

# City Council

## Regular Meeting Agenda

Monday, February 4, 2013  
7:00 p.m., Council Chambers



### 1. Call to Order

### 2. Invocation

- Council will observe a moment of silence.

### 3. Roll Call

### 4. Approval of Agenda

### 5. Consent Agenda: Items A thru D (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 following City Council:

- 1) Regular Meeting Minutes: January 21, 2013.
- 2) Special Meeting Minutes: January 28, 2013.
- 3) Workshop Meeting Minutes: January 28, 2013

#### B. Bills totaling \$894,734.58 for the period ending February 4, 2013 be approved and forwarded to the Clerk and Treasurer for payment.

#### C. Council will be asked to approve a Sanitary Sewer Service Agreement with Casco Township and the Miami Park Waste Water Association.

#### D. Council will be asked to receive the following administrative reports and approved minutes to be placed on file:

- 1) Zoning Board of Appeals: Minutes, October 22, 2012.
- 2) Board of Public Utilities: Minutes, November 26, 2012.

*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. City Council will be asked to take the following action regarding a MSHDA Grant Application:

#### A. Hold a public hearing regarding the grant application.

#### B. Consider Resolution 2013-07: A Resolution authorizing the City Manager to apply for a Michigan State Housing Development Authority grant for Phoenix Street accessibility and public green space improvements.

7. **City Council will be asked to take the following actions regarding an ordinance regulating alcohol in public spaces:**
  - A. **Council will hear public comment regarding the proposed ordinance.**
  - B. **Consider an ordinance to add Section 42-29 to the City of South Haven Code of Ordinance to provide City Council authorization for consumption of alcohol in and on City owned property and to amend Section 54-105 of the City of South Haven Code of Ordinances to prohibit the consumption of alcohol in public spaces.**
  - C. **Consider Resolution 2013-08: A Resolution establishing policies and procedures for the service and consumption of alcohol in public in conjunction with City approved special events and festivals.**
  - D. **Consider Resolution 2013-09: A Resolution to establish a Downtown Special Event Area for the purpose of regulating the service and consumption of alcoholic beverages in public in conjunction with community wide special events.**

NEW BUSINESS

8. **City Council will be asked to consider the appointments of interested individuals who wish to serve on the Development Area Citizens Council.**
9. **City Council will be asked to consider a license agreement with LJ Agency, Inc. to operate a jet ski rental at the Southside Marina.**
10. **City Council will be asked to consider Resolution 2013-10: A Resolution appointing a Board of Review and establishing a rate of compensation and a meeting schedule for Tax Year 2013.**
11. **City Council will be asked to consider Resolution 2013-11: A Resolution adopting a 5-year Recreation Plan for the City of South Haven.**
12. **City Council will be asked to consider adopting Fiscal Year 2013/2014 Priorities.**
13. **Interested Citizens in the Audience Will be Heard on Items Not on the Agenda**  
*(You will be given up to 5 minutes to address your concerns.)*
14. **City Manager's Comments**
15. **Mayor and Councilperson's Comments**
16. **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(e) to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation.**
17. **Adjourn**

RESPECTFULLY SUBMITTED,



Brian Dissette, City Manager

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

# DRAFT

## City Council

### Regular Meeting Minutes

Monday, January 21, 2013  
7:00 p.m., Council Chambers



1. **Call to Order by Mayor Burr at 7:00 p.m.**
2. **Invocation by Mike Dubbink, Youth Minister – Hope Reformed Church**
3. **Roll Call**

Present: Arnold, Fitzgibbon, Gruber (arrived 7:23 p.m.), Klavins, Kozlik Wall, Patterson, Burr  
Absent: None

4. **Approval of Agenda**

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

Voted Yes: All. Motion carried.

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

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

- A. Council will be requested to approve the City Council Minutes of January 7, 2013.
- B. Bills totaling \$1,311,906.83 for the period ending January 20, 2013 be approved and forwarded to the Clerk and Treasurer for payment.
- C. Council will be asked to approve a 2013 employment agreement with the City Manager, Brian Dissette.
- D. Council will be asked to approve the following resolutions regarding MERS contributions:
  - 1) Resolution 2013-02: Resolution for Changing MERS Benefits for City Manager.
  - 2) Resolution 2013-03: Resolution for Changing MERS Benefits for Non-Union.
  - 3) Resolution 2013-04: Resolution for Changing MERS Benefits for Police.
  - 4) Resolution 2013-05: Resolution for Changing MERS Benefits for TPOAM.
- E. Council will be asked to receive the following administrative reports and approved minutes to be placed on file:
  - 1) Local Development Finance Authority: Minutes, November 12, 2012.
  - 2) Liberty Hyde Bailey Museum Board: Minutes, November 20, 2012.
  - 3) South Haven Memorial Library Board: Minutes, December 11, 2012.
  - 4) Parks Commission: Minutes, December 11, 2012.

A Roll Call Vote was taken:

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

Nays: None

Motion carried.

#### BOARD & COMMISSION APPOINTMENTS

**6. City Council will be asked to consider the appointment of Patti Montgomery-Reinert to fill a vacant 3-year term on the Parks Commission expiring in 2014.**

Patti Montgomery-Reinert introduced herself to City Council as an applicant for the Parks Commission.

Moved by Fitzgibbon to appoint Patti Montgomery-Reinert to fill a vacant 3-year term on the Parks Commission expiring in 2014. Seconded by Patterson.

Voted Yes: All. Motion carried.

#### NEW BUSINESS

**7. City Council will be asked to consider Resolution 2013-06: A Resolution recognizing Waterfront Film Festival as a non-profit organization for a Charitable Gaming License.**

*Background Information:* In order to conduct raffles within the State of Michigan, organizations must apply for a license through the State of Michigan Charitable Gaming Division. Representatives from the Waterfront Film Festival would like to conduct raffles to fundraise for their organization.

The resolution, required by MCL.432.103(9), recognizes Waterfront Film Festival as a nonprofit organization operating within the South Haven community, for the purpose of obtaining a charitable gaming license. Should the license be approved, it will be used for their Oscar Party Fundraiser in February, as well as during the actual event. A copy of the resolution must be submitted with their license application.

The City of South Haven has received similar requests in the past from the Al-Van Humane Society, South Haven Center for the Arts, Habitat for Humanity, and We Care.

Moved by Fitzgibbon to approve Resolution 2013-06: A Resolution recognizing Waterfront Film Festival as a non-profit organization for a Charitable Gaming License. Seconded by Patterson.

Voted Yes: All. Motion carried.

**8. City Council will be asked to introduce an ordinance to add Section 42-29 to the City of South Haven Code of Ordinance to provide City Council authorization for consumption of alcohol in and on City owned property and to amend Section 54-105 of the City of South Haven Code of Ordinances to prohibit the consumption of alcohol in public spaces.**

*Background Information:* Recently, the Downtown Development Authority (DDA) Board approved a motion of support, to the City Council, to allow for the sale and consumption of alcohol on authorized public property. The proposed ordinance allowance could allow for downtown merchants to seek license agreements from the city, which could then be used for outdoor dining with alcohol consumption. Further, the proposed allowance could allow for special events to conduct beer/wine tents on public property. Please note that the sales and/or consumption would only be for property that has the appropriate local approval and license from the Michigan Liquor Control Commission. Based on the DDA's motion of support, the city's staff has been working to determine how this issue could be managed, and possibly considered by the City Council.

The city's attorney has provided an opinion on how this issue could be implemented and managed. That opinion is included within this packet, along with the DRAFT ordinance amendment.

At the December 14, 2012, City Council workshop session, the council members and staff discussed how allowing alcoholic beverages on public spaces could be managed. At the workshop session, the general consensus from the elected officials was to proceed with implementation of the program. Prior to the program implementation, the City Council will need to consider introduction and adoption of a code amendment, which allows alcohol in public spaces.

For tonight's meeting, the City Council is asked to consider introduction of the DRAFT ordinance amendment, which seeks to provide authorization for consumption of alcohol in and on city owned property.

Moved by Kozlik Wall to introduce an ordinance to add Section 42-29 to the City of South Haven Code of Ordinance to provide City Council authorization for consumption of alcohol in and on City owned property and to amend Section 54-105 of the City of South Haven Code of Ordinances to prohibit the consumption of alcohol in public spaces. Seconded by Arnold.

Voted Yes: All. Motion carried.

**9. City Council will be asked to consider scheduling workshop sessions to begin the annual priority setting process.**

*Background Information:* Over the coming weeks, the City Council will be asked to host a series of workshops to discuss priority setting for the upcoming fiscal year. Through these conversations, elected and appointed officials will be able to compile lists of items, projects, and concerns. From the lists, the City Council will begin the process of prioritizing their goals for the upcoming year. Based on those priorities, staff will work to develop a draft budget document which is intended to meet the bulk of the council's priorities.

Attached are the approved Fiscal Year 2012-13 Annual Priorities. It is my hope that through the review of the previously approved priorities and goals, the City Council members will develop ideas for the upcoming priority setting workshop.

Possible workshop dates that the City Council could consider are:

- January 28<sup>th</sup> at 6:00 p.m.
- February 4<sup>th</sup> at 6:00 p.m.

It is my hope that only one workshop session will be needed for the bulk of the priority setting process. However, an additional session has been scheduled if more time is needed to discuss the priorities. As a result, I am requesting that the City Council schedule one workshop session, but note that the additional workshop session may be needed.

Council determined that an annual priority setting workshop session would be held on Monday, January 28, 2013 at City Hall.

**10. City Council will be asked to consider a offloading and transfer site agreement with DK Construction for the placement of dredge spoils.**

*Background Information:* DK Construction has proposed to use the former City Street Garage site to offload dredge spoil from a local marina dredging project. DK Construction proposes to off load material with a crane from a barge directly to a truck. The material would then be moved to another location by truck.

The contractor would pay the City \$50 per day for use of the site.

Moved by Fitzgibbon to approve a offloading and transfer site agreement with DK Construction for the placement of dredge spoils. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried.

**11. City Council will be asked to set a public hearing date of February 4, 2013 for consideration of an application to the MSHDA Community Development Grant.**

On January 4th, City staff was informed that a new grant opportunity has become available through MSHDA. At the February 4th, 2013 meeting, City Council will be asked to consider an application for improved accessibility and public space to City Hall and Phoenix Street.

The MSHDA Community Development grant is new this year. In March 2012, forty-nine state attorneys general, including Michigan Attorney General Bill Schuette, entered into a settlement with five of the nation's largest mortgage servicers following a lawsuit regarding mortgage foreclosure practices. Among other things, the settlement resulted in direct payments to states. Of Michigan's \$97.2 million share, the Michigan Housing and Community Development Fund (the "MHCD Fund") has been appropriated \$3,709,500 from 2012 PA 296. The total allocation of 2012 funds \$3,785,500 (appropriated funds from 2012 PA 296 plus \$76,000 in recaptured funds) represents the third opportunity to allocate funding to eligible activities under legislation authorizing the MHCD Fund. The MHCD Fund will support projects designed to fuel strategies leveraging public and private resources to meet the affordable housing needs of low income, very low income, and extremely low income households and to finance projects located in a downtown area or adjacent neighborhood.

The application is due on or before February 15, 2013 by 11:59 p.m. Only one application per applicant is permitted. The Michigan State Housing Development Authority ("MSHDA") expects to make 10-15 awards statewide.

Moved by Patterson to set a public hearing date of February 4, 2013 for consideration of an application to the MSHDA Community Development Grant. Seconded by Fitzgibbon.

Voted Yes: All. Motion carried.

## **12. 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.)*

Mike Henry, Van Buren County Commissioner – updated City Council on the recent activities of the Van Buren County Commission.

Councilmember Gruber arrived at 7:23 p.m.

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

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

Klavins: The notice for the Corridor Improvement Authority meeting date was inaccurate. The public information meeting will be held Wednesday, February 6, 2013 at 6:00 p.m.

Arnold: No comments.

Patterson: Congratulations to President Obama on his re-election. Thank you to Lake Michigan College for holding Martin Luther King, Jr. programs. Warm Your Heart Month.

Fitzgibbon: Suggested that everyone be very careful on the roads.

Gruber: Don't wait to study for exams, even if there is a snow day tomorrow.

Kozlik Wall: No comments.

Burr: Corridor Improvement District will not cause a tax increase for any of the properties included in the district.

## **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(e) to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation.**

Due to weather conditions the City's attorney was unable to attend the City Council meeting. As a result, City Council has tentatively scheduled to hold a Special Meeting on Monday, January 28, 2013 at 8:00 p.m. after the priority setting workshop.

## **16. Adjourn**

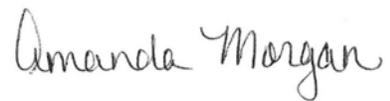
Moved by Patterson to adjourn. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried. Meeting adjourned at 7:30 p.m.

City of South Haven  
Regular Meeting Council Minutes  
City Hall, Council Chambers  
7:00 p.m., Monday, January 21, 2013

**DRAFT**

RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script that reads "Amanda Morgan".

Amanda Morgan, CMC  
City Clerk

Approved by City Council: **DRAFT**

**DRAFT**  
**City Council**

**Special Meeting Minutes**

**Monday, January 28, 2013**  
**6:00 p.m., City Hall, Conference Room B**



City of South Haven

**1. Call to Order by Mayor Burr at 6:00 p.m.**

**2. Roll Call**

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

**3. 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(e) to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation.**

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(e) to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation. Seconded by Fitzgibbon.

A Roll Call Vote was taken:

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

Motion carried. Council adjourned into closed session at 6:38 p.m.

Moved by Kozlik Wall to return to open session. Seconded by Patterson.

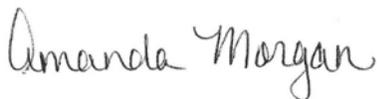
Voted Yes: All. Motion carried.

**4. Adjourn**

Moved by Kozlik Wall to adjourn. Seconded by Patterson.

Voted Yes: All. Special meeting adjourned at 6:58 p.m.

RESPECTFULLY SUBMITTED,



Amanda Morgan, CMC  
City Clerk

Approved by City Council: **DRAFT**

# City Council

## Workshop Agenda

Monday, January 28, 2013  
6:45 p.m., City Hall, Conference Room B



City of South Haven

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

### 2. Roll Call

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

### 3. City Council will begin the 2013/2014 Annual Priority Setting Process.

City Manager Dissette began by reviewing the progress made on the previous year's priorities and presented City Council with some proposed priorities for the coming year.

Council continued the priority setting session by discussing additional items to the proposed items as presented by the City Manager. After the list was assembled, City Council had an opportunity to indicate the order they felt the priorities should be placed. The results were tallied, resulting in the following ranking of priority categories:

1. Street Repairs
2. Economic Development
3. Parks & Public Spaces
4. Building Improvements & Construction
5. Infrastructure Maintenance & Improvements
6. Bicycle & Pedestrian Pathways
7. Budget Controls
8. Central Business District Maintenance & Improvements
9. City Code & Charter Review
10. Customer Service
11. Land Acquisition
12. Explore Youth Services Programs

Over the coming weeks, the City Manager will work on adding additional information to the priorities to further explain each item. The final draft will be presented to City Council for adoption at an upcoming meeting.

### 4. Adjourn

Moved by Arnold to adjourn. Seconded by Patterson.

Voted Yes: All. Motion carried. Meeting adjourned at 8:51 p.m.

RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script that reads "Amanda Morgan".

Amanda Morgan, CMC  
City Clerk

Approved by City Council: **DRAFT**

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**CITY OF SOUTH HAVEN  
FEBRUARY 4, 2013**

	PREPAID	CURRENT	TOTAL
101-GENERAL FUND	\$ 91,666.91	\$ 24,770.17	\$ 116,437.08
202-MAJOR STREET FUND	\$ -	\$ 832.95	\$ 832.95
203-LOCAL STREET FUND	\$ -	\$ -	\$ -
204-STREET FUND	\$ 29.38	\$ 356.00	\$ 385.38
226-GARBAGE/REFUSE FUND	\$ -	\$ -	\$ -
250-DOWNTOWN DEVELOPMENT	\$ 16,919.20	\$ 5,473.11	\$ 22,392.31
251-LDFA #1	\$ 88.39	\$ -	\$ 88.39
253-LDFA #3	\$ -	\$ -	\$ -
260-BROWNFIELD AUTHORITY	\$ 33.34	\$ 456.00	\$ 489.34
265-NARCOTICS UNIT	\$ -	\$ 276.50	\$ 276.50
266-POLICE TRAINING	\$ -	\$ -	\$ -
296-RIVER MAINTENANCE	\$ 1,500.00	\$ -	\$ 1,500.00
371-CAPITAL BOND DEBT SERV	\$ -	\$ -	\$ -
372-WATER PLANT FUND	\$ -	\$ -	\$ -
395-DDA DEBT SERVICE	\$ -	\$ -	\$ -
401-CAPITAL PROJECTS	\$ -	\$ -	\$ -
496-WATER PLANT CONSTRUCTION	\$ -	\$ -	\$ -
545-BLACK RIVER PARK	\$ 37.73	\$ 142.14	\$ 179.87
577-BEACH FUND	\$ 129.00	\$ 9.32	\$ 138.32
582-ELECTRIC FUND	\$ 3,898.51	\$ 46,115.38	\$ 50,013.89
591-WATER FUND	\$ 6,313.36	\$ 8,754.97	\$ 15,068.33
592-SEWER FUND	\$ 12,505.22	\$ 28,665.34	\$ 41,170.56
594-MUNICIPAL MARINA	\$ 137.44	\$ 299,417.81	\$ 299,555.25
636-INFORMATION SERVICES	\$ 131.90	\$ 7,187.26	\$ 7,319.16
661-MOTOR POOL	\$ 674.25	\$ 5,028.00	\$ 5,702.25
677-SELF INSURANCE	\$ -	\$ 958.80	\$ 958.80
703-TAX FUND	\$ 320,471.28	\$ -	\$ 320,471.28
718-TRUST & AGENCY	\$ 10,000.00	\$ 244.00	\$ 10,244.00
750-EMPLOYEE WITHHOLDING	\$ 1,510.92	\$ -	\$ 1,510.92
<b>TOTAL</b>	<b>\$ 466,046.83</b>	<b>\$ 428,687.75</b>	<b>\$ 894,734.58</b>

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK						
01/16/2013	1	43470	003083	VANDER MEULEN BUILDERS INC	FACADE RENOVATION	16,919.20
01/17/2013	1	43471	003086	ART HAINES	TRAVEL ADVANCE FOR LEIN TRAINING	150.00
01/17/2013	1	43472	000648	BRIAN DISSETTE	PHONE CHARGER	19.00
01/17/2013	1	43473	002958	GARY WOZNIAK	MDEQ CHEMISTRY CLASS-GARCIA & IRVINE	400.00
01/17/2013	1	43474	003087	IN-EXTREMIS TACTICAL GROUP LLC	HIGH THREAT CQB COURSE-P CARLOTTO	390.00
01/17/2013	1	43475	003084	KENT COUNTY ASSESSORS ASSOCIATION	ASSESSING SEMINAR JOAN ROTH	30.00
					ASSESSING SEMINAR-MARK DELISLE	30.00
					ASSESSING SEMINAR-JOAN ROTH	30.00
					ASSESSING SEMINAR-CONNIE THOMPSON	30.00
						<u>120.00</u>
01/17/2013	1	43476	001621	MICHIGAN MUNICIPAL LEAGUE	UNEMPLOYMENT	1,510.92
01/17/2013	1	43477	UB REFUND	SINGER, ARTRIMEA B	UB REFUND FOR ACCOUNT: 30456705	143.90
01/17/2013	1	43478	003085	WATERFRONT FILM FESTIVAL	WATERFRONT FILM FESTIVAL GRANT	10,000.00
01/21/2013	1	43479	000882	DUREYA GIBSON	PAINTING & DECORATING WASTE WATER TREAT	6,300.00
01/24/2013	1	43480	003046	AMANDA MORGAN	MILEAGE - SCHOOL ELECTION	23.73
01/24/2013	1	43481	000286	BLUE CROSS BLUE SHIELD OF	INSURANCE	54,568.65
01/24/2013	1	43482	000498	COMCAST	INTERNET SERVICE	131.90
01/24/2013	1	43483	000624	DELTA DENTAL OF MICHIGAN	INSURANCE	5,765.37
01/24/2013	1	43484	UB REFUND	DEPARTMENT OF HUMAN SERVICES	UB refund for account: 10532011	164.76
01/24/2013	1	43485	003088	EASTERN MICHIGAN UNIVERSITY	UNDERSTANDING UNIONS COURSE	425.00
01/24/2013	1	43486	003047	ERIC SMITH	MILEAGE & MEAL	76.27
01/24/2013	1	43487	000843	FRONTIER	TELEPHONE 269-637-8578-032095-5	42.30
					SPECIAL ACCESS LIN 616-040-3325-112972-	58.00
						<u>100.30</u>
01/24/2013	1	43488	000847	FUEL MANAGEMENT SYSTEM	FUEL	5,571.00
01/24/2013	1	43489	001513	JACK MC CLOUGHAN	PLYWOOD FOR BOHN BUILDING	10.55
01/24/2013	1	43490	003090	JOE MILLER	MEALS - STORM OUTAGE	47.64
01/24/2013	1	43491	001405	LINCOLN NATIONAL LIFE INS CO	INSURANCE	2,758.59
01/24/2013	1	43492	001610	MICHIGAN GAS UTILITIES	NATURAL GAS 4776012-9	2,187.05
					NATURAL GAS 4716366-2	4,644.33
					NATURAL GAS 4713051-3	1,072.25
					NATURAL GAS 4999209-2	209.50
					NATURAL GAS 4778754-4	395.52
					NATURAL GAS 4709428-9	187.93
						<u>8,696.58</u>
01/24/2013	1	43493	002774	PAUL VANDEN BOSCH	MILEAGE & FLASHLIGHTS	111.18
01/24/2013	1	43494	003089	ROGER HUFF	LUNCH MEETING	21.71
01/24/2013	1	43495	UB REFUND	STAMP FARMS LLC	UB refund for account: 20881100	274.92 V
01/24/2013	1	43496	UB REFUND	STAMP FARMS LLC	UB refund for account: 20332100	69.77
01/24/2013	1	43497	UB REFUND	STAMP FARMS LLC	UB refund for account: 20363100	47.75
01/24/2013	1	43498	UB REFUND	STEGALL, JOHN H	UB refund for account: 30949012	27.57
01/24/2013	1	43499	003048	TODD BLOOMSTINE	MILEAGE & MEAL	78.80
01/24/2013	1	43500	001491	TOM MARTIN	MEMBERSHIPS	75.00
01/24/2013	1	43501	002792	VERIZON WIRELESS	CELL PHONES 886568152-00001	755.76
					CELL PHONES 486573081-0001	1,571.71
						<u>2,327.47</u>
01/28/2013	1	43502	000059	ALLEGAN COUNTY TREASURER	PROPERTY TAX COLLECTIONS	516.37
01/28/2013	1	43503	001329	LAKE MICHIGAN COLLEGE	PROPERTY TAX COLLECTIONS	1,476.50

