

# City Council

## Regular Meeting Agenda

Tuesday, September 3, 2013  
7:00 p.m., Council Chambers



### 1. Call to Order

### 2. Invocation

- Moment of Silence

### 3. Roll Call

### 4. Approval of Agenda

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

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

- A. Council will be requested to approve the City Council Minutes of August 19, 2013 and August 26, 2013.
- B. Bills totaling \$349,881.01 for the period ending September 4, 2013 be approved and forwarded to the Clerk and Treasurer for payment.
- C. Council will be asked to approve consulting contracts with GRP Engineering Inc. to provide engineering services for design, construction administration, and start-up for the following 2013-14 Electrical Projects:
  - 1) Phoenix Road Substation Transformer Procurement in the amount of \$6,000.
  - 2) Project #102 PR-C Circuit 2nd Avenue in the amount of \$13,000.
  - 3) Project #103 PR-D Circuit Veteran's Blvd. in the amount of \$43,000.
  - 4) Core City Secondary Upgrades on an hourly basis.
- D. Council will be asked to approve a professional services agreement with Abonmarche, to provide engineering services for design, bidding, and construction services for a sanitary sewer extension on Monroe Blvd, in the amount of \$15,500.
- E. Council will be asked to receive the following administrative reports and approved minutes to be placed on file:
  - 1) 04-09-2013 Parks Commission Minutes
  - 2) 04-16-2013 Harbor Commission Workshop Minutes
  - 3) 05-21-2013 Harbor Commission Minutes
  - 4) 06-11-2013 Parks Commission Minutes
  - 5) 06-18-2013 Harbor Commission Minutes
  - 6) 06-24-2013 BPU Minutes
  - 7) 07-09-2013 Parks Commission Minutes
  - 8) 07-11-2013 BPU Special Meeting Minutes
  - 9) 07-16-2013 Harbor Commission Minutes
  - 10) 07-16-2013 Harbor Commission Workshop Minutes

- 11) 07-16-2013 LHBM Minutes
- 12) 07-17-2013 Airport Authority Minutes
- 13) 08-01-2013 LHBM Minutes
- 14) 08-20-2013 LHBM Minutes

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

#### BOARD & COMMISSION APPOINTMENTS

- 6. City Council will be asked to consider the appointment of Brian Peterson to fill a 3-year term on the Planning Commission expiring in 2014.**

#### UNFINISHED BUSINESS

- 7. City Council will be asked to continue the public hearing regarding the Corridor Improvements Authority.**
- 8. City Council will be asked to consider the approval of an Ordinance to amend the official map of the South Haven zoning ordinance to rezone 16.8 acres from industrial I-1B to industrial I-1.**
- 9. City Council will be asked to consider the approval of an Ordinance to amend section 201 of the South Haven zoning ordinance to define easement and private road.**
- 10. City Council will be asked to consider the approval of an Ordinance to amend section 2001 and 2008 of the South Haven zoning ordinance to allow for institutional signage in residential zones.**

#### NEW BUSINESS

- 11. City Council will be asked to consider approval of Resolution 2013-53, a resolution setting a public hearing regarding the American Twisting IFT.**
- 12. City Council will be asked to approve Special Event 2014-01 Summer Art Fair.**
- 13. City Council will be asked to consider approval of Resolution 2013-54, a resolution adopting the 2013 special assessment installment poverty exemption guidelines.**
- 14. City Council will be asked to consider approval of Resolution 2013-55, a resolution authorizing the City Manager to effectuate a settlement agreement with DuPont, for damage done to city trees by DuPont fertilizer.**
- 15. 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.)*

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

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

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.

**18. Adjourn**

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "B. Dissette". The signature is stylized with a large initial "B" and a long horizontal stroke.

Brian Dissette, City Manager

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## City Council

### Regular Meeting Minutes

Monday, August 19, 2013  
7:00 p.m., Council Chambers



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

#### 2. Invocation

- Pastor Aaron Cobbs – Spiritual Church of Christ

#### 3. Roll Call

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

Absent: None

#### 4. Approval of Agenda

Moved by Gruber to approve the agenda with the addition of 11a. Seconded by Klavins.

Voted Yes: All. Motion Carried.

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

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

- A. Council will be requested to approve the City Council Minutes of August 5, 2013.
- B. Bills totaling \$2,053,389.77 for the period ending August 20, 2013 be approved and forwarded to the Clerk and Treasurer for payment.
- C. City Council will receive an interim financial report.
- D. City Council will be requested to approve health insurance changes.

A Roll Call Vote was taken:

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

Nays: None

Motion carried

#### UNFINISHED BUSINESS

#### 6. City Council will be asked to consider the following items regarding the Elbe & Sohn IFT:

- A. Hold public hearing regarding Elbe & Sohn IFT
- B. Approve Resolution 2013-48 regarding the approval of the Elbe & Sohn IFT.

*Background Information:* The City Council will be asked to consider approval of a resolution related to an Industrial Facilities Tax Exemption Certificate for Elbe & Sohn, located at 1875 Dewey Lane.

The tax request, which totals \$513,763, is for personal property acquired by the company, and is part of the company's solar panel project. The solar panels are intended to provide electricity to the company's Dewey Lane facility. The applicant notes that the company anticipates retaining twenty seven (27) existing jobs at their facility as a result of the project.

Elbe & Sohn has been located in the City of South Haven since 2001. The company, which is based in Europe, created a presence in the United States in the mid 1980's. The company focuses on the assembly of propeller shafts for various applications. The company also produces double joints for powered steering axles, ball and socket joints, and input and output yokes.

The estimated total value of the Industrial Facilities Tax Exemption Certificate for Elbe & Sohn is \$26,412 over the 12 year life of the agreement. The tax exemption does include a "claw-back" provision, which allows the City of South Haven to seek the abated tax amount if the terms of the abatement are not met by the business.

**Item A: Hold public hearing regarding Elbe & Sohn IFT**

Moved by Fitzgibbon to open the public hearing regarding Elbe & Sohn IFT.  
Seconded by Kozlik Wall.

A Roll Call Vote was taken:

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

Motion carried

No public comment at this time.

Moved by Kozlik Wall to close the public hearing regarding Elbe & Sohn IFT.  
Seconded by Patterson.

Voted Yes: All. Motion carried

**Item B: Approve Resolution 2013-48 regarding the approval of the Elbe & Sohn IFT**

Moved by Fitzgibbon and seconded by Patterson to approve Resolution 2013-48 regarding approval of the Elbe & Sohn IFT.

Voted Yes: All. Motion carried.

NEW BUSINESS

**7. City Council will be asked to consider the introduction of an Ordinance to amend the official map of the South Haven zoning ordinance to rezone 16.8 acres from industrial I-1B to industrial I-1.**

*Background Information:* At the June 6, 2013 meeting, the Planning Commission heard public comments relating to a request from the LDFA to rezone 16.8 acres from the I-1B Industrial zoning to I-1 Light Industrial zoning district. The subject properties are located at 220 Aylworth and 1280 Kalamazoo Streets as shown on the attached map.

Following the public hearing where no comments were received, the Planning Commission unanimously approved a resolution recommending adoption of the rezoning to City Council (attached).

Moved by Gruber, seconded by Kozlik Wall to approve the introduction of an Ordinance to amend the official map of the South Haven zoning ordinance to rezone 16.8 acres from industrial I-1B to industrial I-1.

Voted Yes: All. Motion Carried.

**8. City Council will be asked to consider the introduction of an Ordinance to amend section 201 of the South Haven zoning ordinance to define easement and private road.**

*Background Information:* In August of 2012, the zoning board of appeals (ZBA) heard a request for zoning ordinance interpretation involving private streets and easements. The interpretation was required in part because the zoning ordinance did not include definitions for easements and private streets.

Staff requested that the city attorney review the easement agreement under discussion and be present at that meeting. Following the meeting and at the request of the ZBA, the attorney prepared two (2) definition amendments to help the city avoid similar confusion in the future.

Moved by Fitzgibbon seconded by Kozlik Wall to approve the introduction of an Ordinance to amend section 201 of the South Haven zoning ordinance to define easement and private road.

Voted Yes: All. Motion Carried.

**9. City Council will be asked to consider the introduction of an Ordinance to amend section 2001 and 2008 of the South Haven zoning ordinance to allow for institutional signage in residential zones.**

*Background Information:* In February of 2013, the zoning board of appeals (ZBA) heard a request for a zoning ordinance variance to allow a freestanding sign in a residential zone. The sign was requested by the Historical Society on Hubbard Street. The variance was granted but the ZBA members questioned the requirement for non-profit or institutional land uses in residential zones to always go to the ZBA for such signs. The members asked that the planning commission review the requirements for signs in residential zoning districts and consider making such sign approval administrative.

The planning commission subsequently discussed the matter and asked staff to proceed with a text amendment.

The planning commission held a public hearing on June 6, 2013 (minutes included). There were no comments received. The planning commission moved unanimously to forward the draft amendment to the city council.

Moved by Fitzgibbon, to approve the introduction of an Ordinance to amend section 2001 and 2008 of the South Haven zoning ordinance to allow for institutional signage in residential zones. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried.

**10. City Council will be asked to consider Resolution 2013-49 a resolution to approve MDOT contract 13-5414.**

*Background Information:* The City of South Haven has received two grant awards from the Michigan Department of Transportation for rehabilitation of the Dyckman Avenue Bascule Bridge over the Black River. Funding is being provided via the Small Urban Program and the Local Bridge Program. The proposed work will replace the original hydraulic and electric systems that have exceeded their design life span. This work is necessary to ensure that the movable bridge leaves continue to operate in a satisfactory manner into the future. In addition, concrete and steel bridge decks will be rehabilitated to improve ride quality and sidewalks will be repaired to ensure safety for pedestrians.

The City is required to provide matching funds for each grant program in accordance with the program requirements. In addition, the City is required to pay 100% of all engineering, legal, and administrative costs necessary to complete the project. These costs include development of all necessary plan and bid documents, plus construction inspection, testing, and administration services.

On August 6, 2012, Council approved a contract with Hardesty & Hanover, LLC to provide engineering services for this project. The design engineering is now complete and the Michigan Department of Transportation is currently soliciting bids for this project. The total construction cost is estimated to be \$2,005,600. Of that amount, the City of South Haven's participating share is anticipated to be \$286,200. A detailed breakdown of the Cost Participation can be found in Exhibit I of the attached contract.

The Michigan Department of Transportation requires that the City approve and sign the attached contract which stipulates the terms of the grant award. The contract requires that the City make progress payments to the Michigan Department of Transportation as construction progresses. The Michigan Department of Transportation will hold the construction contract and will pay the contractor for work completed. Similar contracts have been entered into for the Wells Street Improvements in 2011 and 73<sup>rd</sup> Street Improvements in 2010.

Public Comment –

Pete Berger – Voiced concerns about placement of the hand railing on new sidewalk.

Moved by Kozlik Wall to approve Resolution 2013-49 a resolution to approve MDOT contract 13-5414. Seconded by Patterson.

Voted Yes: All. Motion carried.

**11. City Council will be asked to consider Resolution 2013-50 a resolution to apply for Great Lakes Fishery Trust Fund grant funds for the Black River Park improvement project.**

*Background Information:* The City Council will be asked to consider a resolution authorizing the City Manager to apply for Great Lakes Fishery Trust Fund (GLFT) grant funds for the Black River Park improvement project.

The grant application seeks funds for construction of a fishing area, seawall, and parking area improvements to Black River Park (at the site of the former Street Department.) The seawall design will incorporate boulders, as opposed to a steel seawall, in an effort to provide a habitat for river species. In 2011, the draft design was reviewed and approved by the City's Harbor Commission and Parks Commission. Should the grant be approved, staff will present an updated park design to those boards, and the Planning Commission for consideration, prior to seeking final approval from the City Council to construct the project.

The funding request seeks \$105,000 in grant and the City may provide up to a \$51,200 local match for the project.

The GLFT is an innovative funding source created in April 1996 as part of the settlement with Consumers Energy and the Detroit Edison Company for fish losses caused by the operation of the Ludington Pumped Storage Plant. The utilities provide annual compensation to the GLFT for fish losses caused by the plant. The GLFT provides funding to educational institutions, nonprofit organizations, and government agencies for projects related to Great Lakes fisheries to provide mitigation for the losses. GLFT funds are used for

- Public education relating to the Great Lakes fishery;
- Research on the Great Lakes fishery, with special emphasis on rehabilitation of lake sturgeon and lake trout;
- Fishery habitat protection and restoration, with special emphasis on the Muskegon River Watershed; and
- Increased fishing access, including land acquisition and site enhancement, to the Great Lakes fishery for shore-based angling and tribal fishing.

Since 1998, the GLFT has awarded over \$44 million in grants to enhance the Great Lakes fishery. Should the City Council wish to continue the application process, the City Council must now adopt a resolution which authorizes staff to apply for the GLFT grant.

Moved by Fitzgibbon to approve Resolution 2013-50 a resolution to apply for Great Lakes Fishery Trust Fund grant funds for the Black River Park improvement project. Seconded by Klavins.

Voted Yes: All. Motion carried.

**11a. City Council will be asked to hold a public hearing regarding the Corridor Improvement Authority.**

Moved by Kozlik Wall to open the public hearing regarding Corridor Improvement Authority.  
Seconded by Patterson.

A Roll Call Vote was taken:

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

Motion carried

Public Comment –

Dan Metzinger – Spoke about roads being fixed by MDOT.

Dorothy Appleyard – Voiced concerns about project and extending the public hearing.

Moved by Gruber to continue the public hearing regarding Corridor Improvement Authority to the September 3, 2013 City Council meeting. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried

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

Ben Stegman – Concerned about where the E coli is coming from. Also wondered if the Corridor Improvement Authority would add more parking.

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

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

Kozlik Wall – Blueberry Fest was awesome. Staff did a wonderful job on clean up and keeping up with trash.

Gruber – Would have liked to see Dave Paull at the meeting since it was about rezoning.

Fitzgibbon – Stated she will have fun this winter with the bridge work and Phoenix Street work.

Patterson – Blueberry Fest was great.

Arnold – Said if he was in Chicago and got towed – their merchants would not care.

Klavins – Spoke about the Blue Star Trailers big ride the past weekend.

Burr – Solution to the parking situation – ride your bike.

## **15. Adjourn**

Moved by Fitzgibbon to adjourn. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried. Meeting adjourned at 8:08 p.m.

City of South Haven  
Regular Meeting Council Minutes  
City Hall, Council Chambers  
7:00 p.m., Monday, August 19, 2013  
RESPECTFULLY SUBMITTED,

**DRAFT**

A handwritten signature in black ink, appearing to read "M. Coffey".

Michelle Coffey  
Deputy City Clerk

Approved by City Council: **DRAFT**

## City Council

### Special Meeting Minutes

Monday, August 26, 2013  
7:00 p.m., Conference Room B



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

#### 2. Roll Call

Present: Fitzgibbon, Gruber, Klavins, Kozlik Wall, Patterson, Burr  
Absent: Arnold

Moved by Gruber to excuse Arnold for personal reasons. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried.

#### 3. City Council will be asked to consider the following regarding the Phoenix Street Improvements:

- A. Hold public hearing on Phoenix Street proposed grant amendment.
- B. Approve Resolution 2013-51 a resolution authorizing the execution of Grant Amendment No. 1.
- C. Approve a construction contract with Milbocker and Sons in the amount of \$2,875,101.80.
- D. Approve a professional services proposal from Cornelisse Design Associates for Landscape Architecture services in the amount of \$39,500.
- E. Approve a professional services proposal from Abonmarche for engineering support services in the amount of \$40,000.
- F. Approve a professional services proposal from Midwest Civil Engineers for construction staking services in the amount of \$33,042.
- G. Approve a professional services proposal from NTH Consultants for materials testing services in the amount of \$37,141.
- H. Approve a professional services proposal from Abonmarche for payroll enforcement services in the amount of \$33,300.
- I. Approve Resolution 2013-52, a resolution authorizing the issuance of 2013 downtown development bonds, in the amount of \$2,950,000, for the construction of improvements to Phoenix Street.

*Background Information:* The City Council will be asked to consider awarding contracts and authorizing bonds related to the reconstruction of Phoenix Street, between Broadway and Williams.

The City of South Haven has received a conditional commitment from the Michigan Economic Development Corporation (MEDC) Downtown Improvement Grant program, to provide grant

funding to assist with the reconstruction of Phoenix Street. Once constructed, the street will feature new driving lanes, updated infrastructure, upgraded water services, bicycle racks, pedestrian walkways, and a variety of streetscape improvements. The project costs will be funded through contributions from the Downtown Development Authority (DDA), using downtown development bonds, and a \$750,000 MEDC grant.

The DDA has approved a resolution which formally requests the City of South Haven to issue downtown development bonds. In so doing, the DDA has pledged its tax increment revenues as security for the bonds. The DDA has agreed that the bonds should be issued in the amount of \$2,950,000, and has budgeted an annual amount that is committed to fund the bond debt service.

The low bid received for the project came from Milbocker & Sons Inc., with a bid of \$2,875,101.80. The total project cost, which includes professional services, construction services, and project contingencies, is \$3,463,825. Milbocker & Sons Inc. has completed several projects for the City of South Haven. Two recent projects constructed by the company are the improvements on Black River Street and the improvements on Williams Street.

Should the City Council wish to proceed with authorizing the project, the Council will need to consider award of the professional services contract and award of the construction bid.

**Item A: Hold public hearing on Phoenix Street proposed grant amendment.**

Moved by Kozlik Wall to open the public hearing regarding the Phoenix Street grant amendment. Seconded by Patterson.

A Roll Call Vote was taken:

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

Nays: None

Motion carried.

Public Comment: None

Moved by Fitzgibbon to close the public hearing regarding the Phoenix Street grant amendment. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried.

**Item B: Approve Resolution 2013-51 a resolution authorizing the execution of Grant Amendment No. 1.**

Moved by Kozlik Wall to approve Resolution 2013-51 authorizing the execution of Grant Amendment No. 1. Seconded by Fitzgibbon.

Voted Yes: All. Motion carried.

**Item C: Approve a construction contract with Milbocker and Sons in the amount of \$2,875,101.80.**

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Moved by Kozlik Wall to approve construction contract with Milbocker and Sons in the amount of \$2,875,101.80. Seconded by Patterson.

Voted Yes: All. Motion carried.

**Item D: Approve a professional services proposal from Cornelisse Design Associates for Landscape Architecture services in the amount of \$39,500.**

Moved by Gruber to approve a professional services proposal from Cornelisse Design Associates for Landscape Architecture services in the amount of \$39,500. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried.

**Item E. Approve a professional services proposal from Abonmarche for engineering support services in the amount of \$40,000.**

Moved by Fitzgibbon to approve a professional services proposal from Abonmarche for engineering support services in the amount of \$40,000. Seconded by Patterson.

Voted Yes: All. Motion carried.

**Item F: Approve a professional services proposal from Midwest Civil Engineers for construction staking services in the amount of \$33,042.**

Moved by Kozlik Wall to approve a professional services proposal from Midwest Civil Engineers for construction staking services in the amount of \$33,042. Seconded by Klavins.

Voted Yes: All. Motion carried.

**Item G: Approve a professional services proposal from NTH Consultants for materials testing services in the amount of \$37,141.**

Moved by Patterson to approve a professional services proposal from NTH Consultants for materials testing services in the amount of \$37,141. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried.

**Item H: Approve a professional services proposal from Abonmarche for payroll enforcement services in the amount of \$33,300.**

Moved by Kozlik Wall to approve a professional services proposal from Abonmarche for payroll enforcement services in the amount of \$33,300. Seconded by Fitzgibbon.

Voted Yes: All. Motion carried.

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.

**Item I: Approve Resolution 2013-52, a resolution authorizing the issuance of 2013 downtown development bonds, in the amount of \$2,950,000, for the construction of improvements to Phoenix Street.**

Moved by Kozlik Wall to approve Resolution 2013-52 authorizing the issuance of 2013 downtown development bonds, in the amount of \$2,950,000, for the construction of improvements to Phoenix Street. Seconded by Klavins.

A Roll Call Vote was taken:

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

Nays: None

Motion carried.

**4. 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.)*

**5. City Manager's Comments**

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

Patterson – Commends staff on hard work with this project.

Klavins – No comment.

Gruber – Good to read about this meeting on Facebook.

Fitzgibbon – Spoke about Ice Breaker Festival.

Kozlik Wall – No comment.

Burr – Congrats to the engineering department. A bidder stopped him on the street and said it was the best bidding process he has seen.

**7. Adjourn**

Moved by Patterson to adjourn. Seconded by Fitzgibbon.

Voted Yes: All. Motion carried. Meeting adjourned at 7:43 p.m.

