The City shall pay the full costs for a term life insurance policy on Employee in the amount of \$50,000.00, provided by an insurance company approved by the City. Employee shall designate the beneficiary of such life insurance. Such insurance shall continue during Employee's service under this Agreement.
- B. Health Insurance. The City shall provide Employee with family coverage for health insurance benefits in the types and amounts and under the terms provided for other full-time non-represented employees of the City. If employee chooses to opt out of the City provided health insurance, an annual payment in lieu of insurance in the amount of \$4,000 shall be paid.
- C. Disability Insurance. Employee shall receive short-term disability and long-term disability benefits as provided to other full-time management employees of the City.

- D. Other Insurance. Commencing on the date Employee commences service as City Manager, Employee shall receive the protection and benefits under the requirements of Michigan law for workers' compensation and for unemployment compensation and coverage under all liability and errors and omissions insurance maintained by the City as applicable to its full-time management employees.

12. BENEFITS - OTHER.

- A. Membership Dues. The City shall pay the dues for Employee's membership in the International City Council Management Association and the Michigan Local Government Management Association upon presentation of dues statements/invoices for such organizations. Employee may request the City Council to approve payment of membership dues for other professional or service organizations. If in its discretion the City Council determines that membership in such a professional or service organization is beneficial to the interests of the City and beneficial to Employee's performance of Employee's duties, and that payment of such membership dues is otherwise customary and appropriate under the circumstances, the City may approve payment of such membership dues upon Employee presenting a proper invoice or statement of the dues. Except for the two organizations specified above, approval of payment of dues for membership in a professional organization for one (1) year membership period shall not be deemed a commitment for dues payments for succeeding year's membership periods: a new/separate request and approval must be made and obtained.
- B. Professional Development. Employee may recommend and the City Council may approve in the City's annual budget, an amount to be budgeted to pay/reimburse Employee for tuition registration, fees, materials, meals, lodging and travel involving educational courses to be taken and/or seminars, workshops or conferences to be attended by Employee that are directly related to Employee's duties as City Manager. Employee shall obtain advance approval from the City Council prior to including any professional development expenses for which Employee will seek to use the budgeted funds. Which approval may be either as a specified item in the approved budget or as a separate request for approval if not a specific budget item.
- C. Automobile. Employee's duties require that Employee shall have an automobile available at all times during employment. The City shall pay Employee a car allowance of \$6,000 per year. The Car Allowance shall not be considered part of the gross salary when calculating retirement account contributions described in Section 12D of this Agreement. Employee shall be responsible for the automobile, its maintenance, repair, replacement, fuel and all necessary insurance required under Michigan law. When Employee is required to travel a distance greater than forty (40) miles from the city limits on City related business, Employee shall be reimbursed at the then current Internal Revenue Service business mileage reimbursement rate.
- D. Retirement.

The pension plan for the City Manager shall be administered by Municipal Employee Retirement System of Michigan (MERS). The benefits of the plan will be B-3 with the F50 (25) waiver. Employee will contribute to the retirement system the amount required of non-represented employees. The number of accumulated leave hours includable in the pension calculation will be capped at 240.

E. Business Expenses. Employee may recommend and the City Council may approve in the annual budget an amount to be budgeted for routine business expenses directly related to the performance of Employee's official duties as City Manager. Employee shall be reimbursed for such routine business expenses upon presenting appropriate receipts or vouchers for such expenses to the City Finance Department and receiving appropriate payment approvals, subject to the budget limitations. Any use by Employee of City credit cards or other charge accounts shall be done in strict compliance with the policies and practices established by the City.

13. TERMINATION. This Agreement and Employee's employment as City Manager may be terminated as follows:

A. Upon the agreement of the parties, which agreement shall be in writing and shall specify the effective date of termination.

B. Immediately upon the decision of the City Council to terminate this Agreement at any time after January 5, 2015. As the City Manager serves at the pleasure of the City Council, the decision to terminate may be with or without just cause.

C. By written resignation of Employee submitted to the City not less than thirty (30) days prior to the effective date of the resignation.

D. Immediately upon the occurrence of any event which by law creates a vacancy in the office or otherwise terminates the employment and/or, upon entry of an order of a court of competent jurisdiction which effectively terminates the employment.

14. SEVERANCE BENEFITS. Employee shall receive severance benefits from the City if the City terminates this Agreement under Section 13B, and such termination is not for the reasons listed in Section 14B. Employee shall receive no severance benefits if the Agreement is terminated by the City for a reason in Section 14B, if the Employee resigns, or if this Agreement is terminated under Section 13D. If this Agreement is terminated by agreement of the parties according to Section 13A, Employee's severance benefits, if any, shall be specified in that agreement.

Prior to the effective date of termination of this Agreement for one or more of the reasons listed in Section 14 B, the City Council shall notify Employee in writing of the reasons for its determination about Employee, and provide a description of the information upon which the City Council's decision to terminate this Agreement is based. Employee may respond in writing and may request, within ten working days of his receipt of this notice, a meeting with the City Council. If a meeting is requested, it will be set at a time and place determined by the City Council. To the extent allowed by law, this meeting shall be a closed session if Employee so requests. Employee may be represented at this meeting by a person chosen and compensated by Employee. At this meeting, Employee and/or his representative may present any information Employee believes appropriate in response to this notice. If Employee does not respond or request a meeting within ten working days after Employee receives City Council's notice, the Agreement shall be terminated effective the eleventh working day after Employee's receipt of the City Council's notice.

A. Severance benefits shall be:

1. Payment of an amount equal to six months of Employee's current salary payable as a continuation of salary payroll for such period and subject to all withholdings required by law.
 2. Continuation of the Employee's current coverage under the City's current health and dental insurance, if that is possible, or reimbursement of the Employee for the amounts he pays in COBRA premiums for six months. If, prior to the expiration of the six months, the Employee starts another position that provides comparable health and dental insurance, the City's obligation under this provision 2 shall cease.
 3. Payment of the value of vacation leave credits accrued and unused by Employee as of the date of termination. It is acknowledged that, even if Employee is not otherwise entitled to severance benefits under this Section, Employee shall receive payment of such accrued and unused vacation leave credits. The City shall pay such amount within thirty (30) days from the date of termination.
 4. Payment of the value of unused PTO calculated and paid in accordance with the provisions of the City's Personnel Policy and Procedures applicable to retirees.
- B. For purposes of Section 13 and this Section, Employee shall not receive severance benefits if terminated for any of the following reasons:
1. Conviction or a plea of no contest to a Felony;
 2. Misconduct, whether during or outside the course of employment, which substantially impairs Employee's ability to function effectively as City Manager or which brings disrepute to the office of City Manager;
 3. Gross negligence in the performance of duties;
 4. Fraud or embezzlement;
 5. Dishonesty, intentional falsification of records or documents, financial improprieties, misuse of position of personal gain, or deliberate misrepresentation of material facts to the City Council;
 6. Willful neglect or abandonment of Employee's duties;
 7. Drug test confirming the use of illegal substances, or intoxication while working;
 8. Violations of federal or state laws, the City Charter and the Code of Ordinances of the City which would expose the City to civil liability and/or affect the validity and enforceability of City actions;
 9. Material breach of this Agreement.
- C. For purposes of this Section and except as may otherwise be agreed by the parties, a resignation by Employee in lieu of termination, shall be treated as a termination of this Agreement by the City under Section 13 B, for which Employee may receive severance benefits, if all of the following conditions are met:

1. The City informs Employee of its intent to bring the termination of Employee to the City Council for formal action and offers Employee the opportunity to resign and sign a release in lieu of such action, or alternatively, after being advised of such intention, Employee offers to resign and sign a release and the City agrees and accepts such resignation in lieu of formal final action for termination by the City Council; and
2. The City's termination would not have been for reasons of just cause, in whole or in part.

D. This Section shall not, and is not intended to, preclude the parties from negotiating other terms regarding severance benefits, upon mutual written agreement.

15. MISCELLANEOUS. This Agreement shall inure to the benefit of and be binding upon the parties and their respective heirs, personal representatives, officers, successors and assigns. This Agreement has been executed in Michigan and shall be governed by Michigan law. All parties to this Agreement submit to the jurisdiction of the state courts of Michigan. This Agreement may only be amended pursuant to a written document executed by both parties. The waiver by either party of a breach of any provision of this Agreement shall not be a waiver of any subsequent breach of same or any other provision of this Agreement. If any provision of this Agreement is unenforceable for any reason, the unenforceability thereof shall not impair the remainder of this Agreement, which shall remain in full force and effect. It is contemplated that this Agreement shall be executed in multiple counterparts, all of which together shall be deemed to be one agreement. This Agreement represents the entire understanding and agreement between the parties and supersedes any prior oral or written understandings and agreements between the parties with regard to the matters addressed by this Agreement. The captions of this Agreement are for convenience only and shall not affect its interpretation.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective as of January 5, 2015.

CITY OF SOUTH HAVEN

BRIAN C. DISSETTE

By: _____
Robert Burr, Mayor

Date signed: _____, 2015

By: _____
Amanda Morgan, City Clerk

Date signed: _____, 2015



City of South Haven

Dept. of Public Works

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

MEMORANDUM

To: Brian Dissette, City Manager
From: Roger Huff, PE, DPW Director
RE: Core City Secondary Upgrades – Phase 2
Date: December 30, 2014

Background Information:

CONSTRUCTION SERVICES

At the July 29, 2013 Regular Meeting of the Board of Public Utilities, GRP Engineering, Inc. presented the Electric Distribution System Study & Five-Year Plan. This study reviewed the City of South Haven's substations and distribution system and provided recommendations for electrical system projects to significantly improve system reliability. The Board directed GRP Engineering to provide proposals for engineering services for four recommended projects. Core City Secondary Upgrades is one of those projects.

Project scope is to rebuild secondary lines within the core city area which are generally located in back lot areas. All poles and secondary conductor are scheduled to be replaced with primary conductor and transformers as determined through a complete inventory and design. The "core city" area is generally defined as the area bounded by Lake Michigan to the west, the river and Phoenix Street to the north, Blue Star Highway to the east, and Aylworth Avenue to the south.

Reconstruction will occur in several phases to spread out construction costs over time. Each phase will include several residential blocks (estimated 16 blocks), inventory and engineering design completed, material purchased, construction contract bid to qualified contractors based on a firm number of units, pole replacement and line reconstruction, final inspections and inventory for contractor invoicing.

On March 17, 2014, bids were opened for Phase 1 of the project. On March 31, 2014, the Board of Public Utilities reviewed and provided unanimous approval of a recommendation to City Council to award Core City Secondary Upgrades – Phase 1 Bids to Kent Power, Inc. of Kent City, Michigan. On April 1, 2014, City Council approved award of the contract. The Phase 1 work is nearing completion. GRP Engineering has prepared plans for Phase 2. Kent Power, Inc. has reviewed the plans and has agreed to maintain their Phase 1 unit prices for Phase 2. They have also agreed to install the secondary (backyard) poles on a Time and Material basis. Their original unit price for this item was \$3,000 per pole. On Phase 1, they have averaged three (3) poles per day. This would translate to approximately \$1,000 per pole, which would yield a total project cost of approximately \$807,899.49. GRP's original total cost estimate was \$750,000. Attached are GRP's recommendation letter and the unit cost lists.

Memorandum

December 30, 2014

Core City Secondary Upgrades – Phase 2

Page 2 of 3

It is recommended that the contract of Kent Power, Inc. for Core City Secondary Upgrades – Phase 1 is extended for Core City Secondary Upgrades – Phase 2 utilizing the established unit prices, with secondary poles paid for on a Time and Material basis; for the following reasons:

- They have performed well on Phase 1 and have received compliments from residents and staff.
- They know the work and would need no learning curve.
- They know our system.
- The same bidding environment exists now as was occurring at the time of bidding Phase 1. There is a lot of work, contractors are busy, and a lot work is being bid. Therefore, contractors are not bidding on everything and bidding is high. There were only two bidders on Phase 1.

COMMUNITY OUTREACH AND COMMUNICATION SERVICES

Because most of the construction will occur on private property, this project will have a direct impact on customers and property owners. In order to ensure that the project moves forward in a smooth manner, a high level of communication with impacted property owners is needed. In order to ensure that an adequate effort is made to serve the needs of the customers and property owners within the project area, staff requested a proposal from Abonmarche to provide community outreach and coordination services during Phase 1.

On August 25, 2014, the Board of Public Utilities reviewed and provided unanimous approval of a recommendation to City Council to award a professional services contract for community outreach and coordination to Abonmarche. On September 2, 2014, City Council approved award of the contract. The attached proposal outlines the same services to be provided by Abonmarche for Phase 2. The primary purpose is to ensure that customers and property owners know what to expect both before and during the project and to assist in addressing any concerns related to tree trimming, tree removal, and yard restoration during and after the construction.

PRECONSTRUCTION VIDEOTAPING SERVICES

Abonmarche worked with City staff to obtain pricing for videotaping services throughout the Phase 1 project area. Services include videotaping front and backyards, landscaping, power lines, homes, sidewalks, driveways, etc. This service is critical to ensure that unwarranted claims are not made against the City for damage to private property that is not caused by Kent Power.

On September 15, 2014, City Council approved award of the contract for preconstruction videotaping services to Structures, Inc. The attached proposal outlines the same services to be provided by Structures, Inc. for Phase 2.

Funds are included in the Fiscal Year 2013-14 Adopted Budget for electrical system improvements.

Memorandum

December 30, 2014

Core City Secondary Upgrades – Phase 2

Page 3 of 3

On December 18, 2014, the Board of Public Utilities reviewed and provided unanimous approval of a recommendation to City Council to award the three contracts described above.