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
01/28/2013	1	43504	002396	SOUTH HAVEN COMMUNITY HOSPITAL	PROPERT TAX COLLECTION	11,060.74
01/28/2013	1	43505	002410	SOUTH HAVEN MEMORIAL LIBRARY	PROPERTY TAX COLLECTION	465.34
01/28/2013	1	43506	002415	SOUTH HAVEN PUBLIC SCHOOLS	PROPERTY TAX COLLECTION	15,159.32
01/28/2013	1	43507	002417	SOUTH HAVEN SENIOR SERVICES	PROPERTY TAX COLLECTION	8,366.68
01/28/2013	1	43508	002757	VAN BUREN COUNTY TREASURER	PROPERTY TAX COLLECTION	103,393.19
01/28/2013	1	43509	002758	VAN BUREN INTERMEDIATE	PROPERTY TAX COLLECTION	199,925.90
01/25/2013	1	43510	UB REFUND	STAMP FARMS LLC	UB refund for account: 20881100	250.00
01/29/2013	1	43511	001610	MICHIGAN GAS UTILITIES	NATURAL GAS 4714392-0	137.44
					NATURAL GAS 4716744-0	37.73
					NATURAL GAS 4717977-5	137.44
					NATURAL GAS 5110094-9	5,009.13
					NATURAL GAS 4709495-8	1,558.44
						<u>6,880.18</u>
01/29/2013	1	43512	002494	STATE OF MICHIGAN	MAIN CHANNEL DREDGING PERMIT	<u>1,500.00</u>
1 TOTALS:						
Total of 43 Checks:						466,321.75
Less 1 Void Checks:						274.92
Total of 42 Disbursements:						<u>466,046.83</u>

EXP CHECK RUN DATES 02/05/2013 - 02/05/2013

UNJOURNALIZED OPEN

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
Vendor 000014 - ABONMARCHE CONSULTANTS INC:							
105995 30082	ABONMARCHE CONSULTANTS INC KAL-HAVEN TRAIL 250-729-974-018-0127	01/23/2013 sonofrio	02/05/2013	507.25 507.25	507.25	O	N 01/28/2013
	CAPITAL PROJECTS						
105978 30083	ABONMARCHE CONSULTANTS INC ELKENBURG PARK IMPROVEMENTS 101-751-801-000-0146	01/22/2013 sonofrio	02/05/2013	3,564.04 3,564.04	3,564.04	O	N 01/28/2013
	PROFESSIONAL/CONSULTING FEES						
106028 30159	ABONMARCHE CONSULTANTS INC DREDGING - MUSEUM MARINA 594-776-802-000	01/24/2013 sonofrio	02/05/2013	3,448.26 3,448.26	3,448.26	O	N 01/28/2013
	OTHER CONTRACTUAL SERVICES						
	Total for vendor 000014 - ABONMARCHE CONSULTANTS INC:			<u>7,519.55</u>	<u>7,519.55</u>		
Vendor 000039 - AGILE SAFETY:							
20061 30127	AGILE SAFETY CABINET & GAS ALERT DOCKING MODULE	01/08/2013 sonofrio	02/05/2013	770.00	770.00	O	N 01/28/2013
	592-562-933-000	REPAIRS/MAINTENANCE - EQUIP		156.31			
	592-559-933-000	REPAIRS/MAINTENANCE - EQUIP		546.70			
	592-569-933-000	REPAIRS/MAINTENANCE - EQUIP		66.99			
	Total for vendor 000039 - AGILE SAFETY:			<u>770.00</u>	<u>770.00</u>		
Vendor 000043 - AIRGAS USA, LLC:							
9906725112 30081	AIRGAS USA, LLC CYLINDER RENTAL 661-450-802-000	12/31/2012 sonofrio	02/05/2013	36.56 36.56	36.56	O	N 01/28/2013
	OTHER CONTRACTUAL SERVICES						
	Total for vendor 000043 - AIRGAS USA, LLC:			<u>36.56</u>	<u>36.56</u>		
Vendor 000048 - AL VAN HUMANE SOCIETY:							
JAN-MAR 2013 30035	AL VAN HUMANE SOCIETY CONTRIBUTION 101-430-959-008	01/07/2013 sonofrio	02/05/2013	1,750.00 1,750.00	1,750.00	O	N 01/28/2013
	AL-VAN HUMANE SOCIETY						
	Total for vendor 000048 - AL VAN HUMANE SOCIETY:			<u>1,750.00</u>	<u>1,750.00</u>		

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
Vendor 003029 - ALL ABOUT NETWORK:							
72988							
30036	ALL ABOUT NETWORK	01/11/2013	02/05/2013	244.00	244.00	O	N
	LAPEL PINS	sonofrio					01/28/2013
	718-002-277-002	DEPOSIT-CRIME PREVENTION		244.00			
	Total for vendor 003029 - ALL ABOUT NETWORK:			<u>244.00</u>	<u>244.00</u>		
Vendor 000162 - ASR HEALTH BENEFITS:							
FEB 2013							
30037	ASR HEALTH BENEFITS	01/22/2013	02/05/2013	958.80	958.80	O	N
	ADM FEE	sonofrio					01/28/2013
	677-227-802-000	OTHER CONTRACTUAL SERVICES		958.80			
	Total for vendor 000162 - ASR HEALTH BENEFITS:			<u>958.80</u>	<u>958.80</u>		

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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						
Vendor 000177 - AUTOWARES INC:							
233-753018							
30038	AUTOWARES INC	01/18/2013	02/05/2013	47.38	47.38	O	N
	REPAIR/MAINTENANCE SUPPLIES	sonofrio					01/28/2013
	661-450-741-003	REPAIR & MAINT SUPPLIES		47.38			
233-753017							
30039	AUTOWARES INC	01/18/2013	02/05/2013	(7.66)	(7.66)	O	N
	RETURN	sonofrio					01/28/2013
	661-450-741-003	REPAIR & MAINT SUPPLIES		(7.66)			
233-752476							
30040	AUTOWARES INC	01/12/2013	02/05/2013	139.37	139.37	O	N
	REPAIR/MAINTENANCE SUPPLIES	sonofrio					01/28/2013
	661-450-741-003	REPAIR & MAINT SUPPLIES		139.37			
233-752112							
30041	AUTOWARES INC	01/09/2013	02/05/2013	7.00	7.00	O	N
	REPAIR/MAINTENANCE SUPPLIES	sonofrio					01/28/2013
	661-450-741-000	OPERATING SUPPLIES		7.00			
233-752111							
30042	AUTOWARES INC	01/09/2013	02/05/2013	9.98	9.98	O	N
	REPAIR/MAINTENANCE SUPPLIES	sonofrio					01/28/2013
	661-450-741-000	OPERATING SUPPLIES		9.98			
233-752405							
30043	AUTOWARES INC	01/11/2013	02/05/2013	12.24	12.24	O	N
	REPAIR/MAINTENANCE SUPPLIES	sonofrio					01/28/2013
	661-450-741-000	OPERATING SUPPLIES		12.24			
233-753393							
30044	AUTOWARES INC	01/22/2013	02/05/2013	39.96	39.96	O	N
	REPAIR/MAINTENANCE SUPPLIES	sonofrio					01/28/2013
	661-450-741-003	REPAIR & MAINT SUPPLIES		39.96			
233-753531							
30045	AUTOWARES INC	01/23/2013	02/05/2013	13.66	13.66	O	N
	REPAIR/MAINTENANCE SUPPLIES	sonofrio					01/28/2013
	661-450-741-003	REPAIR & MAINT SUPPLIES		13.66			
233-753571							
30046	AUTOWARES INC	01/24/2013	02/05/2013	37.90	37.90	O	N
	REPAIR/MAINTENANCE SUPPLIES	sonofrio					01/28/2013
	661-450-748-000	MOTOR FUEL & LUBRICANTS		37.90			

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
233-753252							
30047	AUTOWARES INC	01/21/2013	02/05/2013	105.50	105.50	O	N
	REPAIR/MAINTENANCE SUPPLIES	sonofrio					01/28/2013
	661-450-741-003	REPAIR & MAINT SUPPLIES		105.50			
233-752560							
30048	AUTOWARES INC	01/14/2013	02/05/2013	57.69	57.69	O	N
	REPAIR/MAINTENANCE SUPPLIES	sonofrio					01/28/2013
	661-450-741-003	REPAIR & MAINT SUPPLIES		57.69			
	Total for vendor 000177 - AUTOWARES INC:			<u>463.02</u>	<u>463.02</u>		
<hr/>							
Vendor 000229 - BEAVER RESEARCH COMPANY:							
0189948-IN							
30049	BEAVER RESEARCH COMPANY	01/15/2013	02/05/2013	4,918.25	4,918.25	O	N
	TRANS FLUID	sonofrio					01/28/2013
	250-751-741-000	ICE RINK SUPPLIES		4,918.25			
	Total for vendor 000229 - BEAVER RESEARCH COMPANY:			<u>4,918.25</u>	<u>4,918.25</u>		
<hr/>							
Vendor 000346 - BRUSH ENTERPRISES:							
4347							
30050	BRUSH ENTERPRISES	01/04/2013	02/05/2013	438.28	438.28	O	N
	REPAIRS	sonofrio					01/28/2013
	661-450-935-000	REPAIRS/MAINTENANCE - VEHICLES		438.28			
4410							
30128	BRUSH ENTERPRISES	01/18/2013	02/05/2013	1,019.60	1,019.60	O	N
	REPAIRS	sonofrio					01/28/2013
	661-450-935-000	REPAIRS/MAINTENANCE - VEHICLES		1,019.60			
	Total for vendor 000346 - BRUSH ENTERPRISES:			<u>1,457.88</u>	<u>1,457.88</u>		
<hr/>							
Vendor 000351 - BS&A SOFTWARE INC:							
087935							
30160	BS&A SOFTWARE INC	01/24/2013	02/05/2013	890.00	890.00	O	N
	BUILDING DEPARTMENT SERVICE/SUPPOR	sonofrio					01/28/2013
	636-258-802-000	OTHER CONTRACTUAL SERVICES		890.00			
	Total for vendor 000351 - BS&A SOFTWARE INC:			<u>890.00</u>	<u>890.00</u>		

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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
Vendor 000417 - CCP INDUSTRIES INC:							
IN01018654							
30051	CCP INDUSTRIES INC TOWELS 661-450-741-000	01/03/2013 sonofrio	02/05/2013	215.95	215.95	O	N 01/28/2013
	OPERATING SUPPLIES			215.95			
	Total for vendor 000417 - CCP INDUSTRIES INC:			<u>215.95</u>	<u>215.95</u>		
Vendor 000418 - CDW GOVERNMENT INC:							
W223860							
30052	CDW GOVERNMENT INC TONER 636-258-727-000	01/10/2013 sonofrio	02/05/2013	232.88	232.88	O	N 01/28/2013
	OFFICE SUPPLIES			232.88			
W382146							
30129	CDW GOVERNMENT INC REPLACEMENT BAT 636-258-933-000	01/14/2013 sonofrio	02/05/2013	60.01	60.01	O	N 01/28/2013
	REPAIRS/MAINTENANCE - EQUIP			60.01			
	Total for vendor 000418 - CDW GOVERNMENT INC:			<u>292.89</u>	<u>292.89</u>		
Vendor 000453 - CHIEF SUPPLY CORP:							
177037							
30053	CHIEF SUPPLY CORP UNIFORM CLOTHING 101-350-729-000	01/09/2013 sonofrio	02/05/2013	36.42	36.42	O	N 01/28/2013
	UNIFORMS			36.42			
176263							
30054	CHIEF SUPPLY CORP JACKET 101-301-729-000	01/08/2013 sonofrio	02/05/2013	166.50	166.50	O	N 01/28/2013
	UNIFORMS			166.50			
	Total for vendor 000453 - CHIEF SUPPLY CORP:			<u>202.92</u>	<u>202.92</u>		

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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
Vendor 000471 - CITY PLUMBING & HEATING CO:							
020863 30130	CITY PLUMBING & HEATING CO REPAIRS 101-265-931-000	01/17/2013 sonofrio	02/05/2013	172.28	172.28	O	N 01/28/2013
	REPAIRS/MAINT-BUILDS & STRUCTR			172.28			
020948 30131	CITY PLUMBING & HEATING CO REPAIRS 101-265-931-000	01/19/2013 sonofrio	02/05/2013	179.88	179.88	O	N 01/28/2013
	REPAIRS/MAINT-BUILDS & STRUCTR			179.88			
021097 30132	CITY PLUMBING & HEATING CO MAINTENANCE CONTRACT 101-265-802-000	01/21/2013 sonofrio	02/05/2013	1,000.00	1,000.00	O	N 01/28/2013
	OTHER CONTRACTUAL SERVICES			1,000.00			
021098 30133	CITY PLUMBING & HEATING CO MAINTENANCE CONTRACT 101-001-070-000 101-301-802-001	01/21/2013 sonofrio	02/05/2013	730.00	730.00	O	N 01/28/2013
	DUE FROM SHAES			481.80			
	SERVICE CONTRACTS			248.20			
	Total for vendor 000471 - CITY PLUMBING & HEATING CO:			<u>2,082.16</u>	<u>2,082.16</u>		
Vendor 000475 - CLARK HILL PLC:							
477379 30055	CLARK HILL PLC ATTORNEY SERVICES 260-622-801-000 101-202-801-000	01/18/2013 sonofrio	02/05/2013	6,373.38	6,373.38	O	N 01/28/2013
	PROFESSIONAL FEES - ADMIN			456.00			
	PROFESSIONAL/CONSULTING FEES			5,917.38			
	Total for vendor 000475 - CLARK HILL PLC:			<u>6,373.38</u>	<u>6,373.38</u>		
Vendor 000498 - COMCAST:							
2/15/13 30134	COMCAST INTERNET SERVICE 01720 566275-01-7 636-258-850-002	01/21/2013 sonofrio	02/05/2013	116.90	116.90	O	N 01/28/2013
	INTERNET FEES			116.90			
	Total for vendor 000498 - COMCAST:			<u>116.90</u>	<u>116.90</u>		

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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
Vendor 000519 - CONSUMERS ENERGY:							
203049245808 30152	CONSUMERS ENERGY ELECTRIC 1000 1414 0568 592-562-921-000-0070	01/25/2013 sonofrio	02/05/2013	40.02	40.02	O	N 01/28/2013
	UTILITIES - ELECTRIC			40.02			
203049245809 30153	CONSUMERS ENERGY ELECTRIC 1000 1414 0840 592-562-921-000-0071	01/25/2013 sonofrio	02/05/2013	35.50	35.50	O	N 01/28/2013
	UTILITIES - ELECTRIC			35.50			
203049245807 30154	CONSUMERS ENERGY ELECTRIC 1000 1414 0337 592-562-921-000-0063	01/25/2013 sonofrio	02/05/2013	84.69	84.69	O	N 01/28/2013
	UTILITIES - ELECTRIC			84.69			
	Total for vendor 000519 - CONSUMERS ENERGY:			<u>160.21</u>	<u>160.21</u>		
Vendor 000520 - CONTINENTAL LINEN SERVICES:							
0672581 30056	CONTINENTAL LINEN SERVICES RUG RENTALS 101-001-070-000 101-301-802-001	01/16/2013 sonofrio	02/05/2013	121.18	121.18	O	N 01/28/2013
	DUE FROM SHAES			79.98			
	SERVICE CONTRACTS			41.20			
	Total for vendor 000520 - CONTINENTAL LINEN SERVICES:			<u>121.18</u>	<u>121.18</u>		

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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
Vendor 000622 - DELL MARKETING L P:							
XJ2JJXFC9 30058	DELL MARKETING L P MEMORY MODULE KIT 636-258-980-001	01/09/2013 sonofrio COMPUTER HARDWARE	02/05/2013	513.88 513.88	513.88	O	N 01/28/2013
XJ2K9DPN4 30135	DELL MARKETING L P SUPPLIES 636-258-980-001	01/10/2013 sonofrio COMPUTER HARDWARE	02/05/2013	334.61 334.61	334.61	O	N 01/28/2013
XJ2P7X7J8 30161	DELL MARKETING L P COMPUTERS 592-559-802-000 592-566-802-000 592-567-802-000	01/17/2013 sonofrio OTHER CONTRACTUAL SERVICES OTHER CONTRACTUAL SERVICES OTHER CONTRACTUAL SERVICES	02/05/2013	2,402.36 1,705.68 209.00 487.68	2,402.36	O	N 01/28/2013
XJ2R9T9K8 30162	DELL MARKETING L P COMPUTERS 636-258-980-001	01/20/2013 sonofrio COMPUTER HARDWARE	02/05/2013	4,804.72 4,804.72	4,804.72	O	N 01/28/2013
Total for vendor 000622 - DELL MARKETING L P:				8,055.57	8,055.57		

Vendor 000651 - DK CONSTRUCTION INC:							
12-0829 #1 30057*	DK CONSTRUCTION INC MUSEUM MARINA DREDGING PROJECT 594-776-802-000 594-002-211-151	01/17/2013 sonofrio OTHER CONTRACTUAL SERVICES RETAINAGE - DK CONSTRUCTION	02/05/2013	94,472.75 99,445.00 (4,972.25)	94,472.75	O	N 01/28/2013
Total for vendor 000651 - DK CONSTRUCTION INC:				94,472.75	94,472.75		

Vendor 000656 - DOHENY SUPPLIES INC , JACK:							
B07985 30059	JACK DOHENY SUPPLIES INC LOCATING RECEIVER 591-558-742-000 592-558-742-000	10/15/2012 sonofrio SMALL TOOLS SMALL TOOLS	02/05/2013	1,750.00 875.00 875.00	1,750.00	O	N 01/28/2013
Total for vendor 000656 - DOHENY SUPPLIES INC , JACK:				1,750.00	1,750.00		

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
Vendor 000677 - DR LAB SERVICES:							
113							
30155	DR LAB SERVICES	01/22/2013	02/05/2013	665.00	665.00	O	N
	LAB PREVENTIVE MAINTENANCE	sonofrio					01/28/2013
	591-559-802-000	OTHER CONTRACTUAL SERVICES		665.00			
	Total for vendor 000677 - DR LAB SERVICES:			<u>665.00</u>	<u>665.00</u>		
Vendor 000768 - FED EX:							
2-138-28869							
30061	FED EX	01/09/2013	02/05/2013	14.18	14.18	O	N
	SHIPPING #2470-6257-2	sonofrio					01/28/2013
	101-265-855-000	POSTAGE		14.18			
	Total for vendor 000768 - FED EX:			<u>14.18</u>	<u>14.18</u>		

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 000843 - FRONTIER:							
1305 2/12/13 30062	FRONTIER TELEPHONE 269-637-9127-080204-5 594-776-850-000 TELEPHONE	01/19/2013 sonofrio	02/05/2013	72.65 72.65	72.65	O	N 01/28/2013
2012 2/12/13 30063	FRONTIER TELEPHONE 616-040-6480-021893-5 592-559-850-000 TELEPHONE	01/19/2013 sonofrio	02/05/2013	26.16 26.16	26.16	O	N 01/28/2013
9501 2/12/13 30064	FRONTIER TELEPHONE 616-001-2946-100103-5 582-558-850-000 TELEPHONE 591-558-850-000 TELEPHONE 592-558-850-000 TELEPHONE	01/19/2013 sonofrio	02/05/2013	73.60 36.80 18.40 18.40	73.60	O	N 01/28/2013
5942 2/13/13 30136	FRONTIER TELEPHONE 231-189-0674-032599-5 101-265-850-000 TELEPHONE 250-729-850-000 TELEPHONE 545-776-850-000 TELEPHONE 577-751-850-000 TELEPHONE 582-558-850-000 TELEPHONE 591-558-850-000 TELEPHONE 591-559-850-000 TELEPHONE 592-558-850-000 TELEPHONE 592-559-850-000 TELEPHONE 594-776-850-000 TELEPHONE 636-258-850-000 TELEPHONE 661-450-850-000 TELEPHONE	01/20/2013 sonofrio	02/05/2013	1,863.42 800.86 18.62 9.32 9.32 242.60 121.31 242.11 121.31 242.11 18.62 18.62 18.62	1,863.42	O	N 01/28/2013
6902 2/15/13 30137	FRONTIER TELEPHONE 269-637-5151-010165-5 101-001-070-000 DUE FROM SHAES 101-265-850-000 TELEPHONE	01/22/2013 sonofrio	02/05/2013	624.64 204.23 420.41	624.64	O	N 01/28/2013
8481 2/13/13 30138	FRONTIER TELEPHONE 269-637-3171-031500-5 594-776-850-000 TELEPHONE	01/20/2013 sonofrio	02/05/2013	183.34 183.34	183.34	O	N 01/28/2013