RESPECTFULLY SUBMITTED,



Michelle Coffey  
Deputy City Clerk

Approved by City Council: **DRAFT**

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

	PREPAID	CURRENT	TOTAL
101-GENERAL FUND	\$ 77,904.84	\$ 48,821.14	\$ 126,725.98
202-MAJOR STREET FUND	\$ -	\$ -	\$ -
203-LOCAL STREET FUND	\$ -	\$ -	\$ -
204-STREET FUND	\$ -	\$ 13,581.94	\$ 13,581.94
226-GARBAGE/REFUSE FUND	\$ 3,382.70	\$ -	\$ 3,382.70
250-DOWNTOWN DEVELOPMENT	\$ 300.00	\$ 12,131.55	\$ 12,431.55
251-LDFA #1	\$ -	\$ 89.97	\$ 89.97
253-LDFA #3	\$ -	\$ -	\$ -
260-BROWNFIELD AUTHORITY	\$ -	\$ -	\$ -
265-NARCOTICS UNIT	\$ 129.18	\$ -	\$ 129.18
266-POLICE TRAINING	\$ 52.81	\$ -	\$ 52.81
296-RIVER MAINTENANCE	\$ -	\$ -	\$ -
371-CAPITAL BOND DEBT SERV	\$ -	\$ -	\$ -
372-WATER PLANT FUND	\$ -	\$ -	\$ -
395-DDA DEBT SERVICE	\$ -	\$ -	\$ -
401-CAPITAL PROJECTS	\$ -	\$ 8,031.11	\$ 8,031.11
402-CAPITAL PROJECTS #2	\$ -	\$ 7,398.98	\$ 7,398.98
545-BLACK RIVER PARK	\$ 2,035.68	\$ 922.31	\$ 2,957.99
577-BEACH FUND	\$ 315.10	\$ 1,355.71	\$ 1,670.81
582-ELECTRIC FUND	\$ 3,070.82	\$ 55,101.07	\$ 58,171.89
591-WATER FUND	\$ 1,661.09	\$ 11,458.78	\$ 13,119.87
592-SEWER FUND	\$ 4,394.98	\$ 14,930.23	\$ 19,325.21
594-MUNICIPAL MARINA	\$ 9,002.87	\$ 57,168.94	\$ 66,171.81
636-INFORMATION SERVICES	\$ -	\$ 31.18	\$ 31.18
661-MOTOR POOL	\$ 1.59	\$ 7,109.83	\$ 7,111.42
677-SELF INSURANCE	\$ -	\$ -	\$ -
703-TAX FUND	\$ 8,018.61	\$ -	\$ 8,018.61
718-TRUST & AGENCY	\$ 1,478.00	\$ -	\$ 1,478.00
750-EMPLOYEE WITHHOLDING	\$ -	\$ -	\$ -
<b>TOTAL</b>	<b>\$ 111,748.27</b>	<b>\$ 238,132.74</b>	<b>\$ 349,881.01</b>

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank 1 FIFTH THIRD BANK					
08/16/2013	1	45343	000050	ALEXANDER CHEMICAL CORP	1,460.00
08/16/2013	1	45344	000065	ALLIED MECHANICAL SERVICES INC	3,340.84
08/16/2013	1	45345	000412	CBCS 21	225.45
08/16/2013	1	45346	000430	CENTURY LINK	26.56
08/16/2013	1	45347	000505	COMPTON INC	15,787.70
08/16/2013	1	45348	UB REFUND	CRESSY & EVERETT MGMT	95.58
08/16/2013	1	45349	UB REFUND	CRESSY & EVERETT MGMT	272.60
08/16/2013	1	45350	UB REFUND	CRESSY & EVERETT MGMT	575.45
08/16/2013	1	45351	MISC	FIRST ROW INC	300.00
08/16/2013	1	45352	000843	FRONTIER	445.03
08/16/2013	1	45353	000994	HAPA LLC	8,803.16
08/16/2013	1	45354	003089	ROGER HUFF	71.00
08/16/2013	1	45355	UB REFUND	JENSEN, JOY E	69.42
08/16/2013	1	45356	003046	AMANDA MORGAN	33.73
08/16/2013	1	45357	UB REFUND	SHIPLEY, SARA A	104.19
08/16/2013	1	45358	003132	SOUTH HAVEN HEALTH SYSTEM	82.00
08/16/2013	1	45359	002479	STAR & CHARLIE	200.00
08/16/2013	1	45360	MISC	STATE OF MICHIGAN	20.00
08/16/2013	1	45361	MISC	WATERFRONT FILM FESTIVAL	778.00
08/16/2013	1	45362	003076	KEVIN WILDEY	129.18
08/20/2013	1	45363	000511	CONLEY, RICHARD T	420.89
08/21/2013	1	45364	000059	ALLEGAN COUNTY TREASURER	3,460.03
08/21/2013	1	45365	001329	LAKE MICHIGAN COLLEGE	579.63
08/21/2013	1	45366	001544	MENARDS	1,623.49
08/21/2013	1	45367	002415	SOUTH HAVEN PUBLIC SCHOOLS	3,978.95
08/21/2013	1	45368	002724	UPS STORE #5080	240.59
08/22/2013	1	45369	UB REFUND	ALEMAN, JUAN PETER	115.13
08/22/2013	1	45370	000286	BLUE CROSS BLUE SHIELD OF MICHIGAN	33,155.45
08/22/2013	1	45371	UB REFUND	CHASE HOME FINANCE	524.96
08/22/2013	1	45372	003166	COFFEY, MICHELLE	18.30
08/22/2013	1	45373	003180	COPS HEALTH TRUST	12,066.78
08/22/2013	1	45374	000624	DELTA DENTAL OF MICHIGAN	5,453.13
08/22/2013	1	45375	000815	FOERCH, JAMES	500.00
08/22/2013	1	45376	000843	FRONTIER	102.10
08/22/2013	1	45377	UB REFUND	ISOM, ALEXA L	57.77
08/22/2013	1	45378	UB REFUND	KELLY, HEATHER N	35.65
08/22/2013	1	45379	003183	KIRSCH, GERALD	52.81
08/22/2013	1	45380	001373	LAWN BOYS INC	1,470.00
08/22/2013	1	45381	001405	LINCOLN NATIONAL LIFE INS CO	2,795.11
08/22/2013	1	45382	001610	MICHIGAN GAS UTILITIES	2,330.49
08/22/2013	1	45383	001828	NEXTEL COMMUNICATIONS	229.92
08/22/2013	1	45384	001848	NORTH SHORE PEST CONTROL INC	50.00
08/22/2013	1	45385	002132	RELIABLE DISPOSAL INC #646	5,327.11
08/22/2013	1	45386	UB REFUND	ROBINSON, CHRISTOPHER G & ALICE M	191.10
08/22/2013	1	45387	UB REFUND	TEADT, CARL H	42.95
08/22/2013	1	45388	002757	VAN BUREN COUNTY TREASURER	1,767.50
08/22/2013	1	45389	002792	VERIZON WIRELESS	1,474.63
08/23/2013	1	45390	002958	GARY WOZNIAK	190.00
08/23/2013	1	45391	002949	WOLVERINE HARDWARE	673.91

1 TOTALS:

Total of 49 Checks:	111,748.27
Less 0 Void Checks:	0.00
Total of 49 Disbursements:	111,748.27

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107313 33822	ABONMARCHE CONSULTANTS INC 592-558-801-008	08/20/2013 ksteinman	09/04/2013	8,722.00	0.00	P	Y 08/26/2013
	SANITARY SEWER EVALUATION SURV			8,722.00			
107267 33847	ABONMARCHE CONSULTANTS INC 401-301-980-000	08/09/2013 ksteinman	09/04/2013	3,793.36	0.00	P	Y 08/26/2013
	POLICE/FIRE COMPLEX			3,793.36			
107269 33849	ABONMARCHE CONSULTANTS INC 101-804-802-000	08/09/2013 ksteinman	09/04/2013	1,305.00	0.00	P	Y 08/26/2013
	OTHER CONTRACTUAL SERVICES			1,305.00			
107261 33851	ABONMARCHE CONSULTANTS INC 204-446-801-000	08/09/2013 ksteinman	09/04/2013	8,576.50	0.00	P	Y 08/26/2013
	PROFESSIONAL/CONSULTING FEES			8,576.50			
107324 33897	ABONMARCHE CONSULTANTS INC 545-776-801-000	08/21/2013 ksteinman	09/04/2013	221.25	0.00	P	Y 08/26/2013
	PROFESSIONAL/CONSULTING FEES			221.25			
107350 33979	ABONMARCHE CONSULTANTS INC 401-301-980-000-0145	08/23/2013 ksteinman	09/04/2013	4,237.75	0.00	P	Y 08/27/2013
	POLICE/FIRE COMPLEX			4,237.75			
9911909700 33829	AIRGAS USA, LLC CYLINDER RENTAL 661-450-802-000	07/31/2013 ksteinman	09/04/2013	42.86	0.00	P	Y 08/26/2013
	OTHER CONTRACTUAL SERVICES			42.86			
123982 33830	ALL SEASONS MARINE 594-776-802-000	08/18/2013 ksteinman	09/04/2013	42.52	0.00	P	Y 08/26/2013
	OTHER CONTRACTUAL SERVICES			42.52			
08/14/13 33855	ALLEGAN COUNTY SHERIFF'S OFFIC JULY FIREWORKS 101-301-802-000	08/14/2013 ksteinman	09/04/2013	1,912.00	0.00	P	Y 08/26/2013
	OTHER CONTRACTUAL SERVICES			1,912.00			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
233-777410 33911	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-742-000	08/20/2013 ksteinman	09/04/2013	9.49	0.00	P	Y 08/27/2013
	SMALL TOOLS			9.49			
233-777313 33912	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-741-003	08/19/2013 ksteinman	09/04/2013	66.10	0.00	P	Y 08/27/2013
	REPAIR & MAINT SUPPLIES			66.10			
233-777463 33913	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-748-000	08/20/2013 ksteinman	09/04/2013	7.29	0.00	P	Y 08/27/2013
	MOTOR FUEL & LUBRICANTS			7.29			
233-777242 33914	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-748-000	08/19/2013 ksteinman	09/04/2013	14.58	0.00	P	Y 08/27/2013
	MOTOR FUEL & LUBRICANTS			14.58			
233-776449 33915	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-741-000	08/13/2013 ksteinman	09/04/2013	16.99	0.00	P	Y 08/27/2013
	OPERATING SUPPLIES			16.99			
233-776301 33916	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-741-000	08/12/2013 ksteinman	09/04/2013	10.89	0.00	P	Y 08/27/2013
	OPERATING SUPPLIES			10.89			
233-776290 33917	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-741-003	08/12/2013 ksteinman	09/04/2013	91.15	0.00	P	Y 08/27/2013
	REPAIR & MAINT SUPPLIES			91.15			
233-776075 33918	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-741-003	08/09/2013 ksteinman	09/04/2013	(142.99)	0.00	P	Y 08/27/2013
	REPAIR & MAINT SUPPLIES			(142.99)			
233-776448 33919	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-741-000	08/13/2013 ksteinman	09/04/2013	21.17	0.00	P	Y 08/27/2013
	OPERATING SUPPLIES			21.17			

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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
233-776337 33920	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-741-003	08/12/2013 ksteinman	09/04/2013	3.76	0.00	P	Y 08/27/2013
		REPAIR & MAINT SUPPLIES		3.76			
233-776434 33921	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-748-000	08/13/2013 ksteinman	09/04/2013	49.95	0.00	P	Y 08/27/2013
		MOTOR FUEL & LUBRICANTS		49.95			
233-776688 33922	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-741-003	08/14/2013 ksteinman	09/04/2013	13.48	0.00	P	Y 08/27/2013
		REPAIR & MAINT SUPPLIES		13.48			
233-77766 33923	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-741-003	08/22/2013 ksteinman	09/04/2013	102.77	0.00	P	Y 08/27/2013
		REPAIR & MAINT SUPPLIES		102.77			
233-777241 33924	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-741-003	08/19/2013 ksteinman	09/04/2013	161.70	0.00	P	Y 08/27/2013
		REPAIR & MAINT SUPPLIES		161.70			
233-777961 33925	AUTOWARES INC REPAIR/MAINTENANCE SUPPLIES 661-450-741-003	08/23/2013 ksteinman	09/04/2013	36.59	0.00	P	Y 08/27/2013
		REPAIR & MAINT SUPPLIES		36.59			
BL27134 33866	BARBER & SONS INC 661-450-741-003	08/12/2013 ksteinman	09/04/2013	672.52	0.00	P	Y 08/26/2013
		REPAIR & MAINT SUPPLIES		672.52			
400177 33962	BEST-ONE FLEET SERVICE KALAMAZOO 661-450-935-000	08/08/2013 ksteinman	09/04/2013	21.00	0.00	P	Y 08/27/2013
		REPAIRS/MAINTENANCE - VEHICLES		21.00			
46254 33894	A.D. BOS OFFICE COFFEE SERVICE 101-265-741-000	08/15/2013 ksteinman	09/04/2013	111.92	0.00	P	Y 08/26/2013
		OPERATING SUPPLIES		111.92			

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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
5161 33871	BRUSH ENTERPRISES REPAIRS 661-450-935-000	08/01/2013 ksteinman	09/04/2013	905.43	0.00	P	Y 08/26/2013
		REPAIRS/MAINTENANCE - VEHICLES		905.43			
84841TC 33872	CANNEY'S WATER TREATMENT 101-301-802-000	08/08/2013 ksteinman	09/04/2013	134.99	0.00	P	Y 08/26/2013
		OTHER CONTRACTUAL SERVICES		134.99			
DZ40986 33985	CDW GOVERNMENT INC 101-301-741-000	08/07/2013 ksteinman	09/04/2013	93.94	0.00	P	Y 08/27/2013
		OPERATING SUPPLIES		93.94			
FB83188 33986	CDW GOVERNMENT INC 101-301-741-000	08/12/2013 ksteinman	09/04/2013	238.14	0.00	P	Y 08/27/2013
		OPERATING SUPPLIES		238.14			
289944 33885	CHIEF SUPPLY CORP 101-301-729-000	08/12/2013 ksteinman	09/04/2013	53.74	0.00	P	Y 08/26/2013
		UNIFORMS		53.74			
288801 33886	CHIEF SUPPLY CORP 101-301-729-000	08/08/2013 ksteinman	09/04/2013	127.28	0.00	P	Y 08/26/2013
		UNIFORMS		127.28			
288936 33887	CHIEF SUPPLY CORP 101-301-729-000	08/08/2013 ksteinman	09/04/2013	242.85	0.00	P	Y 08/26/2013
		UNIFORMS		242.85			
293816 33980	CHIEF SUPPLY CORP 101-301-729-000	08/20/2013 ksteinman	09/04/2013	45.79	0.00	P	Y 08/27/2013
		UNIFORMS		45.79			
295241 33981	CHIEF SUPPLY CORP 101-301-729-000	08/21/2013 ksteinman	09/04/2013	123.83	0.00	P	Y 08/27/2013
		UNIFORMS		123.83			

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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
290839 33982	CHIEF SUPPLY CORP 101-301-729-000	08/13/2013 ksteinman UNIFORMS	09/04/2013	54.78 54.78	0.00	P	Y 08/27/2013
290840 33983	CHIEF SUPPLY CORP 101-301-729-000	08/13/2013 ksteinman UNIFORMS	09/04/2013	31.09 31.09	0.00	P	Y 08/27/2013
292338 33987	CHIEF SUPPLY CORP 101-301-977-000	08/15/2013 ksteinman EQUIPMENT - SHOP	09/04/2013	47.25 47.25	0.00	P	Y 08/27/2013
292337 33988	CHIEF SUPPLY CORP 101-301-977-000	08/15/2013 ksteinman EQUIPMENT - SHOP	09/04/2013	1,049.45 1,049.45	0.00	P	Y 08/27/2013
292807 33990	CHIEF SUPPLY CORP 101-301-729-000	08/16/2013 ksteinman UNIFORMS	09/04/2013	44.76 44.76	0.00	P	Y 08/27/2013
475308192013 33856	COMMUNITY ANSWERING SERVICE ANSWERING SERVICES 101-350-802-000	08/19/2013 ksteinman OTHER CONTRACTUAL SERVICES	09/04/2013	1,574.80 1,574.80	0.00	P	Y 08/26/2013
13479 33910	DE BEST INC 204-446-802-000	07/22/2013 ksteinman SOUTH ST SIDEWALK PROJECT	09/04/2013	4,939.47 4,939.47	0.00	P	Y 06/30/2013
13576 33957	DE BEST INC 101-751-802-000	08/22/2013 ksteinman OTHER CONTRACTUAL SERVICES	09/04/2013	79.60 79.60	0.00	P	Y 08/27/2013
W41957 33881	JACK DOHENY SUPPLIES INC 661-450-935-000	08/05/2013 ksteinman REPAIRS/MAINTENANCE - VEHICLES	09/04/2013	1,298.02 1,298.02	0.00	P	Y 08/26/2013

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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
3630650 33852	EJ USA INC	08/15/2013 ksteinman	09/04/2013	5,468.47	0.00	P	Y 08/26/2013
	591-558-741-000	OPERATING SUPPLIES		5,468.47			
3630280 33870	EJ USA INC	08/14/2013 ksteinman	09/04/2013	506.60	0.00	P	Y 08/26/2013
	591-558-741-000	OPERATING SUPPLIES		506.60			
3631204 33873	EJ USA INC	08/14/2013 ksteinman	09/04/2013	889.20	0.00	P	Y 08/26/2013
	591-558-741-000	OPERATING SUPPLIES		889.20			
3625045 33876	EJ USA INC	08/09/2013 ksteinman	09/04/2013	493.50	0.00	P	Y 08/26/2013
	591-558-741-000	OPERATING SUPPLIES		493.50			
569559 33845	ELWOOD STAFFING	08/14/2013 ksteinman	09/04/2013	4,262.40	0.00	P	Y 08/26/2013
	101-751-802-000	OTHER CONTRACTUAL SERVICES		4,262.40			
571064 33908	ELWOOD STAFFING	08/21/2013 ksteinman	09/04/2013	3,315.20	0.00	P	Y 08/26/2013
	101-751-802-000	OTHER CONTRACTUAL SERVICES		3,315.20			
695254 33867	ENVIRONMENTAL RESOURCE ASSOCIATES LAB SUPPLIES	08/05/2013 ksteinman	09/04/2013	287.50	0.00	P	Y 08/26/2013
	591-559-802-000	OTHER CONTRACTUAL SERVICES		287.50			
631611 33857	FOSTER SWIFT COLLINS & SMITH PC ATTORNEY SERVICES	08/12/2013 ksteinman	09/04/2013	1,197.50	0.00	P	Y 08/26/2013
	101-209-801-000	PROFESSIONAL/CONSULTING FEES		1,197.50			
631612 33858	FOSTER SWIFT COLLINS & SMITH PC ATTORNEY SERVICES	08/12/2013 ksteinman	09/04/2013	40.00	0.00	P	Y 08/26/2013
	101-209-801-000	PROFESSIONAL/CONSULTING FEES		40.00			

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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
631613 33859	FOSTER SWIFT COLLINS & SMITH PC ATTORNEY SERVICES 101-209-801-000	08/12/2013 ksteinman	09/04/2013	410.00	0.00	P	Y 08/26/2013
		PROFESSIONAL/CONSULTING FEES		410.00			
6316143 33860	FOSTER SWIFT COLLINS & SMITH PC ATTORNEY SERVICES 101-209-801-000	07/31/2013 ksteinman	09/04/2013	60.00	0.00	P	Y 08/26/2013
		PROFESSIONAL/CONSULTING FEES		60.00			
631615 33861	FOSTER SWIFT COLLINS & SMITH PC ATTORNEY SERVICES 101-209-801-000	08/12/2013 ksteinman	09/04/2013	20.00	0.00	P	Y 08/26/2013
		PROFESSIONAL/CONSULTING FEES		20.00			
631616 33862	FOSTER SWIFT COLLINS & SMITH PC ATTORNEY SERVICES 101-209-801-000	08/12/2013 ksteinman	09/04/2013	120.00	0.00	P	Y 08/26/2013
		PROFESSIONAL/CONSULTING FEES		120.00			
631617 33863	FOSTER SWIFT COLLINS & SMITH PC ATTORNEY SERVICES 101-209-801-000	08/12/2013 ksteinman	09/04/2013	120.00	0.00	P	Y 08/26/2013
		PROFESSIONAL/CONSULTING FEES		120.00			
631621 33864	FOSTER SWIFT COLLINS & SMITH PC ATTORNEY SERVICES 101-209-801-000	08/12/2013 ksteinman	09/04/2013	160.00	0.00	P	Y 08/26/2013
		PROFESSIONAL/CONSULTING FEES		160.00			
631623 33865	FOSTER SWIFT COLLINS & SMITH PC ATTORNEY SERVICES 101-209-801-000	08/12/2013 ksteinman	09/04/2013	160.00	0.00	P	Y 08/26/2013
		PROFESSIONAL/CONSULTING FEES		160.00			
8934 33833	FREDRICKSON SUPPLY LLC 661-450-935-000	08/08/2013 ksteinman	09/04/2013	359.00	0.00	P	Y 08/26/2013
		REPAIRS/MAINTENANCE - VEHICLES		359.00			
08/22/13 33969	FRONTIER TELEPHONE 269-637-5151-010165-5 101-001-070-000	08/22/2013 ksteinman	09/04/2013	608.22	0.00	P	Y 08/27/2013
		DUE FROM SHAES		194.22			

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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						
	101-265-850-000	TELEPHONE		414.00			
08/22/13							
33970	FRONTIER	08/22/2013	09/04/2013	37.38	0.00	P	Y
	TELEPHONE 269-637-4778-082302-5	ksteinman					08/27/2013
	582-558-850-000	TELEPHONE		18.69			
	591-558-850-000	TELEPHONE		9.34			
	592-558-850-000	TELEPHONE		9.35			
08/22/13							
33971	FRONTIER	08/22/2013	09/04/2013	69.70	0.00	P	Y
	TELEPHONE 616-001-7480-082802-5	ksteinman					08/27/2013
	592-559-850-000	TELEPHONE		69.70			
08/19/13							
33972	FRONTIER	08/19/2013	09/04/2013	73.60	0.00	P	Y
	TELEPHONE	ksteinman					08/27/2013
	582-558-850-000	TELEPHONE		36.80			
	591-558-850-000	TELEPHONE		18.40			
	592-558-850-000	TELEPHONE		18.40			
08/20/13							
33973	FRONTIER	08/20/2013	09/04/2013	37.29	0.00	P	Y
	TELEPHONE 269-639-2048-112509-5	ksteinman					08/27/2013
	592-559-850-000	TELEPHONE		37.29			
08/20/13							
33974	FRONTIER	08/20/2013	09/04/2013	132.64	0.00	P	Y
	TELEPHONE 269-637-3523-042994-5	ksteinman					08/27/2013
	545-776-850-000	TELEPHONE		132.64			
08/20/13							
33975	FRONTIER	08/20/2013	09/04/2013	184.43	0.00	P	Y
	TELEPHONE	ksteinman					08/27/2013
	594-776-850-000	TELEPHONE		184.43			
08/20/13							
33976	FRONTIER	08/20/2013	09/04/2013	70.18	0.00	P	Y
	TELEPHONE 269-637-0261-052112-5	ksteinman					08/27/2013
	101-265-850-000	TELEPHONE		70.18			
08/19/13							
33977	FRONTIER	08/19/2013	09/04/2013	26.16	0.00	P	Y
	TELEPHONE 616-040-6480-021893-5	ksteinman					08/27/2013
	592-559-850-000	TELEPHONE		26.16			

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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
08/20/13 33978	FRONTIER TELEPHONE 231-189-0674-032599-5	08/20/2013 ksteinman	09/04/2013	3,119.94	0.00	P	Y 08/27/2013
	101-265-850-000 TELEPHONE			1,340.43			
	250-729-850-000 TELEPHONE			31.18			
	545-776-850-000 TELEPHONE			15.59			
	577-751-850-000 TELEPHONE			15.59			
	582-558-850-000 TELEPHONE			406.55			
	591-558-850-000 TELEPHONE			203.29			
	591-559-850-000 TELEPHONE			405.25			
	592-558-850-000 TELEPHONE			203.29			
	592-559-850-000 TELEPHONE			405.25			
	594-776-850-000 TELEPHONE			31.18			
	636-258-850-000 TELEPHONE			31.18			
	661-450-850-000 TELEPHONE			31.16			
08/19/13 33997	FRONTIER TELEPHONE 269-637-9127-080204-5	08/19/2013 ksteinman	09/04/2013	72.65	0.00	P	Y 08/28/2013
	594-776-850-000 TELEPHONE			72.65			
1322701 33823	FUEL MANAGEMENT SYSTEM FUEL	08/15/2013 ksteinman	09/04/2013	6,888.67	0.00	P	Y 08/26/2013
	101-301-748-000 MOTOR FUEL			2,206.58			
	101-728-748-000 MOTOR FUEL			88.20			
	101-371-748-000 MOTOR FUEL			31.22			
	582-558-748-000 MOTOR FUEL			941.15			
	101-751-748-000 MOTOR FUEL			800.09			
	582-558-748-000 MOTOR FUEL			161.27			
	591-558-748-000 MOTOR FUEL			45.36			
	592-558-748-000 MOTOR FUEL			45.36			
	101-276-748-000 MOTOR FUEL			78.01			
	101-446-748-000 MOTOR FUEL			391.74			
	591-559-748-000 MOTOR FUEL			412.35			
	592-558-748-000 MOTOR FUEL			412.34			
	577-751-748-000 MOTOR FUEL			161.64			
	592-559-748-000 MOTOR FUEL			277.97			
	204-447-748-000 MOTOR FUEL			65.97			
	591-558-748-000 MOTOR FUEL			21.99			
	592-558-748-000 MOTOR FUEL			21.99			

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Inv Num Inv Ref#	Vendor Description	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
	GL Distribution						
	661-450-748-000	MOTOR FUEL & LUBRICANTS		637.37			
	591-559-748-000	MOTOR FUEL		88.07			
PP REQ #5							
33824	GRO AMERICA	08/13/2013 ksteinman	09/04/2013	56,838.16	0.00	P	Y 08/26/2013
	594-776-802-000	OTHER CONTRACTUAL SERVICES		56,838.16			
20130709							
33942	GRP ENGINEERING INC	08/05/2013 ksteinman	09/04/2013	325.36	0.00	P	Y 08/27/2013
	582-558-801-000	PROFESSIONAL/CONSULTING FEES		325.36			
20130710							
33943	GRP ENGINEERING INC	08/05/2013 ksteinman	09/04/2013	779.69	0.00	P	Y 08/27/2013
	582-558-988-000-0152	ELECTRICAL SYSTEM CONSTR		779.69			
20130708							
33944	GRP ENGINEERING INC	08/05/2013 ksteinman	09/04/2013	5,000.00	0.00	P	Y 08/27/2013
	582-558-802-000	OTHER CONTRACTUAL SERVICES		5,000.00			
08/07/13							
33854	HARDESTY & HANOVER, LLP	08/07/2013 ksteinman	09/04/2013	7,398.98	0.00	P	Y 08/26/2013
	402-202-988-010	MAJOR STREET UPGRADES		7,398.98			
005788							
33989	HI TEC BUILDING SERVICES JANITORIAL SERVICE	08/14/2013 ksteinman	09/04/2013	41.85	0.00	P	Y 08/27/2013
	101-301-802-001	SERVICE CONTRACTS		41.85			
AUGUST							
33994	HI TEC BUILDING SERVICES JANITORIAL SERVICE	08/28/2013 ksteinman	09/04/2013	3,790.00	0.00	P	Y 08/28/2013
	101-265-802-000	OTHER CONTRACTUAL SERVICES		1,150.00			
	101-301-802-001	SERVICE CONTRACTS		1,475.00			
	101-265-802-000	OTHER CONTRACTUAL SERVICES		775.00			
	591-559-802-000	OTHER CONTRACTUAL SERVICES		390.00			
2040							
33828	IMPROVISATIONAL CRAFTSMAN	08/15/2013 ksteinman	09/04/2013	540.00	0.00	P	Y 08/26/2013
	592-559-933-000	REPAIRS/MAINTENANCE - EQUIP		540.00			