Recommendation:

Award the following contracts for Core City Secondary Upgrade – Phase 2:

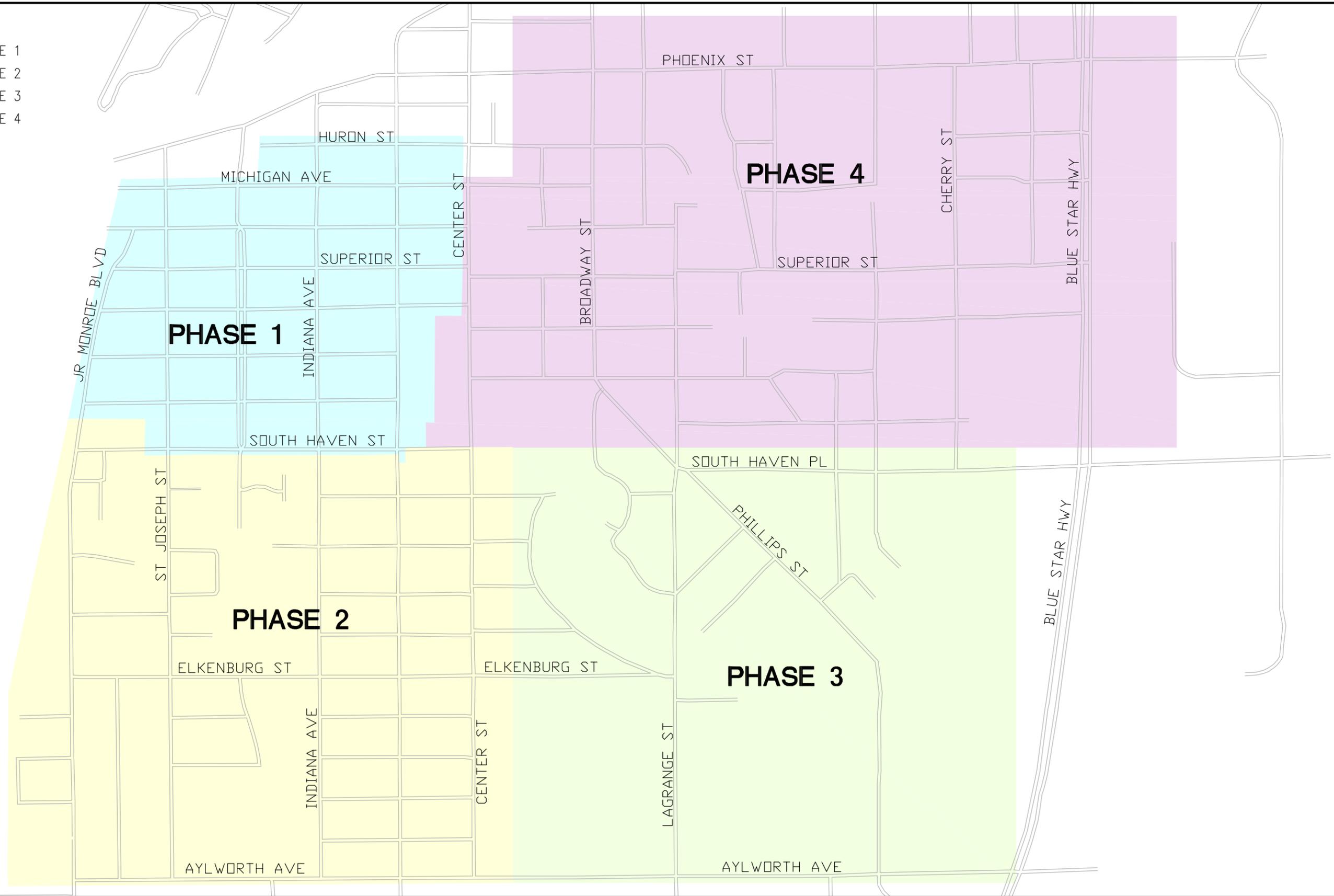
- A. Extend the contract with Kent Power, Inc. of Kent City, Michigan for construction services. Labor and materials to be provided are defined in the contract documents prepared by GRP Engineering.
- B. Award the contract for professional services for community outreach and communication to Abonmarche in the amount of \$33,500.
- C. Award the contract for preconstruction videotaping services to Structures, Inc. in the not-to-exceed amount of \$18,923.

Support Material:

Core City Construction Phases Map
GRP Engineering Recommendation Letter
Unit Cost Lists
Abonmarche Proposal
Structures, Inc. Proposal

LEGEND

-  PHASE 1
-  PHASE 2
-  PHASE 3
-  PHASE 4



PROJECT NAME
CORE CITY SECONDARY UPGRADES
CLIENT
CITY OF SOUTH HAVEN

PROPOSED CONSTRUCTION PHASES

GRP ENGINEERING, INC., GRAND RAPIDS / PETOSKEY, MI., 231-439-9683

DATE 08-22-2014	PROJECT NO. 14-0669.01
ENG MPM	DRAWING
DR. KMW	MAP

December 16, 2014
14-0669.01

Mr. Roger Huff
South Haven DPW
1199 8th Ave
South Haven, MI 49090

**RE: Core City Secondary Upgrade Phase 2
Recommendation**

Dear Roger:

GRP Engineering, Inc. has completed reviewing the options for proceeding with Phase 2 of the Core City Secondary Upgrade project. There were three options considered for the labor option of this project. The first option was to extend the contract with Kent Power as the phase 1 bids were originally received, option 2 was extend the contract with Kent Power but to negotiate a better price on the particular items that were viewed as overpriced in the original bid and option 3 was to bid out the project as a separate contract. Listed below is a simple overview of the reasoning behind the decisions that lead GRP Engineering and South Haven Staff to option 2.

Option three was ruled out because the current bid environment is similar to the situation that was encountered when Phase 1 was bid. At that time we only received 2 bids out of 5 contractors solicited and the prices were considered high.

Option one was ruled out because some of the prices submitted in the original bid were high. Based on our experiences in Phase 1 and other similar projects, GRP and City Staff felt that a significant savings could be achieved by working with Kent Power on some of the costs in the bid.

Option 2 was selected based on the info above regarding option 1 and 3 as well as couple of other items. First the overall Phase 1 project has been positive for all parties involved and most importantly with the customers of South Haven. Second in the interest of keeping the project moving and with goal of completing Phase 2 in the spring of 2015 it would be helpful to keep Kent Power on site and working therefore eliminating roughly 2 months of down time for the complete bidding/approval process as well as the learning curve for the contractor.

Kent Power Inc., GRP Engineering and South Haven Staff have successfully negotiated an extension to the Phase 1 project. Therefore GRP Engineering, Inc. recommends that South Haven extend the contract with Kent Power. The estimated cost for Kent Power will be \$622,899.49 with an estimated material cost of \$185,000.00 for a total cost of \$807,899.49.

The project unit list and estimate is attached to this letter.

Please contact me at 616.942.7183 should you have any questions regarding this evaluation.

Sincerely,
GRP Engineering, Inc.



Robert A. Shelley, P.E.
Electrical Engineer

**CITY OF SOUTH HAVEN
CORE CITY SECONDARY UPGRADE - PHASE 2
CONSTRUCTION COST ESTIMATE**

New Construction Labor	Removal Labor	Total Labor Estimate	Material	Phase 2 Total Estimate
\$550,224.03	\$72,675.46	\$622,899.49	\$185,000.00	\$807,899.49

**CITY OF SOUTH HAVEN
CORE CITY SECONDARY UPGRADE PHASE 2
NEW CONSTRUCTION UNIT LIST
BID #2014-03**

UNIT ITEM DESCRIPTION	UNIT	BID QUANTITY	UNIT LABOR	EXTENDED TOTAL
35-5	EA	123	\$1,000.00	\$123,000.00
40-4	EA	34	\$699.00	\$23,766.00
45-4	EA	6	\$710.00	\$4,260.00
A1	EA	10	\$48.00	\$480.00
A2	EA	2	\$69.00	\$138.00
A4	EA	4	\$180.00	\$720.00
A5	EA	6	\$148.00	\$888.00
A5-1	EA	4	\$175.00	\$700.00
A5-2	EA	1	\$150.00	\$150.00
A5-3	EA	1	\$148.00	\$148.00
A7	EA	1	\$180.00	\$180.00
A9	EA	1	\$120.00	\$120.00
A9-1	EA	1	\$85.00	\$85.00
C1	EA	4	\$145.00	\$580.00
C1-1	EA	1	\$170.00	\$170.00
C1-2	EA	3	\$126.00	\$378.00
C2	EA	2	\$195.00	\$390.00
C7A	EA	2	\$345.00	\$690.00
HD-SDE	EA	8	\$216.00	\$1,728.00
HD-T1-24	EA	14	\$135.00	\$1,890.00
E1-3Fi	EA	2	\$148.00	\$296.00
E1-3i	EA	86	\$135.00	\$11,610.00
E1-3SWI	EA	1	\$160.00	\$160.00
E2-3Fi	EA	2	\$205.00	\$410.00
E2-3i	EA	7	\$190.00	\$1,330.00
5.0' EXT.	EA	2	\$45.00	\$90.00
F1-3S	EA	86	\$145.00	\$12,470.00
TA-2H	EA	3	\$255.00	\$765.00
G25DB240	EA	6	\$215.00	\$1,290.00
G310	EA	1	\$215.00	\$215.00
G39	EA	9	\$215.00	\$1,935.00
G50DB240	EA	15	\$260.00	\$3,900.00
G75SDB240	EA	3	\$285.00	\$855.00
G9	EA	20	\$215.00	\$4,300.00
Transfer G25DB240	EA	4	\$320.00	\$1,280.00
#1/0 TX	LFT	1,503	\$2.70	\$4,058.10
#1/0 USE	LFT	320	\$3.50	\$1,120.00
#2 TX	LFT	8,550	\$2.65	\$22,657.50
#2 USE	LFT	40	\$3.50	\$140.00
#4 TX	LFT	78	\$160.00	\$12,480.00
#4/0 TX	LFT	10,760	\$3.20	\$34,432.00
#4/0 USE	LFT	500	\$4.00	\$2,000.00
#500 USE TX	LFT	2,150	\$5.05	\$10,857.50

**CITY OF SOUTH HAVEN
CORE CITY SECONDARY UPGRADE PHASE 2
NEW CONSTRUCTION UNIT LIST
BID #2014-03**

UNIT ITEM DESCRIPTION	UNIT	BID QUANTITY	UNIT LABOR	EXTENDED TOTAL
#6 DX	LFT	944	\$0.65	\$613.60
Transfer #1/0 TX	EA	4	\$160.00	\$640.00
Transfer #1/0 USE	EA	10	\$320.00	\$3,200.00
Transfer #2 TX	EA	187	\$195.00	\$36,465.00
Transfer #2 USE	EA	2	\$195.00	\$390.00
Transfer #4/0 QX	EA	1	\$205.00	\$205.00
Transfer #4/0 TX	EA	68	\$195.00	\$13,260.00
Transfer #4/0 USE	EA	53	\$320.00	\$16,960.00
Transfer #6 DX	EA	25	\$150.00	\$3,750.00
UM45-3 1/0	EA	16	\$85.00	\$1,360.00
UM45-3 2	EA	11	\$85.00	\$935.00
UM45-3 2/0	EA	13	\$85.00	\$1,105.00
UM45-3 4/0	EA	26	\$85.00	\$2,210.00
K10	EA	1	\$38.00	\$38.00
K14	EA	307	\$36.00	\$11,052.00
M2-11	EA	18	\$85.00	\$1,530.00
M2-11HD	EA	12	\$115.00	\$1,380.00
M5-10S	EA	27	\$160.00	\$4,320.00
M5-5	EA	1	\$35.00	\$35.00
M5-6	EA	7	\$65.00	\$455.00
M5-9	EA	9	\$90.00	\$810.00
Meter Socket	EA	3	\$700.00	\$2,100.00
Meter Socket & Disc Switch	EA	2	\$785.00	\$1,570.00
Street Light	EA	1	\$180.00	\$180.00
Transfer 1Ø #2 ACSR	EA	6	\$195.00	\$1,170.00
Transfer 1Ø #6 INS CU	EA	4	\$195.00	\$780.00
Transfer 3Ø #1/0 ACSR	EA	9	\$320.00	\$2,880.00
Transfer 3Ø #4 ACSR	EA	2	\$320.00	\$640.00
Transfer M5-26	EA	1	\$95.00	\$95.00
Transfer Meter Socket	EA	5	\$120.00	\$600.00
Transfer St. Lt. Messenger	EA	2	\$190.00	\$380.00
Transfer Street Light	EA	17	\$190.00	\$3,230.00
UA2A	EA	5	\$600.00	\$3,000.00
G100PAD1	EA	2	\$625.00	\$1,250.00
G25PAD72	EA	1	\$580.00	\$580.00
G50PAD1	EA	4	\$580.00	\$2,320.00
UM1-7NC	EA	7	\$460.00	\$3,220.00
UM1-7NC_1Ø SC	EA	2	\$460.00	\$920.00
UM3-14	EA	2	\$580.00	\$1,160.00
UK5	EA	3	\$155.00	\$465.00
UM5	EA	60	\$245.00	\$14,700.00
UM6-10	EA	1	\$25.00	\$25.00
UM6-1A	EA	12	\$90.00	\$1,080.00

**CITY OF SOUTH HAVEN
CORE CITY SECONDARY UPGRADE PHASE 2
NEW CONSTRUCTION UNIT LIST
BID #2014-03**

UNIT ITEM DESCRIPTION	UNIT	BID QUANTITY	UNIT LABOR	EXTENDED TOTAL
UM6-21	EA	2	\$60.00	\$120.00
UM48-2	EA	6	\$160.00	\$960.00
4" HDPE 90° Elbow 36" R	EA	35	\$325.00	\$11,375.00
UR-5 (4")	LFT	3,260	\$28.95	\$94,377.00
#1/0 15kV AL, 7 Strand Hendrix - Gray	LFT	2,340	\$1.00	\$2,340.00
#2 7/1 ACSR, "Sparate"	LFT	2,293	\$0.46	\$1,054.78
#6A CWC	LFT	306	\$0.75	\$229.50
052 AWA	LFT	2,340	\$1.00	\$2,340.00
#2 AL 15kV EPR Full C.N.	LFT	2	\$3.00	\$7.05
Insurance & Bonding	LS	1	\$5,250.00	\$5,250.00
NEW CONSTRUCTION SUBTOTAL:				\$550,224.03

¹All material required to be supplied by Contractor.

**CITY OF SOUTH HAVEN
CORE CITY SECONDARY UPGRADE PHASE 2
REMOVAL UNIT LIST
BID #2014-03**

ITEM DESCRIPTION	UNIT	BID QUANTITY	UNIT LABOR	EXTENDED TOTAL
25	EA	9	\$95.00	\$855.00
30	EA	66	\$105.00	\$6,930.00
35	EA	51	\$110.00	\$5,610.00
35-4	EA	1	\$110.00	\$110.00
35-5	EA	1	\$110.00	\$110.00
40	EA	32	\$115.00	\$3,680.00
40-4	EA	2	\$115.00	\$230.00
A1	EA	21	\$28.00	\$588.00
A2	EA	5	\$45.00	\$225.00
A4	EA	6	\$52.00	\$312.00
A5	EA	5	\$40.00	\$200.00
A5-1	EA	9	\$40.00	\$360.00
A5-2	EA	2	\$42.00	\$84.00
A5-3	EA	2	\$40.00	\$80.00
A6	EA	2	\$52.00	\$104.00
A7	EA	3	\$50.00	\$150.00
A8	EA	2	\$87.00	\$174.00
A9		6	\$80.00	\$480.00
A9-1	EA	4	\$50.00	\$200.00
A9-2		1	\$85.00	\$85.00
C1	EA	6	\$55.00	\$330.00
C1-1	EA	1	\$60.00	\$60.00
C2	EA	2	\$66.00	\$132.00
C7	EA	2	\$95.00	\$190.00
HD-SDE	EA	1	\$85.00	\$85.00
E	EA	77	\$54.00	\$4,158.00
E1-3SWI	EA	1	\$54.00	\$54.00
E2-2	EA	8	\$60.00	\$480.00
E2-3i	EA	1	\$60.00	\$60.00
F	EA	77	\$45.00	\$3,465.00
G	EA	35	\$125.00	\$4,375.00
G10DVDB240	EA	3	\$125.00	\$375.00
G10SDB240	EA	4	\$125.00	\$500.00
G25DB240	EA	18	\$125.00	\$2,250.00
G25DVDB240	EA	1	\$125.00	\$125.00
G310	EA	1	\$125.00	\$125.00
G50DB240	EA	4	\$125.00	\$500.00
G50DVDB240	EA	1	\$125.00	\$125.00
#1/0 TX	LFT	490	\$0.90	\$441.00
#2 TX	LFT	6,732	\$0.88	\$5,924.16
#4 TX	LFT	7,265	\$0.80	\$5,812.00
1OWS	LFT	116	\$1.00	\$116.00
2OWS	LFT	1,048	\$0.90	\$943.20

**CITY OF SOUTH HAVEN
CORE CITY SECONDARY UPGRADE PHASE 2
REMOVAL UNIT LIST
BID #2014-03**

ITEM DESCRIPTION	UNIT	BID QUANTITY	UNIT LABOR	EXTENDED TOTAL
3OWS	LFT	5,138	\$0.90	\$4,624.20
K10	EA	8	\$14.00	\$112.00
K13	EA	76	\$14.00	\$1,064.00
K14	EA	254	\$14.00	\$3,556.00
M5-10S	EA	31	\$52.00	\$1,612.00
M5-2	EA	2	\$18.00	\$36.00
M5-20	EA	2	\$33.00	\$66.00
M5-29	EA	1	\$65.00	\$65.00
M5-5	EA	3	\$21.00	\$63.00
M5-6	EA	7	\$38.00	\$266.00
M5-9	EA	12	\$48.00	\$576.00
M8-12		1	\$105.00	\$105.00
Meter Socket		5	\$115.00	\$575.00
Meter Socket & Disc Switch		1	\$125.00	\$125.00
Street Light	EA	1	\$80.00	\$80.00
UA2A	EA	1	\$215.00	\$215.00
UM5	EA	47	\$135.00	\$6,345.00
#2 7/1 ACSR, "Sparate"	LFT	3,266	\$0.28	\$914.48
#4 7/1 ACSR, "Swanate"	kFT	2	\$0.28	\$0.62
#6 INS CU	LFT	3,559	\$0.28	\$996.52
#6 Solid HDCU	kFT	2	\$0.28	\$0.60
#6A CWC	LFT	306	\$0.28	\$85.68
			REMOVAL SUBTOTAL:	\$72,675.46

November 5, 2014

Roger Huff, PE, Public Works Director
City of South Haven
1199 8th Avenue
South Haven, Michigan 49090

Re: Proposal for Professional Services – Core City Secondary Upgrade, Phase II

Dear Mr. Huff:

Abonmarche is pleased to present this proposal for community outreach and coordination services for Phase II for the City's Core Secondary Lines project. We are currently completing community outreach for Phase I of the electrical upgrade project and expect a similar scope of services for completion of the next phase.