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
1481 2813813	GL Distribution						
30139	FRONTIER	01/20/2013	02/05/2013	132.82	132.82	O	N
	TELEPHONE 269-637-3523-042994-5	sonofrio					01/28/2013
	545-776-850-000 TELEPHONE			132.82			
3451 2/13/13							
30140	FRONTIER	01/20/2013	02/05/2013	36.82	36.82	O	N
	TELEPHONE 269-639-2048-112509-5	sonofrio					01/28/2013
	592-559-850-000 TELEPHONE			36.82			
5987 2/15/13							
30141	FRONTIER	01/22/2013	02/05/2013	36.79	36.79	O	N
	TELEPHONE 269-637-4778-082302-5	sonofrio					01/28/2013
	582-558-850-000 TELEPHONE			18.39			
	591-558-850-000 TELEPHONE			9.20			
	592-558-850-000 TELEPHONE			9.20			
4174 2/15/13							
30142	FRONTIER	01/22/2013	02/05/2013	69.70	69.70	O	N
	TELEPHONE 616-001-7480-082802-5	sonofrio					01/28/2013
	591-559-921-001 UTILITIES-COVERT PLANT			69.70			
3140 2/19/13							
30156	FRONTIER	01/25/2013	02/05/2013	39.77	39.77	O	N
	TELEPHONE 269-637-3649-041905-5	sonofrio					01/28/2013
	592-559-850-000 TELEPHONE			39.77			
5174 2/19/13							
30157	FRONTIER	01/25/2013	02/05/2013	26.50	26.50	O	N
	TELEPHONE 269-637-7926-011395-5	sonofrio					01/28/2013
	101-265-850-000 TELEPHONE			26.50			
	Total for vendor 000843 - FRONTIER:			<u>3,186.21</u>	<u>3,186.21</u>		
<hr/>							
Vendor 000913 - GRAINGER:							
9043242362							
30065	GRAINGER	01/17/2013	02/05/2013	321.60	321.60	O	N
	DOLLY	sonofrio					01/28/2013
	592-559-742-000 SMALL TOOLS			321.60			
	Total for vendor 000913 - GRAINGER:			<u>321.60</u>	<u>321.60</u>		

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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
Vendor 000963 - GRP ENGINEERING INC:							
20130013							
30163	GRP ENGINEERING INC ENGINEERING 582-558-801-000	01/08/2013 sonofrio PROFESSIONAL/CONSULTING FEES	02/05/2013	2,207.02 2,207.02	2,207.02	O	N 01/28/2013
20120964							
30166	GRP ENGINEERING INC ENGINEERING 582-558-801-000	12/03/2012 sonofrio PROFESSIONAL/CONSULTING FEES	02/05/2013	1,122.83 1,122.83	1,122.83	O	N 01/28/2013
	Total for vendor 000963 - GRP ENGINEERING INC:			3,329.85	3,329.85		
Vendor 000999 - HARBOR TOWING, INC:							
30469							
30066	HARBOR TOWING, INC TOWING 101-301-802-000	01/09/2013 sonofrio OTHER CONTRACTUAL SERVICES	02/05/2013	124.85 124.85	124.85	O	N 01/28/2013
	Total for vendor 000999 - HARBOR TOWING, INC:			124.85	124.85		
Vendor 001036 - HD SUPPLY UTILITIES LTD:							
2186719-00							
30067	HD SUPPLY UTILITIES LTD SOCKETS 582-558-933-000	01/21/2013 sonofrio REPAIRS/MAINTENANCE - EQUIPM	02/05/2013	128.90 128.90	128.90	O	N 01/28/2013
	Total for vendor 001036 - HD SUPPLY UTILITIES LTD:			128.90	128.90		
Vendor 001107 - HULL LIFT TRUCK INC:							
S-0078344							
30068	HULL LIFT TRUCK INC PARTS 661-450-741-003	12/28/2012 sonofrio REPAIR & MAINT SUPPLIES	02/05/2013	201.05 201.05	201.05	O	N 01/28/2013
	Total for vendor 001107 - HULL LIFT TRUCK INC:			201.05	201.05		
Vendor 001108 - HULL, GORDON:							
JAN 2013							
30143	GORDON HULL CONTRACTUAL SERVICES 582-558-802-000	01/24/2013 sonofrio OTHER CONTRACTUAL SERVICES	02/05/2013	2,500.01 2,500.01	2,500.01	O	N 01/28/2013
	Total for vendor 001108 - HULL, GORDON:			2,500.01	2,500.01		

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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
Vendor 001161 - INTERSTATE:							
1901801004270 30069	INTERSTATE BATTERIES 582-558-741-000	01/10/2013 sonofrio	02/05/2013	198.00	198.00	O	N 01/28/2013
	OPERATING SUPPLIES			198.00			
	Total for vendor 001161 - INTERSTATE:			<u>198.00</u>	<u>198.00</u>		
Vendor 001162 - INTERSTATE BATTERY SYSTEMS:							
30085810 30070	INTERSTATE BATTERY SYSTEMS BATTERIES 661-450-741-003	01/23/2013 sonofrio	02/05/2013	221.90	221.90	O	N 01/28/2013
	REPAIR & MAINT SUPPLIES			221.90			
	Total for vendor 001162 - INTERSTATE BATTERY SYSTEMS:			<u>221.90</u>	<u>221.90</u>		
Vendor 001288 - KONE INC:							
150763543 30164	KONE INC ELEVATOR SERVICE 101-265-931-000	12/10/2012 sonofrio	02/05/2013	662.84	662.84	O	N 01/28/2013
	REPAIRS/MAINT-BUILDS & STRUCTR			662.84			
	Total for vendor 001288 - KONE INC:			<u>662.84</u>	<u>662.84</u>		
Vendor 001325 - LAKE COMPANY, F D:							
226341 30060	F D LAKE COMPANY PARTS 661-450-741-003	01/14/2013 sonofrio	02/05/2013	416.26	416.26	O	N 01/28/2013
	REPAIR & MAINT SUPPLIES			416.26			
	Total for vendor 001325 - LAKE COMPANY, F D:			<u>416.26</u>	<u>416.26</u>		

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 001544 - MENARDS:							
09656 30071	MENARDS MAINTENANCE SUPPLIES 101-751-741-000	01/08/2013 sonofrio OPERATING SUPPLIES	02/05/2013	33.35 33.35	33.35	O	N 01/28/2013
09501 30072	MENARDS MAINTENANCE SUPPLIES 591-558-742-000	01/04/2013 sonofrio SMALL TOOLS	02/05/2013	15.65 15.65	15.65	O	N 01/28/2013
10045 30073	MENARDS MAINTENANCE SUPPLIES 101-301-741-000	01/14/2013 sonofrio OPERATING SUPPLIES	02/05/2013	6.30 6.30	6.30	O	N 01/28/2013
10196 30074	MENARDS MAINTENANCE SUPPLIES 592-559-742-000	01/17/2013 sonofrio SMALL TOOLS	02/05/2013	119.98 119.98	119.98	O	N 01/28/2013
10088 30075	MENARDS MAINTENANCE SUPPLIES 592-559-933-000	01/15/2013 sonofrio REPAIRS/MAINTENANCE - EQUIP	02/05/2013	23.92 23.92	23.92	O	N 01/28/2013
10027 30076	MENARDS MAINTENANCE SUPPLIES 592-559-741-000	01/14/2013 sonofrio OPERATING SUPPLIES	02/05/2013	20.38 20.38	20.38	O	N 01/28/2013
09663 30077	MENARDS CABINETS 661-450-980-000	01/08/2013 sonofrio OFFICE EQUIPMENT	02/05/2013	582.00 582.00	582.00	O	N 01/28/2013
Total for vendor 001544 - MENARDS:				<u>801.58</u>	<u>801.58</u>		
Vendor 001618 - MICHIGAN MUNICIPAL ELECTRIC:							
26675 30078	MICHIGAN MUNICIPAL ELECTRIC MEMBERSHIP 582-558-958-000	01/11/2013 sonofrio SUBSCRIPTIONS/MEMBERSHIPS	02/05/2013	11,418.00 11,418.00	11,418.00	O	N 01/28/2013
Total for vendor 001618 - MICHIGAN MUNICIPAL ELECTRIC:				<u>11,418.00</u>	<u>11,418.00</u>		

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
Vendor 001655 - MICHIGAN TASER DISTRIBUTING:							
9015							
30079	MICHIGAN TASER DISTRIBUTING	01/11/2013	02/05/2013	658.48	658.48	O	N
	AIR CARTRIDGES	sonofrio					01/28/2013
	101-301-741-000	OPERATING SUPPLIES		658.48			
	Total for vendor 001655 - MICHIGAN TASER DISTRIBUTING:			<u>658.48</u>	<u>658.48</u>		
Vendor 001675 - MIDWEST CIVIL ENGINEERS INC:							
05-9676							
30080	MIDWEST CIVIL ENGINEERS INC	01/10/2013	02/05/2013	356.00	356.00	O	N
	KALAMAZOO ST CONSTRUCTION LAYOUT	sonofrio					01/28/2013
	204-446-801-000-0126	PROFESSIONAL/CONSULTING FEES		356.00			
	Total for vendor 001675 - MIDWEST CIVIL ENGINEERS INC:			<u>356.00</u>	<u>356.00</u>		
Vendor 001828 - NEXTEL COMMUNICATIONS:							
656734517-131							
30158	NEXTEL COMMUNICATIONS	01/27/2013	02/05/2013	122.51	122.51	O	N
	CELL PHONES #656734517	sonofrio					01/28/2013
	101-265-850-000	TELEPHONE		40.99			
	582-558-850-000	TELEPHONE		48.57			
	592-559-850-000	TELEPHONE		32.95			
	Total for vendor 001828 - NEXTEL COMMUNICATIONS:			<u>122.51</u>	<u>122.51</u>		
Vendor 001881 - OFFICE MAX INC:							
700417							
30084	OFFICE MAX INC	01/04/2013	02/05/2013	59.99	59.99	O	N
	SUPPLIES	sonofrio					01/28/2013
	101-301-741-000	OPERATING SUPPLIES		59.99			
	Total for vendor 001881 - OFFICE MAX INC:			<u>59.99</u>	<u>59.99</u>		
Vendor 001893 - OLSON BROTHERS CONTRACTORS:							
10506							
30085	OLSON BROTHERS CONTRACTORS	01/16/2013	02/05/2013	1,530.00	1,530.00	O	N
	INSTALL PUMPS	sonofrio					01/28/2013
	591-565-933-000	REPAIRS/MAINTENANCE - EQUIP		1,530.00			
	Total for vendor 001893 - OLSON BROTHERS CONTRACTORS:			<u>1,530.00</u>	<u>1,530.00</u>		

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 001902 - OPTIMIZATION SOLUTIONS:							
214 30086	OPTIMIZATION SOLUTIONS COAGULATION FEED CONTROL MANAGEMEN 591-559-802-000	01/15/2013 sonofrio	02/05/2013	1,250.00	1,250.00	O	N 01/28/2013
	OTHER CONTRACTUAL SERVICES			1,250.00			
	Total for vendor 001902 - OPTIMIZATION SOLUTIONS:			<u>1,250.00</u>	<u>1,250.00</u>		
Vendor 001948 - PAT'S PRONTO PRINT:							
11613 30087	PAT'S PRONTO PRINT BUSINESS CARDS-JOE MILLER 582-558-727-000	01/16/2013 sonofrio	02/05/2013	42.00	42.00	O	N 01/28/2013
	OFFICE SUPPLIES			42.00			
103012 30088	PAT'S PRONTO PRINT BUSINESS CARDS - KIM HASTY 582-558-727-000	10/30/2012 sonofrio	02/05/2013	42.00	42.00	O	N 01/28/2013
	OFFICE SUPPLIES			42.00			
	Total for vendor 001948 - PAT'S PRONTO PRINT:			<u>84.00</u>	<u>84.00</u>		
Vendor 002009 - POLYDYNE INC:							
776001 30089	POLYDYNE INC CLARIFLOC 592-559-741-000	01/08/2013 sonofrio	02/05/2013	3,105.00	3,105.00	O	N 01/28/2013
	OPERATING SUPPLIES			3,105.00			
	Total for vendor 002009 - POLYDYNE INC:			<u>3,105.00</u>	<u>3,105.00</u>		
Vendor 002114 - RATHCO SAFETY SUPPLY INC:							
141113 30090	RATHCO SAFETY SUPPLY INC TAPE 101-446-741-000	01/21/2013 sonofrio	02/05/2013	188.54	188.54	O	N 01/28/2013
	OPERATING SUPPLIES			188.54			
	Total for vendor 002114 - RATHCO SAFETY SUPPLY INC:			<u>188.54</u>	<u>188.54</u>		
Vendor 002155 - RIDGE AND KRAMER AUTO PARTS:							
490-006022 30091	RIDGE AND KRAMER AUTO PARTS MAINTENANCE SUPPLIES 661-450-741-003	01/10/2013 sonofrio	02/05/2013	74.02	74.02	O	N 01/28/2013
	REPAIR & MAINT SUPPLIES			74.02			
	Total for vendor 002155 - RIDGE AND KRAMER AUTO PARTS:			<u>74.02</u>	<u>74.02</u>		

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnlized Post Date
Vendor 002203 - RS TECHNICAL SERVICES, INC:							
17413							
30092	RS TECHNICAL SERVICES, INC CHLORINE GAS DETECTOR INSTALLED	01/14/2013 sonofrio	02/05/2013	1,943.00	1,943.00	O	N 01/28/2013
	592-559-802-000	OTHER CONTRACTUAL SERVICES		1,379.53			
	592-566-802-000	OTHER CONTRACTUAL SERVICES		169.04			
	592-567-802-000	OTHER CONTRACTUAL SERVICES		394.43			
	Total for vendor 002203 - RS TECHNICAL SERVICES, INC:			<u>1,943.00</u>	<u>1,943.00</u>		
Vendor 002267 - SECANT TECHNOLOGIES:							
INV050753							
30093	SECANT TECHNOLOGIES WORKSTATION	01/15/2013 sonofrio	02/05/2013	235.00	235.00	O	N 01/28/2013
	101-301-741-000	OPERATING SUPPLIES		235.00			
	Total for vendor 002267 - SECANT TECHNOLOGIES:			<u>235.00</u>	<u>235.00</u>		
Vendor 002347 - SLOCUM ASSOCIATES INC:							
11151202-04							
30094	SLOCUM ASSOCIATES INC MARINA PROJECT-IRRIGATION	01/18/2013 sonofrio	02/05/2013	1,000.00	1,000.00	O	N 01/28/2013
	594-776-975-011	NORTH SIDE MARINA UPGRADE		1,000.00			
11151216							
30095*	SLOCUM ASSOCIATES INC MARINA PROJECT	01/18/2013 sonofrio	02/05/2013	2,078.46	2,078.46	O	N 01/28/2013
	594-776-975-011	NORTH SIDE MARINA UPGRADE		2,878.31			
	594-002-211-140	RETAINAGE-SLOCUM		(799.85)			
11151201-05							
30096	SLOCUM ASSOCIATES INC MARINA PROJECT-IT	01/18/2013 sonofrio	02/05/2013	910.00	910.00	O	N 01/28/2013
	594-776-975-011	NORTH SIDE MARINA UPGRADE		910.00			
11151212-07							
30097	SLOCUM ASSOCIATES INC MARINA PROJECT-PREVAILING WAGE	01/18/2013 sonofrio	02/05/2013	925.00	925.00	O	N 01/28/2013
	594-776-975-011	NORTH SIDE MARINA UPGRADE		925.00			
	Total for vendor 002347 - SLOCUM ASSOCIATES INC:			<u>4,913.46</u>	<u>4,913.46</u>		

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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
Vendor 002395 - SOUTH HAVEN COMMUNITY HOSPITAL:							
1662 DEC-JAN							
30098	SOUTH HAVEN COMMUNITY HOSPITAL PHYSICALS	01/10/2013 sonofrio	02/05/2013	428.50	428.50	0	N 01/28/2013
	101-301-801-011	EMPLOYEE PHYSICAL EXAMS		152.00			
	265-301-801-011	EMPLOYEE PHYSICAL EXAMS		276.50			
	Total for vendor 002395 - SOUTH HAVEN COMMUNITY HOSPITAL:			<u>428.50</u>	<u>428.50</u>		
Vendor 002413 - SOUTH HAVEN OFFICE SUPPLY:							
30240002							
30099	SOUTH HAVEN OFFICE SUPPLY SUPPLIES	01/24/2013 sonofrio	02/05/2013	39.98	39.98	0	N 01/28/2013
	592-559-727-000	OFFICE SUPPLIES		39.98			
30220002							
30100	SOUTH HAVEN OFFICE SUPPLY SUPPLIES	01/22/2013 sonofrio	02/05/2013	21.19	21.19	0	N 01/28/2013
	582-558-741-000	OPERATING SUPPLIES		21.19			
30180003							
30101	SOUTH HAVEN OFFICE SUPPLY SUPPLIES	01/18/2013 sonofrio	02/05/2013	14.99	14.99	0	N 01/28/2013
	592-559-727-000	OFFICE SUPPLIES		14.99			
	Total for vendor 002413 - SOUTH HAVEN OFFICE SUPPLY:			<u>76.16</u>	<u>76.16</u>		
Vendor 002416 - SOUTH HAVEN ROTARY CLUB:							
2069							
30144	SOUTH HAVEN ROTARY CLUB MEMBERSHIP & MEALS - D DAVIDSON	01/15/2013 sonofrio	02/05/2013	202.00	202.00	0	N 01/28/2013
	101-101-958-000	SUBSCRIPTIONS/MEMBERSHIPS		202.00			
	Total for vendor 002416 - SOUTH HAVEN ROTARY CLUB:			<u>202.00</u>	<u>202.00</u>		
Vendor 002418 - SOUTH HAVEN SMALL ENGINES:							
121812							
30102	SOUTH HAVEN SMALL ENGINES CHAIN SAW REPAIR	12/18/2012 sonofrio	02/05/2013	56.50	56.50	0	N 01/28/2013
	582-558-933-000	REPAIRS/MAINTENANCE - EQUIPM		56.50			
	Total for vendor 002418 - SOUTH HAVEN SMALL ENGINES:			<u>56.50</u>	<u>56.50</u>		

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
Vendor 002447 - SPEARS LINDA:							
13088							
30103	LINDA SPEARS	01/22/2013	02/05/2013	20.00	20.00	O	N
	ALTERATIONS	sonofrio					01/28/2013
	101-301-729-000	UNIFORMS		20.00			
	Total for vendor 002447 - SPEARS LINDA:			<u>20.00</u>	<u>20.00</u>		
Vendor 002453 - SPENCER MANUFACTURING, INC:							
9180							
30104	SPENCER MANUFACTURING, INC	01/10/2013	02/05/2013	26.70	26.70	O	N
	FASTENER	sonofrio					01/28/2013
	582-558-933-000	REPAIRS/MAINTENANCE - EQUIPM		26.70			
	Total for vendor 002453 - SPENCER MANUFACTURING, INC:			<u>26.70</u>	<u>26.70</u>		

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
Vendor 002478 - STAPLES ADVANTAGE:							
8024269607							
30105*	STAPLES ADVANTAGE	01/12/2013	02/05/2013	455.97	455.97	0	N
	SUPPLIES	sonofrio					01/28/2013
	101-202-727-000	OFFICE SUPPLIES		(41.28)			
	101-265-727-000	OFFICE SUPPLIES		(42.85)			
	101-371-727-000	OFFICE SUPPLIES		34.57			
	101-446-727-000	OFFICE SUPPLIES		76.65			
	101-446-741-000	OPERATING SUPPLIES		6.19			
	101-447-741-000	OPERATING SUPPLIES		6.19			
	250-729-741-000	OPERATING SUPPLIES		28.99			
	582-558-741-000	OPERATING SUPPLIES		6.19			
	591-558-727-000	OFFICE SUPPLIES		76.65			
	591-558-741-000	OPERATING SUPPLIES		6.19			
	592-558-727-000	OFFICE SUPPLIES		76.65			
	592-558-741-000	OPERATING SUPPLIES		6.19			
	636-258-727-000	OFFICE SUPPLIES		215.64			
8024344474							
30165	STAPLES ADVANTAGE	01/19/2013	02/05/2013	486.74	486.74	0	N
	SUPPLIES	sonofrio					01/28/2013
	101-202-727-000	OFFICE SUPPLIES		29.97			
	101-209-727-000	OFFICE SUPPLIES		136.00			
	101-265-727-000	OFFICE SUPPLIES		125.27			
	101-446-727-000	OFFICE SUPPLIES		9.71			
	101-446-741-000	OPERATING SUPPLIES		15.69			
	101-447-727-000	OFFICE SUPPLIES		48.29			
	101-447-741-000	OPERATING SUPPLIES		15.67			
	582-558-727-000	OFFICE SUPPLIES		9.71			
	582-558-741-000	OPERATING SUPPLIES		15.67			
	591-558-727-000	OFFICE SUPPLIES		9.70			
	591-558-741-000	OPERATING SUPPLIES		15.69			
	592-558-727-000	OFFICE SUPPLIES		9.71			
	592-558-741-000	OPERATING SUPPLIES		15.68			
	661-450-741-000	OPERATING SUPPLIES		29.98			
	Total for vendor 002478 - STAPLES ADVANTAGE:			942.71	942.71		