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Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
1901802005033							
33901	INTERSTATE ALL BATTERY CENTER BATTERIES	08/12/2013 ksteinman	09/04/2013	87.92	0.00	P	Y 08/26/2013
	591-558-741-000	OPERATING SUPPLIES		21.98			
	592-558-741-000	OPERATING SUPPLIES		21.98			
	582-558-741-000	OPERATING SUPPLIES		21.98			
	101-446-741-000	OPERATING SUPPLIES		21.98			
20072676							
33954	INTERSTATE BATTERY SYSTEMS	08/23/2013 ksteinman	09/04/2013	60.00	0.00	P	Y 08/27/2013
	661-450-741-003	REPAIR & MAINT SUPPLIES		60.00			
17187							
33893	J & L ORCHARD SUPPLY LLC	08/21/2013 ksteinman	09/04/2013	267.13	0.00	P	Y 08/26/2013
	592-559-741-000	OPERATING SUPPLIES		267.13			
547904							
33941	KENNEDY INDUSTRIES INC	08/09/2013 ksteinman	09/04/2013	3,270.80	0.00	P	Y 08/27/2013
	592-569-973-001	SEWER SYSTEM EQUIPMENT		1,635.40			
	592-569-973-001	SEWER SYSTEM EQUIPMENT		1,635.40			
V17480							
33874	KIRSCH, GERALD	08/08/2013 ksteinman	09/04/2013	482.96	0.00	P	Y 08/26/2013
	661-450-802-000	OTHER CONTRACTUAL SERVICES		482.96			
23916							
33947	MENARDS MAINTENANCE SUPPLIES	08/21/2013 ksteinman	09/04/2013	89.97	0.00	P	Y 08/27/2013
	251-901-802-000	OTHER CONTRACTUAL SERVICES		89.97			
23724							
33948	MENARDS MAINTENANCE SUPPLIES	08/19/2013 ksteinman	09/04/2013	177.08	0.00	P	Y 08/27/2013
	101-446-741-000	OPERATING SUPPLIES		177.08			
22993							
33949	MENARDS MAINTENANCE SUPPLIES	08/08/2013 ksteinman	09/04/2013	71.22	0.00	P	Y 08/27/2013
	101-446-741-000	OPERATING SUPPLIES		71.22			

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23827 33950	MENARDS MAINTENANCE SUPPLIES 582-558-741-000	08/20/2013 ksteinman OPERATING SUPPLIES	09/04/2013	12.77 12.77	0.00	P	Y 08/27/2013
23807 33951	MENARDS MAINTENANCE SUPPLIES 101-751-741-000	08/20/2013 ksteinman OPERATING SUPPLIES	09/04/2013	59.97 59.97	0.00	P	Y 08/27/2013
23743 33952	MENARDS MAINTENANCE SUPPLIES 101-751-741-000	08/19/2013 ksteinman OPERATING SUPPLIES	09/04/2013	(94.34) (94.34)	0.00	P	Y 08/27/2013
23740 33953	MENARDS MAINTENANCE SUPPLIES 101-751-741-000	08/19/2013 ksteinman OPERATING SUPPLIES	09/04/2013	105.38 105.38	0.00	P	Y 08/27/2013
24244 33965	MENARDS MAINTENANCE SUPPLIES 661-450-980-000	08/26/2013 ksteinman OFFICE EQUIPMENT	09/04/2013	84.99 84.99	0.00	P	Y 08/27/2013
24264 33966	MENARDS MAINTENANCE SUPPLIES 591-558-741-000	08/26/2013 ksteinman OPERATING SUPPLIES	09/04/2013	47.44 47.44	0.00	P	Y 08/27/2013
24242 33967	MENARDS MAINTENANCE SUPPLIES 661-450-980-000	08/26/2013 ksteinman OFFICE EQUIPMENT	09/04/2013	(49.99) (49.99)	0.00	P	Y 08/27/2013
24231 33968	MENARDS MAINTENANCE SUPPLIES 661-450-980-000	08/26/2013 ksteinman OFFICE EQUIPMENT	09/04/2013	49.99 49.99	0.00	P	Y 08/27/2013
819851 33827	MICHIGAN DEPT OF ENVIRO QUALITY 591-559-802-000	08/02/2013 ksteinman OTHER CONTRACTUAL SERVICES	09/04/2013	875.00 875.00	0.00	P	Y 08/26/2013

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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
1 33896	MICHIGAN ELECTRIC COOPERATIVE EMPLOYEE SAFETY PROGRAM SERVICES 582-558-860-000	08/23/2013 ksteinman	09/04/2013	10,000.00	0.00	P	Y 08/26/2013
	TRAVEL/CONFERENCES/TRAINING			10,000.00			
71156 33844	MUZZALL GRAPHICS 582-558-727-000 591-558-727-000 592-558-727-000	08/14/2013 ksteinman	09/04/2013	937.48	0.00	P	Y 08/26/2013
	OFFICE SUPPLIES			656.24			
	OFFICE SUPPLIES			140.62			
	OFFICE SUPPLIES			140.62			
85668 33961	NORTH SHORE PEST CONTROL INC PEST CONTROL 545-776-802-000	08/21/2013 ksteinman	09/04/2013	50.00	0.00	P	Y 08/27/2013
	OTHER CONTRACTUAL SERVICES			50.00			
900539712 33843	NORTHERN SAFETY CO INC 101-751-741-000	08/06/2013 ksteinman	09/04/2013	(98.82)	(98.82)	O	Y 08/26/2013
	OPERATING SUPPLIES			(98.82)			
375462 33991	OFFICE MAX INC SUPPLIES 101-301-741-000	08/12/2013 ksteinman	09/04/2013	116.59	0.00	P	Y 08/27/2013
	OPERATING SUPPLIES			116.59			
370432 33992	OFFICE MAX INC SUPPLIES 101-301-727-000	08/12/2013 ksteinman	09/04/2013	285.19	0.00	P	Y 08/27/2013
	OFFICE SUPPLIES			285.19			
7197 33963	OUDBIER INSTRUMENT CO 591-559-933-000	08/19/2013 ksteinman	09/04/2013	496.00	0.00	P	Y 08/27/2013
	REPAIRS/MAINTENANCE - EQUIPM			496.00			
S71183 33831	OVERISEL LUMBER COMPANY 545-776-741-000	08/13/2013 ksteinman	09/04/2013	41.23	0.00	P	Y 08/26/2013
	OPERATING SUPPLIES			41.23			

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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
8/14/13 33927	PAT'S PRONTO PRINT	08/14/2013 ksteinman	09/04/2013	280.00	0.00	P	Y 08/27/2013
	101-446-727-000	OFFICE SUPPLIES		56.00			
	101-447-727-000	OFFICE SUPPLIES		56.00			
	591-558-727-000	OFFICE SUPPLIES		56.00			
	592-558-727-000	OFFICE SUPPLIES		56.00			
	582-558-727-000	OFFICE SUPPLIES		56.00			
114035345 33884	PHYSIO-CONTROL INC	08/12/2013 ksteinman	09/04/2013	236.20	0.00	P	Y 08/26/2013
	101-301-741-000	OPERATING SUPPLIES		236.20			
246042 33825	PLUMBER'S PORTABLE TOILETS RENTALS	08/20/2013 ksteinman	09/04/2013	132.00	0.00	P	Y 08/26/2013
	545-776-802-000	OTHER CONTRACTUAL SERVICES		132.00			
5754896 33837	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES	08/13/2013 ksteinman	09/04/2013	273.17	0.00	P	Y 08/26/2013
	582-558-933-000	REPAIRS/MAINTENANCE - EQUIPM		273.17			
5755123 33838	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES	08/13/2013 ksteinman	09/04/2013	152.88	0.00	P	Y 08/26/2013
	582-558-933-000	REPAIRS/MAINTENANCE - EQUIPM		152.88			
5754930 33839	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES	08/13/2013 ksteinman	09/04/2013	117.60	0.00	P	Y 08/26/2013
	582-558-933-000	REPAIRS/MAINTENANCE - EQUIPM		117.60			
5755226 33879	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES	08/13/2013 ksteinman	09/04/2013	1,316.30	0.00	P	Y 08/26/2013
	582-558-988-000	ELECTRICAL SYSTEM CONSTR		1,316.30			
5754894 33880	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES	08/13/2013 ksteinman	09/04/2013	676.53	0.00	P	Y 08/26/2013
	582-558-988-000	ELECTRICAL SYSTEM CONSTR		676.53			

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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
5756802 33902	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	08/20/2013 ksteinman	09/04/2013	806.50	0.00	P	Y 08/26/2013
		REPAIRS/MAINTENANCE - EQUIPM		806.50			
5755932 33904	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-988-000	08/16/2013 ksteinman	09/04/2013	377.72	0.00	P	Y 08/26/2013
		ELECTRICAL SYSTEM CONSTR		377.72			
5756801 33905	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	08/20/2013 ksteinman	09/04/2013	202.26	0.00	P	Y 08/26/2013
		REPAIRS/MAINTENANCE - EQUIPM		202.26			
5756868 33906	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-988-000	08/20/2013 ksteinman	09/04/2013	392.00	0.00	P	Y 08/26/2013
		ELECTRICAL SYSTEM CONSTR		392.00			
5757563 33958	POWER LINE SUPPLY CO MAINTENANCE SUPPLIES 582-558-933-000	08/22/2013 ksteinman	09/04/2013	520.00	0.00	P	Y 08/27/2013
		REPAIRS/MAINTENANCE - EQUIPM		520.00			
42395 33846	PRI MAR PETROLEUM INC CARS WASHED 661-450-935-000	07/31/2013 ksteinman	09/04/2013	47.50	0.00	P	Y 08/26/2013
		REPAIRS/MAINTENANCE - VEHICLES		47.50			
08/09/13 33850	PROGRESSIVE/AE 101-447-801-000	08/09/2013 ksteinman	09/04/2013	7,424.00	0.00	P	Y 08/26/2013
		PROFESSIONAL/CONSULTING FEES		7,424.00			
143114 33889	RATHCO SAFETY SUPPLY INC 577-751-741-000	08/14/2013 ksteinman	09/04/2013	300.00	0.00	P	Y 08/26/2013
		OPERATING SUPPLIES		300.00			
143112 33890	RATHCO SAFETY SUPPLY INC 577-751-741-000	08/14/2013 ksteinman	09/04/2013	281.28	0.00	P	Y 08/26/2013
		OPERATING SUPPLIES		281.28			

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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
143113 33891	RATHCO SAFETY SUPPLY INC 577-751-741-000 OPERATING SUPPLIES	08/14/2013 ksteinman	09/04/2013	32.00 32.00	0.00	P	Y 08/26/2013
143111 33892	RATHCO SAFETY SUPPLY INC 101-751-741-000 OPERATING SUPPLIES	08/14/2013 ksteinman	09/04/2013	109.38 109.38	0.00	P	Y 08/26/2013
490-010702 33841	RIDGE AND KRAMER AUTO PARTS MAINTENANCE SUPPLIES 661-450-741-003 REPAIR & MAINT SUPPLIES	08/09/2013 ksteinman	09/04/2013	21.35 21.35	0.00	P	Y 08/26/2013
490-010861 33875	RIDGE AND KRAMER AUTO PARTS MAINTENANCE SUPPLIES 661-450-741-003 REPAIR & MAINT SUPPLIES	08/16/2013 ksteinman	09/04/2013	23.44 23.44	0.00	P	Y 08/26/2013
490-011006 33903	RIDGE AND KRAMER AUTO PARTS MAINTENANCE SUPPLIES 661-450-741-003 REPAIR & MAINT SUPPLIES	08/22/2013 ksteinman	09/04/2013	25.31 25.31	0.00	P	Y 08/26/2013
490-011063 33959	RIDGE AND KRAMER AUTO PARTS MAINTENANCE SUPPLIES 661-450-741-003 REPAIR & MAINT SUPPLIES	08/26/2013 ksteinman	09/04/2013	96.02 96.02	0.00	P	Y 08/27/2013
113324 33928	RIDGE AUTO PARTS MAINTENANCE SUPPLIES 661-450-742-000 SMALL TOOLS	08/20/2013 ksteinman	09/04/2013	189.00 189.00	0.00	P	Y 08/27/2013
5288 33882	ROD'S PRINTS & PROMOTIONS 101-301-729-000 UNIFORMS	08/13/2013 ksteinman	09/04/2013	132.00 132.00	0.00	P	Y 08/26/2013
1 33883	SAFE KIDS GREATER GRAND RAPIDS 1 LATCH MANUAL 101-301-958-000 SUBSCRIPTIONS/MEMBERSHIPS	08/26/2013 ksteinman	09/04/2013	34.00 34.00	0.00	P	Y 08/26/2013

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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
7927 33877	SMITH'S CONCRETE CUTTING 101-446-802-000	08/13/2013 ksteinman	09/04/2013	325.00 325.00	0.00	P	Y 08/26/2013
9512 33945	SOUTH HAVEN AIRPORT AUTHORITY QUARTERLY CONTRIBUTION 101-895-959-001	08/28/2013 ksteinman	09/04/2013	7,855.10 7,855.10	0.00	P	Y 08/27/2013
176534 33840	SPRING BROOK SUPPLY 592-559-933-000	08/12/2013 ksteinman	09/04/2013	74.65 74.65	0.00	P	Y 08/26/2013
176661 33878	SPRING BROOK SUPPLY 592-559-933-000	08/14/2013 ksteinman	09/04/2013	173.51 173.51	0.00	P	Y 08/26/2013
3206825117 33832	STAPLES ADVANTAGE SUPPLIES 591-558-727-000 592-558-741-000 101-447-727-000 101-446-727-000 582-558-727-000	08/10/2013 ksteinman	09/04/2013	35.50 7.10 7.10 7.10 7.10 7.10	0.00	P	Y 08/26/2013
3206825119 33834	STAPLES ADVANTAGE SUPPLIES 591-558-741-000 592-558-741-000 101-446-741-000 101-447-741-000 582-558-741-000	08/10/2013 ksteinman	09/04/2013	(6.94) (1.38) (1.39) (1.39) (1.39) (1.39)	0.00	P	Y 08/26/2013
8026585607 33895	STAPLES ADVANTAGE SUPPLIES 101-202-727-000 101-265-727-000	08/10/2013 ksteinman	09/04/2013	174.03 27.96 4.74	0.00	P	Y 08/26/2013

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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						
	101-215-727-000	OFFICE SUPPLIES		92.99			
	101-301-727-000	OFFICE SUPPLIES		48.34			
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7104398525-000001							
33900	STAPLES ADVANTAGE	08/15/2013	09/04/2013	284.47	0.00	P	Y
	SUPPLIES	ksteinman					08/26/2013
	591-558-741-000	OPERATING SUPPLIES		9.70			
	592-558-741-000	OPERATING SUPPLIES		9.70			
	101-447-741-000	OPERATING SUPPLIES		9.70			
	101-447-741-000	OPERATING SUPPLIES		9.70			
	582-558-741-000	OPERATING SUPPLIES		9.70			
	582-558-727-000	OFFICE SUPPLIES		47.20			
	591-558-727-000	OFFICE SUPPLIES		47.20			
	592-558-727-000	OFFICE SUPPLIES		47.19			
	101-446-727-000	OFFICE SUPPLIES		47.19			
	101-447-727-000	OFFICE SUPPLIES		47.19			
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7104828013-00001							
33907	STAPLES ADVANTAGE	08/23/2013	09/04/2013	132.83	0.00	P	Y
	SUPPLIES	ksteinman					08/26/2013
	101-446-741-000	OPERATING SUPPLIES		15.60			
	101-447-741-000	OPERATING SUPPLIES		15.60			
	591-558-741-000	OPERATING SUPPLIES		15.59			
	592-558-741-000	OPERATING SUPPLIES		15.59			
	582-558-741-000	OPERATING SUPPLIES		15.59			
	101-446-727-000	OFFICE SUPPLIES		10.97			
	101-447-727-000	OFFICE SUPPLIES		10.97			
	591-558-727-000	OFFICE SUPPLIES		10.97			
	592-558-727-000	OFFICE SUPPLIES		10.97			
	582-558-727-000	OFFICE SUPPLIES		10.98			
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3207296230							
33955	STAPLES ADVANTAGE	08/09/2013	09/04/2013	(17.97)	0.00	P	Y
	SUPPLIES	ksteinman					08/27/2013
	591-558-727-000	OFFICE SUPPLIES		(3.59)			
	592-558-727-000	OFFICE SUPPLIES		(3.59)			
	101-446-727-000	OFFICE SUPPLIES		(3.59)			
	101-447-727-000	OFFICE SUPPLIES		(3.60)			
	582-558-727-000	OFFICE SUPPLIES		(3.60)			
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3207296229							
33956	STAPLES ADVANTAGE	08/08/2013	09/04/2013	(35.50)	0.00	P	Y
	SUPPLIES	ksteinman					08/27/2013

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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
	591-558-727-000	OFFICE SUPPLIES		(7.10)			
	592-558-727-000	OFFICE SUPPLIES		(7.10)			
	101-446-727-000	OFFICE SUPPLIES		(7.10)			
	101-447-727-000	OFFICE SUPPLIES		(7.10)			
	582-558-727-000	OFFICE SUPPLIES		(7.10)			
55							
33835	STEP IN SERVICES INC	08/12/2013	09/04/2013	176.00	0.00	P	Y
		ksteinman					08/26/2013
	577-751-850-000	TELEPHONE		176.00			
5495							
33826	STO-AWAY POWER CRANES INC	08/14/2013	09/04/2013	852.33	0.00	P	Y
		ksteinman					08/26/2013
	661-450-935-000	REPAIRS/MAINTENANCE - VEHICLES		852.33			
848944							
33984	TELE-RAD INC	08/16/2013	09/04/2013	464.90	0.00	P	Y
		ksteinman					08/27/2013
	101-301-933-000	REPAIRS/MAINTENANCE - EQUIP		464.90			
382850-01							
33836	THAYER INC	08/09/2013	09/04/2013	93.60	0.00	P	Y
		ksteinman					08/26/2013
	101-751-741-000	OPERATING SUPPLIES		46.80			
	577-751-741-000	OPERATING SUPPLIES		46.80			
383875-00							
33939	THAYER INC	08/23/2013	09/04/2013	693.29	0.00	P	Y
		ksteinman					08/27/2013
	101-751-741-000	OPERATING SUPPLIES		350.89			
	577-751-741-000	OPERATING SUPPLIES		342.40			
381007							
33940	THAYER INC	06/07/2013	09/04/2013	93.60	0.00	P	Y
		ksteinman					06/30/2013
	545-776-741-000	OPERATING SUPPLIES		93.60			
827849955							
33993	THOMSON REUTERS - WEST	08/04/2013	09/04/2013	92.00	0.00	P	Y
		ksteinman					08/27/2013
	101-301-958-000	SUBSCRIPTIONS/MEMBERSHIPS		92.00			

User: ksteinman

DB: South Haven

INVOICE DUE DATES 09/04/2013 - 09/04/2013

JOURNALIZED OPEN AND PAID

BANK CODE: 1 - CHECK TYPE: PAPER CHECK

Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnalized
Inv Ref#	Description	Entered By					Post Date
30.00							
33929	TRACTOR SUPPLY CREDIT PLAN SUPPLIES ACCT#6035 3012 0321 140 ksteinman 591-559-729-001	08/13/2013	09/04/2013	30.00	0.00	P	Y 08/27/2013
	OTHER CLOTHING & SUPPLIES			30.00			
173975							
33930	TRACTOR SUPPLY CREDIT PLAN SUPPLIES ACCT#6035 3012 0321 140 ksteinman 592-559-742-000	08/14/2013	09/04/2013	57.97	0.00	P	Y 08/27/2013
	SMALL TOOLS			57.97			
141061							
33931	TRACTOR SUPPLY CREDIT PLAN SUPPLIES ACCT#6035 3012 0321 140 ksteinman 101-751-729-001	08/12/2013	09/04/2013	74.98	0.00	P	Y 08/27/2013
	OTHER CLOTHING & SUPPLIES			74.98			
141085							
33932	TRACTOR SUPPLY CREDIT PLAN SUPPLIES ACCT#6035 3012 0321 140 ksteinman 101-751-741-000	08/12/2013	09/04/2013	24.86	0.00	P	Y 08/27/2013
	OPERATING SUPPLIES			24.86			
139664							
33933	TRACTOR SUPPLY CREDIT PLAN SUPPLIES ACCT#6035 3012 0321 140 ksteinman 591-558-741-000	08/02/2013	09/04/2013	31.35	0.00	P	Y 08/27/2013
	OPERATING SUPPLIES			31.35			
139349							
33934	TRACTOR SUPPLY CREDIT PLAN SUPPLIES ACCT#6035 3012 0321 140 ksteinman 661-450-742-000	07/30/2013	09/04/2013	36.99	0.00	P	Y 08/27/2013
	SMALL TOOLS			36.99			
172068							
33935	TRACTOR SUPPLY CREDIT PLAN SUPPLIES ACCT#6035 3012 0321 140 ksteinman 101-751-729-001	07/31/2013	09/04/2013	39.99	0.00	P	Y 08/27/2013
	OTHER CLOTHING & SUPPLIES			39.99			
140532							
33936	TRACTOR SUPPLY CREDIT PLAN SUPPLIES ACCT#6035 3012 0321 140 ksteinman 101-751-741-000	08/09/2013	09/04/2013	91.60	0.00	P	Y 08/27/2013
	OPERATING SUPPLIES			91.60			
172241							
33937	TRACTOR SUPPLY CREDIT PLAN SUPPLIES ACCT#6035 3012 0321 140 ksteinman 101-446-741-000	08/01/2013	09/04/2013	23.95	0.00	P	Y 08/27/2013
	OPERATING SUPPLIES			23.95			

INVOICE DUE DATES 09/04/2013 - 09/04/2013  
 JOURNALIZED OPEN AND PAID  
 BANK CODE: 1 - CHECK TYPE: PAPER CHECK

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
139314							
33938	TRACTOR SUPPLY CREDIT PLAN SUPPLIES ACCT#6035 3012 0321 140 ksteinman 101-751-741-000 OPERATING SUPPLIES	07/30/2013 ksteinman	09/04/2013	8.18 8.18	0.00	P	Y 08/27/2013
175518							
33964	TRACTOR SUPPLY CREDIT PLAN SUPPLIES ACCT#6035 3012 0321 140 ksteinman 101-446-741-000 OPERATING SUPPLIES	08/26/2013 ksteinman	09/04/2013	17.97 17.97	0.00	P	Y 08/27/2013
8/15/13							
33853	TREECORE TREE WORK 582-558-802-000 OTHER CONTRACTUAL SERVICES 101-751-802-000 OTHER CONTRACTUAL SERVICES 545-776-802-000 OTHER CONTRACTUAL SERVICES	08/26/2013 ksteinman	09/04/2013	32,912.00 31,576.00 1,100.00 236.00	0.00	P	Y 08/26/2013
IN16898							
33842	U S BUSINESS SYSTEMS INC 101-265-802-000 OTHER CONTRACTUAL SERVICES	08/07/2013 ksteinman	09/04/2013	130.24 130.24	0.00	P	Y 08/26/2013
888289							
33995	UPS STORE #5080 SHIPPING FEE 591-559-855-000 POSTAGE	08/22/2013 ksteinman	09/04/2013	19.63 19.63	0.00	P	Y 08/28/2013
888394							
33996	UPS STORE #5080 SHIPPING FEE 591-559-855-000 POSTAGE	08/21/2013 ksteinman	09/04/2013	12.67 12.67	0.00	P	Y 08/28/2013
117900							
33868	USA BLUE BOOK LAB SUPPLIES 591-559-741-000 OPERATING SUPPLIES	08/06/2013 ksteinman	09/04/2013	293.25 293.25	0.00	P	Y 08/26/2013
122561							
33899	USA BLUE BOOK LAB SUPPLIES 591-559-741-000 OPERATING SUPPLIES	08/12/2013 ksteinman	09/04/2013	117.03 117.03	0.00	P	Y 08/26/2013