We understand that Phase II of the Core Secondary Upgrade is currently being designed by GRP Engineering and is expected to be ready for construction after the first of the year. It is anticipated that all bidding, construction related inquiries regarding pay estimates, change orders, design revisions, and other electrical technical questions will be administered by GRP Engineering and not involve Abonmarche. GRP Engineering will serve as the construction manager for the project while Abonmarche's role will be focused on community outreach and property owner communication.

SCOPE OF SERVICES AND FEES

Pre-Construction Activities

Abonmarche will coordinate several pre-construction communication activities for the project. The items below outline the tasks associated with the pre-construction communication phase of the project.

A. Kickoff Meetings/Planning \$0

Abonmarche will attend any kickoff and/or preconstruction meetings as needed prior to starting construction of the project. During the preconstruction phase, a project resident log will be started to allow resident correspondence to be recorded at any time throughout the project. Abonmarche will also review the project limits with the City Arborist for tree trimming and removal areas anticipated for the project.

B. Project Informational Letter \$1,000

A project information letter will be completed and sent out to the impacted project area. This letter will offer as the project introduction to the property owners that will be affected by this project. Information items such as schedule, reasons for completing the project, what to expect during construction, public open house meeting dates, and project contact information will be included in this letter. We would expect the city to assist in the mailing of the letter to the project area as defined by City staff and GRP Engineering. Technical aspects of project will be provided by GRP Engineering and general project information will be provided by Abonmarche.

C. Public Open House Meetings..... \$3,000

Abonmarche staff will hold one open house meeting with city residents in the evening during the week. During the meeting, we will be available for questions, comments, and to address concerns and record property owners information for future correspondence. During the open house, contact information for the Abonmarche project representatives will be given out to the property owners for any future questions or comments.

Construction Activities

Abonmarche will play an active role in communications and facilitation between members of the project team with findings and observations resulting from resident and property owner comments and public meetings.

We expect the construction timeframe for Phase II is from January 1, 2015 to May 25, 2015 (Memorial Day)

A. Individual Property Review and Property Owner Meetings..... \$9,500

When property owners have issues or concerns, Abonmarche will record and coordinate the information with the project team, and discuss options to address. In some instances, an individual property review and/or owner meeting must be completed. This task item will include completing a property inspection, taking pictures and recording relevant property information, and coordinating and scheduling a meeting with the property owner if needed. Abonmarche will also coordinate video services with Structures, Inc. to complete video surveying existing conditions of properties within the Phase II areas.



B. Weekly Progress Meetings \$9,500

Abonmarche will complete weekly progress meetings with City Staff, GRP Engineering, and the contractor. The meeting will outline the previous week's work, define the schedule for the next week, record project issues and distribute minutes to the project team. During the progress meeting, the project team will decide if new project notifications (door hangers) will be needed and where they will be placed. It is anticipated that the construction timeframe is 20 weeks which includes attendance and coordination for 16 progress meetings.

C. Door Notifications..... \$3,500

Once kickoff and progress meetings are completed, individual door notifications will be delivered at specific locations that will remind property owners of upcoming work, tree trimming and contact information, and what to expect during construction within the areas that the contractor will be working. We have found in the past that these notifications are an effective method of getting additional communication updates out to the property owners. The notifications would generally be placed at the end of the week for items that would be occurring for the upcoming month. Individual service interruptions or general daily construction notifications would be expected to be completed by the contractor as they proceed with the construction of the electrical upgrades.

D. Communication Updates \$3,000

Abonmarche will develop project updates from the weekly progress meetings and provide to City Staff to post to the City Website. Public Safety can be copied to inform them of any resident issues and locations of the contractors work.

E. Tree Trimming Facilitation and Coordination..... \$4,000

Abonmarche will work with the City's Arborist throughout the project to define where tree removal and tree trimming will be completed. Abonmarche will communicate with property owners what is allowed by the City for tree removal and limbing related to the electrical grid and also coordinate with property owners to facilitate removal of other trees which may threat to the City's electrical system.



F. Restoration.....\$TBD

Additional services for restoration will be develop if issues develop with the property owners. It is our understanding that “backyard” machines will be utilized for a majority of the installation of the new facility and that disturbed areas will be kept to a minimum to reduce property impacts. If property issues arise concerning restoration, Abonmarche will meet with City staff to determine if further steps need to be taken on a case-by-case basis. For any warranted additional work, Abonmarche will use local contractors on a competitive bid basis. As the extent and amount of this activity is not known, it will be handled on a case by case basis with all costs approved by the City before being incurred.

Below is a summary of the fees associated with each task.

Tasks	Fees
Kickoff Meetings/Planning	\$0
Project Informational Letter	\$1,000
Public Open House Meetings	\$3,000
Individual Property Review	\$9,500
Weekly Progress Meetings	\$9,500
Door Notifications	\$3,500
Communication Updates	\$3,000
Tree Trimming Facilitation and Coordination	\$4,000
Restoration	TBD
Total	\$33,500

The above scope assumes the construction timeframe will run from January thru May (5 months) as basis in developing the scope and fees. If additional construction administration is needed after May (such as restoration and/or property issues) the original scope will need to be reviewed and additional work authorized prior to completion. Your signature in the space provided below will serve as authorization to proceed with this project.



Thank you for the opportunity to work with the City of South Haven. We look forward to assisting you with this project. If you have any questions, please do not hesitate to contact me at (269) 926-4565 or email at jmarquardt@abonmarche.com.

Sincerely,
ABONMARCHE



Jason W. Marquardt, P.E.
Senior Project Engineer



Christopher J. Cook, P.E.
President

Authorized By

Date

cc: Brian Disette
Timothy R. Drews, P.E.
Tony McGhee

City of South Haven
Abonmarche
Abonmarche



Structures, Inc.

259 Harbor View Lane
Petoskey, MI 49770
(231) 330-4941

Estimate

Date:	Estimate # :
10/29/2014	1005

Project: Video Taping Services for City of South Haven,
Core City Secondary Upgrade - Phase 2 , per print dated 09/18/2014

Description	Total
Video Taping entire project. Including front and backyards, landscaping, power lines, homes, sidewalks, driveways, etc.	\$8,948
Video Tape logging. This includes the time it takes to prepare the paper Log that will be provided with flash drive. (For example, if you want to see just one home out of the entire project, the log will tell you which flash drive and the exact spot on the flash drive to find it.)	\$9,850
Transferring files to flash drive and materials needed.	\$125
Notes: 1) Phase 2 is based on 497 homes. 2) City is responsible to give Notice to home owners prior to taping. 3) Our available start date is November 21, 2014. 4) We estimate taping to take 4 to 5 days.	
TOTAL:	\$18,923

Zoning Board of Appeals

Regular Meeting Minutes

Monday, November 17, 2014
7:00 p.m., City Hall Basement



City of South Haven

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

2. Roll Call

Present: Bugge, Paull, Wheeler, Wittkop, Lewis
Absent: Boyd, Miller

3. Approval of Agenda

Motion by Bugge, second by Wittkop to approve the November 17, 2014 regular meeting agenda as amended to include the approval of the 2015 Meeting Calendar.

All in favor. Motion carried.

4. Approval of Minutes – September 22, 2014

Motion by Bugge, second by Wheeler to approve the September 22, 2014 minutes as revised to show Bugge was present.

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. New Business – PUBLIC HEARINGS

- a. Don and Joan Hoyt of 922 Hazel Street are requesting a rear yard variance to enclose their rear porch resulting in a house setback of 15 feet where 25 feet is required.**

Anderson noted that the request is to enclose the existing uncovered deck, reminding members that an uncovered deck may go closer to the lot line than space under a roof. The proposed covered porch will be fifteen feet (15') to the lot line instead of the required twenty-

five feet (25') feet. Anderson explained this as an unnecessary hardship request as the applicant desires to enclose the room to allow space for a caregiver and easier access to the house by a wheelchair ramp.

Joan Hoyt, the applicant, explained that her husband is ninety-two (92) years old and she is hoping to provide space for a live-in caregiver; a space that would allow her spouse to spend some time on the enclosed porch and when the time comes that there is need for a ramp, since the front porch and the side door are both close to the sidewalk, the best position for such ramp would be off the back deck which would come straight forward to the present parking space. Finally, Hoyt indicated that due to the heat from the west, she has put up a canvas pergola on the back deck during the warmer months to help keep their home cooler, and thinks the neighbors would appreciate something permanent instead of the canvas.

Bugge asked if the existing deck is on the first or second floor of the house to which Hoyt responded that it is on the first floor; the house has only one floor.

Lewis inquired about how many bedrooms the applicant's house has to which Hoyt responded that there are one large and two small bedrooms.

Lewis asked what exceptional circumstance exists on her property that does not apply to anyone else in the surrounding neighborhood. Hoyt responded that there is an elderly occupant, to which Lewis stated, "Anyone could have that."

Wittkop noted that the sketch included with the application indicates that the existing deck is twelve feet (12') x thirty feet (30') and wondered if the enclosure will include all of that area. Don Hoyt, applicant's contractor, indicated that the existing deck is twelve feet (12') by twenty-four feet (24') and the proposal is to put an enclosure measuring twelve feet (12') by eighteen feet (18') on top of the deck.

Bugge indicated that on the north property line there is twenty-two-and-a-half feet (22.5') from the side of the house to the property line. Hoyt noted that the variance request is for the back of the house; the side is not an issue. Bugge stated, "You do have room for an addition on the side without a variance."

Motion by Wittkop, second by Bugge to open the public hearing.
All in favor. Motion carried.

Lewis asked if anyone in the audience wished to speak.

Seeing none, motion by Bugge, second by Paull to close the public hearing.
All in favor. Motion carried.

Lewis stated he cannot find anything exceptional or extraordinary about this property.

Wittkop asked why an addition would not be able to be built on the north property line. Hoyt indicated that there are sliding glass doors on the rear of the house but no ingress on the side except an entry door; while parking is by the side entry door, the best place to gain

entry is from the deck. Hoyt explained that the floor of the deck is the same level as the floor inside the house so a wheelchair could easily go through.

Bugge said, looking at the space on the north side of the house, it would be possible to put a covered ramp off the existing deck without putting an enclosure on the deck, noting that this speaks to criteria #8 of the Zoning Ordinance criteria for a variance. Bugge noted that the proposed variance request is not a minimal solution to the existing situation and the commission has to meet the criteria according to law.

Lewis said the plan sounds great but . . .

Wittkop noted that there is room on the lot for an addition but maybe not in the place requested.

Lewis suggested going down through the nine criteria, all of which must be met for a variance to be approved.

1. **Not detrimental to the neighborhood.** There were several letters in support from neighbors.
2. **Will not impair the intent and purpose of the Ordinance.** The Zoning Ordinance intends for there to be certain setbacks, so this request falls down in that area.
3. **Exceptional or extraordinary circumstances of conditions which apply to the property in question which does not apply generally to other properties in the same zoning district.** Both Lewis and Bugge stated that they cannot see anything exceptional about this property.
4. **Variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district.** Lewis and Bugge noted it is a single family home, which is typical in this neighborhood.
5. **Of a general or recurrent nature requiring formulation of a general regulation for such conditions or situations.** It was noted that the board of appeals has not been getting thousands of these requests.
6. **Applicant self-creation of the problem.** Lewis noted that he always has a problem with this one because the fact that the property owner is making a request makes it somewhat self-created. Bugge added that she does, too; it is an addition.
7. **Strict compliance with the ordinance would unreasonably prevent the owner from using the property for a permitted purpose.** Lewis indicated that he spoke to that already.
8. **That the variance requested is the minimum amount necessary to overcome an inherent inequality or mitigate hardship.** Bugge noted that the situation was such that there is not an inherent inequality or hardship.

9. That the variance will relate only to property under the control of the applicant.
The board feels that the variance does relate only to this property at this time.

Lewis said if there is nothing else he will take a motion at this time.

Motion by Bugge to deny the variance request due to inability to meet all of the criteria described under the ordinance.

Wheeler asked if we need to list the reasons and Anderson responded affirmatively. Wheeler noted that Criteria #3, #4, and #6 since in theory the need for a variance is self-created as well as Criteria #7 and #8. Second by Wittkop.

Lewis called for further discussion. Wittkop commented that he feels that there are ways to solve the applicant's issues with a very minimum amount of variance required.

Lewis noted that a yes vote indicates denial of the variance.

A roll call vote was taken:

Yays: Bugge, Paull, Wheeler, Wittkop, Lewis

Nays: None

Motion carried.

b. William Fries, Jr. of Portage, MI is requesting a front yard variance to allow construction of a new house on an existing foundation in the R1-A zone. The applicant is also asking for lot coverage that exceeds the limit by 3.5%. The property is at 310 Eagle Street.

Anderson explained that this request includes a variance from required lot coverage and a front yard set-back variance, noting that the applicant would like to use primarily the same foundation or footprint. Anderson noted that the proposed deck on the new house would be three feet (3') from the front property line instead of the required nine feet (9') and the house setback to be nine feet (9') where it should be fifteen feet (15') and instead of forty percent (40%) lot coverage the coverage would be forty-and-three-half percent (43.5%).

Bugge requested that a large diagram be taped up to use during discussion. It was noted that the diagram is oriented with the north up. Anderson identified the location of Eagle Street; the lawn area; existing railroad ties and stone; proposed deck; existing foundation and detached garage.