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Vendor 002495 - STATE OF MICHIGAN:							
13-000527 30107	STATE OF MICHIGAN RADIO SUBSCRIPTION FEE 101-325-802-000	12/21/2012 sonofrio	02/05/2013	100.00	100.00	O	N 01/28/2013
	OTHER CONTRACTUAL SERVICES			100.00			
	Total for vendor 002495 - STATE OF MICHIGAN:			<u>100.00</u>	<u>100.00</u>		
Vendor 002507 - STATE OF MICHIGAN-MDOT:							
SE 349681 30106	STATE OF MICHIGAN-MDOT TRAFFIC SIGNAL ENERGY 202-002-228-013	01/14/2013 sonofrio	02/05/2013	787.50	787.50	O	N 01/28/2013
	DUE TO STATE - MDOT			472.50			
	202-474-921-000 UTILITIES - ELECTRIC			315.00			
	Total for vendor 002507 - STATE OF MICHIGAN-MDOT:			<u>787.50</u>	<u>787.50</u>		
Vendor 002524 - STO-AWAY POWER CRANES INC:							
5357 30108	STO-AWAY POWER CRANES INC PARTS 661-450-741-003	01/18/2013 sonofrio	02/05/2013	202.07	202.07	O	N 01/28/2013
	REPAIR & MAINT SUPPLIES			202.07			
	Total for vendor 002524 - STO-AWAY POWER CRANES INC:			<u>202.07</u>	<u>202.07</u>		
Vendor 002562 - SYNAGRO CENTRAL, LLC:							
20-110685 30109	SYNAGRO CENTRAL, LLC WASTE HAULING 592-559-802-000	01/11/2013 sonofrio	02/05/2013	17,379.71	17,379.71	O	N 01/28/2013
	OTHER CONTRACTUAL SERVICES			17,379.71			
	Total for vendor 002562 - SYNAGRO CENTRAL, LLC:			<u>17,379.71</u>	<u>17,379.71</u>		
Vendor 002645 - TRACTOR SUPPLY CREDIT PLAN:							
145353 30110	TRACTOR SUPPLY CREDIT PLAN SUPPLIES ACCT#6035 3012 0321 140 661-450-741-000	01/17/2013 sonofrio	02/05/2013	18.37	18.37	O	N 01/28/2013
	OPERATING SUPPLIES			18.37			
	Total for vendor 002645 - TRACTOR SUPPLY CREDIT PLAN:			<u>18.37</u>	<u>18.37</u>		

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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						
Vendor 002665 - TREECORE:							
012013							
30111	TREECORE	01/20/2013	02/05/2013	24,619.70	24,619.70	O	N
	TREE WORK	sonofrio					01/28/2013
	582-558-802-000	OTHER CONTRACTUAL SERVICES		23,049.00			
	101-446-802-000	OTHER CONTRACTUAL SERVICES		1,570.70			
	Total for vendor 002665 - TREECORE:			<u>24,619.70</u>	<u>24,619.70</u>		
Vendor 002698 - U S BUSINESS SYSTEMS INC:							
IN5047							
30112	U S BUSINESS SYSTEMS INC	01/08/2013	02/05/2013	91.25	91.25	O	N
	MAINTENANCE CONTRACT	sonofrio					01/28/2013
	101-301-802-001	SERVICE CONTRACTS		91.25			
	Total for vendor 002698 - U S BUSINESS SYSTEMS INC:			<u>91.25</u>	<u>91.25</u>		
Vendor 002721 - UPLINK SECURITY LLC:							
0698450							
30113	UPLINK SECURITY LLC	01/01/2013	02/05/2013	6.45	6.45	O	N
	MONTHLY SERVICE FEE	sonofrio					01/28/2013
	101-350-802-000	OTHER CONTRACTUAL SERVICES		6.45			
	Total for vendor 002721 - UPLINK SECURITY LLC:			<u>6.45</u>	<u>6.45</u>		
Vendor 002724 - UPS STORE #5080:							
4711							
30114	UPS STORE #5080	01/25/2013	02/05/2013	11.30	11.30	O	N
	SHIPPING FEE	sonofrio					01/28/2013
	582-558-855-000	POSTAGE		11.30			
	Total for vendor 002724 - UPS STORE #5080:			<u>11.30</u>	<u>11.30</u>		

EXP CHECK RUN DATES 02/05/2013 - 02/05/2013

UNJOURNALIZED OPEN

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
Vendor 002728 - USA BLUE BOOK:							
852391 30115	USA BLUE BOOK MANHOLE COVER LIFTER 591-558-742-000 592-558-742-000	01/07/2013 sonofrio	02/05/2013	258.87 129.44 129.43	258.87	O	N 01/28/2013
852606 30116	USA BLUE BOOK SWEATSHIRT 592-559-729-001	01/07/2013 sonofrio	02/05/2013	67.18 67.18	67.18	O	N 01/28/2013
855007 30117	USA BLUE BOOK LAB SUPPLIES 591-559-741-000	01/09/2013 sonofrio	02/05/2013	324.27 324.27	324.27	O	N 01/28/2013
858459 30118	USA BLUE BOOK LAB SUPPLIES 591-559-741-000	01/14/2013 sonofrio	02/05/2013	95.66 95.66	95.66	O	N 01/28/2013
852210 30119	USA BLUE BOOK PUMP 592-570-933-000-0051	01/07/2013 sonofrio	02/05/2013	550.65 550.65	550.65	O	N 01/28/2013
Total for vendor 002728 - USA BLUE BOOK:				<u>1,296.63</u>	<u>1,296.63</u>		
Vendor 003077 - VALU TECH SOLUTIONS INC:							
1420 30167	VALU TECH SOLUTIONS INC ADVISE ON SERVICE AGREEMENTS & CON 582-558-801-000 591-558-801-000	01/25/2013 sonofrio	02/05/2013	8,190.00 4,914.00 3,276.00	8,190.00	O	N 01/28/2013
Total for vendor 003077 - VALU TECH SOLUTIONS INC:				<u>8,190.00</u>	<u>8,190.00</u>		
Vendor 002748 - VAN BUREN COUNTY:							
80-53 2012 30120	VAN BUREN COUNTY DEED VERIFICATION/SPLIT & MAP UPDA 101-209-801-000	01/11/2013 sonofrio	02/05/2013	5,002.00 5,002.00	5,002.00	O	N 01/28/2013
Total for vendor 002748 - VAN BUREN COUNTY:				<u>5,002.00</u>	<u>5,002.00</u>		

EXP CHECK RUN DATES 02/05/2013 - 02/05/2013

UNJOURNALIZED OPEN

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
Vendor 002755 - VAN BUREN COUNTY ROAD COMM:							
OCT-DEC 2012							
30121	VAN BUREN COUNTY ROAD COMM ELECTRIC 202-474-921-000	01/07/2013 sonofrio	02/05/2013	45.45	45.45	O	N 01/28/2013
	UTILITIES - ELECTRIC			45.45			
	Total for vendor 002755 - VAN BUREN COUNTY ROAD COMM:			<u>45.45</u>	<u>45.45</u>		
Vendor 003025 - VENEKLASEN INC, A J:							
APP #4							
30122*	A J VENEKLASEN INC MARINA PROJECT 594-776-975-011	01/11/2013 sonofrio	02/05/2013	196,308.73	196,308.73	O	N 01/28/2013
	594-002-211-141	NORTH SIDE MARINA UPGRADE RETAINAGE-VENEKLASEN		218,120.81 (21,812.08)			
	Total for vendor 003025 - VENEKLASEN INC, A J:			<u>196,308.73</u>	<u>196,308.73</u>		
Vendor 002850 - WATER ENVIRONMENT FEDERATION:							
2013							
30123	WATER ENVIRONMENT FEDERATION MEMBERSHIP D MULAC #1441806 592-559-958-000	01/16/2013 sonofrio	02/05/2013	107.00	107.00	O	N 01/28/2013
	SUBSCRIPTIONS/MEMBERSHIPS			107.00			
	Total for vendor 002850 - WATER ENVIRONMENT FEDERATION:			<u>107.00</u>	<u>107.00</u>		
Vendor 002883 - WEST MICHIGAN DOCUMENT:							
34329							
30124	WEST MICHIGAN DOCUMENT SHREDDING SERVICES 101-265-802-000	01/17/2013 sonofrio	02/05/2013	91.50	91.50	O	N 01/28/2013
	OTHER CONTRACTUAL SERVICES			91.50			
	Total for vendor 002883 - WEST MICHIGAN DOCUMENT:			<u>91.50</u>	<u>91.50</u>		
Vendor 002891 - WEST MICHIGAN WATER WORKS:							
2/26/13							
30145	WEST MICHIGAN WATER WORKS WATER WORKS MEETING-B MILLER 591-559-860-000	01/23/2013 sonofrio	02/05/2013	25.00	25.00	O	N 01/28/2013
	TRAVEL/CONFERENCES/TRAINING			25.00			
	Total for vendor 002891 - WEST MICHIGAN WATER WORKS:			<u>25.00</u>	<u>25.00</u>		

EXP CHECK RUN DATES 02/05/2013 - 02/05/2013

UNJOURNALIZED OPEN

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
Vendor 002935 - WINGFOOT COMMERCIAL TIRE:							
159-1044660							
30125	WINGFOOT COMMERCIAL TIRE TIRES	01/11/2013 sonofrio	02/05/2013	855.32	855.32	0	N 01/28/2013
	661-450-741-003	REPAIR & MAINT SUPPLIES		855.32			
	Total for vendor 002935 - WINGFOOT COMMERCIAL TIRE:			<u>855.32</u>	<u>855.32</u>		
Vendor 002936 - WINKEL'S COMMUNICATION INC:							
3156							
30126	WINKEL'S COMMUNICATION INC REMOVE/INSTALL RADIO	01/04/2013 sonofrio	02/05/2013	235.00	235.00	0	N 01/28/2013
	661-450-935-000	REPAIRS/MAINTENANCE - VEHICLES		235.00			
	Total for vendor 002936 - WINKEL'S COMMUNICATION INC:			<u>235.00</u>	<u>235.00</u>		
# of Invoices:	126	# Due:	126	Totals:	428,695.41		428,695.41
# of Credit Memos:	1	# Due:	1	Totals:	(7.66)		(7.66)
Net of Invoices and Credit Memos:					<u>428,687.75</u>		<u>428,687.75</u>
* 4 Net Invoices have Credits Totalling:					(27,668.31)		

**SANITARY SEWER SERVICE AGREEMENT**

This Sanitary Sewer Service Agreement is made as of September 11<sup>TH</sup>, 2012, between Casco Township, a Michigan township, the business address of which is 7104 107<sup>th</sup> Avenue, South Haven, MI 49090 (the "Township"), the Miami Park Waste Water Association, a Michigan corporation, the business address of which is 7252 Orchard Rd, South Haven, MI 49090 (the "Association"), and the City of South Haven, a Michigan municipal corporation, the business address of which is 539 Phoenix Street, South Haven, MI 49090 (the "City").

**RECITALS**

- A. The Township owns a public wastewater system and water supply system located within its jurisdictional boundaries.
- B. The Township's public wastewater system and water supply system is connected to the City's public wastewater system and water supply system.
- C. The City and Township have entered into a long term franchise and service contract dated December 28, 1994, by which the City provides wastewater collection and treatment and public drinking water treatment and distribution within the Township (the "Franchise Agreement"). Under the terms of the Franchise Agreement, the Township retains ownership of the public wastewater system and water supply system located within the Township and the City operates those systems.
- D. The City and Township have also entered into a Capacity and Replacement Rate Contract dated April 7, 2008, that relates specifically to capacity of the City's water supply system.
- E. The Association's membership currently includes the owners of 15 single-family residences within the Miami Park Subdivision located in the Township, as described and depicted on the attached Appendix A ("Miami Park").
- F. Miami Park's wastewater is currently handled by a private sanitary sewer system that is no longer capable of meeting the Association's sanitary sewer needs (the "Private Sewer System").
- G. The Association wishes to construct improvements to the Private Sewer System so that Miami Park's wastewater can be conveyed to the City's wastewater treatment plant through a connection to the Township's wastewater system.
- H. The Township and City are amenable to assisting the Association in accordance with the terms and conditions of this Agreement.
- I. A description and depiction of necessary improvements that the Association will need to construct and install to improve the Private Sewer System, including its sewers, pumps, valves, chambers and related appurtenances, and that it will need to construct and install to facilitate a connection to the Township wastewater system, including pumps, lift stations, lines, pipes and related appurtenances, is attached as Appendix B and made a part of this Agreement (the "Sewer Improvements").

J. After the Sewer Improvements are completed in accordance with the terms and conditions of this Agreement, the continued operation and maintenance of the Association's improved sanitary sewer system (the "Association Sewer System") shall be the responsibility of the Association.

### TERMS AND CONDITIONS

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

1. Sewer Improvements.

(a) Plans and specifications for the Sewer Improvements shall be prepared at the cost of the Association. The plans and specifications shall be prepared by a Professional Engineer, Licensed in the State of Michigan. The plans and specifications shall be submitted to the Township and the City for review and approval. In accordance with such approved plans and specifications, the Association shall construct and install the Sewer Improvements, as generally described and depicted on Appendix B, to connect the Association Sewer System to the Township wastewater system at a public manhole designated by the Township and the City.

(b) The Association shall obtain all permits and approvals necessary for the construction and installation of the Sewer Improvements, and the ongoing use, maintenance, repair and replacement of the Association Sewer System.

(c) The Association shall design, construct and install the Sewer Improvements in compliance with applicable Township and City ordinances and construction standards, applicable state and federal laws, rules and regulations, and applicable permits, certifications and approvals.

(d) During construction and installation of the Sewer Improvements, the Township and the City shall have the right, but not the obligation, to conduct inspections of the Sewer Improvements. However, such inspections, if undertaken, shall not relieve the Association of its obligation to construct and install the Sewer Improvements in accordance with the terms and conditions of this Agreement.

2. Ownership and Maintenance. The Association shall remain the owner of the Association Sewer System up to its connection to the Township wastewater system at the designated public manhole. The Association, without cost to the Township or the City, shall be responsible for the continued maintenance, repair and replacement of the Association Sewer System in accordance with applicable Township and City ordinances, rules, resolutions, policies and practices, applicable state and federal laws, rules and regulations, and applicable permits, certifications and approvals.

3. Costs, Fees, Rates and Charges.

(a) The Association shall be solely responsible for all costs associated with the design, construction and installation of the Sewer Improvements that are necessary to provide service to all Association members.

(b) Each residence that is connected to the Association Sewer System shall be solely responsible for the cost associated with septic tank removal, as described in paragraph 5 below, and for replacement of effluent pumps with grinder pumps as described in the Sewer Improvements (Appendix B).

(c) Each residence or structure within Miami Park that connects to the Association Sewer System is responsible for payment of connection and availability fees to the Township, in accordance with the Agreement for Connection to Public Sanitary Sewer Lines and Reimbursement between the South Haven Township and Casco Township Water and Sewage Treatment Authority and the Miami Park Waste Water Association (Appendix C).

(d) Each residence or structure that connects to the Association Sewer System will become a “utility customer” as defined in the Franchise Agreement. Under the terms of the Franchise Agreement, the City is responsible for setting rates. Each utility customer is expected to pay all fees, rates and charges as they are periodically billed to users of the Township’s wastewater system in accordance with the City’s ordinances, applicable rules, resolutions, policies and practices. Utility customers that utilize the sewer system but do not have water service are billed at a flat rate basis in accordance with the City’s residential equivalency unit (REU) schedule. In accordance with this schedule, one REU is equivalent to sewer usage of 250 gallons per day or 33.42 cubic feet per day. No allowances will be granted for seasonal usage of a residence. Remedies for non-payment or late payments shall be in accordance with the City and Township’s utility ordinance and applicable rules, resolutions, policies and practices.

(e) Each residence or structure that connects to the Association Sewer System will be billed the Casco Township Debt service charge in accordance with the Agreement for Connection to Public Sanitary Sewer Lines and Reimbursement between the South Haven Township and Casco Township Water and Sewage Treatment Authority and the Miami Park Waste Water Association (Appendix C).

4. Use. The Association’s connection to and ongoing use of the Township and the City’s wastewater system is conditional upon compliance with all applicable Township and City ordinances, rules, resolutions, policies and practices, applicable state and federal laws, rules and regulations, and applicable permits, certifications and approvals. The Association understands that these systems are for the collection of wastewater only and agrees not to discharge any surface water or ground water into the Township wastewater system. Surface water and ground water includes water from roof downspouts, exterior foundation drains or other sources of surface runoff or groundwater.

5. Required Connections. Within 90 days of the Association Sewer System’s connection to the Township wastewater system in accordance with this Agreement, the Association shall ensure that all structures connected to the Association Sewer System from which sanitary sewage emanates are properly connected to the Association Sewer System and that all septic tanks are removed from service in accordance with applicable state and federal laws, rules and regulations, and applicable permits, certifications and approvals.

6. Future Connections.

(a) The Association shall have an ongoing duty to notify the City and Township when any new residence or structure is constructed within Miami Park so that it may be properly connected to the Association Sewer System.

(b) New connections will be subject to applicable costs, fees, rates, and charges as described in paragraph 3 above.

(c) Future extensions to the Association Sewer System to serve additional customers shall comply with the requirement for sewer improvements as described in paragraph 1, above.

(d) The Township and the City reserve the right to limit future connections in order to ensure that the downstream wastewater system is not overloaded or in the event that a connection moratorium is put in place by a regulating agency.

7. Township's Franchise and Consent. To the extent necessary to comply with applicable state constitutional and statutory provisions, this Agreement shall serve as the Township's consent and franchise for the City to use the Township's public rights-of-way and to provide wastewater treatment services to the Association and Miami Park.

8. Term. This Agreement shall be coterminous with the Franchise Agreement, and any extensions, renewals or replacements thereof.

9. Uninterrupted Service. Neither the Township nor the City can guarantee uninterrupted wastewater service to the Association or Miami Park. Indeed, periodic interruptions may occur. This Agreement does not provide the Association any rights to continuous wastewater service or any cause of action for damages as a result of any periodic interruption, except as may be provided by law.

10. Indemnification. To the extent permitted by law, the Association shall hold the Township and the City (defined for purposes of this paragraph to include the Township and the City's officers and employees) harmless from, indemnify it for and defend it (with legal counsel reasonably acceptable to the Township and the City) against any demand, claim, judgment, award, legal proceeding or loss of any kind and/or injury to any person which may arise out of any construction, installation, operation, maintenance, repair or replacement of the Association Sewer System or the Sewer Improvements. The Association will not be liable for any injury or damages caused by the negligence of the employees of the City, Township, or Authority.

11. Assignment Prohibited. No party may assign this Agreement, or its rights, privileges, duties or obligations, without the others' prior written consent.

12. Miscellaneous.

(a) This is the entire agreement between the parties as to its subject matter. This Agreement is to be construed and interpreted under the laws of the state of Michigan. The captions are for reference only and shall play no part in the interpretation of this Agreement.

However, the recitals are an integral part of this Agreement. This Agreement may not be modified or amended except in writing signed by the parties.

(b) To the extent not otherwise prohibited by law, the parties agree that in any action brought pursuant to or to enforce any portion of this Agreement (i) the jurisdiction and venue shall be solely in the state courts of Allegan County, Michigan, and (ii) the prevailing party in any such action shall, in addition to any other remedies, be entitled to recover its actual costs, including, without limitation, actual reasonable attorneys' fees and other legal costs, incurred to bring, maintain, or defend any such action from its first accrual or first notice thereof through any and all appellate and collection proceedings.

(c) This Agreement shall be binding upon the parties to this Agreement as well as their successors and permitted assigns.

The parties have caused this Agreement to be executed as of the date first above written.

CASCO TOWNSHIP

MIAMI PARK WASTE WATER ASSOCIATION

By: Allan W. Overhiser  
Allan W. Overhiser, Supervisor

By: Bill Jackson  
Its: President

By: \_\_\_\_\_  
Julie M. Cowie, Clerk

By: Bruce D. Barker  
Its: TREASURER

CITY OF SOUTH HAVEN

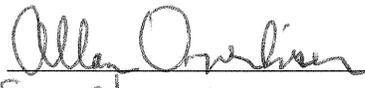
By: \_\_\_\_\_  
Robert Burr, Mayor

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

The South Haven Township and Casco Township Water and Sewage Treatment Authority does not object and consents to the terms and conditions of this Agreement.