INVOICE DUE DATES 09/04/2013 - 09/04/2013  
 JOURNALIZED OPEN AND PAID  
 BANK CODE: 1 - CHECK TYPE: PAPER CHECK

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt	Amt Due	Status	Jrnalized Post Date
REQ #10							
33909	VANDER MEULEN BUILDERS INC 250-729-880-000	08/27/2013 ksteinman FACADE GRANTS	09/04/2013	12,100.37 12,100.37	0.00	P	Y 08/27/2013
013712-11001							
33960	VANDERZEE MOTORPLEX 661-450-741-003	08/26/2013 ksteinman REPAIR & MAINT SUPPLIES	09/04/2013	22.99 22.99	0.00	P	Y 08/27/2013
50148							
33898	VILLA ENVIRONMENTAL CONSULTANTS 101-804-802-000	08/22/2013 ksteinman OTHER CONTRACTUAL SERVICES	09/04/2013	1,775.00 1,775.00	0.00	P	Y 08/26/2013
AUGUST							
33888	VILLAGE MARKET #869 FUEL 101-301-748-000 101-446-748-000 582-558-748-000	08/12/2013 ksteinman MOTOR FUEL MOTOR FUEL MOTOR FUEL	09/04/2013	585.40 195.14 195.13 195.13	0.00	P	Y 08/26/2013
MULTIPLE							
33946	VILLAGE MARKET #869 FUEL 101-301-941-000	08/27/2013 ksteinman MOTOR POOL FEES	09/04/2013	694.95 694.95	0.00	P	Y 08/27/2013
159-1046580							
33869	WINGFOOT COMMERCIAL TIRE SYSTEMS 661-450-741-003	08/16/2013 ksteinman REPAIR & MAINT SUPPLIES	09/04/2013	651.72 651.72	0.00	P	Y 08/26/2013
3232							
33926	WINKEL'S COMMUNICATION INC 661-450-802-000	07/30/2013 ksteinman OTHER CONTRACTUAL SERVICES	09/04/2013	84.95 84.95	0.00	P	Y 08/27/2013
# of Invoices:	168	# Due:	0	Totals:	238,480.47	0.00	
# of Credit Memos:	7	# Due:	1	Totals:	(446.55)	(98.82)	
Net of Invoices and Credit Memos:					238,033.92	(98.82)	

INVOICE DUE DATES 09/04/2013 - 09/04/2013  
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Inv Num	Vendor	Inv Date	Due Date	Inv Amt	Amt Due	Status	Jrnlized
Inv Ref#	Description	Entered By					Post Date
	GL Distribution						
--- TOTALS BY FUND ---							
	101 - GENERAL FUND			48,722.32	(98.82)		
	204 - STREET FUND			13,581.94	0.00		
	250 - DOWNTOWN DVLP AUTHORITY			12,131.55	0.00		
	251 - LOCAL DVLP FINANCE ATHR DIS			89.97	0.00		
	401 - CAPITAL PROJECTS FUND 1			8,031.11	0.00		
	402 - CAPITAL PROJECTS FUND 2			7,398.98	0.00		
	545 - BLACK RIVER PARK FUND			922.31	0.00		
	577 - BEACH FUND			1,355.71	0.00		
	582 - ELECTRIC FUND			55,101.07	0.00		
	591 - WATER FUND			11,458.78	0.00		
	592 - SEWER FUND			14,930.23	0.00		
	594 - MARINA FUND			57,168.94	0.00		
	636 - INFORMATION SERVICES FUND			31.18	0.00		
	661 - MOTOR POOL FUND			7,109.83	0.00		
--- TOTALS BY DEPT/ACTIVITY ---							
	001 - ASSETS			194.22	0.00		
	202 - CITY TREASURER			7,426.94	0.00		
	209 - ASSESSOR			2,287.50	0.00		
	215 - CITY CLERK			92.99	0.00		
	258 - DATA PROCESSING			31.18	0.00		
	265 - BUILDINGS & GROUNDS			3,996.51	0.00		
	276 - CEMETERY DEPARTMENT			78.01	0.00		
	301 - POLICE			18,253.74	0.00		
	350 - INFORMATION CENTER			1,574.80	0.00		
	371 - BUILDING INSPECTIONS			31.22	0.00		
	446 - HIGHWAYS & STREETS			14,864.82	0.00		
	447 - ENGINEERING			7,634.14	0.00		
	450 - EQUIPMENT MAINTENANCE			7,109.83	0.00		
	558 - OPERATIONS			72,862.90	0.00		
	559 - TREATMENT			5,356.38	0.00		
	569 - LIFSTATIONS - SOUTH HAVEN T			3,270.80	0.00		
	728 - ECONOMIC DEVELOPMENT			88.20	0.00		
	729 - DOWNTOWN DEVELOPMENT			12,131.55	0.00		
	751 - PARK DEPARTMENT			11,631.87	(98.82)		
	776 - OPERATIONS			58,091.25	0.00		
	804 - MUSEUMS			3,080.00	0.00		
	895 - OTHER FUNCTIONS			7,855.10	0.00		
	901 - INDUSTRIAL DEVELOPMENT			89.97	0.00		



# City of South Haven

## Dept. of Public Works

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

### MEMORANDUM

To: Brian Dissette, City Manager

From: Roger Huff, PE, DPW Director

RE: Consulting Contracts with GRP for the 2013-14 Electrical Projects

Date: August 27, 2013

### Background Information

At the July 29, 2013 Regular Meeting of the Board of Public Utilities, GRP Engineering, Inc. presented the Electric Distribution System Study & Five-Year Plan. This study reviewed the City of South Haven's substations and distribution system for equipment and conductor capacity issues, voltage and VAR flow issues, projected 5 and 10 year load growth, and assessed the physical condition of the electrical system. The report provided recommendations for electrical system projects to significantly improve system reliability. These projects will provide usable circuit & substation backfeed capabilities, will rebuild lines with failing hardware, will fix problems with open-wire secondary and associated connections, and will decrease system VAR flow.

The Board directed GRP Engineering to provide proposals for engineering services for the following recommended projects:

1. Phoenix Road Substation Transformer Procurement – Overall project scope includes the installation of a second 12/16/20 MVA transformer and two underground substation exits (PR-C and PR-D) at Phoenix Road Substation along with necessary 69kV transmission connections, breakers, bus work, etc. This initial project design phase includes material procurement for the new power transformers.
2. Project #102 PR-C Circuit 2nd Avenue – Project scope is to construct a new circuit (PR-C) on 2nd Avenue/Wells Street from Phoenix Road Substation to Blue Star Highway with #336.4 ACSR conductor (0.7 miles double circuit) on the existing pole line. Additionally, the project will include shifting all circuit MS-F load on North Shore Drive to this new circuit PR-C. Proposed primary conductor is #336.4 ACSR, but #336.4 Hendrix spacer cable will be utilized if final design dictates. Project includes replacement of all poles between the substation and I-196, and utilizing existing poles west of the highway.
3. Project #103 PR-D Circuit Veteran's Boulevard – Project scope is to construct a new circuit (PR-D) Veteran's Blvd from 2nd Avenue to Phoenix Road (0.6 miles) with #500kCM 15kV CU underground including padmount switchgear to relieve load and reduce geographic area from circuit PR-A. Additionally, the project will

**Memorandum**

August 27, 2013

Consulting Contracts with GRP for the 2013-14 Electrical Projects

Page 2 of 3

include design and construction of the new substation circuit exits for both PR-C and PR-D plus system protection changes on PR-A as listed in the system study.

4. Secondary Line Upgrade – Engineering services to be provided on an hourly basis due to the unknowns in amount of construction, the number of contracts, etc. Project includes replacement of failing hardware and small conductors.

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

On August 27, 2013, the Board of Public Utilities reviewed and provided unanimous approval of a recommendation to City Council to approve consulting contracts with GRP Engineering, Inc. for design, construction administration, and start-up for the 2013-14 Electrical Projects.

**Recommendation:**

Approve consulting contracts with GRP Engineering Inc. to provide engineering services for design, construction administration, and start-up for the following 2013-14 Electrical Projects:

- A. Phoenix Road Substation Transformer Procurement in the amount of \$6,000.
- B. Project #102 PR-C Circuit 2nd Avenue in the amount of \$13,000.
- C. Project #103 PR-D Circuit Veteran's Blvd. in the amount of \$43,000.
- D. Core City Secondary Upgrades on an hourly basis.

**Support Material:**

Phoenix Road Substation Transformer Procurement Proposal

Project #102 PR-C Circuit 2nd Avenue Proposal

Project #103 PR-D Circuit Veteran's Blvd. Proposal

Core City Secondary Upgrades Proposal

**Memorandum**

August 27, 2013

Consulting Contracts with GRP for the 2013-14 Electrical Projects

Page 3 of 3

August 17, 2013

Mr. Roger Huff  
Public Works Director  
City of South Haven  
1199 8<sup>th</sup> Ave.  
South Haven, MI 49090

**RE: Engineering Services Proposal  
Phoenix Road Substation Transformer Procurement**

Dear Mr. Huff:

GRP Engineering, Inc. is pleased to present this proposal to the City of South Haven for engineering services associated with the addition of a second transformer to Phoenix Road Substation.

Overall project scope includes the installation of a second 12/16/20 MVA transformer and two underground substation exits (PR-C and PR-D) at Phoenix Road Substation along with necessary 69kV transmission connections, breakers, bus work, etc. This initial project design phase includes material procurement for the new power transformers.

**Scope of Services**

Our scope of services for completing the transformer procurement services include:

- Develop list of qualified manufacturers for bidding.
- Determine electrical energy costs to be used in loss evaluation of new power transformers.
- Develop power transformer specifications.
- Preparation and processing of the transformer procurement contract.
- Coordinate and assist on site with bid opening and contract award.
- Evaluate bids received and prepare recommendation for contract award.
- Review and approve transformer shop drawings.

GRP Engineering, Inc. proposes to complete the transformer procurement services for the Phoenix Road Substation Second Transformer project for a lump sum fee of \$6,000. Should additional services be required outside the scope of this proposal, we will complete those tasks on an hourly basis based on the attached rate sheet.

We appreciate the opportunity to submit this proposal and look forward to being of service to you. Please contact me should you have any questions.

Sincerely,

**GRP Engineering, Inc.**



Michael P. McGeehan, P.E.  
President

Enclosures

cc/enc: City of South Haven  
Mr. Bill Conklin

**GRP ENGINEERING, INC.**  
**HOURLY BILLING RATES**

Employee Title	Engineer Level	Hourly Rate Range
Senior Project Manager	8	\$125 - \$150
Project Manager	7	\$105 - \$120
Senior Engineer	6	\$90 - \$105
Project Engineer	4 - 5	\$80 - \$90
Engineer	2 - 3	\$70 - \$80
Entry Level Engineer	1	\$50 - \$70
Engineering Technician		\$40 - \$50
Engineering Support		\$30 - \$43
Administrative Support		\$35 - \$50

Expenses will be invoiced at cost including, but not limited to, mileage, meals, lodging, printing and reproduction.

All subcontracted services will be invoiced at cost, with no additional markup.

Rates are valid through December 31, 2013

August 17, 2013

Mr. Roger Huff  
Public Works Director  
City of South Haven  
1199 8<sup>th</sup> Ave.  
South Haven, MI 49090

**RE: Engineering Services Proposal  
Project #102 PR-C Circuit 2<sup>nd</sup> Avenue**

Dear Mr. Huff:

GRP Engineering, Inc. is pleased to present this proposal to the City of South Haven for engineering services associated with the distribution line project #102 along 2<sup>nd</sup> Avenue & Wells Street from Phoenix Road Substation west to Blue Star Highway.

Project #102 PR-C Circuit 2<sup>nd</sup> Avenue Scope

Project scope is to construct a new circuit (PR-C) on 2nd Avenue/Wells Street from Phoenix Road Substation to Blue Star Highway with #336.4 ACSR conductor (0.7 miles double circuit) on the existing pole line. Additionally, the project will include shifting all circuit MS-F load on North Shore Drive to this new circuit PR-C. Proposed primary conductor is #336.4 ACSR, but #336.4 Hendrix spacer cable will be utilized if final design dictates. Project includes a replacement of all poles between the substation and I-196, and utilizing existing poles west of the highway. Estimated construction cost is: \$136,000.

Scope of Services

Our scope of services for completing the distribution line design and construction inspection services include:

- Conduct field review meeting with City of South Haven staff.
- Inventory all units for retirement.
- Complete engineering design for the project including provisions for joint-use where applicable.
- Preparation of new and removal staking sheets and associated drawings.
- Preparation of new construction and removal unit lists and required material list.
- Preparation and processing of one Construction Contract.
- Coordinate and assist on site with bid opening and contract award.
- Prepare and process all county road commission and MDOT permits.

- Conduct pre-construction meeting.
- Construction stake the line project.
- On-site inspection of construction at critical times.
- Final inventory of the line project.
- Preparation of project “punch list” following completion of construction.
- Review and process monthly and final contractor invoicing.
- Preparation of record drawings & staking sheets.
- Update the WindMil computer model with new conductor and primary equipment information from the line construction project.

GRP Engineering, Inc. proposes to complete the engineering services for the Project #102 PR-C Circuit 2<sup>nd</sup> Avenue project for a lump sum fee of \$13,000. Should additional services be required outside the scope of this proposal, we will complete those tasks on an hourly basis based on the attached rate sheet.

We appreciate the opportunity to submit this proposal and look forward to being of service to you. Please contact me should you have any questions.

Sincerely,

**GRP Engineering, Inc.**



Michael P. McGeehan, P.E.  
President

Enclosures

cc/enc: City of South Haven  
Mr. Bill Conklin

**GRP ENGINEERING, INC.**  
**HOURLY BILLING RATES**

Employee Title	Engineer Level	Hourly Rate Range
Senior Project Manager	8	\$125 - \$150
Project Manager	7	\$105 - \$120
Senior Engineer	6	\$90 - \$105
Project Engineer	4 - 5	\$80 - \$90
Engineer	2 - 3	\$70 - \$80
Entry Level Engineer	1	\$50 - \$70
Engineering Technician		\$40 - \$50
Engineering Support		\$30 - \$43
Administrative Support		\$35 - \$50

Expenses will be invoiced at cost including, but not limited to, mileage, meals, lodging, printing and reproduction.

All subcontracted services will be invoiced at cost, with no additional markup.

Rates are valid through December 31, 2013

August 17, 2013

Mr. Roger Huff  
Public Works Director  
City of South Haven  
1199 8<sup>th</sup> Ave.  
South Haven, MI 49090

**RE: Engineering Services Proposal**  
**Project #103 PR-D Circuit Veteran's Blvd**

Dear Mr. Huff:

GRP Engineering, Inc. is pleased to present this proposal to the City of South Haven for engineering services associated with the distribution line project #103 along Veteran's Blvd from Phoenix Road Substation south to Phoenix Road.

Project #103 PR-D Circuit Veteran's Scope

Project scope is to construct a new circuit (PR-D) Veteran's Blvd from 2nd Avenue to Phoenix Road (0.6 miles) with #500kCM 15kV CU underground including padmount switchgear to relieve load and reduce geographic area from circuit PR-A. Additionally, the project will include design and construction of the new substation circuit exits for both PR-C and PR-D plus system protection changes on PR-A as listed in the system study. Estimated construction cost is: \$435,000.

Scope of Services

Our scope of services for completing the distribution line design and construction inspection services include:

- Conduct field review meeting with City of South Haven staff.
- Complete inventory of the existing underground system along Veteran's Blvd.
- Complete engineering design for the underground project including all primary, secondary, and connection to the existing system and two new Phoenix Rd Substation exits.
- Design and implementation of system protection changes on circuit PR-D (old PR-A).
- Preparation of new and removal construction drawings.
- Preparation of new construction and removal unit lists and required material lists.
- Preparation and processing of two (2) construction contracts. One for conduit installation and a second contract for electrical cable & equipment installation.
- Coordinate and assist on site with two bid openings and contract award.

- Prepare and process all county road commission permits.
- Conduct pre-construction meeting for each contract.
- Construction staking of conduit centerline and padmount equipment.
- On-site inspection of construction at critical points.
- Preparation of circuit switching orders and on-site representation during primary outages.
- Final construction inspection and inventory.
- Preparation of project “punch lists” following completion of construction.
- Review and process monthly and final contractor invoicing.
- Preparation of record drawings.
- Update the WindMil computer model with new conductor and primary equipment information from the new circuit construction project plus all system protection changes included with this project.

GRP Engineering, Inc. proposes to complete the engineering services for the Project #103 PR-D Circuit Veteran’s Blvd project for a lump sum fee of \$43,000. Should additional services be required outside the scope of this proposal, we will complete those tasks on an hourly basis based on the attached rate sheet.

We appreciate the opportunity to submit this proposal and look forward to being of service to you. Please contact me should you have any questions.

Sincerely,

**GRP Engineering, Inc.**



Michael P. McGeehan, P.E.  
President

Enclosures

cc/enc: City of South Haven  
Mr. Bill Conklin

**GRP ENGINEERING, INC.**  
**HOURLY BILLING RATES**

Employee Title	Engineer Level	Hourly Rate Range
Senior Project Manager	8	\$125 - \$150
Project Manager	7	\$105 - \$120
Senior Engineer	6	\$90 - \$105
Project Engineer	4 - 5	\$80 - \$90
Engineer	2 - 3	\$70 - \$80
Entry Level Engineer	1	\$50 - \$70
Engineering Technician		\$40 - \$50
Engineering Support		\$30 - \$43
Administrative Support		\$35 - \$50

Expenses will be invoiced at cost including, but not limited to, mileage, meals, lodging, printing and reproduction.

All subcontracted services will be invoiced at cost, with no additional markup.

Rates are valid through December 31, 2013

August 23, 2013

Mr. Roger Huff  
Public Works Director  
City of South Haven  
1199 8<sup>th</sup> Ave.  
South Haven, MI 49090

**RE: Engineering Services Proposal  
Core City Secondary Upgrades**

Dear Mr. Huff:

GRP Engineering, Inc. is pleased to present this proposal to the City of South Haven for engineering services associated with the reconstruction of secondary lines generally in backlot areas within the core city area.

Core City Secondary Upgrades Scope

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

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

Scope of Services

Our scope of services for completing the secondary and backlot upgrade design and construction inspection services include:

- Conduct field review meeting with City of South Haven staff.
- Inventory all assembly units for retirement in the “core city” area.
- Complete engineering design for the project including provisions for joint-use where applicable.
- Preparation of new and removal staking sheets and associated drawings.
- Preparation of new construction and removal unit lists and required material list.
- Preparation and processing of a construction contract for each line section.
- Coordinate and assist on site with contract bid openings and award.

- Conduct pre-construction meetings for each section.
- Construction staking for the project.
- On-site inspection of construction at critical times.
- Final inspection and inventory of the line project.
- Preparation of project “punch list” following completion of construction for each section.
- Review and process monthly and final contractor invoicing.
- Preparation of record drawings & staking sheets.
- Update the WindMil computer model with new conductor and primary equipment information from the line construction project.

GRP Engineering, Inc. proposes to complete the engineering services for the Core City Secondary Upgrade project on an hourly basis based on the attached rate sheet.

We appreciate the opportunity to submit this proposal and look forward to being of service to you. Please contact me should you have any questions.

Sincerely,

**GRP Engineering, Inc.**



Michael P. McGeehan, P.E.  
President

Enclosures

cc/enc: City of South Haven  
Mr. Bill Conklin

**GRP ENGINEERING, INC.**  
**HOURLY BILLING RATES**

Employee Title	Engineer Level	Hourly Rate Range
Senior Project Manager	8	\$125 - \$150
Project Manager	7	\$105 - \$120
Senior Engineer	6	\$90 - \$105
Project Engineer	4 - 5	\$80 - \$90
Engineer	2 - 3	\$70 - \$80
Entry Level Engineer	1	\$50 - \$70
Engineering Technician		\$40 - \$50
Engineering Support		\$30 - \$43
Administrative Support		\$35 - \$50

Expenses will be invoiced at cost including, but not limited to, mileage, meals, lodging, printing and reproduction.

All subcontracted services will be invoiced at cost, with no additional markup.

Rates are valid through December 31, 2013



# City of South Haven

## Department of Public Works

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

### MEMORANDUM

**To:** Brian Dissette, City Manager  
Roger Huff, PE, DPW Director

**From:** Larry Halberstadt, PE, City Engineer

**Date:** August 26, 2013

**RE:** Monroe Boulevard Sewer Extension

### Background Information

Last fall, the former Canonie property at 900 Monroe Blvd was purchased and the old home located on this lot was demolished. The water and sewer connections were disconnected at the right-of-way line of Monroe Blvd. The new property owner has continued to pay standby charges on these connections with the intention of reusing them for a new home.

The parcel was then subdivided into 7 lots to provide sites for the location of 7 new single family residences. Construction of the first two homes located at 872 and 876 Monroe Blvd is substantially completed. These homes occupy the two northernmost lots. The developer of this lot, Zackary Bossenbroek, has made application to obtain water and sewer service to 872 and 876. According to Kelli Steinman, availability fees, connection fees, inspection fees, and meter deposits have been collected for these two lots.

Work orders were then sent to the Water Department instructing them to install the requested water and sewer taps. Upon receipt of these work orders, Rodney Hutsell visited the site and reviewed construction plans to determine the location of the nearest water and sewer mains. At that point in time, it was discovered that there is no sewer main along the frontage of the new lots with the addresses listed above. The sewer service for the former Canonie house is connected to the manhole at the intersection of Elkenburg St and Monroe Blvd.

In order to provide adequate sanitary sewer service to 872, 876, 880, and 888 Monroe Blvd, a new 8-inch diameter sewer main should be extended from the manhole at Elkenburg St, extending north for 230 feet. A new manhole must be installed at the north end of this sewer run. Due to limited right-of-way width and existing utilities, the only feasible location for this sewer main extension is near the centerline of the existing pavement.

In order to permit a safe excavation for laying the sewer main, the full width of roadway asphalt must be removed and replaced. The engineering department has prepared a preliminary cost estimate for the work. The estimate includes costs for replacing the curb and gutter on the west side, and installing sewer and water service stubs to 872, 876, 880, and 888 Monroe Blvd. The road will be reconstructed to match the existing pavement section, including 5½-inches of

**Memorandum**

August 26, 2013

Monroe Boulevard Sewer Extension

Page 2 of 2

asphalt and 9-inches of gravel. The preliminary cost estimate for completion of the work is \$96,615.75.

In order to complete the engineering design, staff has contracted with Mitchell & Morse Land Surveying to complete the necessary topographic survey. In addition, we have solicited a proposal for engineering services from Abonmarche.