Motion by Wittkop, second by Bugge to open the public hearing.

All in favor. Motion carried.

William Fries, applicant and owner of 310 Eagle Street: Noted he currently owns a home in Portage but has been looking for a couple of years for a house in South Haven through realtor, Steve Earls. A retired schoolteacher, Fries grew up a farm kid fairly local to the area and has been going in and out of this port since the seventies ('70's). Fries wants to rebuild

the house at 310 Eagle from a non-conforming duplex to a single family home. Before purchasing 310 Eagle, Fries spoke to the Building Official, Ross Rogien, regarding open permits that had never been closed out, and did a walk-through with Arnie Bunkley from AB2 Architecture. Fries stated his original intent was not to tear the house down and he had Jim Byer, local contractor, go through it. Besides there were many things that were not according to code, it was discovered that to put a stairway in, someone had cut through a stringer. As a result, one of the rooms drops a foot from one end of the room to the other. Fries noted that the value is not in the house but in that lot and the view from the front of the house. The back has no view due to the retirement center's garage being in back of the house. Fries stated that this piece of property is very unique; he has heard the house has sentimental value and since it is an old structure it should be kept, but according to the professionals it is not worth restoring.

Fries noted that as he speaks he will pass around some photographs. Fries noted that the photographs indicate the elevations of both 310 and 314 Eagle driveways, among other things. Wittkop asked if it is a shared driveway to which Fries said, "No, but what is unique, is that 310 sits kind of on a corner lot, to the west is the housing commission and their cement block wall. According to the architect, the house was built just before or just after the 1900s, based on certain saw cuts." Fries stated that if you look at almost all the houses on the block they are on ground level but as they approach the housing commission they become extremely elevated. Sometime in the late 1960s, the owners created the railroad tie wall and gravel was installed. Fries noted that if that soil were removed it would change the plane of the neighbor's driveway.

Fries referenced Art XXII, Section 2205 of the Zoning Ordinance which states that the Zoning Board of Appeals may not grant a variance . . . unless certain conditions exist. Fries stated that every one of these factors exists. The board will need to find reasonable evidence that all of the standards have been met. Fries addressed all nine of the criteria:

1. **Not detrimental to adjacent properties and surrounding neighborhood.** For us to redo this would only improve the surrounding area, not just that lot, according to the applicant.

Lewis asked if the cement wall is on the applicant's property or on the Housing Commission property to which Fries responded that it is on Housing Commission property.

2. **Variance will not impair the intent and purpose of the Ordinance.** Fries stated that situations like his are exactly the reason this ordinance exists.
3. **Exceptional or extraordinary circumstances.** Fries stated that the unique circumstances are that no one else on Eagle Street has an elevated lot with all this soil up against the cement wall owned by the Harbor Commission. Fries also noted that this condition was not self-created; the slope of the lot and the wall create unique physical conditions regarding the shape and topography of the lot.
4. **Necessary for preservation and enjoyment of a substantial property right possessed by other properties in the same zoning district. Financial return shall not of itself be deemed sufficient to warrant a variance.** Fries said that the deck on

the front of the house is what brings the value to that lot; to not be able to enjoy the view from that lot would decrease value. The Wards (neighbors) support this because it will bring value to their lot.

5. **Not general or of a recurrent nature.** According to Fries, this property is unique; is not recurring; has unusual slope compared to any adjoining properties.
6. **Need for variance not self-created.** Fries stated that the need for this variance is not self-created in any way; “this condition has existed since that home was built there and again, comes back to the uniqueness of that lot between the Housing Commission wall and the cement driveway at 314 Eagle Street.”
7. **That strict compliance with area, setbacks, frontage, height, bulk or density would unreasonably prevent owner from using the property for a permitted purpose.** Fries stated, “If a variance is denied, we really are not being allowed to use it for what it was designed for, it’s permitted use.”
8. **Variance requested is the minimum amount necessary to mitigate the hardship.** Fries stated that this is the minimum we can do to try to preserve that piece of property and keep the property as it was originally intended to be used.
9. **Variance only relates to property under the control of the applicant.** “Yes, it’s my only piece of property”. It is the uniqueness of that piece of property; it’s unlike any other on Eagle Street. It’s kind of locked in between the cement driveway and that cement wall. Mr. Fullar said he thinks that cement wall was built in the ‘70’s, according to Fries, who stated that the Housing Commission would like to repair that wall but has been kind of waiting to see what will happen with this variance request.

Fries concluded, “This is a duplex; it’s non-conforming.” Fries would like to bring this structure back to a single family home; a single-family residence; a homestead. Noted that he sat on a board of review, understands that all the pieces have to fit, and stated that situations like his are exactly why variances are written.

Lewis commented that the applicant’s proposal is to bring the house back further and make it more compliant. Lewis asked about lot coverage, as did Bugge, who stated that it looks like it would be at forty-three percent (43%) lot coverage while now the lot coverage is thirty-eight percent (38%). Anderson corroborated that according to assessing records thirty-eight percent (38%) is the existing lot coverage.

Fries said he thinks it will be less lot coverage because the footprint of the house will be smaller and the existing garage also contributes to the lot coverage. Fries said the house right now is about thirty-six feet (36’) wide while what he is proposing is thirty-two feet (32’) wide. In the other direction, Fries noted that the foundation would be less at thirty-two feet (32’) by fifty feet (50’). Bugge noted that those figures do not count the back of the house. Fries said the square footage is very, very close, but the concern is that we would also be able to remove some of the front which would open that to the neighbors to see the view. Fries indicated that quite a bit of square footage will be removed during this project.

Wittkop asked about the covered porches, noting that the deck only comes off the lower level. Fries said the top level porch/balcony only comes out six feet (6'). Bugge pointed out that the existing house is not a rectangle; a portion of the actual building comes out and is under the roof. "So, Bugge said, indicating the diagram, "the orange part is coming off but the actual house will be coming out to the same spot."

Wittkop asked how this house projects in comparison to other houses on Eagle Street to which Anderson's response was that on both sides of the street the typical house is very close to the street. Bugge noted that the actual house goes out beyond the front of the neighbor's house, even though it is open porch.

After discussion, Bugge said, "Your illustration wasn't adding up properly. The new house is fifty-six feet (56') deep, while the original house foundation is at fifty feet (50'). Fries said that is probably where my extra lot coverage is. Again, Fries stressed that he wants to bring the structure back to a single family home and use that property for what it is used for; he is trying to make it less non-conforming.

Bugge asked which parts of the foundation Fries is planning on keeping to which Fries response was, "If we can we will keep the side on the east, toward the driveway, the rest is crumbling so we plan to replace the foundation that is in poor shape."

Chuck Fullar, South Haven Housing Commission Director: Noted that he just responded to the mailing; this request has no impact on the Housing Commission. Fullar stated granting the variance would improve the neighborhood, as far as he can tell.

Steve Gross, Broker, Shores of South Haven: "This is currently a duplex and although Otto and Elliot (previous owners) used this house as a weekly rental it could still be used as a weekly rental for up to twelve (12) people for most of the summer. The city would probably like to move away from that activity; there is not enough parking. In this situation, along Eagle Street, the highest and best use of this property is to go back to single family. Even with the variance, there is a real advantage to the demolition of the old, downsizing and bringing in something nicer. Gross believes Fries has met the ordinance criteria and he personally supports it.

Kathy Wagaman, South Haven Chamber of Commerce. Lived on Eagle Street until a few weeks ago. Lived across from this location for about eleven (11) years; she has heard of the plans and looked them over. Wagaman stated, "First of all, it fits very nicely with that neighborhood, and over time the housing is changing, the one next door was torn down and rebuilt. As you see this evolve, the esthetics of the street has improved and some of these properties have been preserved; many are quite old and showing their age. Any time we have a household become a year round household it is a good thing. Wagaman noted that tourists are important but year round residences are much more important to the economy of our community. Feels this is an individual who will contribute greatly to our community; he plans to get involved. Having lived by the Housing Commission, I think this would be great for the Housing Commission and the neighborhood.

Tom Jager, 316 Eagle Street. Stated that he and his wife just moved in; "Welcome, Bill, to the neighborhood." Jager stated, "We looked at 310 and 316 Eagle Street; we sat on the deck; loved the view, but when we walked into it he said, 'This is a tear down; this is more

than I can deal with.” Jager feels the variance makes sense because it takes something that is not conforming and makes it less so.

Chuck Fullar, Director, Housing Commission. Spoke regarding weekly rentals, noting that across the street from the senior housing on Indiana Avenue is a rental about which there are regular complaints from the residents at the senior housing. There are rentals that are full-time rentals that stabilize the neighborhood. Noted that anything that stabilizes the neighborhood is a good thing.

Anderson informed that three (3) letters came in support of this variance today and stated from whom those letters came.

Bugge asked if the applicant is building the house right up to the garage but not connecting the two. Fries replied affirmatively, noting that according to the building official, this complies better with the ordinance.

Motion by Wittkop, second by Wheeler to close the public hearing.

All in favor. Motion carried.

Lewis asked, based on the averaging of adjacent properties, how this house, as proposed, conforms to that. Anderson noted that even with the averaging of the houses on either side, this dwelling unit still cannot be closer than ten feet (10') from the lot line. In this case the house would be nine feet (9') from the lot line as opposed to the required fifteen feet (15'). Anderson noted that this zoning district has the least amount of setback requirement.

Bugge asked if the setback will be measured to the roofline and pointed out that with a roof over the deck/porch, it is part of the house. Wheeler asked if this will change the lot coverage. Anderson noted that an uncovered deck is not counted in lot coverage. Anderson said a second floor balcony has different requirements than a deck. Bugge noted that he will measure to the roof. Fries asked whether the top porch was a deck, the balcony is over top of the lower deck. Bugge would like confirmation on where we are measuring the setback. Anderson noted that she understood the house was just going out to the original foundation line, and the covered portion counts as part of the house. Wittkop said the house as proposed is nine feet (9') from the property line. Fries said the railroad ties are set back three feet (3').

Bugge said she is not comfortable making a decision until there is final drawing that actually allows the board to determine what the actual setbacks are. Anderson and Lewis both understand her feeling. Lewis said regarding the variance in general, the only problem he has is the front. The issue in question is the front; the board would like better information on existing lot coverage, and what is proposed, along with setbacks. Bugge feels it would be better if we knew what he really wanted. Wittkop said he'd like to see better information because the variance must be granted on a specific number.

Discussion ensued of tabling this matter until the next meeting and getting more information to the board so they can vote on it. Anderson explained that both the wall and the roof need to be determined, so the lot coverage and the setback can be determined exactly.

Anderson suggested continuing the item, noting that if the actual proposal is a lot different than what has been advertised, at the next meeting they can deny and close this item, and then work on the new proposal.

Motion by Bugge to continue the item to the next meeting. Second by Wheeler.

All in favor. Motion carried.

- c. O'Sullivan Builders, on behalf of owners Bryan and Carol Williams, are requesting side yard and rear yard variances for their property at 415 Walnut. The north side variance would allow a setback of 7' 3 1/8" where 8 feet is required. The rear yard variance would allow a setback of 22' 3 3/4" where 25 feet is required. The parcel number for the property is 80-53-897-019-00.**

Anderson noted that Bryan & Carol Williams are making this request. Their house is on an angle on the property and they want to add on. Their property abuts Maple Avenue, a private unimproved street. Anderson checked with the city engineer and the city does not have any intention of improving or maintaining this street. It is still a private street, however, so we had to count that when determining the setback. The addition encroaches into the side and rear yard setbacks of this property.

Bugge asked what the setback is from an unimproved street. Anderson explained that this is a twenty-five feet (25') wide street. We are far enough from Walnut Street, measured from the middle of the road back, and the drawing shows a ten foot (10') setback. After questions, O'Sullivan said the request does indicate an eight foot (8') setback and he believes the background information is correct, but the drawing shows ten foot (10'), and it should be eight foot (8').

Anderson informed that on this request for variance five (5) letters of support were received and they were forwarded to the board via email.

Motion by Bugge, second by Paull to open the public hearing.

All in favor. Motion carried.

Matt O'Sullivan, Representative of the Applicant, Building Contractor, in response to a question by Paull regarding where the utilities are located, stated that the utilities are under Walnut Street, not under the unimproved street.

O'Sullivan, on behalf of the owners, stated that they bought the property a few years ago planning to do some improvements and sell it eventually. But after coming here a few times over the years, they decided to retire here, and bring their children and grandchildren here. O'Sullivan noted that the applicant submitted answers to all of your questions.

Bugge asked if this house is on water and sewer; O'Sullivan said, "Yes, on water and sewer, not septic and well."

Sullivan stated that he doubts if the owner was aware of the unimproved street, and he was unaware of how the house sits on the property, all was discovered as he had the lot staked during his planning to expand the home.

Lewis asked what would happen if we forced them to conform to the setbacks and O'Sullivan responded that the planned bedroom space is not large, but small and appropriate, and if you determined not to allow them to add the bedrooms, they would be adding hallways, not bedrooms, and there is no use in adding hallways.

Motion by Wittkop, second by Paull to close the public hearing.

All in favor. Motion carried.

Wheeler, looking at proposed plan and wondering if the rotation on this house, slanted on the property, questioned whether that would fit under the category of unusual circumstances. "If this house were straight we wouldn't have to consider this to do an addition," Wheeler noted. Lewis and Paull responded yes, these are unusual circumstances. Lewis commented that there is a street that is not a street, so there are significant unusual circumstances. Bugge said the angle of the house does create a different problem, however, she sees that on the side it would be a minimal reduction in footage to make it comply with the side setback, so you would still be slightly over on the back. Lewis stated that because of that he has no problem with the rear variance request.

Motion by Wheeler to approve the variance request based on unusual circumstances including the orientation of the structure on the property and the unimproved street. Second by Paull.

A Roll Call vote was taken:

Yays: Paull, Wheeler, Wittkop, Bugge, Lewis

Nays: None.

Motion carried.

d. Kenneth Hogan of 44 Grand Boulevard is requesting a variance to construct an accessory building that will be 21 feet in height at the peak where 16 feet is the maximum allowed. The parcel number for the property is 80-53-819-007-10.

Anderson noted that the applicant is asking for a garage that will exceed the height allowed. The applicant would like to go to twenty-one feet (21') in height instead of sixteen feet (16') stating that they need extra storage space which the extra height will grant. Anderson noted that the house is a duplex and the proposed garage will be on the part of the property owned by the Hogan's. Anderson informed that she got four (4) letters of support, including one from the owner of the other half of the duplex. There was also one letter in opposition received today from a neighbor who said they consider the request very large and that the request should not be granted. Anderson quoted, "The sender feels the requested amount is too much and would make too much difference in the area. It is too tall and would have a significant negative impact on the neighborhood." Anderson informed that the board has the four (4) letters in support in their packet. The opposition letter was received that day.

Motion by Wittkop, second by Bugge to open the public hearing.

All in favor. Motion carried.

Linda Hogan, Co-applicant: She and her husband purchased the property as summer residents, retired about four (4) years ago. "We need a garage for sure; storage would be really important as there is no storage in our house." The Hogans would like the garage to match the architectural features of the houses in the neighborhood, most of which are all three (3) stories tall and next to us is a house on a hill so looks almost four (4) stories tall. Hogan: We felt it would look much more attractive if it were similar in height, a taller one (1) car garage, rather than a lower two (2) car garage.