SOUTH HAVEN TOWNSHIP AND CASCO  
TOWNSHIP WATER AND SEWAGE  
TREATMENT AUTHORITY

By:   
Its CHAIRMAN

By:   
Its Secretary

Dated: 12/11/2012

# Zoning Board of Appeals

## Regular Meeting Minutes

Monday, October 22, 2012  
7:00 p.m., Council Chambers



City of South Haven

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

### 2. Roll Call

Present: Apotheker, Henry, Lewis, Paull, Wittkop, Ingersoll,  
Absent: Wheeler

### 3. Approval of Agenda

Motion by Wittkop, second by Henry to approve the October 22, 2012 regular meeting agenda as presented.

All in favor. Motion carried.

### 4. Approval of Minutes – September 24, 2012

Motion by Henry, second by Apotheker to approve the September 24, 2012 regular meeting minutes as written.

All in favor. Motion carried.

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

None at this time.

### **NEW BUSINESS –Variance Request**

### 6. Kal-Haven Bikes, Inc., (represented by David Nixon), 1073 E. Wells Street, requests a variance from zoning ordinance section 1716-2, Nonresidential Access. The applicant is seeking to gain access to commercial property through a residential area via an existing private road/easement. The parcel number for the applicant's property is 80-53-870-010-00.

Anderson noted the applicant is looking for a variance from one line in the ordinance. Ingersoll asked if this goes hand in hand with the last issue the applicant brought before the board. Anderson responded that the last time the applicant appeared he requested an

interpretation of whether the easement he holds to the extension of Black River Road could be interpreted as a private road. The ZBA found that the wording in the easement did allow the same access as would a private street or road.

**Attorney Steve McKown, Allegan, Michigan, representing David Nixon.** McKown handed the chair exhibits to be distributed to the board and explained each exhibit. The first exhibit is the legal description; second is a small aerial map; third is the land contract from 1987 regarding this property; fourth is a land contract memorandum; fifth is the deed from the land contract sellers in the 1990's; sixth is a deed; seventh, for this record tonight, the application for the interpretation and the two judgments that were entered in Circuit Court in Paw Paw; eighth is the Freedom of Information Act (FOIA) request and the City's response (this is pertinent since the language in question appeared in the 1990 zoning amendment section, long after the applicant acquired the property); and ninth is a copy showing past use of the property and the Department of Natural Resources approval for boat slips.

McKown stated that the property involved is about 3.82 acres, bordered on the west by the Black River, on the south and east by the Kal-Haven trail, with the only access the easement from Blue Star Highway. The easement is shared with several residential properties and then continues on to the applicant's property. The question at the last meeting was whether or not the existing easement is a private road. McKown noted that every private road is an easement of sorts allowing access for ingress, egress or utilities. Denying this variance would deprive the owner of use of his property. Access is not defined in the ordinance so they chose to use the commonly understood meaning. Admitting that no research was done, McKown stated, "There are likely other uses like marinas that go through residential property in the city for access." McKown stated, "Resorting to the definition of access from the dictionary includes any alley or road, including public and private roads".

McKown asked, "What was the City Council intending to do when they adopted this amendment? Were they only including private roads?" McKown continued, "This amendment does not do that so it leaves uncertainty. We (the applicant) are asking for a variance; this twenty-four foot (24') easement, this private road, is the only way to get to this property so it is usable."

McKown noted that in section 901 there is a list of what can be done in the B-3 zoning district. The list includes beaches, recreation areas, dwellings above permitted use (mixed use), marinas, golf courses and hotels, among others. Planned Unit Developments (PUDs) are permitted with a commercial use included. There is no use that can be implemented on this property without this zoning variance. McKown said he and his client do not know if there is anything else like this situation anywhere else in the City; this property is taxed as commercial property but the owners can not get to it. Since 1987, when Mr. Nixon acquired the property in conjunction with his wife and a corporation, there have been commercial uses made.

Ingersoll asked how the previous owner gained access; McKown stated the previous owner (Mr. Olen) made use of the easement to get to the property.

Ingersoll asked why the access was not pursued at the time of the previous lawsuits. McKown explained that in August 2010 and December 2011 there were other lawsuits regarding issues with the easement filed by residential owners along Black River Road as well. The easement was changed to 24' from 16' at the time of those lawsuits. McKown

stated that in 1984, as demonstrated by Exhibit 5, the survivors of Mr. Olen conveyed the ownership to Mr. Nixon and the present corporation.

The predicament, according to McKown, is that there is no apparent use that can be made of this property without access. According to McKown, there have been two requests for variances. The problem is not self-created; this was created by the adoption of the Zoning Ordinance. There can not be any reasonable use of the property without the variance.

McKown noted that there are nine (9) factors required as part of the application. McKown went through the application's nine (9) factors, reiterating the responses included in the application.

Paull stated Nixon does not own the easement. McKown responded that an easement is a slice of ownership; the applicant does own that easement along with others who use it. His corporation is considered an owner by definition in your ordinance. This easement can only be used for ingress and egress and for public utilities.

Wittkop asked, "There are no other easements that cross the Kal-Haven Trail?" McKown noted that this corporation, Kal-Haven Bikes, does not own the property to the south. The group discussed the entities that do cross the Kal-Haven Trail, such as farmers and farm related businesses.

Lewis spoke to a change in use of the private road/easement being detrimental to others around the neighborhood. Heavy traffic use could be detrimental. McKown said his client has no specific plans since he is unable to access the property at this time. Here he is just trying to get a variance to use the property. McKown noted the topography is a little unusual, with one area quite steep with a hill.

Wittkop asked how much of the property is dry. McKown noted that there are different numbers out there, but said some numbers he has heard identify 60% as wetland. Whatever environmental issues are involved will control uses; there would need to be Department of Environmental Quality (DEQ) or Drain Commissioner approvals.

Ingersoll asked if the owner of the land across which the easement is located has been involved. McKown responded that the owner of that land was not responsive to their inquiries. That is what ultimately led to the past legal actions.

Paull asked how the easement grew from a 16' utility easement to a 24' road. McKown said the original 16' was for ingress and egress; the change to 24' was a result of lawsuits.

**Ken Lane, Clarke Hill, City Attorney for South Haven.** Lane stated that the easement was established by two court orders and two quiet title actions. The stated purpose of the easement was pedestrian and vehicular ingress and egress and that meets the definition of a private road. This request is not to change the use of the easement, or how the applicant's property can be used. This request is for relief from section 1716.2, which does not allow the private road to provide access over residential property to a commercial property. The applicant wants to use the property for typical uses under B-3 zoning. Lane explained why he did not give the board a firm recommendation, but rather gave the pros and cons as starting points for discussion.

Paull asked, "Is not the use of this road as a residential access quite different than the use as a commercial driveway, in terms of intensity?" Lane said without knowing what the private road, stated to be for pedestrian and vehicular access, will be used for, it is hard to say whether or not the easement traffic will be an issue. Paull asked if cars with trailers, trucks with trailers and boats on trailers will be more intense. Lane pointed out that it is still vehicular access which does not state how much traffic. Ingersoll said one section of the ordinance says the access is for vehicular access, the other section says it cannot be accessed for commercial uses. "We are parsing words", Paull stated. Henry said we need to go back and try to understand the intent of the wording of this particular ordinance. Ingersoll said the board does not look at the intent but at the wording. This easement is identified as a private road under the Zoning Ordinance. Lane returned that without knowing what this private road is going to be used for, there may need to be improvement made to this road but that is a different meeting and a different issue.

Ingersoll opened the public hearing.

**Dixie Capps**, resident of Black River Road since 1987; another resident has been there over thirty years and still another, both in attendance, for fifteen years. Capps stated her question to the board is, "Have any of you looked at the road?" Her deed for the easement shows 16'; the road is not that wide. Capps said she has heard a marina is going to be put in there. "This is wetlands and cattails; how is Nixon going to widen the road to 24'?" Anderson noted that the easement is 24' feet in front of her house. Capps said years ago someone wanted to put a campground in there; this is a nesting area for birds. Capps asked the board to vote no and asked the board to wait and look at that road before making a decision.

**Robert Trowbridge**, 01250 Blue Star Highway. Trowbridge stated that he owns the property along Black River Road which is in South Haven Township. Trowbridge had questions about how the 16' easement changed to a 24' easement; now he knows how that happened. Stated he does the maintenance on the road and it is hard to keep up with because it is soft and sinks; he can not continue to do the maintenance if this request is granted and the property begins to be used for commercial purposes and the road starts being used for commercial traffic. Each of us (the residents) owns a piece of the easement. If it is going to be 24' through South Haven Township, there is a deep ditch that will have to be reconstructed and drained. Trowbridge has asked South Haven Township and they would not let him drain it. How are you going to make three hundred (300') of the road in the township wider. Trowbridge concluded, "What financial burden will be put on the residents if that road is improved?"

Wittkop asked if the board is ruling on a city or a township issue. Anderson said if this request is granted, the approval would have to be contingent on the applicant working with the township. As far as the city, any use that goes in there has to go to planning commission and be reviewed by emergency services, the police department, city engineering, etc. This is only the first in a number of approvals which would be required.

Lewis said Mr. Trowbridge brings up a very good point to which Ingersoll responded, "No, construction is not part of our pervue here. We are here to rule only on what is written in the ordinance as pertains to this request."

**Matt Petter**, 508 River Island Drive. Petter lives across the river from the property under discussion; Kal-Haven Bike Company comes before the board all the time, just asking for

little bits from the ZBA or planning commission. Petter said, "Go to the ordinance that says you cannot put commercial access over private land." Petter stated that the applicant probably bought that property for a song because it is landlocked. Now he comes and asks for this and he recommends no.

Motion by Lewis, second by Henry to close the public hearing.

All in favor. Motion carried.

Anderson shared three letters in opposition from Ward Hamlin Jr.; Constance and Matt Petter and Richard Docksteder.

Paull stated that when a variance is granted a precedent is being established; "I realize that somewhere in the ordinance it states that ZBA decision do not set a precedent". Paul continued, "But in this case if you grant the variance, you are setting a precedent." Ingersoll said "every time this board grants something we set a precedent. There is only one set of circumstances that we are considering". Paull said he didn't study the entire city, but there might be some places in the City where similar circumstances exist. Ingersoll stated that the board cannot go on "ifs" but on the facts that we know.

Lewis said Ingersoll is correct and his biggest issue is that he does not see how he can vote against it, unfortunately. As far as can be told from the information provided, this is the only access to the applicant's property. Lewis said, "Shame on the city for creating this situation." The zoning ordinance, according to Ingersoll, sets this up as a commercial property and the drafters probably did not even consider access.

Apotheker has a problem with the question in the standards (Section 2205-1) which states that that this request, if granted, will not be detrimental to adjacent property owners. Apotheker thinks granting this request could cause problems and be detrimental to those along Black River Street.

Wittkop has a problem with the entrance to this area through the township. If the Zoning Board grants this and the township says "Sorry, Charlie," we are putting the cart before the horse. Ingersoll said the applicant does not have any reason to go before the township unless they can get this variance".

Anderson said any decision made by the board, can have contingencies, such as they must get township approval within a certain amount of time.

Attorney Ken Lane: The variance grants the relief from that particular section of the Zoning Ordinance; it does not say anything about the condition of the road, whether it is appropriate for specific uses of the property, the rest remains an issue for the township and the Planning Commission. Ingersoll said if the Zoning Board approves it, the approval is not saying anything about the use of the property.

Henry is comfortable with the ordinance and the way it is written so would have to vote no.

Motion by Henry that the request for a variance from Zoning Ordinance 1716.2 be denied. Second by Wittkop.

Lewis would like to see the reasons for the denial included in the motion.

Wittkop said such a variance will be detrimental to adjacent lands and the surrounding neighborhood, per zoning Section 2205-1.

Motion by Henry that the request for a variance from Zoning Ordinance 1716-2 be denied since such a variance has the potential for detriment to the neighborhood.

Anderson asked that the chair clarify that a yes vote meant to deny the request and a no vote meant to approve the request.

A roll call vote was taken:

Ayes: Henry, Paull, Wittkop, Apotheker

Nays: Lewis, Ingersoll

Motion carried.

Ingersoll stated we denied a request to allow commercial access over residential property in a 4 to 2 vote.

- 7. Michael Roth, 214 Huron Street, requests a variance from zoning ordinance section 402-5 to permit 44 percent lot coverage where 40 percent is the maximum allowed. The parcel number for the applicant's property is 80-53-022-005-00.**

Anderson noted this is regarding a covered roof. Mr. Roth is seeking to construct a wrap-around porch with a roof. This brings the lot coverage to 44 percent, which is 4 percent more than the ordinance maximum of 40 percent. Anderson talked about keeping part of it open, with a pergola to bring that percentage down, but applicant preferred to keep it consistent.

**Roth, Michael and Julie**, 214 Huron. "Anderson correctly stated our case. The house is the second from the last on Huron and is a single story two-bedroom house with a screened in porch on the west end of the house". Roth explained he and his wife bought the house and due to having four kids, wanted to put another bedroom on the house. After they got into the process they found out that the foundation will not support another story, "so we could not go up over the existing portion of the house. We got an architect to give us a plan to replace the screen porch with a four-season room and go up over that. We want to keep the screen porch atmosphere and the character of the house. We use our screened porch all the time. Our improvements would be right where it is now; not encroaching into the open space. By putting our year-round improvements where the screen porch is, we will try to keep the screen porch atmosphere by screening in part of the new porch. Roth explained that the second floor will be a cantilever over the new family room. Our neighbors wished us well when we talked to them about it. It will maintain the neighborhood character of the area; many of the other houses have similar improvements."

Ingersoll asked for more details. Roth explained that the existing screen porch would turn into a family room and the upstairs above the family room would be bedrooms. We hoped to bring the porch around the house.

Ingersoll asked if Roth really wanted the Huron Street porch and the portion of the porch that faces the garage and the concrete. Ingersoll stated that the 25.5' in the back could be taken off to which Roth responded, "We will be happy for what you will give us." Roth also

noted that this drawing was architecturally designed and it is possible that without the back portion we would not need a variance. Ingersoll stated he hates to shoot down a good idea. The ordinance says 40% but the flip side is this is an improvement to the South Haven area.

Roth responded, "Shame on us that we did not find out in the inspection period that the foundation is not structurally good enough for us to build up over the main structure."

Lewis noted it is good to find as many exceptional circumstances as possible in considering these cases. Apotheker pointed out that the porch itself is not so much the issue as the cantilevered portion of the second floor. The group discussed the cantilever and noted that the cantilever alone does not bring the number above 40 percent. It is the porch roof that is the problem. The board also discussed conditions that could be attached to an approval.

Motion by Henry, second by Apotheker to close the public hearing.

Anderson noted that the board needs to look at the ordinance standards in considering this request.

Ingersoll asked for discussion. Henry has no problem with the variance. Paull said the thing that bothers him is that if we approve this, we will be granting a substantial property right to one person that no one else in the neighborhood has. Ingersoll stated that the porch is not livable area. Wittkop said that does not matter, the porch is still covering property and has a roof. Paull said it still is granting something others do not have. Apotheker pointed out that the overage is a small amount at only 4 percent.

Motion by Henry to approve the variance request at 214 Huron Street to allow for 44 percent lot coverage, a 4 percent increase over the allowed ordinance maximum of 40 percent. A condition shall be attached that the area to be defined shall not be used as habitable space. Reasons for the approval include the unique foundation structural problems which existed and not self-created by the applicant, the fact that requested variance improves the property and the neighborhood and is clearly not detrimental and the variance relates only to property under the control of the applicant. Second by Apotheker.

A roll call vote was taken:

Roll call vote:

Ayes: Lewis, Apotheker, Henry, Ingersoll

Nays: Paull, Wittkop

Motion carried. Variance granted.

## **8. Member Comments**

None at this time.

## **9. Adjourn**

Motion by Lewis, second by Henry to adjourn at 8:17 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

## Board of Public Utilities

### Regular Meeting Agenda

**Monday, November 26, 2012**  
**4:00 p.m., DPW Conference Room, 1199 8<sup>th</sup> Avenue**



City of South Haven

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

#### 2. Roll Call

Present: Burr, Henry, Overhiser, Rose, Stein, Winkel, Stickland  
Absent: Berry

Also present: Dave Mulac, Waste Water Treatment; Larry Halberstadt, City Engineer; Dan Dombos, Abonmarche; Chris Cooke, Abonmarche

#### 3. Approval of Agenda

Motion by Henry, second by Winkel to approve the November 26, 2012 Agenda as presented.  
All in favor. Motion carried.

#### 4. Acceptance of Minutes for the Record – October 26, 2012

Motion by Winkel, second by Henry to accept the October 26, 2012 meeting minutes for the record.  
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. 2012 Billings – All Charges
- B. 2011 Billings – All Charges

Burr asked if there is any way to come up with the cost per kWh (kilowatt hour) at the end of the year. Huff will have that put together for the board to review.

Burr noted that with the fracking for natural gas, it is cheaper to generate electricity with natural gas than with coal. American Electric Power (AEP) was quoted last week as saying

that when gas gets to \$3.00 to \$3.25, it is equal to the cost for coal. We might have a more stable electric cost for the next few years. Burr would be interested in seeing the demand figures.

Stickland requested Burr have American Electric Power (AEP) bring their numbers guy up here and talk to us. There was discussion regarding the local coal fired plant and the cost of gas. The board discussed other municipalities and their power sources. Halberstadt said the Michigan Municipal Electric Association (MMEA) and the Michigan Public Power Agency (MPPA) are having conversations with Consumers Energy about doing a joint natural gas plant; Halberstadt will try to keep track of how those conversations go.

## **7. Financial Reports**

- A. Water Fund CuFt Comparisons
- B. Water Fund Financial Statement
- C. Sewer Fund Financial Statement
- D. Electric Fund KWH Comparisons
- E. Electric Fund Financial Statement

Huff noted that W. Hochstedler, Finance Director, is absent due to illness.

Burr asked about operating expenses on the Water Fund; two months ago it was \$200,000 less so Burr wondered what got put in there to bring the number up. Halberstadt said it may be aimed at the project on Kalamazoo Street. Stein pointed out that last month operating expenses were \$420,000.

Burr asked about the Sewer Fund, what is the \$69,000 in "other revenue" for this month.

Burr had a question on the Electric Fund: "Is the revenue just cash or does that include receivables?"

Burr noted that the Ramada Inn paid off \$90,000. Burr had the following questions: "Is it in the cash report? How does it get displayed to us? If it is on the cash report, how often does the board see that report?"

Burr noted that the water rate increase went into effect in July because the expectation was that the fund amount was dropping; however, the fund amount has not dropped as expected.

Huff said Hochstedler will get answers to these questions when she gets back in the office.

## **8. Indian Grove Infrastructure Project**

- A. Sewer Study Progress Report
- B. Update Presentation by Abonmarche

Abonmarche is still working on flow metering; the flow metering project will be wrapped up in December. Computer modeling and televising will also be going on starting in December.

Dan Dombos from Abonmarche gave an overview of the progress of the S2 Project Tasks, including Utility Mapping; Flow Metering, Phase I, II and III; Computer Modeling, Sewer Televising, Smoke Testing and the SRF Project Plan.

Henry questioned the spikes on the graphs depicting Flow Metering Phase I results; Dan Dombos stated the spikes follow the rainwater events. When Abonmarche staff sees inflow and infiltration, smoke testing is done to try to determine the source of some of these inflow and infiltration events.

Dan Dombos presented an overview of Phase II Metering Results. There was discussion of range and peaking factors. Phase III overview indicates that there were rain events and corresponding increases long-term. Dombos also noted that while Indian Grove is suspected by staff as a problem area, testing is not really confirming that. Some meters were redeployed due to construction; Meter 17 was pulled due to very level base flow.

During Phase III, according to Dombos, some meters were pulled and reinstalled. There will be some televising done in the sewers.

The S2 Grant Project wrap up will include Utility Mapping; Field Investigation and Data Review; Smoke Testing; Flow Metering (Phase III to be complete December 2012); Computer Modeling (to be complete in January 2012); Sewer Televising (to be complete January 2013) and finally, the Project Plan will be implemented, completed in the spring and submitted to the Michigan Department of Environmental Quality (MDEQ).

Stickland said our goal is to try to find ways to solve some of the problems within our system. The board discussed the Indian Grove area which staff has felt is one of the problem areas but Abonmarche has not found much there; Halberstadt stated that it might be attributable to the infrastructure work that has already been done.

## **9. Unresolved Issues Report**

Huff updated the board on the issues he has been working to eliminate. Worked with Ryan Bosscher (GIS Tech) to create a chart to record 2011 – 2012 substation “operations.” Stickland said the board wants to know if the number of “blips” per year is increasing.

## **NEW BUSINESS**

### **10. Board will hear from Thomas Scanlan, 321 North Shore Drive, concerning water and sewer usage charges.**

Scanlan gave the history behind the event on October 29 when he was contacted by Kim Eastman of an extremely large water and sewer bill. Scanlan said he can only speculate regarding how the water was turned on after he supervised the water being turned off. Roger gave the board an overview of the series of events that transpired on the City side. Noted that the water would not be turned back on by the City without a work order. The board discussed the process the City does when a turn off is requested and the information Scanlan gave regarding how he winterized his cottage every year and the process he used for turning off the water in early October.