It is estimated that the developer will pay the following fees for water and sewer connections to 872, 876, 880, and 888 Monroe Blvd:

<b>Fee</b>	<b>Amount</b>
Water System Availability Fee <sup>1</sup>	\$7,000.00
Water Connection Fee	\$11,200.00
Sewer System Availability Fee <sup>1</sup>	\$6,920.00
Sewer Connection Fee	\$16,800.00
<b>Total Fees Collected</b>	<b>\$41,920.00</b>

<sup>1</sup> Availability Fees are collected as a purchase of capacity in the water distribution and sewer collection systems. Availability fees are not typically utilized to pay for construction of main extensions.

Currently, the developer has paid for water and sewer service to 872 and 876 Monroe Blvd. Temporary sewer service has been installed. However, the project to install the permanent sewer main extension needs to be completed as soon as possible to allow additional lots to be developed.

City staff has solicited an engineering proposal from Abonmarche to assist with design of the needed improvements. The proposal also covers bidding phase and construction phase services. Engineering department staff has a busy fall lined up with Kalamazoo Street under construction, Phoenix Street construction beginning next week, and Bascule Bridge construction beginning in approximately one month. Thus, it is recommended that an outside consultant handle the Monroe Boulevard project.

**Recommendation**

Council should review the attached Proposal for Professional Services from Abonmarche at their September 3, 2013 regular meeting and authorize the City Manager to sign the agreement.

**Attachments**

Abonmarche Proposal for Professional Services, Monroe Blvd Sanitary Sewer Extension  
Canonie Lot Split  
Preliminary Cost Estimate  
Conceptual Design

July 22, 2013

Mr. Larry Halberstadt  
City of South Haven  
1199 8<sup>th</sup> Avenue  
South Haven, MI 49090

RE: Proposal for Professional Services  
Monroe Boulevard Sanitary Sewer Extension

Dear Larry:

Abonmarche is pleased to present this proposal for Engineering Services related to the Monroe Boulevard Sewer Extension. We have met with City engineering staff, and understand the project scope as follows:

The Sanitary Sewer on Monroe Boulevard currently has a gap between Elkenburg Street and Elm Court. Recent parcel splits on the west side of Monroe Boulevard have necessitated an extension of the mainline sewer and installation of service laterals (including two (2) laterals south of Elkenburg Street). In addition, water services are needed for the parcels. The existing sanitary sewer runs down the center of Monroe Boulevard therefore the intent will be to continue the extension down the center. As a result, the roadway will be reconstructed from the east curb line to the west. The preliminary Engineer's Estimate of construction costs for the project is \$80,000. We understand that Mitchell and Morse has been contacted for the Boundary and Topographic surveying for this project and that design and permitting is intended to start immediately with an intention of constructing the improvements in September.

### **SCOPE OF SERVICES**

We anticipate that our level of effort for completion of this project will include the following tasks:

#### **Preliminary/Final Design**

1. Design of a Sanitary Sewer Plan and profile drawings and water service taps.
2. Plan sheets including: title sheet, removals, details, cross-sections, plan and profile, and traffic maintenance plan.
3. Specifications and Special Provisions
4. Utility coordination including gathering information from utility companies and resolving conflicts as necessary.

5. Permitting services including preparation and submittal of MDEQ Part 41 Wastewater Construction Permit and Van Buren County Drain Commission Soil Erosion and Sedimentation Control Permit (permit fees to be paid separately by the City).
6. Quantities and Cost Estimates
7. Project Meetings with city staff and utility companies as necessary.

### **Bidding Phase**

This is expected to include:

1. Distribution of plans and specifications to prospective bidders
2. Maintaining a bid register
3. Answering Contractor questions and issuing addenda, as necessary
4. Attending the Bid Opening
5. Preparing a Recommendation for Award of the contract
6. Preparing contracts for execution by the City and Contractor

### **Construction Phase**

The construction phase is anticipated to consist of:

1. Administering a Pre-Construction Meeting with the Contractor, City staff, and utility companies. Meeting minutes will be compiled and distributed to all attendees and other interested parties.
2. Construction Progress Meetings including meeting minutes, on a weekly or bi-weekly basis as determined. Meeting minutes will be compiled and distributed to all attendees and other interested parties.
3. Full-time construction inspection and testing as needed and per MDEQ and City requirements. This is expected to include up to 2 weeks of full time inspection services.
4. Construction administration using the Field Manager program including reviewing material submittals, daily pay item tracking, preparing monthly pay estimates based on daily inspection records, processing pay requests, work orders, contract modifications, complete file management, and initial follow-up on citizen complaints.
5. Construction staking, as needed.
6. Construction closeout including a final walk-through, development of a punchlist, providing as-built drawings, and closeout paperwork necessary per City requirements.



**FEES**

Our fees to complete this project are proposed as follows:

<u>Phase</u>	<u>Fee</u>
Preliminary/Final Design	\$ 5,000
Bidding Phase	\$ 2,500
Construction Phase	<u>\$ 8,000</u>
<b>TOTAL</b>	<b>\$15,500</b>

Any tasks required that are beyond the scope identified above will be considered as additional services. We will contact you regarding such items, and obtain authorization from the City prior to commencement with such work.

Your signature in the space provided below will serve as authorization to proceed with this project. We look forward to working with you on this project. If you have any questions or need additional information, please contact me at 269.926.4550.

Sincerely,

ABONMARCHE



Timothy R. Drews, P.E., PTOE  
Vice President

TRD/jkr

cc: Christopher J. Cook, P.E. Abonmarche  
Tony C. McGhee Abonmarche

APPROVED BY:

DATE:



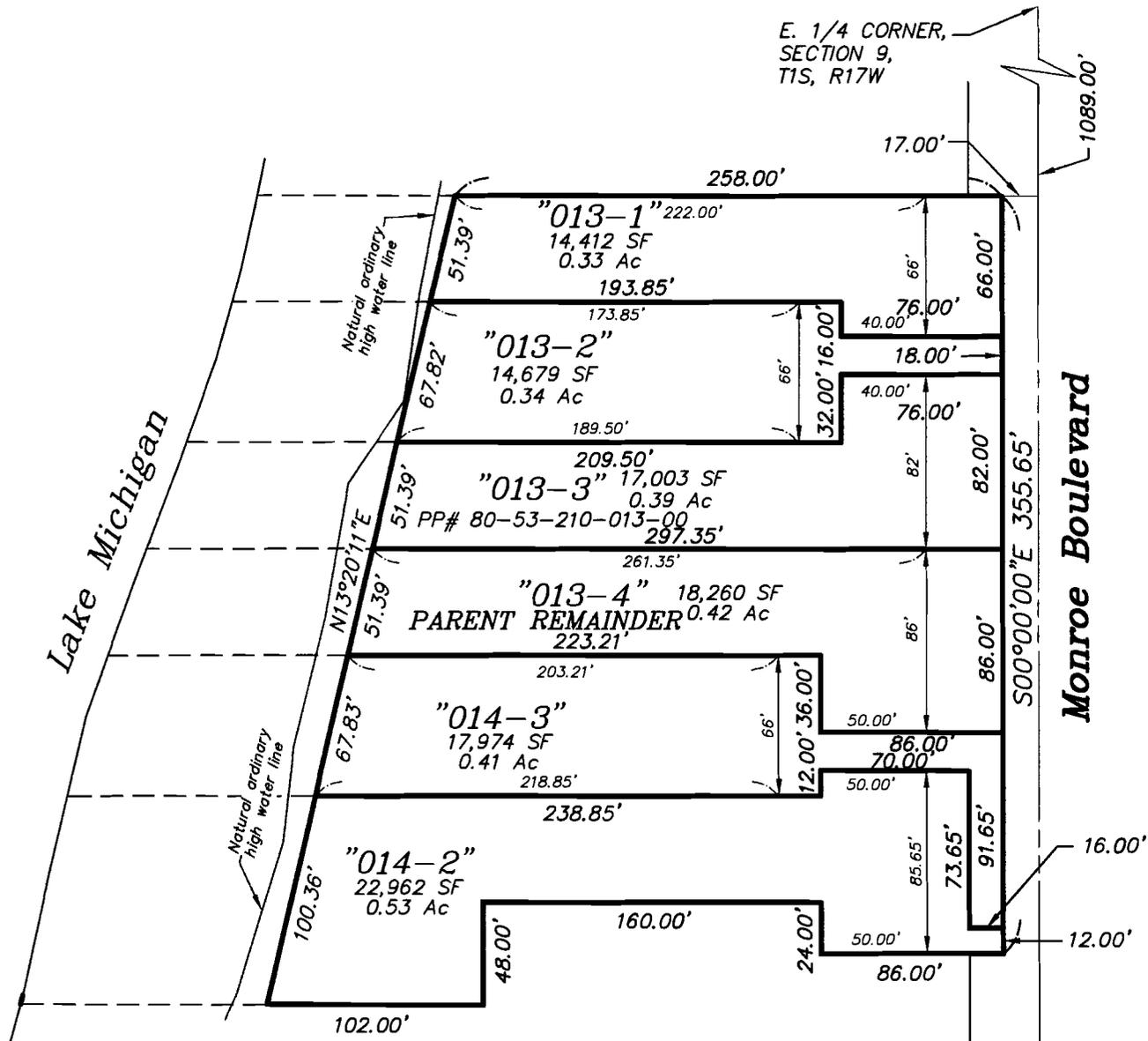
E. 1/4 CORNER,  
SECTION 9,  
T1S, R17W

PREPARED FOR: Pier View South, LLC  
c/o Bossenbroek Law, PLLC  
2855 44th Street, SW Suite 120  
Grandville, MI 49418

RE: 900 Monroe Blvd.

PARTIAL DESCRIPTION: Part of Section 9, Town 1 South, Range 17  
West, City of South Haven, Van Buren County, State of Michigan.  
(See sheet 2 of 3 and 3 of 3 for complete descriptions.)

Parcel Name	Average Depth	Width	Ratio
"013-1"	227.93	66	1 : 3.45
"013-2"	181.68	66	1 : 2.75
"013-3"	255.43	82	1 : 3.11
"013-4"	267.28	86	1 : 3.11
"014-3"	211.03	66	1 : 3.20
"014-2"	300.43	85.65	1 : 3.51



Scale 1" = 80'

- = Concrete
- D = Description dimension
- M = Measured dimension
- P = Platted Dimension
- = Set Iron Stake
- = Found Iron Stake
- x— = Fence Line

This sketch was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.



By: *Scott A. Hendges*  
Scott A. Hendges Licensed Professional Surveyor No. 47953



www.nederveld.com  
800.222.1868

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**ANN ARBOR**  
3025 Miller Road  
Ann Arbor, MI 48103  
PHONE: 734.929.6963

**COLUMBUS**  
6355 Old Avery Road, Suite A  
Dublin, OH 43016  
PHONE: 614.859.1127

**HOLLAND**  
347 Hoover Boulevard  
Holland, MI 49423  
PHONE: 616.393.0449

**CHICAGO**  
1082 National Parkway  
Schaumburg, IL 60173  
PHONE: 312.878.3897

**GRAND RAPIDS**  
217 Grandville Ave., Suite 302  
Grand Rapids, MI 49503  
PHONE: 616.575.5190

**INDIANAPOLIS**  
8459 Castlewood Dr., Suite B  
Indianapolis, IN 46250  
PHONE: 317.288.3762

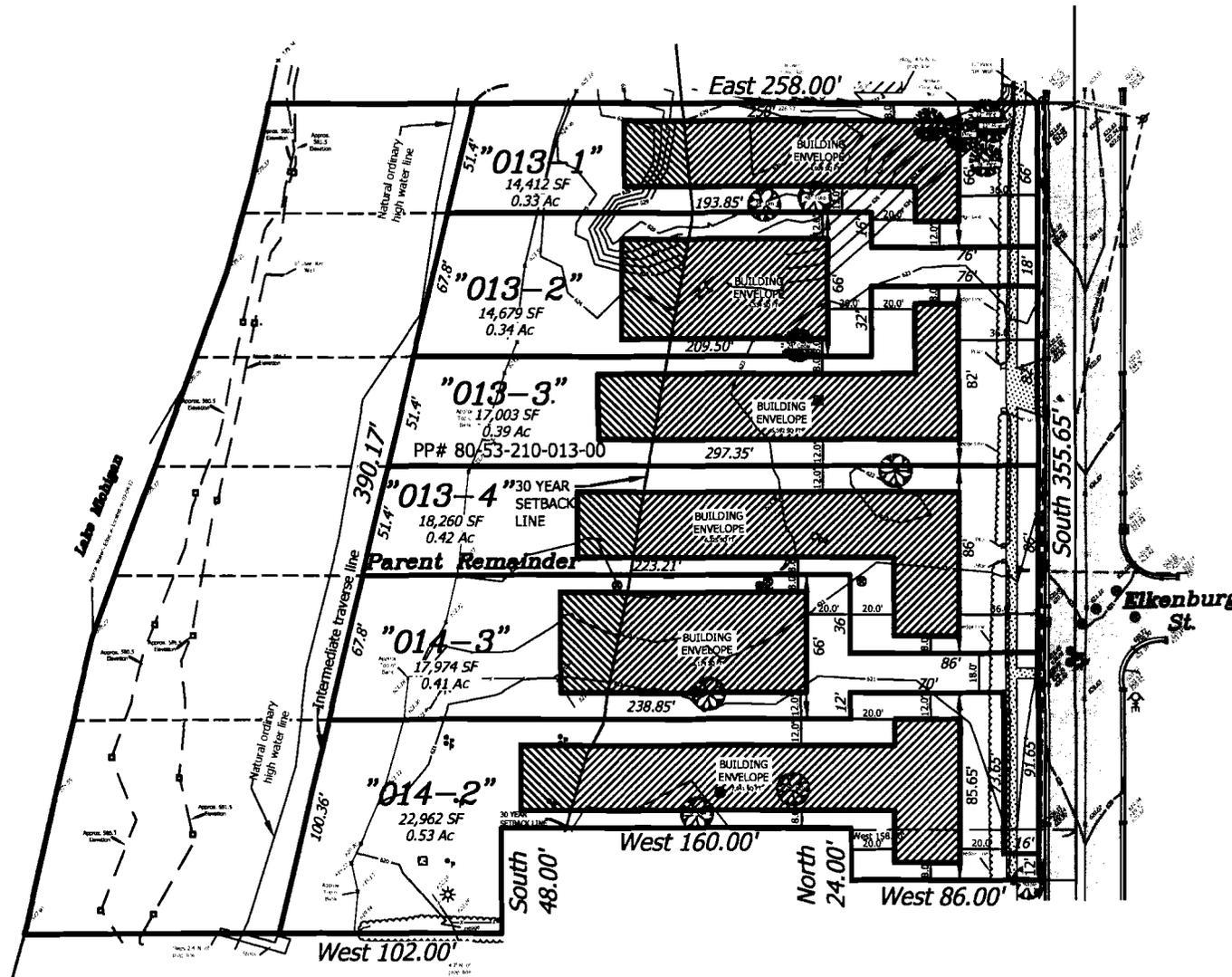
rev.:	date:
project no.: 12200889RATIO	date: 10.29.12 VB

12200889RATIO 10/29/12 16:50

PREPARED FOR: Pier View South, LLC  
 c/o Bossenbroek Law, PLLC  
 2855 44th Street, SW Suite 120  
 Grandville, MI 49418

RE: 900 Monroe Blvd.

PARTIAL DESCRIPTION: Part of Section 9, Town 1 South, Range 17  
 West, City of South Haven, Van Buren County, State of Michigan.



 BUILDING ENVELOPE AREA  
 BUILDING ENVELOPE AREA RESTRICTED BY DEQ TO LIMITED USES



Scale 1" = 80'

## LAYOUT PLAN

-  = Concrete
- D = Description dimension
- M = Measured dimension
- P = Platted Dimension
- = Set Iron Stake
- = Found Iron Stake
- — = Fence Line

This sketch was made from the legal description shown above. The description should be compared with the Abstract of Title or Title Policy for accuracy, easements and exceptions.

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	<b>CHICAGO</b> 1082 National Parkway Schaumburg, IL 60173 PHONE: 312.878.3897	<b>GRAND RAPIDS</b> 217 Grandville Ave., Suite 302 Grand Rapids, MI 49503 PHONE: 616.575.5190	<b>INDIANAPOLIS</b> 8459 Castlewood Dr., Suite B Indianapolis, IN 46250 PHONE: 317.288.3762
			date: date: 10.25.12 VB

Monroe Blvd Sanitary Sewer  
Preliminary Estimate of Project Cost  
6/18/2013

Item No.	Section No.	Pay Item	Qty	Units	Unit Price	Amount
1	01 10 00	Mobilization, Max 5%	1	Lump Sum		\$ 3,680.60
2	01 50 00	Temporary Traffic Control	1	Lump Sum		2,000.00
3	31 10 00	HMA Surface Rem.	953	Sq. Yd.	1.50	1,429.50
4	31 10 00	Curb and Gutter Rem.	260	Ln. Ft.	6.00	1,560.00
5	31 22 13	Roadway Grading	2.6	Station	1,500.00	3,900.00
6	31 25 13	Inlet Protection, Silt Bag	4	Each	100.00	400.00
7	32 11 16	Subbase	525	Cu. Yd.	10.00	5,250.00
8	33 11 23	Aggregate Base, 21AA, 4 inch	87	Sq. Yd.	5.00	435.00
9	33 11 23	Aggregate Base, 21AA, 9 inch	953	Sq. Yd.	7.50	7,147.50
10	32 12 16	HMA, 3C	230	Ton	70.00	16,100.00
11	32 12 16	HMA, 4C	86	Ton	80.00	6,880.00
12	32 13 13	Curb and Gutter, Conc, Det F4	260	Ln. Ft.	12.00	3,120.00
13	32 17 23	Line Mrkg, Regular Dry, Yellow, 4 in	520	Ln. Ft.	2.00	1,040.00
14	33 01 33	Video Taping Sewer Pipe, San	230	Ln. Ft.	2.00	460.00
15	33 05 14	Structure, San. MH, 48 in. Dia	1	Each	2,500.00	2,500.00
16	33 05 14	Structure Cover, EJ #1040 San Logo	1	Each	500.00	500.00
17	33 05 14	Structure Tap, 8 inch San	1	Each	1,000.00	1,000.00
18	33 12 13	Water Svc., 1 inch	80	Ln. Ft.	12.00	960.00
19	33 12 13	Curb Stop, 1 inch	4	Each	350.00	1,400.00
20	33 12 13	Meter Pit, 18 inch	4	Each	300.00	1,200.00
21	33 31 13	San. Swr., PVC SDR 35, 8 inch	230	Ln. Ft.	45.00	10,350.00
22	33 31 13	San. Swr. Service., 6 inch	140	Ln. Ft.	30.00	4,200.00
23	33 31 13	San. Swr. Service Cleanout	4	Each	250.00	1,000.00
24	33 46 00	Underdrain, Subbase, 6 inch	260	Ln. Ft.	3.00	780.00
Construction Subtotal, Pavement Removal & Restoration						\$ 50,042.00
Construction Subtotal, Water and Sewer						\$ 27,250.60
Engineering (15%)						\$ 11,593.89
Contingency (10%)						\$ 7,729.26
<b>Total Project Cost</b>						<b>\$ 96,615.75</b>



# Parks Commission

## Regular Meeting Minutes

Tuesday, April 9, 2013  
6:00 p.m., Council Chambers



### 1. Call to Order by Lewis at 6:00 p.m.

### 2. Roll Call

Present: Cobbs, Comeau, Fenske, Reinert-Montgomery, Toneman, Lewis  
Absent: Fitzgibbon (excused)

### 3. Approval of Agenda

Motion by Fenske, second by Cobbs to approve the agenda as present. All in favor. Motion carried.

### 4. Approval of Minutes – February 12, 2013

Motion by Reinert-Montgomery, second by Toneman to approve the February 12, 2013 minutes as written. All in favor. Motion carried.

### 5. Public Comments and Inquiries Concerning Items not on the Agenda

None at this time.

## NEW BUSINESS

### 6. Hartman Park

Gildea gave an overview of this agenda item.

Jan Meltzer, 316 Prospect Street. Would like to see the park remain the way it is, describing it as an island of peace and tranquility. Children play there; make up their own games; neighbors walk their dogs. Requested that the City leave the trees. Suggested a small swing set at one end of the park. .

Patty Bales, 319 Prospect Street. Lives next to the park; grew up there; kids use the park as a place for natural play; band uses it to practice in on Friday nights; people come and play with their dogs. People, both local and visitors, come in and have a picnic or use it for quiet

time. Where is the parking? Who would maintain it? Are you talking about a full-scale playground? Is it just going to appear all of a sudden like the new trees?

Lois Howard 813 Superior Street. Would like a swing set, not more than that. "We have a terrible time crossing the street at Broadway; if the light were put back on Broadway, we could go to the existing playgrounds." Expressed concern that someone will get hit crossing Broadway or Phoenix.

Mark McClendon 712 Phoenix. Vague recollection of covenants on the park. Suggested that staff check to see if there is something that we are forgetting about.

Chris Baner, 768 Huron Street. Lived there for twenty years; our son has played in the park; we have watched the band play there; t-batters are playing there tonight: out-of-towners quietly picnic in that park. Hartman Park is a beautiful green space used tremendously as a natural place to play tag, kick-the-can, and other games. There are many other alternatives for play for children in our community. Parking is an issue; street condition is an issue.

Andrew Baner 768 Huron Street. "What are we talking about? Just a swing set sounds reasonable. Do not take any trees out.

Chris Baner, 768 Huron Street. Named two neighbors who could not be here who do not want to see the park changed.

Gildea: No type of equipment has been looked at or determined because she wants this to give the public input, if playground equipment is a desired, working with the public will continue as the process proceeds. "This is the first step."

Chris Morrison, 313 Hubbard Street. Have two (2) small boys; are foster parents; looking into adoption. The kids are stoked about the idea of a playground at the park; Chris is worried about safety. "It (street by the park) is a short cut from the south side of Superior and people scoot through there pretty quickly"; requested a crosswalk or speed bump whether or not new equipment is added. Thinks there could be something subtle added that would not be a detriment to the park.

Erica Morrison, 313 Hubbard Street. Lives directly across from the park. There was play equipment at the Hartman School until it was removed. That was nice when we had small kids. Having playground equipment brought back to behind the Hartman School/Historical Society would be wonderful; no trees gone, safety measures added. Has requested a crosswalk twice and city officials came out twice but nothing has been done.

Peggy McClendon, 712 Phoenix Street. Lived in the neighborhood for twenty-six years; own a rental house facing the park. I have two kids that grew up there; would consider something small that would not crowd the whole park; save the trees. Likes the park the way it is, but times change. "I would like to see more opinions from people in the neighborhood."

Diane Landry, 808 Superior Street. Lives a block from Hartman Park; brought the original request (for playground equipment) because she likes to walk with her grandchildren to parks, not drive. It is hard to cross Phoenix or Broadway. When they bought their home they thought there was still playground equipment behind Hartman School but was disappointed

to find that there is not. Not asking for Tot Lot or Kids Corner, just a small playground for all the neighborhood kids.

Chris Baner 768 Huron Street. Lived there when the playground equipment was behind Hartman; it was taken out for a reason; there were a lot of unattended children playing there. Thinks that behind the school would be a good place for playground equipment. It is safer; it already has pea gravel and it is gated.

Lewis asked how many would object to a swing set.

Andrew Baner. "More detail is needed before the neighbors can answer that question."

Reinert-Montgomery asked if Gildea knew why the playground equipment was removed. Gildea wondered if it was liability and will contact the school and see what she can find out.

Lori Schooley, 762 Phoenix Street. Her children utilize the park to do the running part of it; with childhood obesity activity is important. Playground equipment should be at one end so children have a place to run.

Lewis gave an overview of what he observed and heard so far.

Toneman agrees that this is nothing that can be decided tonight. Went and looked the park over; noted that in the 5-year Recreation Plan we talked about retaining some open land park area. This area fits with the beautiful trees. "We are not even anywhere near deciding anything." Toneman noted the grill and asked about picnic tables. Gildea explained that the tables will be delivered to the park soon. Toneman added that the playground could go behind the historical society, as suggested.