Wittkop asked Anderson about the houses being three (3) stories. Lewis interjected, "Or two-and-a-half (2.5). Anderson said we do allow two-and-a-half (2.5) stories with a maximum peak height of 40'. By zoning definition, the half story needs to be located between the eave and peak on a peaked roof house. Some new houses are sloping the roof specifically so they get that half story completely under the roof.

Mike Riston, Contractor. Noted that the applicants restored this old resort, which has a 12/12 roof pitch so a lower pitch will look silly; a 3/12 will look silly, the pitch won't match historically at all and if you have that kind of pitch you don't have any storage. On the exterior, Riston wants to try to fit it to the era of when the home was built. Wants to keep it looking like it has been there for a long time.

Lewis asked if the pitch of the garage would be the same as the house. Riston responded that "Yes, the house has a 12/12 pitch; very unique, with an octagon turret and a round turret."

Linda Hogan stated, "We want it to look like a carriage house". Bugge wondered about connecting the house and garage because all these issues could go away. Hogan feels it would look awkward to attach the "carriage house" to the house. Riston said the Hogans and their neighbors have spent a lot of money over the years to keep this and other homes historic. This area of town is historic and he likes to keep it that way.

Bugge pointed out that the board has to look at the criteria even though it is "not necessarily what we would like to go by."

Wheeler said we can only deal with what we have in front of us. Riston thought lot coverage came into play; limits everyone to what they could add on their property to be storage. Paull stated that the zoning district in that neighborhood did not have maximum coverage limits.

Bugge wondered when the 16' roof height was adopted. Maybe it is something the Planning Commission needs to review. Anderson said she seems to remember that it was adopted in the 80's.

Linda Hogan wants to maintain the historic feel in this project. Bugge said if we go to a higher one we would have people putting apartments over garages.

Wittkop says he was on the Planning Commission at that time and he can't remember why that roof height was adopted. There were a couple of comments regarding trying to prevent people from putting apartments over garages.

Riston explained that the garage is only eighteen feet (18') wide, so the actual peak of the garage is not going to be very large. Wittkop noted this is about the fourth (4th) request like this he remembers. Lewis remembers one the board denied because the garage was going to be high and the house was not.

Motion by Wittkop, second by Wheeler to close the public hearing.

All in favor. Motion carried.

Lewis said it sounds simple to attach the two structures, and then this would all go away.

Motion by Wittkop, second by Wheeler to grant the variance because it is in Monroe Park; we really have very few setback requirements in that area; setbacks are within three feet (3') almost everywhere. Paull said it is architecturally similar to surrounding structures so will not be detrimental to the neighborhood. Wheeler noted that he does not see the variance impairing the intended purpose of the ordinance.

Bugge is not comfortable with this although she fully agrees with what they say; agrees there are some extraordinary circumstances, even if it is a stretch. Bugge thinks a variance is not necessary for preservation of the applicants' enjoyment of the property and there are other ways to achieve it.

Lewis commented that he encourages opposition, because it may help, maybe not in this matter, but in future matters.

A Roll Call vote was taken:

Yays: Paull, Wheeler, Wittkop, Bugge, Lewis
Nays: ~~None~~ Bugge

Motion carried.

The ZBA members asked the Planning Commission to look at this height issue.

7. Other Business – Approve 2015 Meeting Calendar

Motion by Wheeler, second by Wittkop to approve the 2015 Meeting Calendar amending the December meeting from the 21st to the 14th due to the holiday.

All in favor. Motion carried.

8. Member Comments

There were none.

8. Adjourn

Motion by Wittkop, second by Wheeler to adjourn at 8:55 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary

Board of Public Utilities

Regular Meeting Minutes

Monday, November 24, 2014
4:00 p.m., DPW Conference Room
1199 8th Avenue



City of South Haven

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

2. Roll Call

Present: Burr, Henry (arrived at 4:15), Overhiser (ex-officio), Roberts, Rose (ex-officio, arrived at 4:15) Stein (ex-officio), Stickland, Winkel

Absent: None

3. Approval of Agenda

Motion by Burr, second by Roberts to approve the November 24, 2014 Agenda as presented.

All in favor. Motion carried.

4. Approval of Minutes – October 27, 2014 Regular Meeting Minutes

Motion by Winkel, second by Roberts to approve the October 27, 2014 Regular Meeting Minutes with the following corrections:

- Near the bottom of page 2, add “per year” after \$27,255.
- In the second paragraph on page 3, change \$147.468 to \$147,468.
- In the second paragraph on page 3, change next lowest to second lowest.
- In the second paragraph under item 13 on page 3, change the word “tax” to “cash”.

All in favor. Motion carried.

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

None at this time.

REPORTS

6. Cost of Energy from Indiana-Michigan Power Company (AEP)

- A. 2014 Billings – All Charges
- B. 2013 Billings – All Charges

Burr noted minimal increase in cost of purchased power per kWh year to year (2013 to 2014).

7. Financial Reports

- A. Electric Fund – Financial Report for period ending October 31, 2014
Hochstedler noted that the Capital Outlay budget now includes all work approved to date by the Board and Council.
Hochstedler noted the addition of the undesignated reserves to the financial reports.
- B. Electric Fund – Review of Percentage Billed
Burr requested Hochstedler to review the unbilled sales year to date as it appears higher than the prior two year average.
- C. Water Fund – Financial Report for period ending October 31, 2014
Hochstedler noted that unreserved cash in the Water Fund is \$417,059.
- D. Water Fund – Review of Percentage Billed
Burr requested information related to the maximum daily flow at the Water Filtration Plant in relation to intake capacity.
- E. Sewer Fund – Financial Report for period ending October 31, 2014
Hochstedler noted that unreserved cash in the Sewer Fund is \$333,226.

8. Unresolved Issues Report

Fund reserves have now been added to the monthly financial reports.

NEW BUSINESS

9. Board will be requested to award a contract for Phoenix Road Substation Relay Control Panel, Bid 2014-11 to Harlo Corporation in the amount of \$29,116.00.

Motion by Roberts, second by Henry to award Bid 2014-11 to Harlo Corporation in the amount of \$29,116.00.

All in favor. Motion carried.

10. Board will be requested to establish a schedule for Regular Meeting Dates for the 2015 Calendar Year.

Motion by Roberts, second by Winkel to approve the schedule for Regular Meeting Dates for the 2015 Calendar Year.

All in favor. Motion carried.

11. Public Works Director Comments

There is no regular scheduled meeting during the month of December 2014. A special meeting will be scheduled only if needed to address an unforeseen issue.

Township customer complaint regarding summer sewer credits. Customer desires extension of summer sewer credit for irrigation water used in September. September usage is billed in October and no credit is typically given.

12. Board Member Comments

Henry complimented Kent Power on work for the Core City Secondary Project, Phase I.

13. Adjourn

Motion by Winkel, second by Roberts to adjourn at 5:05 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,



Larry Halberstadt, PE
City Engineer



Agenda Item 6

Liberty Hyde Bailey Museum; Proposed Code Changes

Background Information:

The City Council will be asked to consider final action on a code amendment that, if approved, will repeal Chapter 58, Article II, Division 3 of the city's Code of Ordinances. If the amendment is approved, the Liberty Hyde Bailey Museum (LHBM) can consolidate the governance of the museum.

Over the past year, the city's staff and attorney have actively worked with representatives from LHBM. During that time, it has been noted that LHBM has two governing bodies. The LHBM is a public board which is created by ordinance that consists of up to seven members appointed by the City Council. The LHBM also has a Memorial Fund, which is a private non-profit corporation. The non-profit was created for the purpose of promoting and improving the museum. Many of the LHBM board members are active in the non-profit, and the functions of the two bodies overlap. For many months, staff and the attorney have worked with LHBM to determine the most prudent way to address the museum's management structure. Staff recommends this approach, as it allows for continued local control, but provides LHBM with greater flexibility (e.g., this approach allows LHBM to recruit members from the city and from outside of the city and adopt new bylaws which allow for greater fundraising opportunities.)

The proposed ordinance amendment will strike Chapter 58, Article II, Division 3 of the city's Code of Ordinances, which is the portion of the code that establishes the LHBM Board. If approved, the ordinance amendment allows the city to establish a new governing structure at the LHBM, through a contract agreement with the LHBM non-profit. If the code amendment is approved, staff recommends the immediate approval of an operating agreement between the City of South Haven and LHBM. In addition to the code changes and contract for service, LHBM will be asked to adopt new bylaws, which reflect the various changes to operations.

Please note; the ordinance amendment preserves the LHBM's status as a public park. However, the ordinance amendment makes clear that the LHBM's oversight will be provided by the City Council, instead of the city's Parks Commission.

Finally, the LHBM Board has actively considered the proposed changes, and has voted to recommend the changes. Attached is a cover letter from LHBM which endorses the proposed changes.

Recommendation:

The City Council should consider the following actions:

1. A motion to approve the code amendment to repeal Chapter 58, Article II, Division 3 of the city's Code of Ordinances. If approved, the amendment will allow for the consolidation of the governance of the Liberty Hyde Bailey Museum.
2. A motion to approve the Liberty Hyde Bailey Museum operating agreement with the City of South Haven.

Support Material:

Attorney Correspondence RE: LHBM
DRAFT Ordinance
DRAFT LHBM Operating Agreement
LHBM Correspondence

**CONFIDENTIAL MEMORANDUM
SUBJECT TO ATTORNEY-CLIENT PRIVILEGE**

To: Brian Dissette, City Manager
From: Scott G. Smith
Date: October 22, 2014
Re: Liberty Hyde Bailey Park Ordinance

At your direction, we drafted the attached ordinance amendment as part of an effort to consolidate the governance structure of the Liberty Hyde Bailey Museum (the "Museum"). In recent years, the Museum has essentially had two governing bodies. The Liberty Hyde Bailey Park Board (the "LHBP Board") is a public board created by ordinance that consists of up to 7 members appointed by the City Council. The Liberty Hyde Bailey Memorial Fund, Inc. (commonly known as the "Foundation") is a private non-profit corporation created for the purpose of promoting and improving the Museum. Many of the members of the LHBP Board are active in the Foundation, and the functions of the two bodies often overlap.

The attached ordinance repeals Chapter 58, Article II, Division 3 of the City Code, which is the portion of the Code that establishes the LHBP Board. By doing so, the ordinance allows the City to establish a new governance structure of the Museum through a contract with the Foundation. We have prepared a draft contract that comprehensively addresses the management functions to be performed by the City and the Foundation.

Notably, the ordinance preserves the Museum's status as a public park by listing it in the portion of the Code that designates public parks in the City. The ordinance also makes clear that the City's Parks Commission will not have jurisdiction over the Museum, which means that any City decisions regarding the Museum will be made directly by the City Council.

**CITY OF SOUTH HAVEN
VAN BUREN COUNTY, MICHIGAN**

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND SECTION 58-2 AND 58-41 OF THE SOUTH HAVEN
CODE OF ORDINANCES, AND TO REPEAL CHAPTER 58, ARTICLE II, DIVISION 3,
TO SIMPLIFY THE GOVERNANCE OF LIBERTY HYDE BAILEY PARK**

The City of South Haven Ordains:

Section 1. Amendment. Section 58-2 of the South Haven Code of Ordinances is amended to to read as follows:

Sec. 58-2. Additions to the City Park System

(a) In addition to the City parks established in the City Charter, the following properties are also designated as City parks:

1. Black River Park Addition Phase 1

Commencing at the East Quarter post of Section 3, Town 1 South, Range 17 West; thence North 88°59'17" West on the East and West Quarter line 1232.98 feet; thence North 31°04'26" West 2.80 feet to the place of beginning of this description; thence North 61°16'20" West 16.41 feet; thence North 79°59'29" West 57.14 feet; thence North 77°33'33" West 63.55 feet; thence North 00°51'13" East 19.00 feet; thence North 89°46'52" West 174.78 feet; thence South 01°11'31" West 20.11 feet; thence North 89°56'56" West 204.95 feet; thence North 03°18'52" West 20.02 feet; thence South 89°49'43" West 91.59 feet; thence North 00°53'39" East 58.86 feet to a point on an intermediate traverse line along the Black River; thence along said traverse line the following courses: South 89°19'28" East 387.40 feet; North 85°27'37" East 127.99 feet and South 79°48'42" East 115.44 feet to the end of said traverse line; thence South 14°16'39" West 98.00 feet to the place of beginning, together with all land lying between said intermediate traverse line and the Black River.

2. Black River Park Addition Phase 2

Situated in the City of South Haven, Van Buren County, Michigan

Commencing at the East Quarter post of Section 3, Town 1 South, Range 17 West; thence North 88° 59' 17" West on the East and West Quarter line 870.88 feet to the place of beginning of this description; thence South 43° 33' 38" West on the Northerly line of Dunkley Avenue, 40.00 feet; thence North 75° 05' 45" West 18.61 feet; thence North 16° 35' 36" West 47.73 feet; thence North 00° 54' 42" East 61.50 feet; thence North 89° 05' 18" West 200.50 feet; thence South 57° 54' 55" West 48.56 feet; thence South 32.00 feet; thence South 72° 51' 18" West 66.62 feet; thence North 14° 16' 39" East 98.00 feet to a point on an intermediate traverse line along the Black River; thence along said traverse line the following courses: North 79° 21' 03" East 64.54 feet and South 88° 55' 12" East 257.22 feet to the end of said traverse line; thence South 00° 46' 43" West 110.50 feet to the East and West Quarter line; thence South 88° 59' 17" East on same, 20.22 feet to the place of beginning, together with all land lying between said intermediate traverse line and the Black River. 0.48 Ac.

3. Liberty Hyde Bailey Park

Commencing at the southwest corner of Section 11, Town 1 south, Range 17 west, thence north on the west section line of Section 11 1097.63 feet to the point of beginning, thence north 88 28"26" east parallel to the south line of the north 1/2 of the southwest 1/4 of the southwest 1/4 of Section 11 430.00 feet, thence north parallel with the west section line of Section 11 311.70 feet, thence south 88 28"26" west 244.00 feet to the west section line of Section 11, thence south along the west section line of Section 11 120 feet to the point of beginning, subject to easements and road rights-of-way of record.

- (b) The City retains the right to lease the buildings and property for uses permitted in the zoning district in which it is located on specific terms and conditions that the City Council approves.

Sec. 58-41. Duties.