Scanlan said when he winterized the house, the taps were all opened. He was there when the house was winterized. After discussion, Burr said someone who requested to have their water turned off can not be charged for the water.

Motion by Burr, second by Winkel to disregard all charges for the water and sewer except the normal stand-by charges.  
All in favor. Motion carried.

Scanlan asked what the next step will be. Huff said Scanlan will probably receive an adjusted bill from Kim Eastman in Utility Billing.

**11. Board will be presented information concerning summer sewer credit.**

Huff noted that the Financial Director put this information together; churches are not classified as residential in the billing system. Huff said the City Manager does not see justification for doing this for some and not all. Stickland said we are not talking about giving the credit to everybody. Burr said summer sewer credit cannot be extended to commercial and industrial accounts; it is done for residential accounts to avoid the expense of installing another meter.

Motion by Burr to include churches as residential for the purpose of giving the summer sewer credit. Second by Henry.  
All in favor. Motion carried.

There was discussion that there might need to be a minimum of usage; Stickland said there is a minimum. Huff said the minimum is 1,000 cubic feet per month.

**12. Board will be requested to establish a schedule for Regular Meeting Dates for the 2013 Calendar Year.**

Huff noted that except for May, which is moved one week back due to Memorial Day and December, when there is no meeting, the board will meet on the last Monday of the month. The dates as listed in the staff report include:

- January 28, 2013
- February 25, 2013
- March 25, 2013
- April 29, 2013
- May 20, 2013 (Moved forward one week due to Memorial Day on May 27)
- June 24, 2013
- July 29, 2013
- August 26, 2013
- September 30, 2013
- October 28, 2013
- November 25, 2013

All meetings will begin at 4:00 pm. Meetings will be held in the Department of Public Works Conference Room.

Motion by Winkel, second by Henry to approve the proposed Regular Meeting schedule for the 2013 calendar year.  
All in favor. Motion carried.

**13. Next meeting is scheduled for Monday, January 28, 2013 at 4:00 pm in the DPW Conference Room, 1199 8<sup>th</sup> Avenue, South Haven, Michigan.**

**14. Director's Comments**

Follow up from the last meeting and the outage map. Huff will email the map to everyone.

The water plant is getting another award from the American Council of Engineering Companies (ACEC). Huff noted that the award will be awarded February 23 in Detroit.

**15. Board Member Comments**

Rose: Noted that Roger (Huff) and Public Works Water Department worked with Covert setting up our hydrants and everything is working well. Rose is concerned about the cost and whether the expenses are being covered. Halberstadt noted that rate has not been adjusted since 2006. Huff is gathering information from other municipalities regarding their policies.

Henry: Regarding the Medevac pad at the hospital. Noticed on a Tuesday night the helicopter coming in on a steep approach past the power lines and noted it is a potential hazard. Henry reminded that he flew helicopters for quite some time. Since seeing that helicopter land, Henry talked to a friend who just retired from EMS (Emergency Medical Services) in Florida and flew for many years prior. Normally you come in, stabilize 200 to 300 feet above your intended point of touchdown and hover on down. The distance between the 40' power line and the helipad is 150', you are going 30-40 knots, decelerating and if there is any kind of malfunction, you are set up to have a significant mishap. Henry's friend said at nighttime the pilots are using 100% night vision goggles which give phenomenal vision. Henry suggests putting this on the boards project list and identify some grants that the City might be able to use to put those power lines underground.

Halberstadt said he can see both sides of the argument. Stickland said he is concerned about the precedent. Huff said this came up in 2010 and noted that Conklin looked into the project and the cost and concluded that since the power line is a primary it would cost \$75,000. Huff also noted that generally one does not want to bury just a small section of primary due to the potential to set up a ground for lightning strikes.

**16. Adjourn**

Stickland declared the meeting adjourned at 6:12 p.m.  
All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

# MEMORANDUM

DATE January 30, 2013

TO: Brian Dissette, City Manager  
FROM: Deb Davidson, DDA Director

SUBJECT: Application to Michigan State Housing Development Authority (MSHDA) for a Community Development Grant

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City Council will be asked to set a date to hold a public hearing to consider authorization to the City Manager to apply to the Michigan State Housing Development Authority (MSHDA) Community Development Grant.

## Background Information:

On January 4<sup>th</sup>, City staff was informed that a new grant opportunity has become available through MSHDA. At the February 4<sup>th</sup>, 2013 meeting, City Council will be asked to consider an application for improved accessibility and public green space to City Hall and Phoenix Street.

The MSHDA Community Development grant is new this year. In March 2012, forty-nine state attorneys general, including Michigan Attorney General Bill Schuette, entered into a settlement with five of the nation's largest mortgage servicers following a lawsuit regarding mortgage foreclosure practices. Among other things, the settlement resulted in direct payments to states. Of Michigan's \$97.2 million share, the Michigan Housing and Community Development Fund (the "MHCD Fund") has been appropriated \$3,709,500 from 2012 PA 296. The total allocation of 2012 funds \$3,785,500 (appropriated funds from 2012 PA 296 plus \$76,000 in recaptured funds) represents the third opportunity to allocate funding to eligible activities under legislation authorizing the MHCD Fund. The MHCD Fund will support projects designed to fuel strategies leveraging public and private resources to meet the affordable housing needs of low income, very low income, and extremely low income households and to finance projects located in a downtown area or adjacent neighborhood.

At their January 30, 2013 Special Meeting, the DDA Board approved a resolution to seek application and to fund Phoenix Street accessibility and public green space improvements.

The application is due on or before February 15, 2013 by 11:59 p.m. Only one application per applicant is permitted. The Michigan State Housing Development Authority ("MSHDA") expects to make 10-15 awards statewide.

## Recommendation:

The City Council should hold a public hearing at their regular meeting on February 4, 2013, 7:00 p.m. to consider application to the MSHDA Community Development Grant and to approve a resolution to authorize the City Manager to submit an application.

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2013 - 07

A RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY FOR A MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY GRANT FOR PHOENIX STREET ACCESSIBILITY AND PUBLIC GREEN SPACE IMPROVEMENTS

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 February 4, 2013 at 7:00 p.m. local time.

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

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

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

WHEREAS, funds have become available to the Michigan State Housing Development Authority (MSHDA) through the Michigan Housing and Community Development Fund (MHCD) to provide grants to local units of government in a traditional downtown; and

WHEREAS, the City of South Haven recognizes the lack of safe, easy access to City Hall services from nearby parking lots and neighborhoods; and the need for additional public green space for residents and visitors; and

WHEREAS, the City of South Haven desires to make accessibility improvements and public green space improvements to Phoenix Street and City Hall grounds; and

WHEREAS, the City of South Haven wishes to apply for a MSHDA Community Development Grant in the amount of \$500,000; and provide an 83% match of total project cost (\$2,900,000) of which \$2,750,000 is funded by the Downtown Development Authority and \$150,000 is funded by the City of South Haven General Fund.

NOW THEREFORE BE IT RESOLVED, that the City of South Haven City Council does hereby authorize the City Manager to make application to the Michigan State Housing Development Authority (MSHDA) through the Michigan Housing and Community Development Fund (MHCD) for the proposed Phoenix Street Accessibility and Public Green Space Improvement; and

BE IT FURTHER RESOLVED, that should the City of South Haven be awarded funding from the Michigan State Housing Development Authority, the matching source of funds shall be from the City of South Haven Downtown Development Authority.

RECORD OF VOTE:

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

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

RESOLUTION DECLARED ADOPTED.

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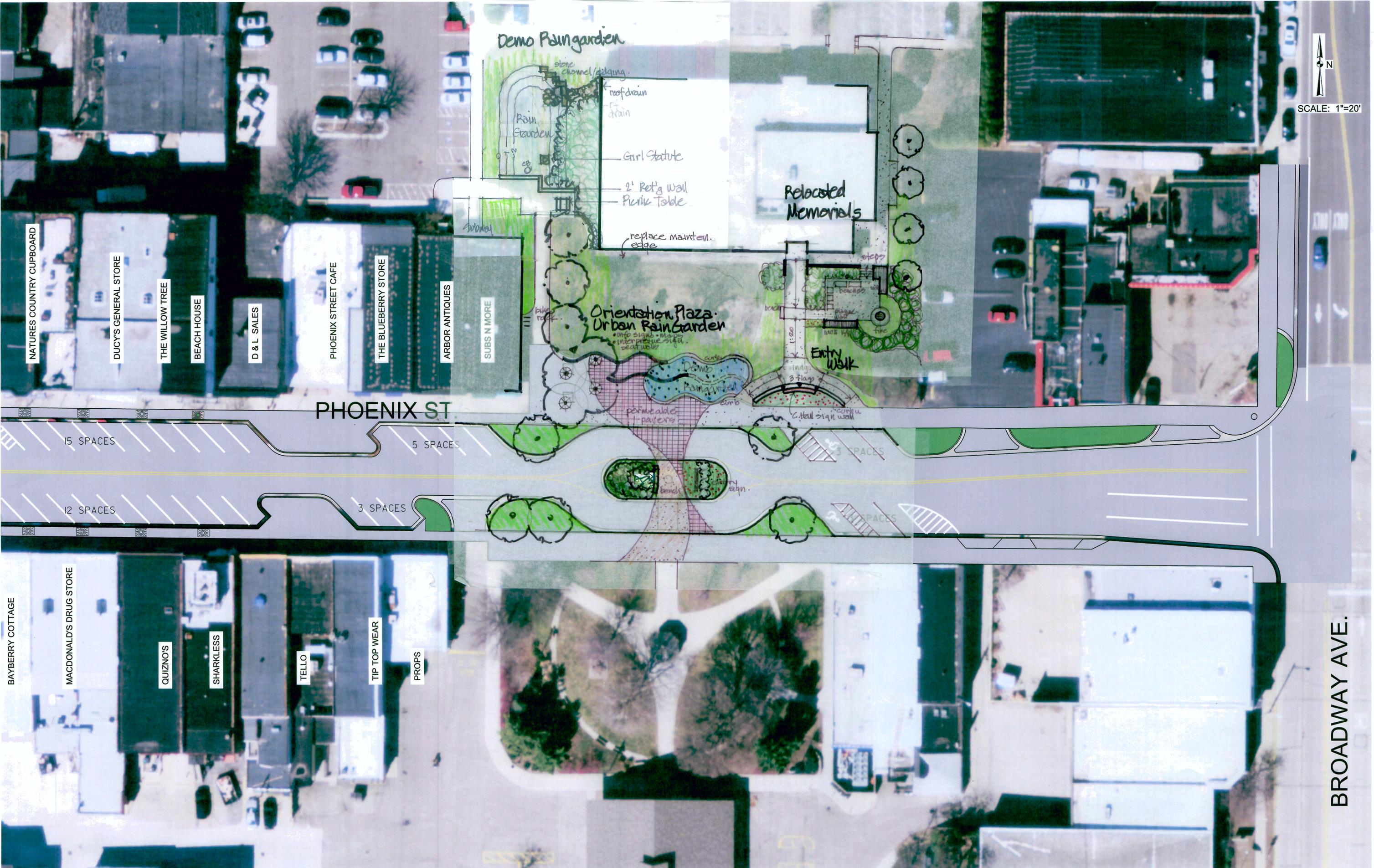
Robert G. Burr, Mayor

CERTIFICATION

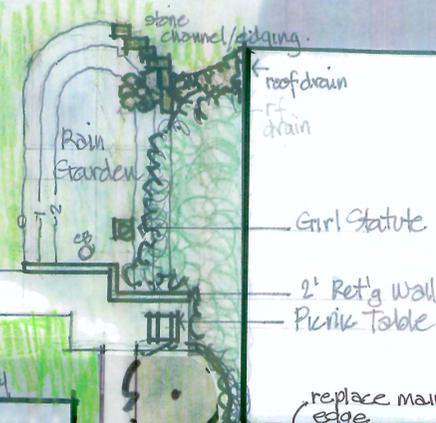
I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the 4<sup>th</sup> day of February 2013, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting 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*).

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Amanda Morgan, City Clerk

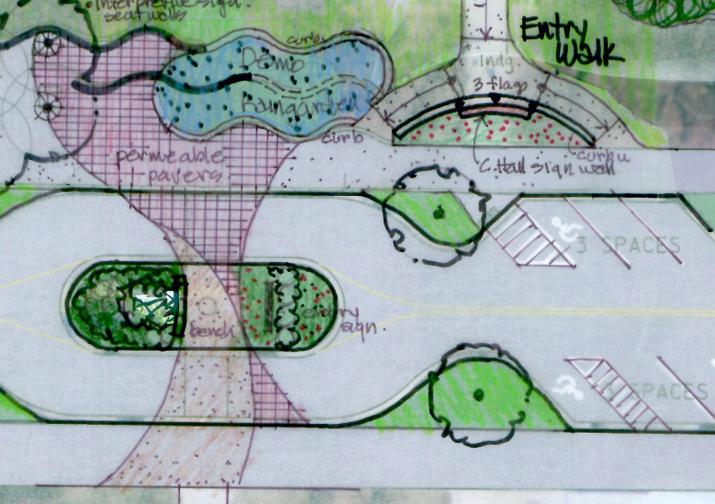


### Demo Rain Garden



### Relocated Memorials

### Orientation Plaza: Urban Rain Garden



## PHOENIX ST

15 SPACES

5 SPACES

12 SPACES

3 SPACES

3 SPACES

NATURES COUNTRY CUPBOARD

DUCY'S GENERAL STORE

THE WILLOW TREE

BEACH HOUSE

D & L SALES

PHOENIX STREET CAFE

THE BLUEBERRY STORE

ARBOR ANTIQUES

SUBS N MORE

BAYBERRY COTTAGE

MACDONALD'S DRUG STORE

QUIZNO'S

SHARKLESS

TELLO

TIP TOP WEAR

PROPS

BROADWAY AVE.



## Agenda Item 7

### Alcohol in Public Spaces

#### Background Information:

The City Council will be asked to consider the approval of an ordinance amendment permitting the controlled consumption of alcoholic beverages in the city's public spaces. In addition, the City Council will be asked to consider the approval of a policy which seeks to manage special event applications, which include a request for temporary outdoor alcohol sales. Finally, the City Council will be asked to consider the approval of a special event area map, which expresses the areas where special events, which include temporary outdoor alcohol sales, will be permitted.

In the fall of 2012, the Downtown Development Authority (DDA) Board approved a motion of support, to the City Council, to allow for the sale and consumption of alcohol on authorized public property. The proposed ordinance allowance could allow for downtown merchants to seek license agreements from the city, which could then be used for outdoor dining with alcohol consumption. Further, the proposed allowance could allow for special events to conduct beer/wine tents on public property. Please note that the sales and/or consumption would only be for property that has the appropriate local approval and license from the Michigan Liquor Control Commission. Based on the DDA's motion of support, the city's staff has been working to determine how this issue could be managed, and possibly considered by the City Council.

The city's attorney has provided an opinion on how this issue could be implemented and managed. That opinion is included within this packet, along with the DRAFT ordinance amendment.

At the December 14, 2012, City Council workshop session, the council members and staff discussed how allowing alcoholic beverages on public spaces could be managed. At the workshop session, the general consensus from the elected officials was to proceed with implementation of the program. Prior to the program implementation, the City Council will need to consider introduction and adoption of a code amendment, which allows alcohol in approved public spaces.

At the January 21, 2013 regular meeting of the City Council, some concerns were voiced about how the city's staff would manage requests for temporary alcohol sales. As a result of those concerns, the city's staff has worked to prepare a variety of items related to the proposed amendment to the Code of Ordinances related to the service of alcohol on public property. Staff worked with the city's attorney to prepare several items, which are intended to address the concerns of council members. Those items are as follows: 1) a DRAFT update to the proposed code amendment, which inserts a reference to adopted policies which control the service of alcohol at outdoor events, 2) DRAFT alcohol policies to be

upheld by the South Haven Police Department (SHPD), 3) DRAFT Resolution approving the alcohol policies, 4) DRAFT Special Event Area map.

The proposed code amendment revision inserts language which references the city's adopted alcohol control policies for outdoor events, which will be enforced by the SHPD. The DRAFT alcohol control policy, for use with outdoor events/special events will then dictate the city's regulations to event promoters, and guide the actions of the SHPD. Should the DRAFT policy be acceptable to the City Council, the Council will then be asked to adopt the policy via resolution. Finally, the DRAFT Special Event Area map is intended to control where outdoor events/special events, that include alcohol service, could be conducted. The city's staff believes that the DRAFT Special Event map allows for events to occur in areas that will be locally accepted (e.g., River Front Park, Huron Street Pavilion, Maritime Museum, etc.) The map seeks to allow events to occur in areas where there is not a large amount of residential properties nearby. The map also seeks to allow events in areas where a variety of special events have occurred in the past. The map can easily be modified, should the City Council wish to edit the allowed Special Event Area. If the map is deemed acceptable, the City Council will be asked to adopt the Special Event Area map via resolution.

For tonight's meeting, the City Council is asked to consider approval of the ordinance amendment, which seeks to provide authorization for controlled sales and consumption of alcohol in and on approved city owned property.

Recommendation:

Should the City Council wish to proceed with allowing the authorization of controlled sales and consumption of alcohol in and on approved city owned property, the Council will need to consider the following approvals:

- 1) Approval of the proposed code amendment, which inserts a reference to adopted policies which control the temporary service of alcohol at outdoor/special events.
- 2) Approval of Resolution 2013-08, a resolution which adopts the proposed alcohol policies which govern temporary service of alcohol at outdoor/special events, to be upheld by the South Haven Police Department.
- 3) Approval of Resolution 2013-09, a resolution approving the proposed Special Event Area map, for outdoor/special events that seek to have temporary service of alcohol.

Support Material:

Attorney's Opinion  
Proposed Ordinance  
Proposed Policy  
Proposed Special Event Area Map

Scott G. Smith  
T 616.608.1109  
F 616.608.1169  
Email: sgsmith@clarkhill.com

October 9, 2012

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

Brian Dissette, Manager  
City of South Haven  
5259 Phoenix Street  
South Haven, Michigan 49090

Re: Alcohol Consumption in Public Spaces

Dear Mr. Dissette:

The City of South Haven is considering ordinance amendments to permit alcohol consumption in certain public spaces during community wide events. You have asked for our insights regarding other communities' experiences with respect to the sale and consumption of alcohol on public property.

A number of communities with which we work permit alcohol service and consumption at community wide events, particularly in designated areas such as beer tents. Those communities generally see alcohol service as an accommodation to the event organizers and the general public. Event organizers have often made requests for alcohol service hoping that, if a beer tent is made available, casual visitors might be more inclined to come to the festival or event, may stay longer than otherwise, and may purchase more goods and services from local businesses.

Those communities that allow alcohol service generally do so without much difficulty and generally without significant incident. Certainly, any time alcohol is readily available for public consumption, there exists a risk for disruptive behavior. But, with appropriate planning and adequate personnel to address potential public safety concerns, other communities with which we work have had successful community wide events in which alcohol is available for public consumption. Another Lake Michigan community, for example, permits a beer tent at one of its annual festivals, and event promoters have said it has enhanced the success of the event. A central Michigan community with which we work has reported a similar result.

Brian Dissette, City Manager

October 9, 2012

Page 2

With appropriate advanced planning for these types of event, the City should be adequately prepared to address issues that might arise. For example, if the alcohol sale and consumption is to occur at a community center, or other publicly owned indoor or outdoor venue, detailed plans for service areas that are sufficiently separated from the public (sometimes, for outdoor venues, with a double fence with sufficient space between the fences to prevent those inside and outside from handing to one another), identification checks, and insurance requirements should be established. The City might also consider an increased presence of public safety personnel, whether that be a patrol car parked nearby, or uniformed officers walking among the crowd, and/or requiring private security to help ensure those enjoying the alcohol do not get overly exuberant.

We trust this letter adequately addresses your concerns. Please do not hesitate to contact us if you need anything further on this matter.

Sincerely,

**CLARK HILL PLC**

Scott G. Smith

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO ADD SECTION 42-29 TO THE CITY OF SOUTH HAVEN CODE OF ORDINANCES TO PROVIDE FOR CITY COUNCIL AUTHORIZATION FOR CONSUMPTION OF ALCOHOL IN AND ON CITY OWNED PROPERTY AND TO AMEND SECTION 54-105 OF THE CITY OF SOUTH HAVEN CODE OF ORDINANCES TO PROHIBIT THE CONSUMPTION OF ALCOHOL IN PUBLIC PLACES

The City of South Haven Ordains:

SECTION 1 Amendment. Section 42-29, Chapter 42, "Health and Sanitation," Article II, "Outdoor Gatherings," Division 1, "Generally," of the City of South Haven Code of Ordinances, is added to read as follows:

Sec. 42-29. Consuming Alcoholic Beverages at Outdoor Assembly or Other Community Wide Special Event.