Fenske noted that there are no sidewalks, no parking on the park side of the street.

Gildea pointed out that South Haven is very lucky to have so much park variety and so many parks and beaches, plus the marinas. "We do not want to have all the parks exactly the same; we want to keep variety." The Recreation Plan talks about green space and keeping playground parks; the Parks Commission did not look into budgeting for a playground there this year. Gildea reminded that the City has gotten grants for the Elkenburg Park and South Beach improvements and just applied for one for North Beach updates. Gildea agreed that parking is an issue at the Hartman Park and sidewalks would take away from the amount of existing green space.

Dotson said that park has been there a long time; the band prepares in that park. Recommended that the Parks Commission look very closely at every safety aspect of that little park. There are no sidewalks; no crosswalks; Phoenix Street can be a disaster to cross. "There is a lot of work to go into this before anything can be done."

Lewis asked for a motion.

Comeau responded that he does not see the need for a motion. This seems like a public hearing for public input but we have no plan.

After Lewis asked again about a motion, motion by Comeau to table this item until the commission has more information. Toneman said some want to start and some want to stop. Gildea will contact the school and try to find out why the playground equipment was removed behind the Hartman School/Historical Society. This might take some time to find out whether the city can work with the school to put equipment there. Second by Fenske.

Erika Morrison, 313 Hubbard Street. Would like a crosswalk for the park, whether or not any playground equipment is added.

Fenske asked Dotson who in the city would need to be talked to about a crosswalk. Dotson said we need to sit down with the city engineers and the Department of Public Works director.

Lewis called the motion.

All in favor. Motion carried.

## **7. Maritime District**

Lewis noted the district being referred to includes both sides of the river up to the bridge.

Gildea asked John Marple to explain the concept.

John Marple, 515 Williams Street, manager of Old Harbor Inn. Apologized that he was not at the last meeting. Noted that the interpretive sign was removed from the Williams Street area during the reconstruction. The displays gave a basic introduction about the rich maritime heritage we have here in South Haven, beginning in the 1850s with lumbering and shipping, then steamships and around 1900 tourism started. We have a very rich maritime heritage; a number of us business people would like to have a plaque commemorating this heritage. Hope to rebuild/renew all the interpretive signage, maybe even add a few. Create some signage within the downtown district that will let people know we have a harbor front.

Marple noted all of the entities that have given their support to take this proposal to the City Council. "If you read Gildea's memo and the letters of support you should understand what we are trying to do."

Comeau expressed concerns with the boundaries and legal descriptions of the Maritime District. Marple said there are no legal descriptions; it is not a taxing district. It is just branding a certain area of our town as the Maritime District. Fenske asked if there was a map. Marple said the proposed Maritime District basically follows the harbor walk. Toneman said when this came before us at the last meeting, the concern was that the board did not know exactly what you were asking about.

Toneman said we understand all the reasons to do it. "But we wonder about someone who has a B & B across the street, will they feel like they cannot be in it?" Fenske questioned, "What about All-Seasons Marina, which is a big business?" Marple reiterated that the Maritime District is basically the Harbor Walk; the district has no legal authority The Nichols Hotel can advertise they are in the Maritime District if they want to, according to Marple.

Comeau stated that there are boundaries; there is a map; so that is a legal description. "Who has the authority to change who is in or out? The issue of boundaries and legal descriptions will be there." "No one is going to make a determination whether a certain entity will be included or not," according to Marple. Comeau stated he is pro-history but, does not think tourists have any problem determining where the water front is.

Patty Reinert-Montgomery explained that the City Manager wants to be able to put up directional signage pointing people to the Maritime District, even as the City already has directional signage indicating "Downtown" and "North Beach." Comeau wants to have the private sector involved. Marple noted that the private sector will be involved in providing the signs and that he understands the legal issues but he disagrees with Comeau.

Lewis noted that he thinks the Commission will look rather foolish if everyone else is comfortable supporting or recommending the Maritime District. Reinert-Montgomery said the request is just to support the concept. Fenske said we have to be true to our own self, not just do it because everyone else does it. Comeau had an issue with a map depicting the Maritime District but being unclear of exactly what is included. Reinert-Montgomery said the map is not of the Maritime District but of the Harbor Walk. Comeau pointed out that the map could just be crumpled up then.

Motion by Toneman to accept the concept of the Maritime District for the City of South Haven. Second by Cobbs.

Lewis called for discussion. Since there was no further discussion, Lewis called the question.

Ayes: All. Motion carried.

Fenske was in city hall a couple of days ago picking up her packet and did not see the Parks Commission on the calendar board. Gildea will talk to the city clerk.

Reinert-Montgomery asked for an update on progress with Elkenburg Park. Cobbs is excited to see the progress. Gildea said the contractors are on schedule and hope to open by Memorial Day. Comeau asked about holding a grand opening.

Motion by Reinert-Montgomery, second by Toneman to adjourn at 6:55 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

# Harbor Commission

## Workshop Minutes Harbor Coordination Meeting Emergency Services

Tuesday, April 16, 2013  
4:30 p.m., Council Chambers



City of South Haven

### 1. Call to Order by Arnold at 4:30 p.m.

Present: Jeffers, Pyle, Silverman (arrived 4:39 p.m.), Stephens, Strong, Sullivan, Arnold  
Absent: None

Also present: Ben Plachta, U.S. Coast Guard Auxiliary; David Perrin, U.S. Coast Guard; Mike Hostetler, Van Buren County Sheriff's Department, Marine Division; Tony Marsala, Fire Marshal – South Haven Area Emergency Services.

### 2. The Harbor Commission will hold a workshop coordinating emergency services in the harbor.

VandenBosch updated the commission and guests on dredging issues, noting that the city got approval from the Department of Natural Resources Waterways Division for a grant to dredge the entire channel. Dredging will be starting Monday, April 22; marinas will be dredged to 8' below low water datum, turning basin 8 feet below low water datum, except for the Friends Good Will channel which will be dredged to 11 feet. VandenBosch hopes the dredging will be completed in a month and a half. Private marinas may get a permit and have their marina dredged and deposit their dredge spoil at the city dredge spoil site. If you know of someone with a slip or marina they need dredged, have them contact Paul VandenBosch.

The group discussed whether all public dredging would be done before private dredging. There was also discussion of where the city limits are on the river.

Plachta questioned whether there will be a dredging assessment this year, to which VandenBosch responded that there is no assessment this year.

Plachta questioned the depth of dredging; VandenBosch said if the dredgers hit clay they will not be able to go deeper since they are using hydraulic dredging.

### **Agency Roles in South Haven Harbor Emergency Response Coordination**

VandenBosch asked when the fire boat will be available. Marsala said depending on distance, water conditions, etc. it will be available when there is an emergency. Silverman asked whether the fire boat would be kept on the water; Marsala said to keep the fire boat on the water, there would have to be a lift with a house on it, the pontoons are made of Kevlar which the ultraviolet rays would destroy. VandenBosch suggested talking to Marsala about the possibility of a slip in Black River Park, the lift and cover would need to be funded some other way.

Sullivan asked the length of response time. Marsala said at least ten minutes. Discussion ensued regarding the boat being stored and that the fire department has several vehicles that can tow it.

VandenBosch said he has heard that the dredger is contracted to do the Van Buren County slips. Per Mike Hostetler the Marine Division has twenty-one foot and twenty-eight foot boats which they keep here. After questions regarding the type of thing the Sheriff's Department looks for when patrolling, Mike Hostetler stated that the scope of a day's work is based on observation. Plachta asked if there have been any cutbacks to which Hostetler responded that the budget is not released until partway through the season; for now their department will carry on as if the budget has passed as is and if it gets cut they will have to cut hours. The department is hoping to have a jet-ski as well as boats for additional enforcement this summer. Hostetler noted that the Sheriff's Department will be in South Haven for all the festivals as usual.

VandenBosch noted that the Coast Guard helicopter was patrolling today. Perrin stated that the helicopter was based in Traverse City, but the Muskegon station will be opening in a couple of weeks.

### **Fire, Collision, Drowning Direct Fueling Fuel Spill Response**

VandenBosch said he was not aware of there being any boat fires during the past year. Strong wondered whether there is a writable offense; Mike Hostetler from the Sheriff's Department stated deputies would not be able to do anything if boats are tied up. Once the boat is tied, per Marsala, it becomes a city ordinance. City officials or fire marshal can write a ticket because it falls under International Fire Code. Marsala noted that we work from the education standpoint, noting that the prohibition against refueling anywhere except an approved fueling station is strongly worded in the International fire code.

Regarding oil spills, Coast Guard Perrin works closely with the National Response Center (NRC); just call the Coast Guard. There is dedicated staff of the Coast Guard out of Grand Haven that work on oil spills. Sheriff Mike noted call 911 and the call will be dispatched to the correct entities.

Sullivan asked what extent of oil sheen would qualify for a call to the National Response Center. Perrin stated that it is better to be safe than sorry; if you feel it could be a concern call and we will send someone from the National Response Center.

Silverman noted that last year the commission identified that the city has no materials to absorb oil. VandenBosch stated that he did purchase some and believes the material is stored at the South Marina. Silverman asked if anyone knows how to contact someone to get access to the absorbent material in case of a situation. Sullivan asked if the two fueling sites are required to have that type of material. The group discussed varying requirements for facilities and noted some facilities do have such on hand. VandenBosch will locate the boom materials and let the commission and marina staff know where it is.

Discussion of the letter written by Chief Ron Wise; Sheriff's Deputy Hostetler noted that the letter authorizes but does not require the Sheriff's Department and the City Police Department to write tickets regarding lack of boom materials.

### **Other Issues**

None at this time.

### **3. Adjourn**

The meeting adjourned at 5:08 p.m.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

# Harbor Commission

## Regular Meeting Minutes

Tuesday, May 21, 2013  
5:30 p.m., City Hall Council Chambers  
South Haven City Hall



City of South Haven

### 1. Call to Order by Co-Chair Stephens at 5:30 p.m.

#### Roll Call:

Present: Jeffers, Pyle, Reineck, Stephens, Strong, Sullivan, Arnold (arrived 5:38 p.m.)  
Absent: Silverman (excused)

### 2. Approval of Agenda

Motion by Strong, second by Jeffers to approve the agenda as presented.

All in favor. Motion carried.

Chairman Arnold took his place as Chair.

### 3. Approval of Minutes:     April 16, 2013 Regular Meeting                                       April 16, 2013 Workshop Meeting

Motion by Stephens, second by Sullivan to approve the April 16, 2013 Regular Meeting minutes and the April 16, 2013 Workshop Meeting minutes. with the following correction noted to the Regular Meeting minutes:

- Page 3, 3<sup>rd</sup> paragraph from the bottom, replace *Maritime Museum* with *Museum Marina*

All in favor. Motion carried.

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

Tom Morey, 290 Oak Street. Black River Boat Club. Spoke about the issue boaters are having in the aftermath of the storms with logs and debris coming down the river and asked whether, "Under the Black River Friends River Maintenance charter, this being a safety issue, if we get a rope on the logs and tie them off, isn't it the city's responsibility to remove them?"

VandenBosch stated that if logs are in a private marina area, the private marina members are responsible. If logs are in the river itself, the city is responsible to remove them

VandenBosch suggested that logs be towed to the Black River boat launch and tied up below the launch in a shallow area until city crews can remove them. VandenBosch noted that if someone tows a log to the Black River launch site, let Norm Padnos or VandenBosch know.

Steve Eberhard. From the same marina as Morey. Expressed displeasure with the amount of dirt and sand blowing from the J & B dredging site across from where his boat is moored. VandenBosch will let Barney know in a letter or in person that there is a problem with sand blowing across the river.

The board discussed dredging, dredge spoils and getting dredge permits.

## **5. Marina Reports**

VandenBosch gave an overview of the Marina Reports, noting that there are two more months before the end of the fiscal year.

## **6. Nichols Landing Dock Extension Request**

VandenBosch noted that this item was adjourned to this meeting with a request for more information from staff. VandenBosch stated that he read every place he could find in minutes regarding harbor lines. The key is the Army Corps harbor line is based on a 195' channel width by the All Seasons and Yacht Club line. The city project lines require a 175' channel width. So the conclusion, according to VandenBosch, is that the city harbor lines are further out in the river than the Army Corps' lines. VandenBosch noted that the city project line which ran through the Idler on the drawing we had last month indicates that the adjacent dock could be extended out to that project line, as requested.

VandenBosch did let Brian Lewis (applicant for the dock extension) know the results of his research; that discussion of city harbor lines would be on the agenda tonight and what information was included in the agenda for this meeting. No action is really necessary at this time but VandenBosch advised the board that they could make a clarification in the form of a motion or do nothing. VandenBosch noted that the city project line decision was made in 1989.

Strong asked if boats could still be docked on the outside of that line, to which VandenBosch responded yes. VandenBosch noted that the city project line determines how far you can build out a project extension. Sullivan asked if anyone could tie up a boat anywhere. VandenBosch said the only limitation he knows is that moored boats are not permitted to block navigation on the river.

VandenBosch noted that in the past the Department of Natural Resources (DNR) used to issue a Marina Operating Permit but that requirement was dropped 4 or 5 years ago.

VandenBosch noted that some of us might remember the former harbormaster regulating mooring of boats; that was under the Marina Operating Permit.

## **7. North Side Marina Report**

VandenBosch noted that the facility is ready for boaters and is a very nice facility so we should have some happy boaters. Arnold noted that there will be a ribbon cutting Friday, May 24th at 11:00 a. m.

## **8. Bascule Bridge Improvements**

VandenBosch noted that he provided quite a bit of information in the agenda about the bridge and the work that will be done. VandenBosch stated, "This board has been concerned in the past with reliability, maintenance, and lighting of the bridge."

There is a very interesting economic impact study on page. 57 of the agenda packet, which was used to get the grant for the bridge, VandenBosch noted, and pointed out page 67 which has a lighting diagram depicting the red and green lights which were proposed to put on the bridge.

Strong thinks the lights would be an improvement; "the biggest problem with our bridge is coming from the lake, there is a corner before the bridge so the lights will have to be situated so they can be seen." Strong noted that maritime rules state the downriver boats have the right-of-way except commercial vessels, which we do not have.

Pyle asked if there is an opportunity for there to be a light near the clock so people don't hammer down to try to beat the bridge closing. VandenBosch is not sure how the yellow light is going to be used; currently there is a bell and you can hear the gates opening. VandenBosch is not sure he would recommend another light. Pyle noted that signage on that corner might be helpful. Reineck commented that out of town people may not know what the lights mean but a sign would be instructive.

Pyle asked when the bridge project is going to start to which VandenBosch responded that he thinks October and it will be a lengthy project. If work begins before that, VandenBosch noted that it will not be the lifting mechanism. Sullivan noted the Coast Guard requires the bridge to be open from May 1 to Oct. 15.

## **9. Dredging Update**

### **North Side and South Side Dredging Dunkley Spoil Site Restrictive Covenant Black River Dredging Project**

VandenBosch noted the big item was approved at City Council last night but at least we are getting the dredging done. The change order, instead of bidding out the upper river part,

was bid out as a change order. According to VandenBosch, the total amount, \$490,000, is a very good price and the city was able to get a grant so will be able to dredge without a special assessment.

VandenBosch pointed out the graphs for how deep the dredging will be, and other information included in the agenda packet. VandenBosch noted that the North Marina will be completed sometime this week; it is a huge part of the project.

VandenBosch put together a memo requesting a budget amendment. VandenBosch included a funding source (Michigan Department of Natural Resources - MDNR Waterways Fund) for our grant; \$150,000 from Municipal Marina Fund and the balance from the River Maintenance Fund. That budget amendment was approved at City Council last night. The budget pages begin on page 90; the state dredging grant is listed as a revenue source, and they took out dollars for unbudgeted dredging cost. VandenBosch reviewed the River Maintenance Fund current year projected budget. Looking at next year's budget, which starts in July, the intention is to build up that reserve.

VandenBosch pointed out that the engineering costs are not included in this budget and much of that revenue is coming from the Marina Fund; we have not tallied up the engineering costs that are associated with this. Stephens asked what the engineering costs were for. VandenBosch noted they were for permitting, putting the bid documents together, and doing the before and after soundings; the dredging contractor is paid based on those soundings.

Sullivan asked if we have an idea of the amount to be spent on engineering. VandenBosch stated we have expended some of that; it is hard to know when to start and when to stop. We have already done the Museum Marina dredging. \$40,000 to \$50,000 is a good ballpark for engineering. Sullivan asked if that gets split between various funds to which VandenBosch responded, "Yes, it does," but is not sure of the exact split or which funds it is actually taken from.

Stephens asked about the estimate we did previously. VandenBosch said when the Army Corps decided they would do some of the dredging, the state took some of that away from us, and we got a grant, so we came out ahead.

VandenBosch noted the dredging is going slower than we or the dredgers had expected. The dredgers have completed about 1/3 of the contract. After north side marina, they will do Friends Good Will and the turning basin, and then move on. VandenBosch noted that the contractor has the right to do the dredging in the way that will cost him least, and he is helping us by following our calendar. The dredgers were going to start much earlier, but the city held them up but waiting until there was authorization from the state. The completion date, which VandenBosch believes was April 14, is no more. We just hope the dredger continues to work and make progress; he may be doing private marinas on the way, too. The main channel, the river, is clean, and will be pumped out as beach replenishment. That is part of the change order. Strong asked if the pipe for the beach replenishment material

would be sunken, noting that some boats have hit it, including the Lindy Lou. VandenBosch noted that the pipe is in the deepest part of the river, so a deep draft boat that is trying to avoid the pipe will be in shallow water; the dredger is placing extra buoys where the pipe is shallow.

## **10. General Comments**

VandenBosch: Next month the Harbor Commission will be receiving comments from the public for the Black River Park fish cleaning station. After that we will focus in more on the fish cleaning station; trying to find a location for the fish cleaning station that will work.

VandenBosch: Talked to the fire chief about the fire boat; the city has a dock available in two places, wherever they prefer. The boat does require a lift and cover so if there is an interest, the fire department is looking for a way to fund that. This board has stated a desire for the boat to be in the water a number of times, so there is an opportunity there.

VandenBosch: The fish cleaning station; the electrician looked at it and new blades were ordered and the engine will be rebuilt. Late the night of Memorial Day, we will remove that grinder and take it to be rebuilt. Hoping to have it back in place by Thursday May 30. We hope the rebuilt motor and new blades will be an improvement.

## **Member and Staff Comments**

Reineck: There is also a fish cleaning station at the north side marina; the motor is weak and it doesn't do the job. VandenBosch stated he hopes to fix it for the rest of the season; the plan is to write a grant and it may take two or three years.

Pyle: Will the fish cleaning station be locked up with a code this year again? VandenBosch suggested asking Norm Padnos.

Heard a lot of comments about the weeds in the parking lot. VandenBosch said we are contracting with DeBest to put some weed killer down, should happen by Friday.

The South side – fish tournament complaints that with the lack of staff, the bathrooms were not kept up, mainly during the weigh-ins. Marple said he will take the fall for it; he didn't realize it would be that big.

Asked about the bags the spoils are being put in. Jeffers and Strong noted it is an interesting process; saw people beating the bags with large sticks. VandenBosch noted they cut the bags open, use a bulldozer to smooth it out and put the fabric back down.

## **Adjourn**

Motion by Strong, second by Stephens to adjourn at 6:38 p.m.

May 21, 2013  
Harbor Commission  
Regular Meeting Minutes

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

# Parks Commission

## Regular Meeting Minutes

Tuesday, June 11, 2013  
6:00 p.m., Council Chambers



### 1. Call to Order by Reinert at 6:00 p.m.

### 2. Roll Call

Present: Cobbs, Comeau, Moore, Toneman, Reinert  
Absent: Fitzgibbon

Reinert requested that Moore introduce himself.

### 3. Approval of Agenda

Motion by Toneman, second by Cobbs to approve the June 11, 2013 regular meeting agenda as presented.

All in favor. Motion carried.

### 4. Approval of Minutes – May 14, 2013

Motion by Cobbs, second by Toneman to approve the May 14, 2013 regular meeting minutes as written.

### 5. Public Comments and Inquiries Concerning Items not on the Agenda

None at this time.

### NEW BUSINESS

### 6. South Beach Entrance/Exit Sign

Gildea reviewed the background information regarding the signs. Toneman asked for and received clarification on the number of signs and where they will be located. Comeau asked what size the signs are and Gildea responded with measurements. Moore expressed concern regarding the size of the signs.

The board discussed the pros and cons of the wording "Entering Paid Parking" noted on the entrance signs. The board made several suggestions regarding how to note that the paid parking is seasonal.

Moore asked for information regarding the material the signs are made of and the cost of the signs. Moore suggested an alternative material. Gildea explained the rationale for the material used and the graffiti-resistant paint used on the surfaces.

Reinert asked about the hours and beach rules that are on the current signs. Gildea noted that she has already ordered and installed informational signs that have those details.

Toneman suggested taking the signs down during winter to make them last longer.

Reinert asked how the South Beach improvements were funded, and Gildea noted that the improvements were mostly paid for with a grant. Reinert expressed that the cost of the signs seems small compared to value the city got with the grant.

Comeau indicated his approval of the sign.

Moore asked for details regarding the bid process. Gildea noted that three (3) sign companies bid on the signs.

Reinert explained the Parks role in the sign approval process.

Motion by Comeau, second by Moore recommend to City Council that they consider approving the purchase and installation of two new entry/exit signs, designed by Pat Cornelisse, for South Beach.

Yays: Cobbs, Comeau, Moore, Reinert

Nays: Toneman

## **6. Dyckman Beach Access Entrance Area**

Gildea noted that she has received frequent complaints about the look and function of this access and she entirely agrees with those complaints. Improvements being suggested include:

1. Removal of the chain link fence
2. Move the entrance sign so it does not obstruct the view of the lake from Dyckman Avenue
3. Widen the entrance to allow for two-way traffic, which will involve some additional paving
4. Remove some sand and do some minor landscaping.

After a comment by Moore regarding the sign in the parking lot noting that this is a 4-way stop, the group discussed and Gildea agreed to place "4-way stop" signs to other three stop signs.

Reinert noted that Dyckman is a very busy street and a little facelift to that park would be favorable. Gildea noted that most of the work will be done in-house, including some pavement work.

Reinert asked if this is a good time to look at updating the signage at all the beach parks. Gildea noted that at the accesses she needs to limit signage due to size restrictions. Gildea noted that several of the beach access signs have been very recently updated to reflect changes in the beach parking pay systems.

Moore noted that there are several signs nearer to the beaches. Gildea agreed that there are many signs at our beaches but they are mostly to do with safety. After discussion of the addition of safety signs, call boxes and a flag system being a requirement of a legal settlement, Comeau expressed concern that these actions constitute the city assuming a legal duty which will open the city up to more lawsuits. Reinert noted that she believes the out-of-court settlement has already happened. Moore asked who is determining the flag color. Comeau asked whether City Council approved this agreement.

Toneman inquired whether there is a way-finding sign to point people to the North Beach on the Dyckman access corner, which Gildea noted to check into. Toneman suggested that a directional sign would be helpful for out-of-towners here for the first time.

Moore questioned the lack of numbers on handicap spaces in Dyckman Park, which Gildea clarified by noting that persons with handicap stickers or plates may park free of charge, so the handicap spaces are not included in the numbering system.

Reinert called for further discussion or a motion.

Motion by Toneman, second by Cobbs, to recommend that staff improve the Dyckman Beach Access area with the changes proposed by City staff.

#### **7a. Commissioner's Comments.**

Reinert introduced this section as a new addition to the regular Parks agendas.

Cobbs: None

Toneman: None

Comeau: Residents have asked whether there is going to be development of the land located between the two stairwells leading to the South Beach. Gildea noted that the city applied for a grant to purchase that property but she is not sure at what point the negotiations are.