- (a) It shall be the duty of the parks commission to make recommendations to the city manager and/or parks superintendent and public officials of the city for the operation, maintenance, caretaking, rehabilitation, and capital expenditures for the city park facilities and property, including playgrounds, beaches, and other recreational facilities as follows:
- (1) South Beach. Consisting of that publicly owned beach frontage west of Monroe Boulevard from South Haven Street to the South Harbor Line.
 - (2) North Beach. Consisting of beach frontage from the north line of Avery Street to the North Harbor Line west of Lake Shore Drive.
 - (3) Stanley Johnston Park. Consisting of property abounded by Dyckman Avenue, Park Avenue, and Black River Street.
 - (4) Monroe Playground. Consisting of the area abounded by St. Joseph Street, Monroe Boulevard, Monroe Street and South Haven Street.
 - (5) Elkenburg Park. Consisting of public property located within Elkenburg Street, Kalamazoo Street, Humphrey Street and Indiana Avenue.
 - (6) Tot Lot. Consisting of that property owned by the cemetery at the corner of Wilson and Bailey.
 - (7) Ravinia Park. As platted.
 - (8) Hartman Park. As platted.
 - (9) Packard Park. As platted.
 - (10) Dyckman Park. Located between Phoenix Street and Huron Street at the city parking lot.
 - (11) All street frontages which are used or could be used for pedestrian access to the beaches such as the end of Lake Court, Apache Court, Chippewa Court, Woodman Street, Dyckman Avenue, Oak Street and Newcome Street.
 - (12) That section of Black River Park that is not utilized for boat-related purposes and is under the jurisdiction of the city council through the harbor commission.
 - (13) That parcel of land lying between Water Street and the Black River from South Beach to the Administration Building of the Municipal Marina, including the former Coast Guard Station property.
 - (14) Such other areas as are from time to time purchased and/or designated as park land by the city council, except that the parks commission shall not have jurisdiction over Liberty Hyde Bailey Park.
- (b) On a yearly basis, the parks commission shall review the annual budget for the parks department and recommend to the city council approval of the budget.
- (c) The parks commission shall review and recommend to the city council all development plans and rehabilitation of facilities at the city's parks. The parks commission shall, when requested by the city council, assist the administration in the oversight of the development of approved projects.
- (d) The parks commission shall prepare and submit to the city manager, for inclusion in the annual five-year capital improvement plan, its annual five-year capital improvement plan proposals with respect to city-owned park land.
- (e) The parks commission shall make recommendations to the city manager for the management of park properties within the city. It shall review and recommend to the city manager and city council rules for the use of city-owned parks and structures.

(f) The parks commission shall also act as the cemetery board of trustees, as specified within section 18-5 et seq.

Section 2. Repeal. Chapter 58, Article II, Division 3, of the South Haven Code of Ordinances is repealed.

Section 3. 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: _____

CERTIFICATION

This true and complete copy of Ordinance No. ____ was declared adopted at a Regular Meeting of the South Haven City Council held on _____, 2014.

Robert Burr, Mayor

Amanda Morgan, City Clerk

Introduced: _____, 2014

Adopted: _____, 2014

Published: _____, 2014

Effective: _____, 2014

MUSEUM OPERATING AGREEMENT

This Museum Operating Agreement (the "Agreement") is made as of _____, 2014, between the City of South Haven, a Michigan municipal corporation, of 539 Phoenix Street, South Haven, MI 49090 (the "City"), and the Liberty Hyde Bailey Museum Memorial Fund, Inc., a Michigan nonprofit corporation, or 903 South Bailey Street, South Haven, MI 49090 (the "Foundation").

RECITALS

- A. The City owns a public park on land described and depicted on the attached Exhibit A, which houses a museum devoted to the life and work of horticulturalist-philosopher Liberty Hyde Bailey (the "Museum").
- B. In 1938, the City adopted an ordinance establishing the Liberty Hyde Bailey Park board (the "LHBP Board") to operate the Museum subject to the direction and control of the City Council.
- C. The Foundation and its predecessor organizations have assisted the Museum since the 1950s by raising funds, acquiring museum exhibits, and performing various management functions.
- D. Over the years, the functions performed by the Foundation and the LHBP Board have overlapped, resulting in inefficiency and a lack of clarity.
- E. The parties now wish to simplify the operational structure of the Museum in accordance with the terms this Agreement.
- F. The goal of this Agreement is to create a collaborative relationship between the City and the Foundation, whereby the Foundation operates the Museum with the oversight of the City Council and assistance from City employees.

TERMS AND CONDITIONS

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

Article I Restructuring

1. LHBP Board Abolished. The parties acknowledge that, in conjunction with authorizing this Agreement, the City Council adopted an ordinance abolishing the LHBP Board. The Museum remains a City park under the ultimate control of the City Council.
2. Foundation Bylaws. The Foundation's board of trustees (the "Foundation Board") shall adopt the following provisions in its bylaws, and shall retain these provisions throughout the term of this Agreement:
 - a. The Corporation is subject to the Open Meetings Act, 1976 PA 267, as amended, MCL 15.261 *et seq.*, and Freedom of Information Act, 1976 PA 442, as amended, MCL 15.231 *et seq.*, and shall conduct all meetings and business accordingly.
 - b. The number of trustees shall be established by the Board of Trustees from time to time, provided that the number of Trustees shall not be more than nine (9).
 - c. Three (3) trustees shall be appointed by the South Haven City Council, which shall have sole discretion to set the length of the appointed Trustees' service terms.
 - d. The Corporation shall not purchase, lease, sell, grant an interest in, or license real property without the prior written consent of the City Council.

Article II Foundation Rights and Responsibilities

1. License. The City grants the Foundation a license to use the Premises subject to the following conditions:
 - e. The Foundation shall use the Premises for purposes of operating the Museum and for no other purpose.
 - f. This license is granted on an "AS IS" basis. The City makes no representations or warranties about the condition of the Premises or its fitness for any purpose or use.

g. Except as otherwise provided in this Agreement, no changes may be made to the Premises. At the expiration of this Agreement, or any renewal thereof, the Licensee shall vacate the Premises in the condition it was in prior to the effective date of this Agreement, save normal wear and tear.

h. The Foundation shall pay the City a license fee of one dollar per year.

2. Museum Operation. The Foundation shall operate the Museum in a collaborative effort with the Museum Director, who will be a City employee described in Article IV of this Agreement. The Foundation shall perform operational duties including, by way of example:

- a. Developing and implementing Museum management policies including:
 - i. Museum operating hours;
 - ii. Public admission fees; and
 - iii. Standards and procedures for renting the Museum facilities to third parties for special events in a manner that does not materially interfere with general public use of the facilities;
- b. Developing and implementing a strategic plan for the future of the Museum, which may include seeking grants to improve Museum facilities and collections;
- c. Developing and advertising Museum programs such as tours and educational events;
- d. Acquiring and providing for the maintenance of Museum exhibits;
- e. Conducting fund raising activities such as hosting special events;
- f. Overseeing the operation of the Museum gift shop;
- g. Coordinating volunteers to staff the Museum during months when the Director is not working;
- h. Making written recommendations to the City Council regarding maintenance, improvements, events with alcohol service, and staffing; and
- i. Appearing, or sending a representative to appear, before the City Council upon request;
- j. Maintaining records relating to the operation of the Museum; and
- k. Complying with obligations in this Agreement.

3. Operation Costs. Except as otherwise provided in Article III, the Foundation shall pay the costs of operating the Museum.

Article III

City Rights and Responsibilities

1. Duty to Provide a Museum Director. The City shall provide a City employee to serve as the Director of the Museum. The Director position is defined in Article IV of this Agreement.

2. Routine Maintenance & Basic Utilities. City personnel shall perform routine maintenance and provide basic utilities at no cost to the Foundation. The City's responsibilities with respect to routine maintenance and basic utilities shall consist only of the following:

- a. Maintaining the lawn and walking trails around the Museum, including the cost of labor, water, and ordinary repair to irrigation systems;
- b. Periodically trimming trees and shrubs;
- c. Clearing snow from main access points;
- d. Providing natural gas, electricity, water, sewer, and trash collection services to the Museum; and
- e. Other services that the City may agree in writing to provide as routine maintenance services.

3. Non-Routine Maintenance. The City may perform other, non-routine maintenance upon request of the Foundation, if the City determines in its sole discretion that such maintenance is necessary or practical. Non-routine maintenance includes any maintenance activity not specifically listed in Subsection 2, including painting and repairing Museum structures and equipment. The Foundation shall pay the first \$250 of any requested non-routine maintenance activity, and the City shall pay any remaining amount.

4. Improvements. The parties may from time to time agree in writing to construct or install improvements at the Museum site. Any agreement shall address cost allocations and any increased maintenance costs.
5. City Council Authority. The City Council retains full authority to adopt ordinances, policies, and procedures regarding the use and operation of the Museum.

Article IV
Employees, Interns, and Volunteers

1. Employees Generally. The City shall have exclusive control over any City employee working at the Museum, and shall have sole authority to hire and fire such employees. City employees do not report to the Foundation, but may be called upon to assist the Foundation from time to time. Any employment opportunities arising at the Museum shall be posted on the City's website and filled by the City's human resources department, which may seek input from the Foundation as appropriate. The Foundation shall not in any event make payments to a City employee or otherwise entice a City employee to work more than the hours for which he or she is paid by the City. However, the Foundation and the City may from time to time agree in writing to share the cost of hiring or extending the hours of a City employee to fill a need at the Museum. The details of any such cost sharing arrangement shall be detailed in the written agreement.
6. Director Position. As noted in Article III above, the City shall provide a City employee to serve as Director of the Museum. The Director shall work no fewer than 750 total hours between May and September. The City shall not be required to pay the Director to work between October and April, but may choose to do so from time to time in its sole discretion. The Director shall assist the Foundation in operating the Museum in a collaborative effort by performing duties including, by way of example:
 - a. Opening and closing the Museum in accordance with the scheduled hours;
 - b. Curating Museum collections including registration, organization, storage, and preservation of display items;
 - c. Acquiring and/or disposing of Museum exhibits, with Foundation approval;
 - d. Developing interpretive materials for exhibits and information;
 - e. Supervising and training museum interns, volunteers, and any additional staff that may be hired from time to time;
 - f. Writing newsletters and updates for the Museum's website and blog;
 - g. Representing the Museum in public relations matters;
 - h. Assisting the Foundation in developing policies and programs, and in seeking funding grants; and
 - i. Attending City Council meetings and Foundation Board meetings as requested.
2. Interns. All intern opportunities arising at the Museum shall be posted on the City's website and filled by the City's human resources department, which may seek input from the Foundation as appropriate. The Foundation shall assist as needed to develop a description of the educational benefits that the intern will receive, and to comply with any requirements imposed by the intern's educational institution. Interns shall be City volunteers or appointees.
3. Volunteers. The Foundation shall require all volunteers at the Museum to sign a written waiver acceptable to the City Attorney prior to engaging in volunteer activities.

Article V
Alcohol Service

1. General Prohibition. The parties acknowledge that Section 54-104(a) of the South Haven Code of Ordinances provides that no person shall consume or possess alcoholic beverages in a public place such as the Museum unless specifically permitted by resolution of the City Council.
2. Third-Party Special Events. The Foundation shall comply with the Liberty Hyde Bailey Museum Alcohol Service Policy adopted by the City Council, as may be amended from time to time (the "LHBM

Alcohol Policy”), when considering requests from third-parties to serve alcohol at the Museum as part of a special event. The version of the LHBM Alcohol Policy in effect as of the date of the signing of this Agreement is attached as **Exhibit B**.

3. Foundation Events. The Foundation may request permission to serve alcohol at its own events at the Museum by submitting a written description of the proposed events to the City Clerk, who shall forward the request to the City Council. The Foundation shall endeavor to submit a single, all-inclusive request each year, in order to promote efficiency.

Article VI

Insurance and Indemnification

1. Insurance. Both parties obtain and maintain a comprehensive general liability insurance policy covering the Museum with coverage of not less than \$1,000,000 and each shall name the other party as an Additional Insured.

2. Loss Payment (Indemnification). The Foundation agrees to hold the other City (defined for purposes of this paragraph to also include the City’s officers and employees) harmless from, defend it against (with legal counsel reasonably acceptable to the City), and pay for any loss paid or owed by the other party related in any way to the operation of the Museum, unless the loss is caused by or results from the negligent or intentional acts of the City. “Loss” means a monetary amount paid or owed for any reason, including for example: judgments, settlements, fines, replacement costs, staff compensation, decreases in property value, and expenses incurred in defending a legal claim.

Article VII

Miscellaneous

1. Entire Agreement. This is the entire agreement between the parties regarding its subject matter, and all previous agreements are no longer in effect. This Agreement supersedes the Museum Operating Agreement signed by the parties in 2013, in its entirety. This Agreement may not be modified or amended except in writing signed by the parties. It shall not be affected by any course of dealing.

2. Interpretation. The captions in this Agreement are for reference only and shall not affect its interpretation. The recitals are an integral part of the Agreement. The parties represent, warrant and agree that they have had the opportunity to receive independent legal advice from their attorneys with respect to the advisability of entering into this Agreement and are signing this Agreement after having been fully advised as to its effect. This Agreement shall be construed as if mutually drafted.

3. Jurisdiction and Venue. To the extent permitted by law, the jurisdiction and venue for any action brought pursuant to, arising from, or to enforce any provision of this Agreement shall be solely in the state courts in Van Buren County, Michigan.

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

CITY OF SOUTH HAVEN

Liberty Hyde Bailey Museum Memorial Fund, Inc.

By: _____
Robert Burr, Mayor

By: _____
Anne Long, Chairperson

By: _____
Amanda Morgan, Clerk

By: _____
Joan Hiddema, Treasurer

Date Signed: _____, 2014

Date Signed: _____, 2014

PROPERTY DESCRIPTION

Liberty Hyde Bailey Park is legally described as follows:

Commencing at the southwest corner of Section 11, Town 1 south, Range 17 west, thence north on the west section line of Section 11 1097.63 feet to the point of beginning, thence north 88 28"26" east parallel to the south line of the north 1/2 of the southwest 1/4 of the southwest 1/4 of Section 11 430.00 feet, thence north parallel with the west section line of Section 11 311.70 feet, thence south 88 28"26" west 244.00 feet to the west section line of Section 11, thence south along the west section line of Section 11 120 feet to the point of beginning, subject to easements and road rights-of-way of record.

DRAFT

LIBERTY HYDE BAILEY MUSEUM
ALCOHOL SERVICE POLICY

Purpose. This Policy is intended to regulate the service of alcohol and sale of alcoholic beverages at the Liberty Hyde Bailey Museum by members of the general public. The service and sale of alcohol is incidental to the holding of a special event. Any alcohol service and consumption authorized pursuant to this Policy shall occur only in those places approved by the Liberty Hyde Bailey Memorial Fund, Inc. (the "Foundation"), acting through its board of directors (the "Board"). The Foundation has contracted with the City to manage and operate the Museum.

Application. At least three months before the proposed date of the event, the person or entity wishing to serve alcohol at the Museum as part of a special event (the "Applicant") shall submit a written application to the City Clerk, who shall forward the application to the Board. The Applicant shall also appear in person before the Board if requested. The written application shall include the following:

The name, age, residence and mailing address of the persons making the application. Where the Applicant is a partnership, corporation or other association, this information shall be provided for all partners, officers and directors, or members.

A statement regarding the kind, character, and type of the proposed event. The statement shall specify whether the Applicant intends to charge for alcohol service or to provide drinks free of charge.

The date and hours during which the proposed event is to be conducted.

Board Approval. The Board shall approve no more than six special events with alcohol service per year. Approval will generally be given on a first-come-first-serve basis, but the Board reserves the right to prioritize events that advance the Museum's mission. The Board shall consider modifying the event limitation annually at the first meeting of each calendar year.

Additional Approvals. When the Board approves an application, it shall forward the application materials to the City Council for consideration. A special event involving alcohol service shall not be held at the Museum unless and until the City Council adopts a resolution approving the event. Moreover, the Applicant shall obtain all necessary approvals and permits from the Michigan Liquor Control Commission and shall obtain approval from the South Haven Police Department pursuant to its "Special Events and Festivals Alcohol Policy."