- (a) As used in this section, "alcoholic beverages" means alcohol, alcoholic liquor, beer, mixed spirit drink, mixed wine drink, spirits, and wine as those terms are defined in the Michigan Liquor Control Code, 1998 PA 58, as amended, MCL 436.1101 et seq.
- (b) In a resolution approving an outdoor assembly or other community wide special event, City Council may authorize the service and consumption of alcoholic beverages within City-owned facilities or on City-owned property in beer tents or in other similar temporary structures approved in accordance with this Article. The resolution shall establish the terms and conditions for such service and consumption.
- (c) City Council approval of service and consumption of alcoholic beverages at an outdoor assembly or other community wide event shall not be construed to relieve a licensee of responsibility to comply with all other applicable state or local laws, rules, regulations or ordinances, including the application for and acquisition of a liquor license from the Michigan Liquor Control Commission, if necessary.
- (d) The sale and consumption of alcoholic beverages may occur on publicly-owned property only in areas designated in a resolution adopted by the City Council which may be further limited in the approved special events permit.
- (e) The City Council shall from time to time adopt policies and procedures to regulate the service and consumption of alcoholic beverages in public in conjunction with a community wide special event authorized under this section. All service and consumption of alcoholic beverages permitted pursuant to this section shall be in accordance with those policies and procedures.
- (f) Notwithstanding the provisions of Section 42-27, this section is applicable to an event conducted or sponsored by an entity qualifying for tax exempt status under section 501(c)(3) of the Internal Revenue Code.

Ordinance No. \_\_\_\_

(g) The City Council shall require indemnification and insurance coverage in amounts set from time to time by resolution. Proof of insurance, with copies of certificates naming the City as an additional endorsed insured are required prior to final approval.

SECTION 2 Amendment. Section 54-105, Chapter 54, "Offenses," Article V, "Offenses Against Public Peace," of the City of South Haven Code of Ordinances, is amended to read as follows:

Sec. 54-105. Consuming Alcoholic Liquor in Public Place.

- (a) Except as otherwise provided in subsection (b), section 42-29 of the South Haven Code of Ordinances, or by resolution of the City Council, no persons shall consume or have in their possession, in an open container, any vinous; malt, brewed, fermented, spirituous, or alcoholic liquors in any street, alley, park, private property open to public use, or other public place within the city.
- (b) Service and consumption of alcoholic beverages is permitted at outdoor sidewalk cafés possessing a special use permit and operating under an Outdoor Sidewalk Café Agreement approved by City Council as provided in the South Haven Zoning Ordinance. The Outdoor Sidewalk Café Agreement shall provide the terms and conditions for alcohol service.

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.

Introduced by the City Council of the CITY OF SOUTH HAVEN, MICHIGAN on this \_\_\_\_ day of \_\_\_\_\_, 2013.

Adopted by the City Council of the CITY OF SOUTH HAVEN, MICHIGAN on this \_\_\_\_ day of \_\_\_\_\_, 2013.

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

CERTIFICATION

I, Amanda Morgan, Clerk of the City of South Haven, Van Buren County, Michigan do hereby certify that the above Ordinance was adopted by the South Haven City Council on the \_\_\_\_ day of \_\_\_\_\_, 2013; and the same was published in a paper of general circulation in the City, being the *South Haven Tribune*, on the \_\_\_\_ day of \_\_\_\_\_, 2013.

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

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2013-08

A RESOLUTION ESTABLISHING POLICIES AND PROCEDURES FOR THE SERVICE AND  
CONSUMPTION OF ALCOHOL IN PUBLIC IN CONJUNCTION WITH CITY APPROVED  
SPECIAL EVENTS AND FESTIVALS

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 February 4, 2013 2012 at 7:00 p.m. local time.

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

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

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

WHEREAS, the Michigan Liquor Control Code, 1998 PA 58, as amended, MCL 436.1915 permits local units of government to regulate the possession and consumption of alcohol in public parks, public places of amusement, and publicly owned areas owned or administered by that local governmental unit; and

WHEREAS, the City Council has adopted Ordinance No. \_\_\_ amending the City of South Haven Code of Ordinances to provide for City Council authorization of service and consumption of alcohol on certain publicly-owned property during City Council approved special events and festivals; and

WHEREAS, Ordinance No. \_\_\_ requires the City Council to adopt policies and procedures governing the service and consumption of alcohol on publicly-owned lands; and

WHEREAS, the City recognizes that some special event and festival organizers desire the ability to serve alcohol to visitors and wishes to accommodate those desires by providing limited authorization for such public service and consumption, subject to certain terms and conditions; and

WHEREAS, City staff, at the City Council's direction has prepared the City of South Haven Special Events and Festivals Alcohol Policy attached as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Special Events and Festivals Alcohol Policy attached as Exhibit A is approved in all respects.
2. The City Council directs the City Clerk to develop a form for the application for alcohol service and consumption pursuant to the Policy.
3. That all resolutions or parts of resolutions are, to the extent of any conflict with this resolution, hereby rescinded.

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

RECORD OF VOTE:

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

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

RESOLUTION DECLARED ADOPTED.

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

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the 4<sup>th</sup> day of February, 2013, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

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

## EXHIBIT A

### **City of South Haven Special Event & Festivals Alcohol Policy**

1. Purpose and Authority.

The City of South Haven is required to adopt this Special Event & Festivals Alcohol Policy pursuant to Section 42-29 of the South Haven Code of Ordinances. This Policy is intended to regulate the sale and consumption of alcoholic beverages in public places at designated times and locations. The City intends to offer this option to accommodate festival goers and planners. The sale and consumption of alcoholic beverages authorized pursuant to this Policy shall occur only in those publicly-owned places designated by resolution of City Council.

2. Application Procedure.

Persons wishing to serve alcohol at a community wide special event shall, in addition to the special event application, provide to the City Clerk certain information about the planned alcoholic beverage service. Applicants shall apply in writing to the City Clerk to authorize the sale and consumption in public of alcoholic beverages related to a community wide special event. This application shall be in addition to any and all applicable permits or procedures required by the Michigan Liquor Control Commission (the "LCC"). Applicants shall pay a \$25.00 application fee to cover the cost of administering this Policy. The City may also require a security deposit.

3. Service and Consumption of Alcoholic Beverages.

The City Council may by resolution approve a request for public sale and consumption of alcoholic beverages as defined in Section 42-29 of the South Haven Code of Ordinances provided the applicant satisfies the following conditions:

A. Service and consumption of alcoholic beverages may occur only in the designated service area, and only to individuals 21 and older. The Applicant must provide the dimensions of the area for service and consumption, and provide a diagram of the area clearly showing where service and consumption of alcoholic beverages is to occur. The service area shall be secured and enclosed by either snow or chain-link fencing surrounding the area.

C. The Applicant shall not sell, offer to sell, or advertise the sale or service of an unlimited quantity of alcoholic beverages at a specific price (*e.g.* all-you-can-drink for \$20).

D. The entrance to, and exits from the service area shall be staffed with individuals over the age of 21 checking identification of persons entering the area. Staff members shall be appropriately trained in examining identification cards and identifying counterfeits. The Applicant shall provide to persons who have entered the service area a wristband or other clearly visible identification badge indicating that they are permitted access to the designated service area.

E. Alcoholic beverage service and consumption may occur only in the service area designated and approved by the City. Those designated areas shall be limited to only those areas designated by City Council resolution. At no time may an Applicant serve, or permit the consumption of alcoholic beverages in any area other than the designated service area. The Applicant shall not permit passage of alcoholic beverages to outside the designated service area.

F. All alcoholic beverages shall be served by professional bartenders or staff only. No self-serve alcoholic beverages shall be permitted. The Applicant shall provide to the City Clerk its vendor information including contact information for the persons in charge of providing service.

G. The Applicant shall, in its application, indicate measures it will take to differentiate between visitors legally able to purchase and consume alcoholic beverages and minors. The Applicant shall also indicate measures it will take to monitor over serving visitors and for the removal of unruly or obnoxious visitors. The City may require additional measures as needed.

H. The City may restrict the number of persons who are permitted in the designated area at any given time based on the size of the designated area, and the location in which the special event is held. It is the Applicant's sole responsibility to ensure compliance with any crowd limits or other restrictions.

I. The designated area may be open from noon to 11:00 p.m. The sale or service of alcoholic beverages shall be closed 30 minutes prior to closing the designated area.

J. The resolution approving the special event may limit the number and designate the locations for the sale and consumption of alcoholic beverages pursuant to this Policy.

4. Security.

The City shall not be primarily responsible for security, crowd management or control. The Applicant is responsible for providing adequate security for the event. Security must be a top priority. The City reserves the right to require additional police or traffic safety personnel to assist with event management. Attendees waiting to enter the designated service area shall be located in a designated exterior staging area sufficiently demarcated from the designated service area by stanchions or other barrier so as not to interfere with any rights-of-way or the entries or exits to the service area. The Applicant will actively monitor the queue area during its operations. In case of emergency, necessary law enforcement personnel shall be contacted by dialing 9-1-1.

5. Facilities.

The Applicant shall be responsible for keeping the designated service in a clean, safe and sanitary condition for visitors. The Applicant shall ensure that adequate restroom facilities are available nearby the designated service area. The Applicant shall provide at least one portable restroom for every 125 people, upon estimated attendance. The Applicant shall be solely responsible for ensuring adequate trash receptacles and/or recycling bins are available and keeping the area in a clean and slightly condition.

6. Utilities.

The Applicant shall be responsible for securing all utility connections as may be necessary. The Applicant is responsible for making all arrangements and paying all costs for power. If a portable generator will be used, the City reserves the right to inspect the generator to ensure its safety.

7. Set-Up and Take-Down.

The Applicant is responsible for notifying the City of anticipated set up and take-down times. The Applicant is solely responsible for all set-up, take-down and cleanup following an event. The City will not provide trash pickup or removal for the event. The Applicant is solely responsible for removing all garbage, litter and debris created by the event, and such removal shall occur immediately after the event is completed. The Applicant is responsible for refuse disposal. Any and all damage costs will be billed back to the Applicant, including, but not limited to litter and debris, damage to utilities, and turf or foliage damage. If the designated service area is left unkempt, the Applicant may be charged a cleaning/damage fee, forfeit the security deposit and may be banned from having an event in the future.

8. Other Considerations.

In addition to any condition or requirement specifically enumerated in this Policy, the City may consider the impact of service of alcoholic beverages at the event on the public health, welfare, and safety of the community; the size of the proposed event; the desired designated service area; the impact and/or costs of the service as they relate to the City's provision of services; the likelihood of attracting tourists; noise levels; road closures; and, vendors used. The City reserves the right to consider other information as it deems necessary in determining whether to grant the permit pursuant to this Policy.

9. Compliance with Laws.

The Applicant will comply with all applicable state and local laws, ordinances, rules and regulations, including any noise or nuisance ordinances. Applicants are solely responsible for obtaining all necessary permits and/or licenses to serve alcoholic beverages. Copies of all other permits or licenses shall be presented to the City Clerk with the application.

10. Indemnification and Insurance.

Applicants providing service of alcoholic beverages shall obtain and maintain insurance coverage in an amount reasonably acceptable to the City, but which shall not be less than \$1,000,000 per occurrence and \$3,000,000 in the aggregate, naming the City as an endorsed additional insured. The City may require additional amounts as determined in consultation with the City's insurance provider and risk assessor. The Applicant shall hold the City (defined for purposes of this policy to include the City's officers and employees) harmless from, indemnify it for and defend it (with legal counsel reasonably acceptable to the City) against any demands, claims or causes of action arising from the service or consumption of alcoholic beverages approved pursuant to this policy, except for any damages caused by the City's negligence.

11. Miscellaneous.

A. The City reserves the right to change these policies at any time. It is the Applicant's responsibility to ensure that it is complying with the most recent policies adopted by the City.

B. Failure to comply with any term, condition or provision of this Policy may result in the confiscation of alcoholic beverages, prohibition of further use during the event, or possible forfeiture of any damage deposit required by the City.

C. An Application pursuant to this Policy does not guarantee the right to serve or consume alcoholic beverages in conjunction with a special event or festival. The City reserves the right to reject any request to permit the service and consumption of alcoholic beverages for any reason outlined in this Policy, or to request additional information not specifically enumerated in this policy.

D. To the extent this Policy conflicts with any other policy adopted by the City Council, the provisions of this Policy shall govern.

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2013-09

A RESOLUTION TO ESTABLISH A DOWNTOWN SOUTH HAVEN SPECIAL EVENT AREA  
FOR THE PURPOSE OF REGULATING THE SERVICE AND CONSUMPTION OF  
ALCOHOLIC BEVERAGES IN PUBLIC IN CONJUNCTION WITH COMMUNITY WIDE SPECIAL  
EVENTS

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 February 4, 2013 at 7:00 p.m. local time.

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

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

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

WHEREAS, Section 42-29(d) of the City of South Haven Code of Ordinances states that the sale and consumption of alcoholic beverages may occur on publicly-owned property only in areas designated in a resolution adopted by the City Council.

THEREFORE BE IT RESOLVED, that the City Council of the City of South Haven establishes the Downtown South Haven Special Event Area as depicted in the map in Exhibit A.

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

RECORD OF VOTE:

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

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

RESOLUTION DECLARED ADOPTED.

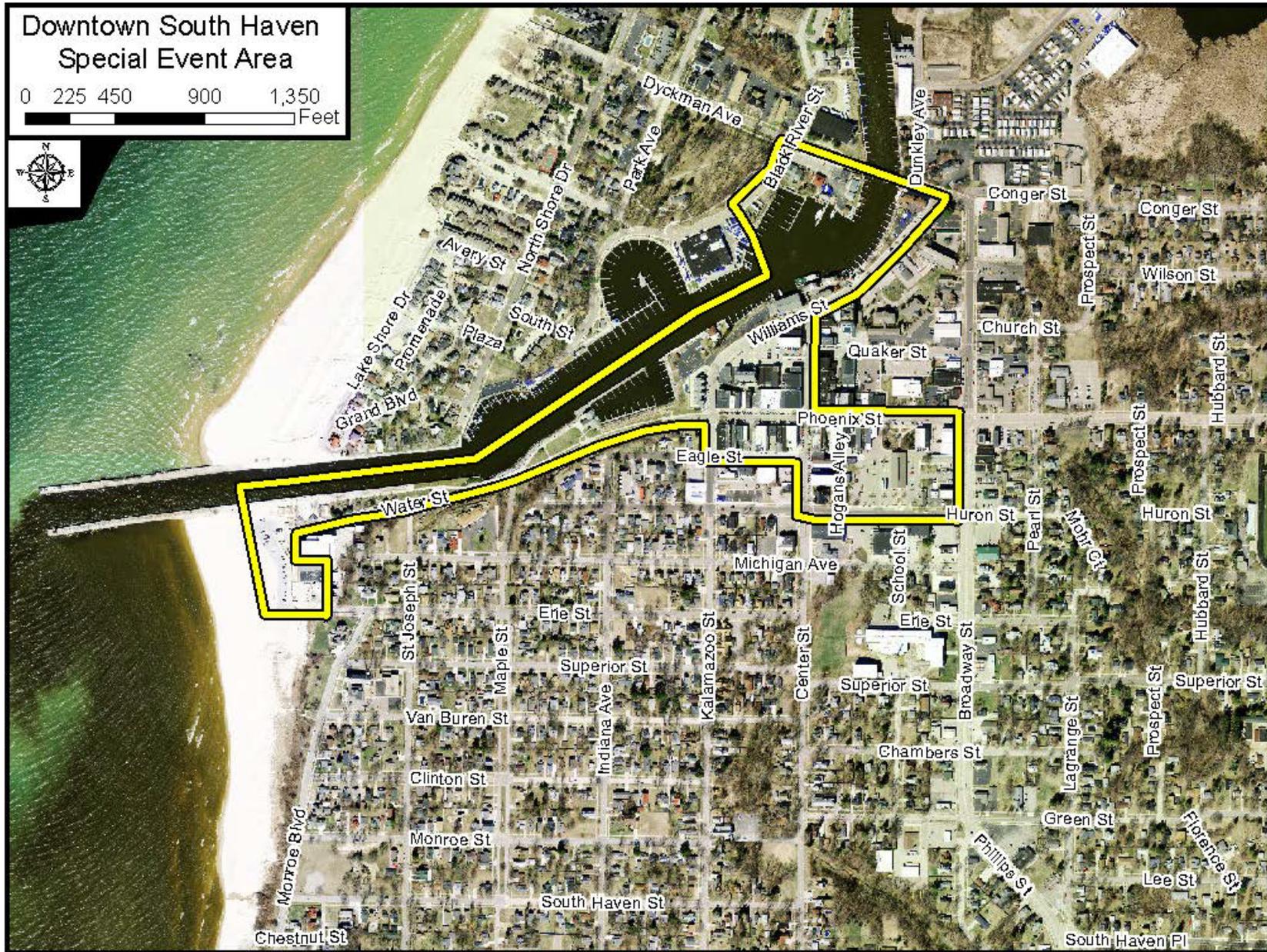
\_\_\_\_\_  
Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the 4<sup>th</sup> day of February, 2013, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

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

EXHIBIT A



# MEMO

February 1, 2013

TO: Brian Dissette, City Manager

FROM: Deb Davidson, DDA Director

SUBJECT: Development Area Citizens Council (DACC) appointments

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**At their February 4<sup>th</sup>, 2013 City Council regular meeting, City Council will be asked to consider appointment of interested residents to the DACC. This action will meet legal requirements and allow the steps in the DDA Plan Amendment process to proceed.**

Background:

The DDA and City Council will consider an amendment to the Development Plan and Tax Increment Financing Plan. There is a strict timeline of events which must be followed. The first is to hold a meeting of the DACC (Development Area Citizens Council) to explain the amendment and ask for comment. Any comments received will be presented to City Council. The meeting is scheduled for Thursday, February 7<sup>th</sup>, 2013 at 5:30 p.m.

In order to meet publishing requirements, the public notice for the February 7<sup>th</sup> DACC meeting appeared in the January 27<sup>th</sup> South Haven Tribune. In the published notice, residents who are interested in serving are asked to me by Friday, February 1<sup>st</sup>, noon.

The DACC was formed in 2000 during the Year 2000 Plan Amendments. The DACC is made up of residents of the Downtown Development District and acts as an advisory board to the Downtown Development Authority and to the City Council in reviewing the Development Plan & Tax Increment Financing Plan.

Last week letters were sent to the ten DACC members who were appointed in 2000 informing them of the meeting.

Recommendation:

City Council should consider the appointments of interested individuals who wish to serve on the Development Area Citizens Council.

**CITY OF SOUTH HAVEN  
PUBLIC MEETING NOTICE  
DEVELOPMENT AREA  
CITIZENS COUNCIL**

On Thursday, February 7, 2013, 5:30 p.m. – 6:30 p.m. South Haven City Hall, 539 Phoenix Street, South Haven, there will be a meeting of the Development Area Citizens Council. The Development Area Citizens Council is made up of residents of the Downtown Development District and acts as an advisory board to the Downtown Development Authority and to the City Council in reviewing the Development Plan & Tax Increment Financing Plan.

The purpose of the meeting is to review the DDA Development Plan and proposed amendments, if applicable.

Those interested in serving must be residents of the DDA District, must be at least 18 years of age, and must be appointed by the City Council. Interested persons are encouraged to contact Debra Davidson by February 1, 2013, 12:00 noon at the address above, at 269-637-0748, or [ddavidson@south-haven.com](mailto:ddavidson@south-haven.com)

January 24, 2013

TO: Brian Dissette

FR: Paul VandenBosch

RE: VanDerZee Jet Ski contract

LJ Agency, Inc. (Linda VanDerZee) is requesting to operate a jet ski rental again this year.

The attached agreement is similar to the previous year agreement, with a 10% increase in the license agreement (\$1,650) and elimination of the requirement that the swimming buoys be removed at the end of the season.

At the end of last season, it was found that the swimming buoy anchors were deeply buried in the Lake bottom, and the jet skis did not have the displacement to lift them out of the water, a larger boat is required. Staff recommends removing this requirement. LJ Agency will continue to assist in placing the buoys in the spring, and pulling them back in place if they are moved by storms throughout the season.

Staff Recommendation:

Approve the license agreement with LJ Agency, Inc.

## LICENSE AGREEMENT

This License Agreement is made as of \_\_\_\_\_, 2013, between the City of South Haven, a Michigan municipal corporation, the principal business address of which is 539 Phoenix Street, South Haven, MI 49090 (the "City"), and LJ Agency, Inc., a Michigan corporation, the principal business address of which is 70720 2nd Avenue, South Haven, MI 49090 (the "Licensee").

### RECITALS

- A. The City owns the property located on the Black River commonly referred to as South Side Marina, as is described and depicted on the attached Exhibit A.
- B. The Licensee wishes to provide a jet ski watercraft excursion service on Lake Michigan to the public and operate a jet ski excursion facility at the South Side Marina during the summer months.
- C. The City wishes to accommodate the Licensee's request in accordance with the terms and conditions of this Agreement.

### TERMS AND CONDITIONS

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

1. License. The City licenses to the Licensee those portions of the South Side Marina designated on the attached Exhibit A (the "Licensed Property") for its use in operating a jet ski watercraft excursion business, subject to the terms and conditions of this Agreement and for no other purpose or use.
  - (a) This license is granted on an "AS IS" basis. The City makes no representations or warranties about the condition of the Licensed Property or its fitness for any purpose or use, and shall have no duty to maintain, repair, replace or improve any portion of the Licensed Property.
  - (b) Except as otherwise provided by this Agreement, no changes may be made to the Licensed Property and no permanent additions may be added to the Licensed Property without the City's prior written consent which the City may for any reason decline. At the expiration of this Agreement, or any renewal thereof, the Licensee shall return the Licensed Property to the condition it was in prior to the effective date of this Agreement. Any costs incurred to the City in the restoration of the Licensed Property to its pre-Agreement condition shall be charged to the Licensee.
2. Term. Unless terminated earlier pursuant to this Agreement, the term of the license shall commence at 7:00 a.m. on May 15, 2013 and expire at 6:00 p.m. on October 1, 2013. The license and this Agreement are subject to annual renewal by mutual agreement of the parties on the same terms and conditions.
3. License Fee. Within 30 days of the execution of this Agreement, or of any renewal thereof, the Licensee shall pay to the City a nonrefundable license fee of \$1,650.00.