Moore: He played Disc Golf at a Saugatuck park and thinks South Haven should look into creating something similar. Moore says he has spoken to Lisa at the tourist bureau, the mayor and Gildea. After a question regarding cost to players, Moore said there was no charge. The park constituted eighteen (18) holes on thirty (30) acres of bad land (cactus growing on it) with no mowing. Moore noted that such a park can use any kind of land and he thinks it could be a tourist draw. Asked where he should go to present the idea.

Gildea will speak to the city manager but noted that there is no place in the city where there is thirty (30) acres available. Moore asked about the city doing something in an adjacent township. Moore will talk with the city manager and try to sell the idea. Moore asked where the twenty (20) acres were donated to the city to which Brandy suggested that perhaps he was referring to Pilgrim Haven. The group discussed SHARP and SHARA.

**8. Adjourn**

Motion by Comeau , second by Toneman to adjourn at 6:53 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

## Harbor Commission

### Regular Meeting Minutes

Tuesday, June 18, 2013  
5:30 p.m., City Hall Council Chambers  
South Haven City Hall



City of South Haven

#### 1. Call to Order by Stephens at 5:30 p.m.

Present: Pyle, Silverman, Stephens, Strong, Sullivan  
Absent: Arnold, Reineck

Also present: John Marple, Marina Manager; Norm Patnaude, Black River Park Supervisor

#### 2. Approval of Agenda

Motion by Silverman, second by Pyle to approve the agenda as presented.  
All in favor. Motion carried.

#### 3. Approval of Minutes - May 21, 2013 Regular Meeting

Motion by Sullivan, second by Strong to approve the May 21, 2013 regular meeting minutes as written.  
All in favor. Motion carried.

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

There were none.

#### 5. Marina Reports

VandenBosch gave an overview of the Marina reports for period ended May 31, 2013.

Pyle questioned whether installation of the pay terminal increased revenues. VandenBosch updated the board that staff is working on getting a new grinder; a member of Black River Park staff will pick the grinder up in Michigan City and plumbers will install it. There was

discussion on the cost of the grinder, why it was replaced instead of repaired and that installation will be extra.

VandenBosch updated the board on Lake Michigan water levels; although the levels have risen through the year, levels are still below last year at the same time.

## **6. Adventure Water Sports Boat Rental License Agreement**

VandenBosch reported that staff has worked out an agreement with Michael Fidelman and his business, Adventure Water Sports. Staff feels this agreement is ready for approval. VandenBosch welcomed discussion and eventual recommendation to City Council.

Silverman pointed out the portion of the license agreement regarding the ban on direct fueling on city property and asked whether Fidelman's boats and jet-skis are parking in the parking lot.

Michael Fidelman of Adventure Water Sports. Stated his livery and staff are usually parked in the dirt lot across from the main gate, or on very hot days, in the corner under the shade tree. Fidelman noted his business has done this for twenty-seven (27) years with no incidents. Regarding the question of direct fueling Fidelman noted that while he fuels his boat elsewhere he tops off the personal water craft in the parking lot because the Department of Natural Resources wants all livery to leave with full tanks. Silverman pointed out that the license agreement states that fueling is prohibited in Black River and Black River Park. After discussion, VandenBosch stated that he wants to keep the provision as the city attorney drafted it; he has no suggestion of where to fuel the personal watercraft, but does not want to see fueling on city property. Fidelman stated if that is the rule, he can move off the city property to fuel.

Fidelman noted that he wants to have the same insurance policy as VanderZee. VandenBosch noted that this is the same insurance that the City requires of the charter fishing boats and VanderZee. Fidelman stated he has the same policy VanderZee has, because he buys from the same agent and he asked for the same policy VanderZee has.

Fidelman said because I am commercial this insurance required by the city only covers a customer to walk across the public park, \$1200/week and another amount per year for the aggregate. This insurance does not cover the boats or personal water craft according to Fidelman. VandenBosch stated the insurance required by the contract is commercial general liability; for personal injury and property damage. Silverman stated that the policy the city is requiring is to cover clients at any location. Fidelman reiterated that the additional coverage required by the city only covers clients in the parking lot.

Stephens asked whether Fidelman agrees to the insurance requirement of the City for \$1M with a \$3M aggregate. Fidelman agreed to whatever insurance everyone else is required to have.

Motion by Silverman that Harbor Commission recommends to City Council the approval of the license agreement as written. Second by Strong.

Yays: Silverman, Strong, Sullivan, Stephens  
Nays: Pyle  
Motion carried.

## **7. Black River Park Fish Cleaning Station**

VandenBosch noted Abonmarche staff is here to give a presentation on possible ideas for Black River Park.

Kathy Burczak, Senior Landscape Artist, Abonmarche. Gave an overview of goals for the project; additional parking, better traffic flow, better location for fish cleaning station, a better quality station, and improved connectivity.

Burczak noted that currently the entrance to the boat launch creates traffic conflicts; with the goal of improving traffic flow,

Option A features include:

- Culverts a part of the open ditch (main access into the boat launch area and marina) north of the spoil site
- Turns the spoils site into additional parking
- Splits the road and implements one-way into the boat launch to allow stacking for five (5) vehicles with 40' trailers
- Free marina access
- Easier park access
- Additional ADA parking at the north end of the parking lot. (In the future it would be nice to show a future restroom in the same location).
- Locates the fish cleaning station where there is parking that is free. (Two sites shown on Option A drawing.)

Burczak displayed an elevation which shows an open, covered fish cleaning station with a good grinder, good visibility and which is lockable. This station is designed to be easy to maintain with concrete surfaces and is internally lit for additional security.

Connectivity. Burczak noted that if you are in the marina area and need the restroom you are just walking through the parking lot. Features to improve connectivity include:

- Highly visible crosswalks
- A sloping sidewalk, not elevated enough to need railings, but adequate to reach the current restroom, which is 38" above grade and requires access via steps.
- Loading/unloading site near the kayak launch.

Burczak noted that the city has provided easy access and connectivity to parking areas and the existing trail from the Kal-Haven Trail to the downtown.

Option B features are very similar except no culvert is required.

- Main access route would still sweep in with separate marina exit/entrance
- Ability to stack five (5) vehicles and trailers.
- Fish cleaning station located near to the current spoils site, which could become temporary or overflow parking.

The board discussed whether there was a need to force the main entrance to be off Dunkley?

Tony McGee, Abonmarche. Noted that moving the entrance way will push traffic more toward Blue Star and out of town rather than through town.

VandenBosch pointed out that permitting will be required for a culvert. Tony said initial conversations do not indicate that the State would be against the culvert.

Silverman asked to what extent people who use this area have been talked to. McGee said this is the beginning of the discussion. Silverman noted that Cathy Pyle sees and hears more input in her business.

Scott Mitchell pointed out the congestion and turn-around situation created by eliminating some of Dunkley.

VandenBosch noted that during a few days of the year, such as perch fishing season and summer holidays, the city needs an overflow parking area.

Tom Stegeman, 223 Huron Street. Questioned whether the current dredge spoils site is part of the parks system or not. VandenBosch explained that the old electric barn site is not in the park system.

VandenBosch said this discussion is somewhat like doing a wish list or looking for input, but not yet looking at how much it costs. VandenBosch noted that the city will try to get grants for as much of the projects as possible, but funding a parking lot will probably not be from a grant. Option A will cost a lot of money. Option B would take less money.

Mitchell asked if the new fish cleaning station is near to the kayak launch, near the picnic area. Burczak noted that the new grinder systems are much better at containing the odors. Stegeman said we don't want to be left behind, these grinder systems are going in various other cities. There was discussion about ADA accessibility to the fish grinder.

Silverman said you might want to consider the proximity of residential to the fish-cleaning station. The red circle, directly south is residential. Burczak pointed out that the new grinder

systems are much improved and have contained fish scalers, extra water hose and drains, for ease of clean-up and so everything can flow directly into the sanitary system.

Pyle asked whether Black River Park staff observe a lot of people getting to the gate and then turning around. Patnaude said, "If that happens, we just let them in and make sure they go out the exit gate."

Sullivan remembered previous plans for Black River Park that included boat slips and a new kayak launch. VandenBosch said at that time city staff had asked for ideas from developers. One idea was to dredge this area near the south end of Black River Park and make a marina and kayak launch but City Council was willing to partner with any of the plans that came out of that request.

Tony noted that this changes things but does not overly limit you from doing something different in that area. Burczak noted that there is still quite a bit of room in Plan B that could allow future development.

Pyle noted that the main two use groups are seasonal boaters and transient boaters. The seasonal boaters seem left out to some degree; liked the idea of adding a restroom and see that area developed a little more, because the seasonal boaters are the ones footing the bill. Tony said adding a restroom there would make those slips more attractive.

Silverman asked what the next step is in the discussion planning process. McGhee said the master plan needs to begin being developed by determining the location for the fish cleaning station as that seems to be a priority right now.

VandenBosch said we need to maintain the connection to the south so access can continue there. The process: continue to take comments but redraw this considering what we heard. Deciding on the location of the fish cleaning station is the first step.

Pyle observed that the free trailer parking is not sufficient with the location near the south. Discussion ensued regarding the location of the fish cleaning station and the issue of parking. Silverman reiterated that it is real important to talk to the people that use the facility. However, from what Cathy (Pyle) said, there is advantage to the fish cleaning station being near the old electric barn/dredge spoils site.

McGhee asked whether knowing a price for a new parking lot might help inform the Commission's decision. Silverman noted that boat trailers coming in from Blue Star Hwy, advantage to closing off Dunkley, and taking the traffic away from the limited residential area and keeping it on the Wells side. Pyle said it could be turned as a one way.

Burczak noted that the turnaround on one plan is for emergency vehicles to turn around, as well as improving the traffic flow. Silverman said one of the designs for terminating Dunkley, was doing a turnaround in Dunkley. McGhee asked if that would be the open area to the north of the stream; Silverman said north of the storage building is an open area.

VandenBosch said since people have to carry heavy coolers, there should be parking close by the fish cleaning station. Mitchell said every day when he fishes he gets a parking space as close to the fish cleaning station as possible. Burczak talked about a drop-off zone.

Marple likes the non-red location for the fish cleaning station; the red circle location is a beautiful spot on the Black River and you might want to preserve that area for everybody. Marple noted that traffic flow would be a lot better if the fish cleaning station were put where you have the non-red (green/gold?) circle with a loading/unloading station.

Marple said that his vision would be to have a mixed-use parking area near the non-red circle. Burczak explained that the pull through trailer spots could also be used to park cars during peak tourist days, and noted the number of single vehicle spots the current dredge spoils site can accommodate.

Stephens said to take input from the seasonal boaters and others that use the area. VandenBosch noted that he wanted to give the Harbor Commission the first look at the ideas so we could eliminate major problems before we give people a look at it.

Burczak asked if it would be helpful to put the Power Point on a website and allow for comment. McGhee noted that Abonmarche would do work sessions before the September meeting.

Discussion ensued regarding the July 9, 2013 at 7:00 pm at City Hall for a possible time to do a workshop/brainstorming session. Silverman suggested a Saturday meeting for the seasonal boaters. Pyle suggested comment cards by posted drawings; and if you post a date, people will be there.

### **Member and Staff Comments**

VandenBosch said the dredger is done with south and north marinas. Soundings still have to be done so the dredger may have to be back there later. The dredger is currently in 1/3 of the way in the Friends Good Will channel. VandenBosch noted that it is hard to estimate how long this job will take.

### **Adjourn**

Motion by Strong, second by Silverman to adjourn at 7:08 p.m.

All in favor. Motion carried.

June 18, 2013  
Harbor Commission  
Regular Meeting Minutes

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

# Board of Public Utilities

## Regular Meeting Minutes

Monday, June 24, 2013

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, Stein, Stickland, Winkel

Absent: Rose (Arrived a few minutes late)

### 3. Approval of Agenda

Huff requested that items 7 B, C and E be removed from the June 24, 2013 regular meeting agenda.

Motion by Burr, second by Henry to approve the June 24, 2013 regular meeting agenda as amended.

All in favor. Motion carried.

### 4. Acceptance of Minutes for the Record – March 25, 2013

The March 25, 2013 Special Meeting minutes and Regular Meeting minutes were accepted for the record by Burr.

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

There were none.

## REPORTS

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

A. 2013 Billings – All Charges

B. 2012 Billings – All Charges

Discussion occurred on this item.

Burr inquired why monthly payments were not being made to AEP.

Finance Director Hochstedler said that there was a fund balance on our account so no additional payment was needed. Regular monthly payments applied toward the true-up have resumed.

## **7. Financial Reports**

- A. Water Fund CuFt Comparisons
- B. Water Fund Financial Statement

Discussion occurred on this item, it was noted by Stickland that the water usage from 2012 to 2013 was fairly steady.

Rose inquired whether the valve turning machine was being used in Covert. City Engineer Halberstadt explained that it has not been used much this year due to staffing issues but it is intended that it will get more use in the future.

- C. Sewer Fund Financial Statement

Discussion occurred regarding the status of water and sanitary sewer extension in Miami Park.

- D. Electric Fund KWH Comparisons
- E. Electric Fund Financial Statement

Stickland stated that the BPU is selling over 95% of the Electricity that it buys.

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

- A. Sewer Study Progress Report

Dan Dombos and Chris Cook from Abonmarche presented a power point highlighting the progress and initial findings for the S2 Sewer Study. Dombos explained that the SRF Final Plan will be submitted by July 1, 2014.

## **9. Unresolved Issues Report**

No discussion occurred on this item.

## **NEW BUSINESS**

### **10. Board will be requested to approve a recommendation to amend the utility policy for Hydrant Water Sales.**

Discussion occurred on this item.

Burr requested that Huff change the word "installation" to "use" (last sentence under "Location of Hydrant Meters").

Stein inquired whether farmers could have a hydrant meter for more than seven days. Stein suggested that if there are no meters available that a customer should be able to purchase a meter to use.

Halberstadt stated that he had no problem if someone wanted to buy a meter, however the meter would be the property of the City.

Stein suggested that the phrase "high demand" be changed to "high demand for hydrant meters" in reference to the 7 day limitation on the use of hydrant meters.

Overhiser suggested that the rates be adjusted so that there would be enough revenue generated to purchase additional hydrant meters.

Burr inquired into how the Standby rate was established.

Halberstadt explained that he took the monthly standby rate that customers pay and divided it by the average number of days in a month, to come up with the suggested daily standby rate for hydrant meters.

Burr asked if the standby rate could be increased and how the usage rates were determined.

Halberstadt explained that the usage rates were based on the current water policy usage rates, with the exception of the first 2,500 cubic feet where a flat rate was established.

Stickland suggested that the BPU could have a policy that would allow a farmer to be able to purchase a meter that would be then owned by the City. Stickland also suggested that the standby rate be raised in order to supplement the purchase of additional hydrant meters.

Rose asked if Huff could obtain the number of hydrant meter requests from last year.

Huff suggested that the 7 day limitation be removed and that the language in the hydrant meter policy be changed to state that during times of high demand for hydrant meters the city has the right to limit the numbers of days a customer can use the hydrant meter.

Stickland suggested that the City purchase 3 or 4 additional hydrant meters.

Burr suggested that we find out what standby fees for hydrant meters are in other communities.

Stickland said that this item would be tabled until next month.

All in favor. Motion carried.

#### **11. Board will be requested to consider the Monroe Boulevard Sewer Main Extension**

Halberstadt provided background information on this request.

Discussion occurred on this item.

Motion by Henry, Second by Winkel to adhere to current policies and ordinances regarding the Monroe Boulevard sanitary sewer extension.

All in favor. Motion carried.

#### **12. Next meeting is scheduled for Monday, July 29, 2013 at 4:00 pm in the DPW Conference Room, 1199 8<sup>th</sup> Avenue, South Haven, Michigan.**

No discussion occurred.

#### **13. Director's Comments**

Huff stated that GRP Engineering forwarded their report for staff review and that the report would be presented at the July BPU meeting.

Halberstadt explained that House Bill 284 recently passed for low income Energy Assistance. The BPU needs to either add \$1 to everyone's electric bill or agree to not shut off electricity to low income customers during a specified time period of the year.

Discussion occurred and the Board was in favor of adopting the no shut off policy during a specified time period of the year, because this is already the policy of the BPU during most of the specified time period in the Bill.

#### **14. Board Member Comments**

**Stein:** Said that there is a standing water issue at Aylworth Avenue and Bailey Avenue that needs to be addressed.

**Stickland:** Asked that the church reclassification to “residential” for the Summer Sewer Credit be taken before the City Council for Approval.

## **15. Adjourn**

Meeting adjourned at 6:27 p.m.

RESPECTFULLY SUBMITTED,

Ryan Bosscher  
GIS Technician

## Parks Commission

### Regular Meeting Minutes

Tuesday, July 09, 2013  
6:00 p.m., Council Chambers



City of South Haven

#### 1. Call to Order by Montgomery at 6:00 p.m.

Montgomery Introduced new member Marilyn White.

#### 2. Roll Call

Present: Cobbs, Comeau, Fitzgibbon, Moore, Toneman, White, Montgomery-Reinert

Absent: None

#### 3. Approval of Agenda

Motion by Fitzgibbon, second by Toneman to approve the July 9, 2013 regular meeting agenda as presented.

All in favor. Motion carried.

#### 4. Approval of Minutes – June 11, 2013

Motion by Moore, second by Cobbs to approve the June 11, 2013 minutes as written.

All in favor. Motion carried.

#### 5. Public Comments and Inquiries Concerning Items not on the Agenda

None at this time.

#### NEW BUSINESS

#### 6. Elkenburg Park – Phase II

VandenBosch introduced the Elkenburg Park project and noted that Phase 1 came in under budget; the remaining funds are still available through the grant. VandenBosch stated that staff worked with the Elkenburg Park Redevelopment Committee to determine what they most want to see in the park. Sent their list to Abonmarche Engineering to put prices on the items and VandenBosch put together a staff recommendation where he deleted a few items. Since June, most importantly, a group has come forward who want to donate money for

playground equipment. Suggested revisiting and reconsidering the list. VandenBosch noted that there is a range of options; a piece of playground equipment can cost \$25,000 to \$50,000 or more. The initial donation will not cover the whole thing; another donor can also be sought. Asked the commission to listen to the comments on the park and the list of items; consider shifting some of the money toward playground equipment. Also asked the Elkenburg Park committee to work with Gildea to determine what playground equipment may be most desired.

Fitzgibbon questioned the thought behind the fence, whether someone especially wanted a fence. VandenBosch noted that it was suggested to keep children from running in the street.

Moore questioned the budget figures for Phase 1; VandenBosch noted that the figure he quoted included the city match. There was discussion regarding the cost and necessity of engineering; VandenBosch pointed out that the city is required by the state to do engineering. VandenBosch noted that since lighting is no longer one of the items the engineering costs may be less.

Moore asked about the size of the fenced area and noted that fencing an area would limit the amount of playground equipment. After Fitzgibbon pointed out that the grant has a timeline to complete the work VandenBosch noted that the end date is August 2014. Commission members expressed appreciation for time to put information together and make a decision.

Reinert asked for public comments.

Theresa Cunningham, 1059 Indiana Avenue. Appreciated that the community had more input and happy that the community is to have more involvement and have it be a community effort. Glad to have time and said she is sure that she can raise more money for playground equipment. Thanked Gildea for getting all the information to her.

Fitzgibbon asked whether Cunningham is on the Redevelopment Committee. Cunningham is currently President of the Redevelopment Committee. Cunningham credits Ms. Toles with bringing people together.

Moore questioned eliminating fencing since it would protect children from running out into the street. Cunningham responded that she feels it is not necessary to fence the entire play area; perhaps just have a fence along the street side. Cunningham noted that some of the existing playground equipment had to be removed as it was not up to code.

Lisa Bettis Cooper, 871 Indiana. Lives one block from the park. Cooper noticed both a \$16,000 amount and a \$19,000 amount for fencing; wondered if both are available. Cooper feels the park does not look like a playground but like an outdoor sports center with three basketball courts. Bleachers and player benches at those costs seems like additional money that could be spent doing other things like a pavilion or BBQ pit. Pointed out that at the last City Council meeting Rev. Cobbs and Rev. Wilkins brought up that water is standing on those courts and in the park. Glad that there is going to be some discussion on this park. Unhappy with the focus of the park being basketball courts. That park is not child-friendly but creates a place for teen boys and men to come and play ball and pushes children's needs aside.

William Bettis. 22554 M-140. Noted that Lisa Bettis Cooper is his sister and they are long-time residents. Concerned that there is not a 4-way stop. Feels the old playground area was not conducive to children running out in the street after balls. Commented that the old National Motors site would have been a good place for the playground but now it is not available. The environment of Elkenburg Park does not hold appeal for younger children. Noted the bleachers, fencing and scoreboard on the Phase 2 list; feels that eliminating those items would allow extra money to allocate toward the kids' playground. Negative on fencing the kids in; "Psychologically, fencing seems like a cage."

Fitzgibbon, Council Representative. Loves to see people get excited about parks and children. Noted that the issue with the National Motors site is contamination. Felt that Elkenburg Park has always been a basketball park and as such has been utilized so well and during previous discussion there was talk of Cable Street Park being more about the younger children.

Kathy Broadie-Ferguson. Got involved with the park project a couple years down the road. She and her aunt went door-to-door with fliers asking what people wanted. Trying to figure out where things got changed from what people wanted to basketball courts. Broadie-Ferguson thinks some speed bumps would slow cars down around the park.

Dorothy Sherrod, 875 Kalamazoo Street. Resident since 1975. Stated that since 1981 residents have come to the city and said that the park is too small and our cries fall on deaf ears. "I hope the Park Commission will come out and look. The court closest to Kalamazoo Street is not level and when there is rain the bleachers are sitting in water." Sherrod noted that there are underlying issues with the layout. Unhappy that the men's restroom does not have a urinal and does not have a partition. Kalamazoo Street is a busy street, where there are no speed bumps, no signs saying "Caution children playing." Hopes money does not continue to be spent on things that are not beneficial to us and our children. The park has three basketball courts but no parking and now the city has given way to a mid-night basketball tournament. "Unreal; to allow basketball beyond the closing of the park is a detriment to our children." Petitions the Park Commission and the City government to take a good look at the structure at that park and create something that is child-and family-friendly.

Fitzgibbon asked how the Redevelopment Committee arranged the design of the park. VandenBosch said he was not working on the park during that time; the decision would have been made at the time the grant was applied for.

Sharon Toles, 2150 Sanibel Island, Portage, MI. Lived in South Haven for ten to fifteen years. Has nieces and nephews who live in the community. Toles stated, "After you get something you do not want, what you do get is shoddy work. Water on the courts, poor drainage system, and a second drain that has started to clog up now, clogged with debris." Unhappy with the poor quality of work done, including patch where basketball pole was moved and plywood in the ceiling of the structure.

Fitzgibbon noted that is a question for our Assistant City Manager because he made the contract and maybe something can be done to fix what is wrong.

Toles said the Redevelopment Committee, as far as she can remember, included sixty (60) people that came together to get the grant out; then when it was time to vote on the layout, it should not have been just ten (10) people on the committee.

Montgomery-Reinert pointed out that everything has to be laid out on paper very thoroughly before a grant is applied for. Noted that the Parks Commissioners are listening to concerns and comments tonight.

Cunningham said after coming to about ten (10) meetings of the Elkenburg Redevelopment Committee and only having about ten (10) people show up, she took the surveys and she takes responsibility for running with the information she had. She walked the streets with her fiancée Aylworth to Elkenburg, Indiana and Center; we went to every door, Mrs. Cobbs and Darlene Wilkins each took a section. "That was what I did and I take full responsibility for the park. I heard regulation size courts and a junior size court." Noted that the park does not meet her needs for the kids K-8 that she works with. "So I gave what I thought the community wanted; I was wrong and I own that." Cunningham apologized and noted that the more people that we hear from the better.

Reinert said the commission needs to step back and digest what we have heard.

VandenBosch said the reason we have money left is we got a very low bid. We found out why; he was fairly new and had very little experience. The work was supposed to have been done by Memorial Day but did not meet that deadline. He had a lot of time but he was very slow. He had subcontracted much of the work out. Regarding the quality problems with the building, VandenBosch admitted that the ceiling under the patio area does not look good but before the city met with the contractor it was even worse. VandenBosch noted that we got a start on getting things repaired; the city has not accepted the project yet. VandenBosch, City Manager Dissette and Gildea will be meeting with the contractor tomorrow and will be talking about the things we heard.