Loss Payment (Indemnification). Applicants providing alcohol service at the Museum shall hold the City and the Foundation harmless and pay for any loss paid or owed by the City or the Foundation (including its officers, employees, agents, or assigns) as a result of the event. "Loss" means a monetary amount paid or owed for any reason, including for example: judgments, settlements, fines, replacement costs, staff compensation, decreases in property value, and expenses incurred in defending a legal claim.

6. **Insurance.** Applicants are not covered by the City's liability insurance policy. Accordingly, each applicant is solely responsible for obtaining liability coverage. Requirements vary depending on the type of organization/individual and type of event, as described in detail below. All regulations set forth by the State of Michigan Liquor Control Commission must be strictly adhered to at all times. The Applicant must produce proof of insurance at least 10 days prior to the event

Individuals. When an individual hosts an event with free alcohol service and no charge for admission, the individual must produce proof of homeowner's insurance. When an individual hosts an event where alcohol is sold, or when a fee or mandatory donation is charged to attend an event with alcohol service, the individual must produce proof of liquor liability insurance with minimum liability limits of \$500,000 per occurrence and in the aggregate, naming the City and the Foundation as additional insureds.

For-Profit or Non-Profit Entities. When a for-profit or non-profit entity hosts an event with free alcohol service and no charge for admission, the entity must produce proof of general liability insurance that includes "host liquor liability" coverage with minimum liability limits of \$1,000,000 per occurrence and in the aggregate, naming the City and the Foundation as additional insureds. When a for-profit or non-profit entity hosts an event where alcohol is sold, or where a fee or mandatory donation is charged to attend an event with alcohol service, the entity must produce proof of liquor liability

insurance with minimum liability limits of \$1,000,000 per occurrence and in the aggregate, naming the City and the Foundation as additional insureds.

Catering Firms. When a catering firm serves alcohol at an event, regardless of whether the Applicant or the caterer charges for the alcohol or for admission, the catering firm must produce proof of liquor liability insurance with minimum liability limits of \$1,000,000 per occurrence and in the aggregate, naming the City and the Foundation as additional insureds. This coverage shall be in addition to the Applicant's coverage, which comply with the requirements in Subsection A or B, as applicable.

DRAFT

To: Brian Dissette

Fr: Liberty Hyde Bailey Park Board

Re: Proposed Changes to LHBM Code

Date: December 7, 2014

The Liberty Hyde Bailey Park Board fully endorses the change of city code in order to consolidate the governance structure of the Liberty Hyde Bailey Museum (the "Museum") and the Liberty Hyde Bailey Museum Memorial Fund Inc. (the Foundation). In recent years, the Museum has essentially had two governing boards. The Liberty Hyde Bailey Park Board is the public board created by the current ordinance that consists of up to seven members appointed by the City Council and the Liberty Hyde Bailey Museum Memorial Fund, Inc. (the "Foundation"), is a private non-profit corporation created for the purpose of promoting and improving the museum. The members of the Liberty Hyde Bailey Park Board are also the members of the Liberty Hyde Bailey Museum Memorial Fund, Inc., and the functions of the two bodies overlap and cause a lack of transparency and inefficiency in the operational structure.

In repealing the ordinance, Chapter 58, Article II, Division 3 of the City Code, which is the portion of the Code that establishes the LHBP Board, the City will be able to establish a new governance structure for the museum through a contract with the Liberty Hyde Bailey Memorial Museum Fund, Inc. (the Foundation), that will create a collaborative relationship between the city and the Foundation whereby the Foundation will operate the Museum with the oversight of the City Council and assistance from City employees and thus allowing for clarity and purpose between the parties in this relationship.

Notably, the ordinance preserves the Museum's status as a public park by listing it in the portion of the Code that designates public parks in the City. The ordinance also makes clear that the City's Parks Commission will not have jurisdiction over the Museum, which means that any City decision regarding the Museum will be made directly by the City Council.



City of South Haven

Department of Public Works

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

MEMORANDUM

To: Brian Dissette, City Manager

From: Michelle Coffey, Special Events Coordinator

Date: December 17, 2014

RE: Special Event 2015-01 - Harborfest

Background Information

Harborfest is scheduled for June 18-21, 2015. At this event there will be live music, food vendors, craft vendors, dragon boat races, entertainment on stage by marina, and more.

The event application seems to mirror last year's application with one minor change. This year they would like to move the "beer garden" to the grassy area as shown on the map included in the application (pending approval of temporary liquor license).

Proof of insurance will be provided closer to event date.

Attachments

Special Event 2015-01 Application

Special Event # _____

Date Received _____

CITY OF SOUTH HAVEN

Special Events & Festivals Application

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

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

A new application must be submitted each year.

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

initial _____

Date

12/9/14

CONTACT INFORMATIONEvent Title: HarborfestSponsoring Organization: Harborfest of South Haven IncApplicants Name: Hank BosmaTelephone #: 269 767-4225 Phone # During Event: 269 767-4225E-mail Address: tradersunion@hotmail.com**Other contacts for/during event**Name: Rick Young Telephone: 616 796-41621Name: Ken Van Horn Telephone: 269 217-0140**EVENT SPECIFIC INFORMATION**Event Location: River front Park to end of water stDate(s) Requested: 6/18/15-6/21/15 Alternative Date(s): _____Start Time: 12 noon 6/18/15 End Time: 6/21/15 10:00 PM

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

Number of people expected to attend: 20,000 estimated**EVENT DESCRIPTION**

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

live music, food vendors, craft vendors, dragon boat races,
beer garden, entertainment on stage by marina.
Food vendors & crafters all along water street and
dragon boat races on Black River.
Beer garden on grassy triangle just west of #3
on Special Event Map.

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

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

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

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

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

Explain closure _____

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

Event Command Post. Mark location on maps.

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

Portable toilet facilities. Mark locations on maps. How many? Harborfest Prudes
The City requires the use of portable facilities for events expecting over 500 attendants.

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

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

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

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

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

Fireworks/pyrotechnics site. Mark location on maps.

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

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

Name: Mark Bosma Telephone: 269 767-4225

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

First Aid facilities. Mark location on maps. List agency providing staff and equipment

Name: South Haven Telephone: 269 637-5271
Health System

Live animal sites. Mark location on maps and describe: _____

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

ADDITIONAL EVENT INFORMATION

Liquor License

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

City of South Haven Liquor License Application

Michigan Liquor Control Commission Website

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

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

Thurs: 5-10 PM, Friday: 5-11 PM, Saturday: 9am-11 PM
Sunday: 12 noon - 9 PM

Date: Thurs, June 18 Time: 5-10:00 PM

Date: Friday, June 19 Time: 5-11: PM

Date: Saturday June 20 Time: 9am - 11 PM
Sunday June 21 11:00am - 9 PM

Signage: Prior to the event a list of all signage (example: sandwich boards, banners, etc.) and placement of the signage needs to be turned in to the city's Parks and Recreation Supervisor. Upon submission the signage requests will be reviewed by the Parks and Recreation Supervisor; additional approval may be required.

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

CITY SERVICES

Are you requesting any utility services to be provided: Yes No

If yes, explain: Electric on water street, Police Patrol,
barricades, loan of City portable fencing

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

Name: To be determined Telephone: _____

Will vendors be using electric utilities: Yes No

If yes, the city's Electrical Inspector will be making inspections of all vendors using electric during events. A charge of \$10.00 per vendor will be billed to the Sponsoring Organization (NOT the vendor) following the event.

Will you require additional police services: Yes No

If yes, explain: As above

Will you require additional fire/ambulance services: Yes No None known

If yes, explain: _____

Additional fire information: Mark all that apply

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

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

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

INSURANCE

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

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

REMINDERS

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

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

INDEMNIFICATION AGREEMENT

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

Mark Baesma, President
Applicants Signature

12-10-14
Date

Please return to:
Parks and Recreation Supervisor
Department of Public Works
City of South Haven
1199 8th Ave
South Haven, MI 49090 *Jeanine*
Phone: 269-637-0772 / Fax: 269-637-4778
Hours: Monday-Friday 7:00a.m. – 3:30p.m.

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



Department of Public Works
 DPW Building • 1199 8th Ave. • South Haven, Michigan 49090
 Telephone (269) 637-0737 • Fax (269) 637-4778

Cones and Barricades Request Form

Requester's Name Rick Young, Site Manager
 Date Requested 6/18/15
 Organization/Committee Harbor Fest of South Haven, Inc
 Mailing Address PO Box 282
South Haven 49090
 Office/Main Phone Hank Bosma (269) 767-4225
 Cell Phone Rick Young (616) 796-4621

EVENT: Harbor Fest 2015

DATE of 6/18/15
 EVENT: 6/21/15

CONES	Quantity	Who will pick up cones (Please Print Legibly)	Cell Phone	Pick Up Date/Time	Return Date/Time
				AM	AM
				PM	PM

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

BARRICADES	Quantity	Drop Off Location (Please Print Legibly)	Contact Person	Drop Off Date/Time	Pick Up Date/Time
			Cell Phone		
	8	2 Kalama Zoo & Water	616 796-4621	6/17/15	6/21/15
		2 Maple & Water Top			
		2 St Joseph Michigan			
				3 AM	6 AM
				3 PM	6 PM

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

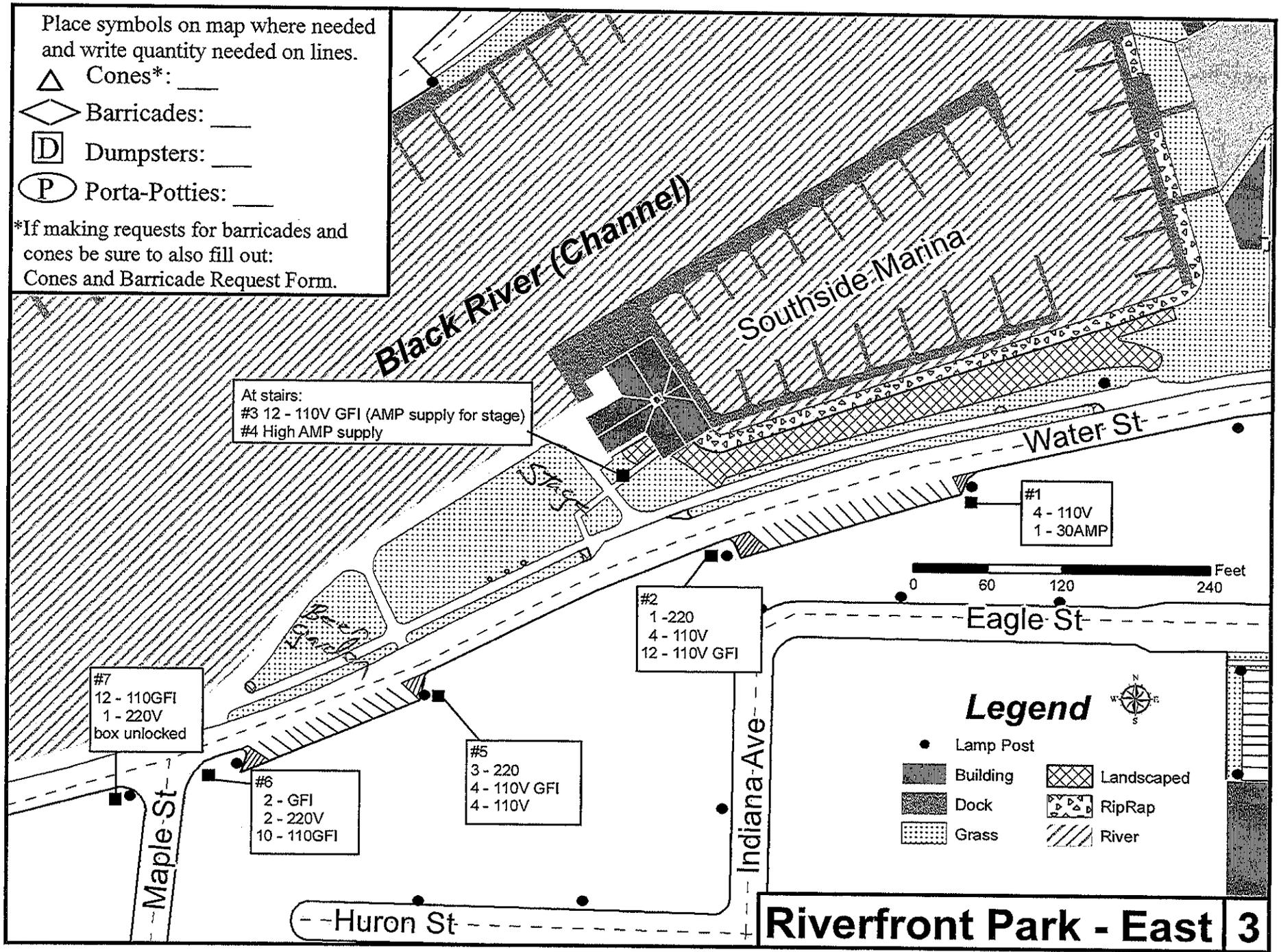
Borrower's Signature: Hank Bosma

Authorized by: _____

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

- △ Cones*: ___
- ◇ Barricades: ___
- Dumpsters: ___
- Porta-Potties: ___

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



Riverfront Park - East 3



Agenda Items 8 & 9 Poverty Exemption Guidelines

Background Information:

The City Council will be asked to consider the 2015 guidelines for property tax poverty exemptions and the special assessment poverty exemptions for approval and adoption. The poverty exemption guidelines are used by the Assessing Department when considering tax relief requests at the annual Board of Review meeting(s).

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

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

As part of the Kalamazoo Street reconstruction project, phase two, the City Council received concerns, voiced by members of the public, about the use of special assessments, which were used to partially fund the water and sanitary sewer utilities. As a result of the public concerns, the City Council agreed to create a special assessment district poverty exemption program. The program mirrors the guidelines set forth by the property tax poverty exemption program.

For tonight's meeting, the City Council will again be asked to approve and adopt the poverty guidelines. Staff has mirrored the levels set forth in the 2009 guidelines, in an effort to continue the levels offered in the prior years, in doing so, the 2015 guidelines continue to be less restrictive than the Federal poverty guidelines, but appear to be locally acceptable. Further, the City Council will be asked to approve and adopt the special assessment poverty exemption guidelines.

Recommendation:

The City Council should consider adoption of the following resolutions:

Resolution 2015-01, a resolution adopting the 2015 property tax poverty exemption guidelines.

Resolution 2015-02, a resolution adopting the 2015 special assessment poverty exemption guidelines.

Support Material:

2015 Poverty Exemption Filing Requirements

Resolution 2015-01; Poverty Exemption Guidelines

Resolution 2015-02; Special Assessment Poverty Exemption Guidelines

CITY OF SOUTH HAVEN

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

Adopted by the South Haven City Council on February 19, 1996
Amended for Tax Year 2015 on January 5, 2015

FILING REQUIREMENTS

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

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

ASSET STANDARDS

Asset Eligibility Limitation

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

Divestment of Assets

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

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

Definition of Assets (Non-Inclusive)

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

INCOME STANDARDS

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

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

Tax Year 2015 Poverty Threshold – Maximum Household Income

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

Ordinary income includes the following:

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

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

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

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

PRIOR PROPERTY TAXES AND UTILITY BILLS

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

MICHIGAN HOMESTEAD PROPERTY TAX CREDIT

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

DEFINITION OF HOMESTEAD

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

PARTIAL POVERTY EXEMPTION

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

APPEAL

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

CITY OF SOUTH HAVEN

SPECIAL ASSESSMENT INSTALLMENT POVERTY EXEMPTION GUIDELINES
(Pursuant to the General Property Tax Act, 1893 PA 206, as amended, MCL 211.1 *et seq.*)

Adopted by the South Haven City Council on _____, 20__.