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

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

(a) The Licensee's jet ski watercraft excursion business shall only consist of offering guided excursions on Lake Michigan to the public including the use of watercraft for a fee. Prior to any such excursion, the Licensee shall make reasonable efforts to ensure that its customers are capable of operating the jet ski watercraft in a safe and suitable manner, including ensuring renters are of a suitable age and physical condition to operate the jet ski watercraft, providing fundamental training on the operation and safety features of the watercraft, and providing instructional materials and background information to ensure its customers are capable of operating its jet ski watercraft safely and in compliance with all applicable laws.

(b) The Licensee shall instruct its customers not to operate any of its jet ski watercraft within 100 feet of any designated swimming area. The Licensee shall be responsible for ensuring compliance with this requirement.

(c) The Licensee shall use reasonable judgment in determining whether to operate, or otherwise utilize its jet ski watercraft when it is readily apparent that weather or water conditions, including but not limited to wind conditions, undertows or rip currents or other wind or weather condition make use of the jet ski watercraft dangerous or unsuitable.

(d) The Licensee may install a floating dock on the Licensed Property, in accordance with plans and specifications approved by the City. The Licensee shall be responsible for outfitting the dock with any equipment reasonably necessary for the operation of the jet ski watercraft excursion business.

(e) The Licensee shall ensure that its operation of the jet ski watercraft excursion business, and the use and operation of its jet ski watercraft on Lake Michigan comply at all times with applicable local, state and federal laws, rules, regulations, ordinances, orders, permits, and licenses.

(f) The Licensee may operate its business on the Licensed Property from 9:00 a.m. to 8:00 p.m., seven days per week, during the term of this Agreement.

(g) During the operating hours specified above, the Licensee may moor its jet ski watercraft in a designated area as specified on the attached Exhibit A.

(h) The Licensee agrees that, if deemed necessary by City emergency rescue personnel, such personnel may utilize an available jet ski watercraft to respond to public emergencies at no cost to the City.

(i) The Licensee shall perform routine buoy maintenance as needed on City beach buoys, which shall include installation of buoys in spring, moving buoys back to their original locations when they are displaced throughout the season, as directed by the City.

(j) The Licensee may not sell or vend any food products or other merchandise from the Licensed Property.

(l) The Licensee shall make no representations to any person or entity as to any affiliation with, endorsement by, or sponsorship with the City. At no time during the term of this Agreement is the Licensee to be considered affiliated with the City. The City's logo shall not be used at any time for any purpose by the Licensee. On its excursion agreement with customers, the Licensee shall conspicuously display a notice disclaiming any affiliation with the City. The notice shall read:

THIS EXCURSION AND JET SKI OPERATION IS OPERATED EXCLUSIVELY BY LJ AGENCY, INC. d/b/a HARBOR JET SKIS. THE CITY OF SOUTH HAVEN HAS NO ROLE IN ITS OPERATION.

6. Indemnification. The City shall not be responsible for any loss, damage or injury from the Licensee's operation of the jet ski watercraft excursion business or its use of the Licensed Property under this Agreement. The Licensee shall hold the City (defined for purposes of this paragraph to include the City's officers and employees) harmless from, indemnify it for and defend it (with legal counsel reasonably acceptable to the City) against any demands, claims or causes of action arising from the Licensee's operation of the jet ski watercraft excursion business or its use of the Licensed Property under this Agreement.

7. Insurance. Throughout the term of this Agreement, or any renewals thereof, the Licensee shall obtain and maintain commercial general liability insurance with limits of not less than \$1,000,000.00 dollars per occurrence and \$3,000,000.00 dollars in the aggregate. All policies shall name the City (including its officers and employees) as an additional insured and certificate holder. Copies of certificates of insurance showing the coverage to be in place, that the premiums are fully paid, and that coverage cannot be terminated or modified except after 30 days prior written notice to the City, shall be provided to the City. Upon request, the Licensee shall provide the City with copies of the policies of insurance and all endorsements.

8. Assignment or Use by Others Prohibited. The Licensee may not assign this Agreement or its rights, privileges, duties or obligations under this Agreement and may not allow any other person or entity to use the Licensed Property for any purpose without the City's prior written consent.

9. Termination. The license granted pursuant to this Agreement is terminable at the will of either the City Council or the Licensee. The City Manager may, upon a reasonable belief that a breach of this Agreement has occurred suspend the license granted by this Agreement, effective immediately. In case of suspension, Licensee may appeal such suspension to the City Council in writing. Upon receipt of the written appeal, the City shall give the Licensee written notice of the date and time of the next City Council meeting at which such appeal will be considered so that the Licensee may address the City Council. Upon the termination of this Agreement, the Licensee shall, unless the City otherwise consents by resolution of the City Council, without cost to the City, remove any temporary structure and restore the Licensed Property to the condition it was in prior to the date of this Agreement.

10. Miscellaneous.

(a) This is the entire agreement between the parties regarding its subject matter. There are no prior or contemporaneous agreements. It may not be modified or amended except in

writing, signed by all parties. It shall not be affected by any course of dealing. The captions are for reference only and shall not affect its interpretation.

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

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

CITY OF SOUTH HAVEN

LJ AGENCY, INC.

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

By: \_\_\_\_\_  
Linda VanDerZee, President

Date Signed: \_\_\_\_\_, 2013

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

Date Signed: \_\_\_\_\_, 2013

**MEMORANDUM**

DATE: January 25, 2013

TO: Brian Dissette, South Haven City Manager

FROM: Connie Phillips, South Haven City Deputy Assessor

SUBJECT: Resolution to Appoint Board of Review, Rate of Compensation, and Meeting Schedule for 2013

I would like to submit the attached resolution appointing the board members, setting the board's compensation, and setting the meeting dates for tax year 2013.

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2013-10

A RESOLUTION APPOINTING A BOARD OF REVIEW AND ESTABLISHING A RATE OF  
COMPENSATION AND A MEETING SCHEDULE FOR TAX YEAR 2013

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 February 4, 2013 at 7:00 p.m. local time.

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

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

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

WHEREAS, the South Haven City Charter and state property tax law require the appointment and operation of a Board of Review for the purpose of hearing and deciding property tax appeals at a duly appointed time and place annually; and

WHEREAS, the City of South Haven by ordinance requires that appointments, compensation, and meetings of the Board of Review shall be provided for by resolution annually for the current tax year:

WHEREAS, Public Act of 143 of 2006 allows the appointment of not more than two alternate members for the same term as the regular members of the Board of Review, who may be called to perform the duties of a regular member of the board of review as needed,

BE IT THEREFORE RESOLVED, that for tax year 2013 there is hereby established a City of South Haven Board of Review of regular and alternate members which shall elect from its own membership a chairperson and an alternate,

BE IT FURTHER RESOLVED, that the following City of South Haven residents are hereby appointed as regular or alternate members to the 2013 City of South Haven Board of Review:

<u>Name</u>	<u>Address</u>
1. Mark DeLisle	437 North Shore Dr
2. Joan Hoyt	922 Hazel St
3. Joan Roth	729 South Haven Pl
4. William Roberts	36 Apache Ct

BE IT FURTHER RESOLVED, that each member and alternate member of the 2013 Board of Review shall be compensated at a rate of \$100.00 per day for each day the member sits in session for hearing of appeals; and,

BE IT FURTHER RESOLVED, the regular schedule for 2013 Board of Review meetings and appeal hearings, to be conducted at the South Haven City Hall, shall be as follows:

- First Meeting                      Tuesday, March 5. 10:00 a.m. for board organization and review of assessment roll. (No hearing of appeals)
  
- Second Meeting                    Monday, March 11. 9:00 a.m. – 12:00 noon and 1:30 p.m. – 4:30 p.m., hearing of appeals.
  
- Third Meeting                      Friday, March 15. 3:00 p.m. – 9:00 p.m., hearing of appeals.
  
- Fourth Meeting                    Tuesday, March 19. 9:00 a.m. – 12:00 noon hearing of final appeals and board finalization of assessment roll.
  
- Fifth Meeting                      Tuesday, July 16. 10:00 a.m.
  
- Sixth Meeting                      Tuesday, December 10. 10:00 a.m.

Additional meetings may be scheduled by the Board Chairperson, as deemed necessary, for the hearing of appeals and/or deliberating and rendering board decisions; and

BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby repealed; 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 4<sup>th</sup> day of February, 2013, 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

# Memo

To: Brian Dissette  
City Manager

From: Brandy Gildea  
Parks and Recreation Supervisor

Date: January 25, 2013

Re: 2013 -2017 MDNR 5- Year Recreation Plan

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The City of South Haven's 5 - Year Recreation Plan written in conjunction with South Haven Public Schools, South Haven Area Recreation Authority (SHARA), and the South Haven Township is ready for City Councils Approval.

A 5- Year Recreation Plan is a requirement of the State of Michigan in order for a jurisdiction to be eligible for grant funding. The intent of the plan is that any potential grant-funded goals and/or projects should be included in the plan in order to improve chances that a project will be selected by state grant agencies.

Due to the size of this document the City of South Haven's Inventory section has been put into a separate document.

After City Council released the plan for distribution the plan was presented to the Harbor Commission and the Planning Commission for comments. These comments were then presented to the Parks Commission for their review and edits of the plan. In December the Parks Commission held a public hearing for the recreation plan and made a motion to approve the plan and to recommend that City Council approve and adopt the proposed 5 - Year Recreation Plan.

The South Haven Township, SHARA and the South Haven Public Schools have already approved their sections of the plan.

City Council will need to review the 5 - Year Recreation Plan and when satisfied make a motion to approve the plan and approve a resolution of adoption.

Support Material:

*(Please click on the following links to view the plans)*

[Recreation Plan Draft](#)

[Recreation Inventory Draft](#)

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2013-11

A RESOLUTION ADOPTING A 5-YEAR RECREATION  
PLAN FOR THE CITY OF SOUTH HAVEN

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 February 4, 2013 at 7:30 p.m. local time.

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

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

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

WHEREAS, the City Council of the City of South haven have reviewed the City of South Haven Recreation Plan and Recreation Inventory, Maps and Accessibility Assessments; and

WHEREAS, the City of South Haven Recreation Plan and Recreation Inventory, Maps and Accessibility Assessments has been reviewed by the Harbor Commission, Planning Commission, and South Haven Area Recreation Authority; and

WHEREAS, the Parks commission has held a public hearing to discuss the City of South Haven Recreation Plan and Recreation Inventory, Maps and Accessibility Assessments on December 11, 2012 at 6:00 p.m. in the Council Chambers, City Hall, City of South Haven, 539 Phoenix Street, South Haven, Michigan 49090; and

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of South Haven adopts the 2013-2017 City of South Haven Recreation Plan and Recreation Inventory, Maps and Accessibility Assessments.

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

RECORD OF VOTE:

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

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

RESOLUTION DECLARED ADOPTED.

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

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the 4<sup>th</sup> day of February, 2013, 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*).

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Amanda Morgan, City Clerk



## Agenda Item 12

### Annual Priority Setting Approval

#### Background Information:

The City Council will be asked to adopt the annual priorities for the upcoming fiscal year 2013-14.

Attached is a listing of the priorities discussed at the City Council's priority setting workshop session, which was held on January 28, 2012. As part of the workshop session, Council members were asked to provide guidance to staff on their priorities for the City of South Haven. Those goals/priorities were described by the attendees in broad terms and then focused towards the upcoming fiscal year. The list indicates a strong commitment to addressing both the long-term and short-term needs of the community. Some of the highlights of the proposed priorities includes: improved roads and infrastructure, development of bike/pedestrian pathways, building improvements, and economic development.

Council has received a listing of the proposed annual priorities that intends to focus time and resources on for the fiscal year 2013-14.

#### Recommendation:

City Council is encouraged to adopt the set of City Council Priorities for the upcoming fiscal year 2013-14.

#### Support Material:

FY 2013/2014 DRAFT City Council Priorities

**City Council Priorities  
Fiscal Year 2013-14**

**Priority #1; Street Repairs**

- City Council will focus on the planning and execution of as many paving projects as possible, throughout the city. The following tasks will be completed:
  - During the 2013-14 fiscal year Council will work with staff and the Downtown Development Authority to plan for the construction of the Phoenix Street reconstruction project.
  - During the 2013-14 fiscal year Council will work with staff and consulting engineers on the construction planning and financial planning for the implementation of the Indian Grove infrastructure improvement (e.g. Monroe, Lovejoy, and Kalamazoo Streets) project.
    - Utilizing the grant funding provided by the State of Michigan, through the SRF program, for the Indian Grove infrastructure improvement project, the City will ensure the sanitary sewer system planning is complete and future capital projects will maximize benefit to the sewers.
  - During the 2013-14 fiscal year Council will work with staff to execute paving projects in the 2013 paving season and begin planning for 2014-15 projects.
    - The City will identify a “mix of fixes” and invest in both the resurfacing and the reconstruction of streets. As part of these investments, the City will prioritize the street reconstruction of portions of Kalamazoo Street. And will also prioritize street repair efforts on portions of Center Street, Superior Street, Wilson Street, and Conger Streets.

**Priority #2; Economic Development**

- City Council will seek to participate in Economic Development efforts for the City of South Haven. The following tasks will be completed:
  - During the 2013-14 fiscal year Council will work with staff and the Local Development Finance Authority (LDFA) to redevelop the recently acquired industrial site at 220 Aylworth.
  - During the 2013-14 fiscal year Council will work with staff, local businesses and stake holders to encourage, attract, and maintain local businesses and opportunities.
    - The City will attempt to attract and develop agriculture based businesses and industry within the South Haven community.

- The City will review the current special events and consider new special events, in an attempt to ensure that special events generate a positive economic impact for local businesses, and seek to improve the quality of life of community residents and visitors.
- During the 2013-14 fiscal year Council will focus on continuing to explore and enact partnership opportunities with the local units of government which surround the City of South Haven.
- During the 2013-14 fiscal year Council will focus on supporting training initiatives/internships for existing and potential citizens and businesses in the City of South Haven.
- During the 2013-14 fiscal year Council will refine policies and programs which encourage, whenever fiscally prudent, the purchase of local goods and services.
- During the 2013-14 fiscal year Council will work with staff to develop a plan for the future of the city's dump site, located at Blue Star Hwy and 2<sup>nd</sup> Avenue.
- During the 2013-14 fiscal year Council will work with staff to monitor the Meijer commercial development, along with the potential development of the adjacent properties, and their effects on the surrounding neighborhoods.

### **Priority #3; Parks & Public Spaces**

- City Council will seek to improve, maintain, and seek funding opportunities for the city's parks and public facilities. The City Council will seek to develop new recreation opportunities within the city. The following tasks will be completed:
  - During the 2013-14 fiscal year Council will work with staff to complete the planning and develop grant funding requests for the proposed improvements to the city's North Beach Park.
    - Maintenance of the city's various beach access points will be a priority.
    - Explore the possible creation of a "splash pad" water park.
  - During the 2013-14 fiscal year Council will work with staff to complete the construction of the partially grant funded reconstruction of the Elkenburg Park.
  - During the 2013-14 fiscal year Council will work with staff to seek grant funds to assist with the planning and development of improvements in and near the Black River Park. Those improvements should allow greater access to the Black River and attempt to improve water quality.
    - City Council will seek to maintain the public infrastructure within the Dunkley Redevelopment Area.

- During the 2013-14 fiscal year Council will work with staff and the regional community stakeholders to assist with planning and development of the SHARP project.
  - Staff will continue to assist with the development of the South Haven Area Recreation Authority (SHARA)
- During the 2013-14 fiscal year Council will work with staff, concerned volunteers, and impacted property owners/stakeholders to plan and construct a new BMX/Pump Track park facility.
- During the 2013-14 fiscal year Council will work with staff, along with the impacted organizational stakeholders, to create capital improvement plans for the buildings and grounds at the South Haven Center for the Arts and the Liberty Hyde Bailey Museum.
- During the 2013-14 fiscal year Council will explore new park and public space programs which enhance City revenue and provide greater management oversight.
  - The Council will explore park rental programs, and continued updates to the beach parking program, and other revenue enhancements which could be used to benefit the City's parks and public spaces.

#### **Priority #4; Building Improvements & Construction**

- City Council will seek to construct and/or improve a portion of the city's public buildings and grounds. The following tasks will be completed:
  - During the 2013-14 fiscal year Council will actively explore concession stand proposals for the South Beach. These proposals may include potential partner agencies to assist with the capital cost for the proposed project.
    - As part of the concession stand planning, City Council will explore improvements which provide greater access to restrooms, family restrooms, changing rooms, accessible improvements, and the possible creation of conference space.
  - During the 2013-14 fiscal year Council will work with staff to complete construction of the partially grant funded reconstruction of the North Marina building.
  - During the 2013-14 fiscal year Council will work with staff to complete the construction of the reconstruction of the Police/Fire Complex. These

improvements are to be financed through the emergency dispatch consolidation savings.

- During the 2013-14 fiscal year Council will work with staff to plan and implement upgrades to the City Hall façade.
- During the 2013-14 fiscal year Council will work with staff to plan and implement upgrades to the Department of Public Works facility, which may include the development of a cold storage area for electric transformers and the possible expansion of the facility's grounds.

#### **Priority #5; Infrastructure Maintenance & Improvements**

- City Council will seek to maintain the highest quality public infrastructure. The following tasks will be completed:
  - During the 2013-14 fiscal year Council will work with staff and the Board of Public Utilities to explore the city's sanitary sewer system and eliminate inflow and infiltration of storm water connections from flowing to the Waste Water Treatment Plant.
  - During the 2013-14 fiscal year Council will work with staff to plan and explore the possible creation of a Corridor Improvement District, which seeks to improve the public infrastructure on portion of Broadway and Phoenix Streets.

#### **Priority #6; Bicycle & Pedestrian Pathways**

- City Council will seek to plan and construct bicycle paths throughout the city. The following tasks will be completed:
  - During the 2013-14 fiscal year Council will work with staff to complete construction of the partially grant funded Van Buren Trail bicycle pathway project, which connects bicycle riders from the city's downtown to the State of Michigan's Van Buren State Park.
  - During the 2013-14 fiscal year Council will work with staff on the planning and development of the Blue Star Highway multi-use trail project.

#### **Priority #7; Budget Controls**

- City Council will seek to develop policies and procedures which assure budget controls and cost containment are a priority.

- During the 2013-14 fiscal year Council will work with staff to plan and develop an operating budget which aligns with the decreasing State and local anticipated revenues.
  - During the 2013-14 fiscal year Council will seek to update the City's capital improvement plan. That plan will seek to incorporate and update the adopted Infrastructure Improvement Plan, WWTP Capital Plan, Indian Grove Infrastructure Plan, and Electric System Capital, and seek to guide spending decisions and budget planning for the next ten (10) years.
- During the 2013-14 fiscal year Council will work with staff to ensure the City of South Haven complies with the requirements of the State of Michigan's Economic Vitality Incentive Program (EVIP) to ensure maximum revenue is returned to the city.

**Priority #8; Central Business District Maintenance & Improvements**

- City Council will seek to improve the city's downtown central business district. The following tasks will be completed:
  - During the 2013-14 fiscal year Council will work with staff to plan and implement repairs and maintenance of the downtown public infrastructure.
  - During the 2013-14 fiscal year Council will work with staff to review funding options to make improvements in the city's downtown.
  - During the 2013-14 fiscal year Council will work with staff to plan and implement the development of a public WIFI system in the Central Business District.

**Priority #9; City Code & Charter Review**

- City Council will seek to review and consider possible alterations to the City's Code of Ordinances. The following tasks will be completed:
  - During the 2013-14 fiscal year Council will work with staff to review and consider alterations to the City's Code of Ordinances to ensure best practices. Staff will be expected to prepare a variety of code review reports, with possible alterations, for the City Council's consideration.
    - Included in the review process, the Council will work with staff to review term limits on appointed boards and commissions, and consider whether term limits are still beneficial to the City of South Haven.

### **Priority #10; Customer Service**

- City Council will seek to improve customer service and support from the city's various departments. The following tasks will be completed:
  - During the 2013-14 fiscal year Council will work with staff to plan and implement customer service and job training to city staff, focusing on improving the public's impression of and interaction with the city's staff.

### **Priority #11; Land Acquisition**

- City Council will explore the possible acquisition of property which present specific value (e.g., recreational and/or environmental) to the citizens and guests of the City of South Haven. The following tasks will be completed:
  - During the 2013-14 fiscal year Council will work with staff to seek grant funds to assist with the potential acquisition of the privately owned, undeveloped parcels adjacent to Lake Michigan and/or the Black River.
  - During the 2013-14 fiscal year Council will work with staff and the South Haven Public School system to seek grant funding for the purchase of the Packard Park property.

### **Priority #12; Explore Youth Services Programs**

- City Council will explore the possible expansion of services tailored to address the needs of local youth. The following tasks will be completed:
  - During the 2013-14 fiscal year Council will work with staff to explore the possible development of youth services. Staff will seek to develop possible partnerships to develop youth services programs. Staff will seek possible funding sources to offset the service costs.