FILING REQUIREMENTS

In order to file and qualify for a special assessment installment poverty exemption the claimant must do *all* of the following, and meet *each* of the following requirements, annually:

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

ASSET STANDARDS

Asset Eligibility Limitation

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

Divestment of Assets

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

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

Definition of Assets (Non-Inclusive)

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

INCOME STANDARDS

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

In order to meet the requirements of the income standards, the claimant's annual gross household income cannot exceed the amounts stated below. Qualification under these income standards, provided the claimant is qualified in all other respects, indicates that the claimant should reasonably be expected to pay any special assessment levied on the property.

Tax Year 2015 Poverty Threshold — Maximum Household Income

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

Ordinary income includes the following:

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

8. Dividends, interest, net rental income, net royalties, periodic receipts from estates or trust, and net gambling or lottery winnings.

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

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

PRIOR SPECIAL ASSESSMENTS INSTALLMENTS AND UTILITY BILLS

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

MICHIGAN HOMESTEAD CREDIT

Any refunds received or due to be received from a Michigan Homestead Property Tax Credit Claim (MI-1040CR) shall be reported by the applicant and taken into account in regard to the granting of any special assessment installment poverty exemption.

DEFINITION OF HOMESTEAD

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

REVENUE BOND ACT

In accordance with the Revenue Bond Act, 1933 PA 94, as amended, 141.101 *et seq.*, the special assessment installment poverty exemption shall not provide relief from water bills, sewer bills, electric bills or bills for any other public utility service provided through the use of a public improvement.

PAYMENT FROM UTILITY FUND

Whenever an exemption is granted under this policy, the City will cover the cost of such exemption through a payment from the utility fund. Any exemption granted under this policy shall not affect the amount of any special assessment levied against a property owner in the City.

APPEAL

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

CITY OF SOUTH HAVEN
APPLICATION FOR SPECIAL ASSESSMENT INSTALLMENT POVERTY EXEMPTION

The Board of Review is allowed to take action on Special Assessment Installment Poverty Exemption Applications during the March Board of Review appeal hearings, or during the July Board of Review, (the Tuesday following the third Monday in July), or during the December Board of Review, (the Tuesday following the second Monday in December.)

I, _____, being the owner and principal resident of the homestead property listed and described below hereby apply for special assessment installment payment relief pursuant to the provisions of MCL 211.7u of the General Property Tax Act.

Special Assessment Code No. _____ Property Description _____
_____ Property Address _____
_____ Applicant telephone No. _____
_____ Marital Status _____

Name of Spouse, if Applicable _____

Total number of household members _____

Name and relationship to you of each and every member of your household

Have you applied for Homestead Special Assessment Credit _____ Refund Amount _____
(If so, attach a copy of MI-1040CR)

PROPERTY INFORMATION

Is your home paid for If not, name of lender _____ Balance owed _____

How long have you lived at this residence?

Do you own, or are you buying or have an interest in, any other real property?

Property Address	Owner	Assessed Value	Amount and Date of Taxes Paid
_____	_____	_____	_____

Income received from other real property

EMPLOYMENT INFORMATION

Name and Address of Employer of Head of Household

How long employed there _____ Job Title _____

HOUSEHOLD INCOME INFORMATION

List all household income from all sources for each member of the household

<u>Household Member</u>	<u>Source of Income</u>	<u>Amount of Periodic or Annual Income</u>
-------------------------	-------------------------	--

Attach a copy of your most-recent state and federal income tax return forms.

HOUSEHOLD ASSET INFORMATION Savings and Investments

Name of Institution or Investment Amount of Deposit or value Name of Owner of Investment

Divestment of Assets

Provide the names and/or descriptions of any assets, and the current value of those assets, which you have transferred to any other persons, firms, or organizations, and the names of such persons, firms, or organizations to whom the assets were transferred, within the past 36 months.

Motor Vehicles in the Household

Make	Year	Owned by	Used for	Paid off or Balance Owed
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Life Insurance

Insured Person Insurance Company Face Amount Cash Value Beneficiary

Other Household Assets

List and describe and state the value of all other assets which are not listed above which are owned or controlled by you or any member of your household. (Such as, but not limited to, jewelry, coins, precious metals, collectibles, antiques not used as household furnishings, and other similar possessions which are not essential to your subsistence, health, or wellbeing.

AUTHORIZATION FOR VERIFICATION

I, _____, as an Applicant to the City of South for a Special Assessment Installment Poverty Exemption, hereby authorize, by my signature below, the City of South Haven to contact any person, firm, or organization which I have identified in this Application in order to verify the information I have provided herein. Additionally, I authorize any person, firm, or organization so contacted to provide any such information to the city of South Haven as requested. I am aware that any willful inaccuracies, misstatements, or misrepresentation made by me in this application may constitute perjury, which under the law is a felony violation punishable by fine or imprisonment.

NOTICE TO APPLICANT: Do not sign this application except in the presence of the City of South Haven Assessor or Deputy Assessor, or Board of Review member.

STATE OF MICHIGAN

COUNTY OF VAN BUREN

The undersigned hereby swears that the statements made and information provided in the foregoing Application are true and that he/she has no other income, assets, or property other than that disclosed herein.

Signature of Applicant(s): _____ Date _____

Witness: _____ Assessor or Deputy Assessor Date _____

: _____ Board of Review Member Date _____

.....
BOARD OF REVIEW DISPOSITION

Date of Board of Review Determination

Exemption Denied _____ Exemption Approved _____

Reason for Determination: _____

Board Member Signatures: _____

Witness: _____ Assessor or Deputy Assessor

An official, written notice of determination shall be issued to the claimant. The notice shall inform the claimant of the right to appeal the Board of Review determination to the Michigan Tax Tribunal.

MEMORANDUM

DATE: December 23, 2014
TO: Brian Dissette, City Manager
FROM: Connie Phillips, Deputy Assessor
SUBJECT: 2015 Federal Poverty Guidelines

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

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

The following is the **federal poverty guidelines** as of 12/31/14 for use in setting poverty exemption guidelines for 2015:

Size of Family Unit	Poverty Guidelines *
1	\$11,670
2	\$15,730
3	\$19,790
4	\$23,850
5	\$27,910
6	\$31,970
7	\$36,030
8	\$40,090
For each additional person, add	\$4,060

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

*** Please note that on the Resolution and the Property Tax Poverty Exemption Guidelines for 2015, the amounts are based on what the city council approved last year.**

CITY OF SOUTH HAVEN
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2015-01

A RESOLUTION UPDATING STATE REQUIRED POVERTY LEVEL INCOME STANDARDS
FOR PROPERTY TAX POVERTY EXEMPTION GUIDELINES
FOR TAX YEAR 2015

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on January 5, 2015 at 7:00 p.m. local time.

PRESENT: _____

ABSENT: _____

The following preamble and resolution was offered by Member _____ and supported by Member _____.

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

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

WHEREAS, the State Tax Commission has issued Bulletin No. 14 of 2014, dated October 13, 2014 which requires that Poverty Level Income Standards be updated for tax year 2015 in accordance with current Federal Poverty Income Standards: and

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

BE IT THEREFORE RESOLVED, that, the following Poverty Level Income Standards for Property Tax Exemption Guidelines for Tax Year 2015 are hereby adopted:

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

Important Note: PA 390 of 1994 states that the poverty exemption guidelines established by the governing body of the local assessing unit SHALL also include an asset level test.

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

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

RECORD OF VOTE:

Yeas: _____

Nays: _____

RESOLUTION DECLARED ADOPTED.

Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the 5th day of January, 2015, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

Amanda Morgan, City Clerk

MEMORANDUM

DATE: December 23, 2014

TO: Brian Dissette, City Manager

FROM: Connie Phillips-Thompson, Deputy Assessor

SUBJECT: Resolution to Update Special Assessments Poverty Exemption Guidelines for 2015

The Special Assessment Installment Poverty Exemption Resolution and Guidelines are to provide relief for qualified homeowners who are truly in need from the payment of special assessment installments relating to certain public water and sewer improvements.

CITY OF SOUTH HAVEN
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2015-02

A RESOLUTION ADOPTING POVERTY LEVEL INCOME STANDARDS FOR THE SPECIAL
ASSESSMENT POVERTY EXEMPTION GUIDELINES
FOR TAX YEAR 2015

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on January 5, 2015 at 7:00 p.m. local time.

PRESENT: _____

ABSENT: _____

The following preamble and resolution was offered by Member _____ and supported by Member _____.

WHEREAS, in accordance with the provisions of the General Property Tax Act, 1893 PA 206, as amended, in an effort to expand upon the City's current poverty exemption program, City staff and the City's legal counsel have drafted guidelines to provide an exemption for a qualified homeowner from the payment of special assessment installments relating to certain public water and sewer improvements; and

WHEREAS, said guidelines include state required poverty level income standards and requirements; and

WHEREAS, the South Haven City Council has given due consideration to the proposed Special Assessment Installment Poverty Exemption Guidelines and believes that they will provide additional relief to those families and citizens whom are truly in need.

BE IT THEREFORE RESOLVED, that, the Special Assessment Installment Poverty Exemption Guidelines, along with the corresponding application, for Tax Year 2015 is hereby adopted.

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

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

RECORD OF VOTE:

Yeas: _____

Nays: _____

RESOLUTION DECLARED ADOPTED.

Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the 5th day of January, 2015 at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

Amanda Morgan, City Clerk



Agenda Item 10

MSP Post Lease Agreement; Additional Parcel

Background Information:

The City Council will be asked to approve a resolution which would amend the lease agreement between the city and the State of Michigan for the Michigan State Police Post (Post,) located on Le Grange Street.

In December, 2014, the City Council approved a lease agreement with the State of Michigan for the use of the Post. In reviewing the lease of the Post's storage building, it was discovered that there was an additional parcel owned by the State of Michigan which was formerly part of the Post's grounds (see the triangle parcel on the attached map.)

The City Council is requested to consider including the triangle parcel, to the north of the Post, in the lease agreement.

Recommendation:

The City Council should consider approval of Resolution 2015-03, a resolution which would approve the lease as amended, include the storage building parcel and the triangle parcel, of the Michigan State Police Post.

Support Material:

Resolution 2015-03
MSP Property Map

CITY OF SOUTH HAVEN
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2015-03

A RESOLUTION AUTHORIZING ENTERING INTO A LEASE FOR THE
FORMER STATE POLICE POST STORAGE BUILDING AND PARKING AREA

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on January 5, 2015 at 7:00 p.m. local time.

PRESENT: _____

ABSENT: _____

The following preamble and resolution was offered by Member _____ and supported by Member _____.

WHEREAS, Section 12.4 of the South Haven Charter authorizes the City Council to enter into a lease for property with an affirmative vote of four or more members of the Council; and,

WHEREAS, the City Council desires to continue use of the storage building, parking area and triangle parcel under the terms of a lease with the State of Michigan.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of South Haven as follows:

The City Manager is hereby authorized to execute the lease on behalf of the City of South Haven.

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

RECORD OF VOTE:

Yeas: _____

Nays: _____

RESOLUTION DECLARED ADOPTED.

Robert G. Burr, Mayor

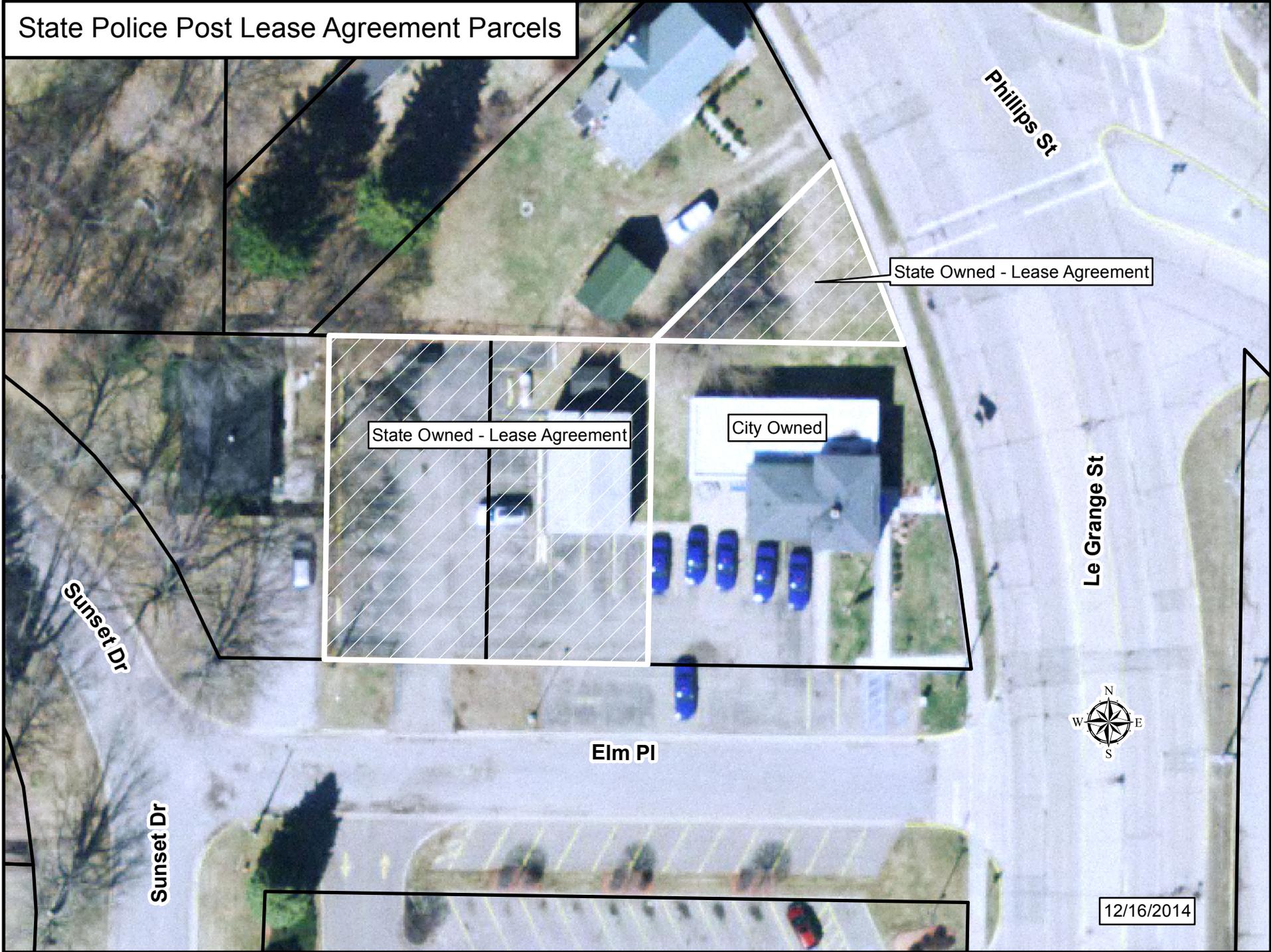
CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the 5th day of January 2015, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was

given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

Amanda Morgan, City Clerk

State Police Post Lease Agreement Parcels



State Owned - Lease Agreement

State Owned - Lease Agreement

City Owned

Le Grange St

Phillips St

Elm PI

Sunset Dr

Sunset Dr



12/16/2014