VandenBosch noted that hydro-seeding is going to be happening this week; this will be the second time to try to keep the grass growing. Drainage issues are partly due to the slope of the ground next to and between the courts. Heavy rains washed dirt out and the contractor had to come in and redo some grading and seeding. There was vandalism; there was some heavy rain and there may be more dirt that moved; we will be looking at that tomorrow. VandenBosch noted that the courts were made level so they are playable but that creates a drainage issue; that is a problem and not sure what can be done about it. The real fix may be to put more asphalt down but not sure if that will even fix that problem. The other drainage can be taken care of.

Fitzgibbon asked if this was indeed shoddy work, how the city will handle that. VandenBosch said the City has retainage and if the contractor will not fix the items, then the money could be used to hire another contractor to fix it. Toneman said everyone knows that outside courts should be crowned; they have to drain. Another concern: "Does the city have standards for the parks for bathrooms?" VandenBosch said the biggest standard that has to be met is the Americans with Disabilities Act (ADA). Those requirements include certain spacing for a wheelchair; Toneman asked about urinals. VandenBosch said we were renovating an existing building and did not have a lot of space to work with. VandenBosch pointed out that the bathrooms are designed by the architect in every case.

Reinert thanked everyone for coming out and sharing their feelings; we do have numbers to work with. Toles said the city was giving \$5,000 in April 2010. This is what we asked for; we knew exactly what we wanted.

Rosa Jackson; lived in the area for forty (40) years. The park was a fun park when she was growing up; stated there is no need for a fence; would like to see some nice play equipment and grass. Hates to look at that park, it's embarrassing. Whoever was over this should have done a little better job. Beautify our park like other parks.

Fitzgibbon suggested that the concerned citizens write down their ideas and concerns and let Paul know what it is you want from the contractor. We have the opportunity to hold the money on this contractor and get these things fixed.

Toneman asked what is next. Gildea is sure this group will work together and provide us with a list.

### **7a. Disc Golf.**

Gildea said the report/memo was emailed out just recently. Gave an overview of the various locations and what has been done so far.

Moore said it could be a terrific draw. Noted that the Disc Golf National Championship is coming to Michigan in 2016, and he would like to be able to recommend South Haven as the place to be. Said the course would only need mowed twice a season.

Toneman asked what else is needed. Gildea said mostly low maintenance but would need mowing every other week; signage is a one-time expense but needs to be checked periodically. Toneman asked if there was any need for staff. Gildea said no, just needs to be checked weekly or so.

Reinert-Montgomery said it could be an attractive inexpensive thing for people to do.

Fitzgibbon said most of these things, such as SHARP Park, the Dog Park and others are community driven and funded by donations and grants.

## **7. Park Commissioner's Comments**

Cobbs: Problem with the drainage needs to be fixed.

Toneman found this meeting really hard because Parks Commission and staff spent two years working on this and assumed that we were doing what people in the neighborhood wanted. Finds it upsetting that things were passed through that people did not want; does not know where we could have missed it. Feels bad because people should be excited. We needed to have found a happy medium but somehow we missed it.

Fitzgibbon is quite frustrated with City Administration that did not hold the contractor liable and she will be calling the City Manager to let him know that is unacceptable. Regarding the neighborhood disconnect Fitzgibbon does not know where that happened. We definitely need to move forward; the contractor did an unacceptable job and the City Manager will be called tomorrow.

Moore: Someone pointed out that the basketball rims are unequal heights. Discussion that they should be 10' high.

Comeau: Understand that here is a good opportunity; there is some money left over so let us accommodate what those people want.

White. Lives in the area, too. Attended some of the Ward 1 meetings when we were discussing the design for the park; remembers benches, flower pots, sidewalks. Supposed to have been child and family friendly park; "I have four granddaughters and they are not allowed at Elkenburg Park; my grandkids spend their time at the Cable Street Park. White noted that she dealt with Gildea on getting more swings and such for the Cable Street Park. Only lived here seventeen (17) years and always heard the bad part about the park; "It seems like it has gotten a lot better." Reiterated that there should have been more room for the younger children; three basketball courts are a bit too much.

Fitzgibbons asked what the plan in Cobbs' store had. White said she feels that what people were looking for did not happen.

Reinert: In life, we cannot make everybody happy, but hopefully we can use some of the money for the simple things that people are looking for. Reinert pointed out that she has taken her grandchildren to the school playgrounds near the elementary school, which are in walking distance of the Elkenburg Park neighborhood, too. It is time to take in this information being brought to the commission tonight.

Toneman agreed that maybe some of this stuff can be fixed.

Bettis Cooper: Has made FOIA (Freedom of Information Act) requests to the City Manager and to the Assistant City Manager. Wants minutes of all the committee meetings and the grant application and plans. Fitzgibbons said if the city hired Abonmarche to come in there would be minutes from their presentation, but that the city would not have minutes of the committee meetings, as they were not official city meetings.

Sherrrod: "What about the accountability of this commission to hire someone?"

Fitzgibbon explained that the City Council is the only entity over the City Manager. Explained the city's obligation to give preference to local contractors if they come in within 10% of the low bidder. So if there is a local person we make that a stipulation. If there is not a local bidder within 10% then we are required to go to the lowest bid. The City Manager, Assistant City Manager and Parks Supervisor have accountability; that is their job.

Sherrrod: "Have you gotten a report from the City Manager?" Gildea explained that because she has many issues herself, she will be at the meeting with the contractor tomorrow. She plans to go over what needs to be fixed.

Bettis: Not satisfied that the requests for documentation have not been made available. Asked If the retainer is not large enough to cover the problems, whether the remaining budget can be used for making necessary repairs.

Fitzgibbons said that when Gail Patterson, your Ward 1 representative, and I go to the City Manager we will be heard.

White: At the beginning of this, no one was keeping minutes. Everyone just signed a sheet, and she does not recall anyone keeping any minutes. Attended four to five meetings.

Fitzgibbon noted that when a neighborhood meeting happens there may not be any minutes.

White said she believes the basketball courts were pushed due to the young man that got killed in the car accident and others that passed around that time.

Cobbs: Since Theresa has been president there have been minutes. Does not know why they do not send them when they are requested.

Reinert noted that the Parks Commission has never gotten those minutes.

Bettis Cooper: Wants to get educated on the process and see the grant application.

## **9. Adjourn**

Motion by Fitzgibbon, second by Cobbs to adjourn at 7:40 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

# Board of Public Utilities

## Special Meeting Minutes

Thursday, July 11, 2013  
9:00 a.m., DPW Conference Room



### 1. Call to Order by Stickland at 9:00 a.m.

### 2. Roll Call

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

### 3. Approval of Agenda

Motion by Winkel, second by Burr to approve the July 11, 2013 Special Meeting Agenda as presented.

All in favor. Motion carried.

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

None at this time.

### UNFINISHED BUSINESS

### 5. Board will be requested to review Public Act 95 of 2013 and make a recommendation to City Council.

Halberstadt gave an overview of Public Act 95 of 2013 which was passed to provide assistance for low income energy customers in Michigan. The purpose of the act is to establish a \$50 million annual fund which low income customers can access to pay any kind of energy bill. The legislation places a surcharge on electric customers only and the surcharge is not to exceed more than \$1 per customer, with the actual amount calculated by the Michigan Public Service Commission (MPSC).

The board discussed where the low income funding will come from other than the surcharge and whether, if half of the utilities opt out, would there be enough money. Halberstadt explained that the two largest electric providers in the state, Consumers Energy and DTE, supported the legislation and will not be opting out.

According to Halberstadt, the first option is to collect the surcharge from our customers and send the money to the state on a monthly basis. Optionally, the city can opt out and will not

be permitted to shut off electric customers between November 1st and April 15<sup>th</sup> for nonpayment of a delinquent account. Halberstadt noted that the date for utilities to let the state know will be July 1st but since the legislation was not signed until July 1<sup>st</sup> we have been given until July 24, 2013 to provide this information to the state.

Huff explained that the board is being requested to take formal action today so that City Council can consider the matter on Monday, July 15<sup>th</sup> at their regular meeting.

Winkel asked how the shut-off period stipulated in PA 95 compares to the City's current practice. Huff responded that there is a fifteen (15) day difference from current practice, with an extension in the spring from March 31 to April 15.

Burr noted that the City places a tax lien on properties with delinquent utility bills so the utility does have a mechanism to collect bad debt. Typically in the Detroit area the utility companies write off 2% of their gross billing for bad debt. Consumers, who serves outside the Detroit area, writes off 0.5%. So there is four times as much bad debt write-off in major cities.

Burr said our write off is considerably less because we put the delinquent bills on tax bills. Burr noted that we can shut people's water off and we can shut people off if they are stealing electricity from us.

Stickland pointed out that in reality this legislation does not really change what we are doing. Huff asked if there had been an update from the Michigan Municipal Electric Association (MMEA) which will be performing a joint filing on July 24<sup>th</sup> for its 41 members, including South Haven. Halberstadt said he has not heard anything since he wrote the report.

Burr said the geographical area is not really defined. Huff noted that even if we opt out low income customers can still access the assistance.

Motion by Burr, second by Henry to opt out of Senate Bill 284 creating Public Act 95 of 2013 because it penalizes electric customers to subsidize gas customers and because geographic area is not defined by PA 95, we have no assurance that they money collected will be returned to South Haven electric customers.

All in favor. Motion carried.

**6. Next meeting is scheduled for Monday July 29, 2013 at 4:00 p.m. in the DPW Conference Room.**

The board discussed issues that may appear on the next agenda.

**7. Board Member Comments**

Stickland called for comments. There were none at this time.

**8. Adjourn**

Motion by Winkel, second by Henry to adjourn at 9:25 a.m.

July 11, 2013  
BPU Special Meeting  
Minutes

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

## Harbor Commission

### Regular Meeting Minutes

Tuesday, July 16, 2013  
5:30 p.m., City Hall Council Chambers  
South Haven City Hall



City of South Haven

#### 1. Call to Order by Arnold at 5:30 p.m.

Present: Reineck, Stephens, Strong, Sullivan, Arnold  
Absent: Pyle, Silverman

#### 2. Approval of Agenda

Motion by Stephens, second by Strong to approve the July 16, 2013 regular meeting agenda.

All in favor. Motion carried.

#### 3. Approval of Minutes: June 18, 2013 Regular Meeting

VandenBosch suggested the board delay approval of the minutes until next month since he did not include them in the packet.

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

None at this time.

#### 5. Marina Reports

VandenBosch reviewed the Marina Reports.

According to the data lake levels are at the high level of last year and predictions are that it will continue to rise.

#### 6. Adventure Water Sports License Agreement

VandenBosch noted that there were three main areas of concern by Council; comparable insurance requirements with other boat rental companies, whether a guide should be used and requirements for providing services to the City. An informational packet put together by

VandenBosch indicates that in the area of insurance the two businesses are similar; they use the same agency, both have a \$1M water craft liability. VandenBosch sent the policies to the city's insurance carrier for review and there were three areas of concern (referred the board to page 19 of the agenda packet).

- 1.) The original insurance policy provided by LJ Agency Inc. did not list the City as an additional insured, after notification, LJ Agency sent a revised insurance policy that satisfied this requirement. The policy provided by Adventure Water Sports did not have the City listed as additional insured, but it is likely an easy fix.
- 2.) LJ Agency Inc. provides a guided excursion service while Adventure Water Sports does not. VandenBosch noted that the guide is not a city requirement.
- 3.) LJ Agency proposed to place, replace and remove buoys, as part of their proposal to the city. VandenBosch explained that LJ's personal water craft were not heavy enough to pull the buoys out, noting that the anchors can get dug in very deeply. While LJ staff does help with setting and moving the buoys if they are not dug in too deeply, the requirement for removing them at the end of the season has been removed from their license agreement with the city. VandenBosch noted that the city did not ask for any services from Adventure Water Sports and VandenBosch does not know of any services which the City might have a need of, except perhaps removal of the buoys at the end of the season. VandenBosch indicated that he is not sure that Adventure Water Sports' boat would even be heavy enough to do that job.

VandenBosch noted that his staff report indicates that the two businesses operate quite differently and there is a difference in the license fee because of the difference in level of service and location. City Council has requested that Harbor Commission review the license agreement and provide comments to City Council.

Strong inquired whether all of the insurance issues are taken care of, to which VandenBosch responded yes.

Strong commented that the ranger guide is not necessary. Anyone who takes a boat or jet ski has to have the training. Noted that people who rent kayaks are a worse problem than any of the personal water craft or boats.

Strong commented on the shared services, "if we (the city) needed something and we asked and the rental agency agreed to provide the service that would be great." But if there is no service needed, Strong has no problem with that.

Stephens questioned whether someone who is 16 years old and has no training can operate a jet ski. Fidelman and his staff explained the state requirements, noting that their staff is licensed to train potential water craft renters and issue a one-time temporary day permit for that rental only.

July 16, 2013  
Harbor Commission  
Regular Meeting Minutes

Sullivan asked about the licensing agreement, whether anyone who launches personal water craft is required to have a licensing agreement; VandenBosch noted that commercial operation is the issue.

Strong asked what is needed, "a motion to approve the amended licensing agreement."

Fidelman stated that City Council has been keeping him from getting on the water; noted that he has been doing this for twenty-seven (27) years with a perfect safety record. Fidelman noted that he can launch legally anywhere but South Haven.

Motion by Stephens to approve the licensing agreement, second by Sullivan. All in favor. Motion carried.

## **7. General Comments**

Strong noted that several times this summer dinghy docks could not be used for kayaks or canoes due to jet ski rentals to which VandenBosch responded that the jet skis are not supposed to be docked at the dinghy dock all day, however they are allowed to load and unload passengers.

Strong asked if there was a dinghy dock under the bridge. VandenBosch said "Yes, due to low water, the dinghy dock installation at Dyckman Bridge was delayed until Monday. The dinghy dock at Black River Park was blocked by dredging equipment for some time and was also installed on Monday."

Strong asked for numbers to call if the black pipe which is supposed to be submerged is not submerged. VandenBosch said he can be reached at 637-0775 or Gro America can be called at 616-855-0188.

## **Member and Staff Comments**

### **Adjourn**

Motion by Stephens, second by Strong to adjourn at 6:07 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

# Harbor Commission

## Harbor Commission Workshop Minutes

Tuesday, July 16, 2013  
6:30 p.m., Council Chambers  
South Haven City Hall



City of South Haven

### **The Harbor Commission will meet to discuss and take public comment on plans for Black River Park and a new fish cleaning station.**

Arnold called the workshop to order at 6:26 p.m.

VandenBosch noted that we are looking at the new fish cleaning station project; the main goal is for the Harbor Commission to recommend to City Council at which location the fish cleaning station would be located so a new drawing/master plan can be prepared to send to City Council. This board will continue to work on the concept and master plan to create what we need to apply for a grant.

Kathy Burczak, Senior Landscape Artist, Abonmarche. Explained the proposed improvements for Black River Park, noting that she hopes for more great input "like we got last time we presented."

Burczak explained the rationale for the configuration of the entrances and exits, noting that the current road creates a back-up; anyone leaving the marina has a conflict. Option A & B are very similar but B allows for a road without using the culvert that is shown in A. Noted that since the last meeting more research into this drain has been done; the main drain goes this direction while the little segment in question is not listed as part of the county drain. Burczak feels that, based on that research, there will be a culvert in that little stream area.

Burczak noted that improved traffic flow and accommodating people stopping at the bait shop before launching were taken into consideration, with the main entrance remaining in the same place for the same reasons and bait shop customers can get to the launch gate without cutting into the stacking line. Pointed out multiple ways Plan C improves traffic flow.

Location for Fish Cleaning Station: Both locations are good.

First location is in the boat launch area, close to rest existing rest rooms and free parking area as well as parking for people who are launching.

The second location speaks to comments regarding group events and off-site weigh-ins; this location has a free pull-in, pull-through parking lot and an unloading zone next to the proposed fish cleaning station. There is access to pull-through parking for those with boat trailers and both regular and ADA compliant parking spaces. We feel that in this location it would be advantageous to extend the roofline and add an ADA compliant unisex restroom and a small storage facility. An extra restroom equals an extra \$45,000. Jeff noted that with the gravel parking area, there could be a band of bituminous to make the area more accessible.

Burczak showed a concept drawing of a fish cleaning station showing elevation, low maintenance features, air flow and double door for access.

The board discussed with Burczak how many people can work at the table shown to which Burczak responded that four can work at the main table and they are planning to add an ADA work table. St. Joseph has a cross table so eight (8) people can work there, plus the ADA complaint work station.

Tony McGee, Abonmarche, pointed out that the grinder system for disposing of the offal is one way or another one, currently used in Manistee, uses a freezer system and someone picks up the offal to use for cat food. The tables are sloped to the center allowing the offal to flow to the grinder or freezer, rolled lips to keep the water from sloshing off the fronts of the tables. Floor drains; there are slopes from the table to the drains in quadrants. There is a water hose for spraying down the facility as well as the hoses used during the fish cleanings.

After questions regarding how many parking spaces will be lost by adding ADA parking at launch side where the docks are Burczak explained that the parking lot will stay the same and the ADA parking will be in the same area and just renamed as ADA. Adding the ADA parking is just a matter of restriping.

There was discussion regarding the gates/doors of the fish cleaning station and locking them at night. It was pointed out that nighttime fisherman might come in at 11:00 pm or midnight.

A citizen commented on the anti-microbial boards shown in the photographs by Burczak; noted that at one harbor he visited, the table tops are made of permanent anti-microbial boards, instead of separate boards.

It was noted that architects have addressed the issue of shields for protecting fishermen from the spray across the table. VandenBosch suggested a floor or mop sink.

VandenBosch said we have had problems in the past with fish heads jamming the grinder, which is why the gates have been locked, sometimes as early as 5:00 p.m. The group discussed the poor quality of the grinder blades, which had been a large share of the problem with fish heads being caught in the grinder. The blades have since been replaced with new blades. VandenBosch said the city will try to keep the grinder open more.

July 16, 2013  
Harbor Commission  
Workshop Minutes

Bangor-South Haven Historic Water Trail representative questioned placing the fish cleaning station near where people are recreating. Burczak noted the newer systems do not allow for as much aroma to escape. Trail rep stated that in the past the Water Trail group has had their annual meeting at Black River Park utilizing their own canopy and it is very comfortable there. VandenBosch noted that there will be a loading area for kayaks and canoes. There was discussion about what material will be placed at the launch; currently it is mostly sand with some concrete mixed in. The concrete needs to be removed. Sand or grass is best for launch sites.

Sullivan asked about adding trailer parking over the spoils area; also asked "Is there any thought to increasing the free parking to the spot south of the launch?" Burczak pointed out that there are forty-three (43) vehicle and thirty-three (33) boat trailer spots. There could be 109 total vehicles without trailers. On Dunkley there are twenty (20) free vehicle spaces and some boat trailer spaces.

The board discussed the cul-de-sac in the previous plan, which although fairly large, made it difficult for people with trailers to turn around. For those people who like to stop at the bait shop and then launch, access will be easier.

VandenBosch said there will be a lot of landscaping, a gazebo etc. once the dredging is over. The planning of the various upgrades is being done through the Parks Commission so VandenBosch doesn't have details on that.

The Harbor Commission took a straw poll and unanimously likes the green circled area by the temporary parking area best, with good traffic flow and separate drop-offs.

Motion by Stephens, second by Strong, to accept the green circled area as a starting point to send to Parks Commission for comments. Motion carried.

Motion by Strong, second by Stephens to adjourn at 7:03 p.m.

All in favor. Motion carried.

**RESPECTFULLY SUBMITTED,**

Marsha Ransom  
Recording Secretary

## LIBERTY HYDE BAILEY MUSEUM BOARD OF TRUSTEES MEEETING

Tuesday, July 16, 2013

Board members present: Robin Reva, Olga Lewis, Joan Hiddema, Anne Long, Esther Hansen - Excused absence- Cindy McAlear and David Fenske  
Co-directors - Lauren Denny and John Linstrom.  
Council Rep - Clark Gruber  
Facilities Manager- Bill Lundy

Before the meeting was called to order, Pam Chappell sang the song she had composed entitled "Liberty Hyde Bailey." She was asked and agreed to return to sing the song for some of our future programming.

Meeting called to order at 7:20pm

Minutes from the July 11, 2013 meeting were approved by Joan Hiddema and seconded by Clark Gruber. Motion carried

### TREASURE'S REPORT

Assets - \$36,536.31  
Deposits - 1,848.72  
Expenses - 2,786.57

Discussion held as to how the Albemerle contribution is used and should we consider an admission fee of \$5.00?

Robin will be decorating a paint can, which will be placed in the museum to ask for donations toward painting the exterior of the museum.

### CO-DIRECTOR'S REPORT

John reported on Jane Taylor's up coming visit and presentation in August. John suggested an honorarium of \$300 for Jane Taylor and \$200 for Frank Dennis

Joan Hiddema made a motion to pay, seconded by Robin, motion passed

Advertising needed for the Jane Taylor presentation. Signs will be erected, and newspapers will be contacted.

## NEW BUSINESS

Anne Long presented the following amendment changes for approval.

Article V will read:

Regular meeting will be held the third Tuesday of each month, as necessary. Additional meetings pursuant to doing business may be determined by the Board at a regularly scheduled meeting. Five members shall constitute a quorum for the transaction of business.

Article IV will read:

The Board will consist of the following members: seven residents of the City of South Haven appointed by the City Council, one City Council representative. In addition to the seven regular members, the City may appoint two members from the surrounding townships of the City of South Haven. All members of the Board appointed by the City Council will be subject to the term limits as set by the City.

Motion to accept made by Joan Hiddema, seconded by Robin Reva. Motion passed.

Anne also requested that emails sent out to all should be strictly regarding business. If there are any complaints or negative concerns, that email should be addressed only and sent to Anne Long.

## FINANCE

Lease agreement is in the hands of the City Council and waiting upon their approval.

Also waiting to hear from the City Council as to when the exterior of the museum building will be painted.

## MEMBERSHIP

No report due to Cindy McAlear's absence, but 40 people remain to be called for renewal of their membership.

## LIVING COLLECTIONS

No report due to David Fenske's absence

## FLOOR

Esther Hansen has contacted Mark Savage about becoming a member of the Board. Following a visit to the museum he will give us an answer.

Lauren Denny told of two teenagers who have been coming to the museum to volunteer. Amanda Northrup and Elise Postma. The museum is very grateful to receive their help.

Clark Gruber reported that the City Council is discussing the use of term limits on the various boards. He will report their decision.

Robin Reva is putting on the finishing touches and framing on the Masonic Exhibit.

A motion was made by Joan Hiddema that Pam Chappell be given a Lifetime Membership to the Liberty Hyde Bailey Museum. Robin Reva seconded the motion. Motion passed. She will also be invited to present her song at the Jane Taylor program.

Meeting adjourned at 8:00pm

## **SOUTH HAVEN AREA REGIONAL AIRPORT AUTHORITY MINUTES**

July 17, 2014

The Chairman, Ren Wright called a regular meeting of the South Haven Area Regional Airport Authority Board to order at 7:30 PM in the terminal building.

Roll Call: Clark Gruber, Todd Jensen, Fred Bower, Ken Ratzlaff, Jon Woodhams, Dave Johnson, and Ren Wright. Excused: Don Woodhams, and Charles E. Smith. Absent: Dave Orr.

Agenda: Moved by Clark Gruber, seconded by Todd Jensen to approve the Agenda, approved.

Public Comments: Mrs. Goldner advised the crop dusters were making a lot of noise over her house; however, it has quieted down in the last week.

Todd Jensen moved and Jon Woodhams seconded to approve the Consent Agenda:

- A. Minutes of the June 19, 2013 Authority meeting be approved.
- B. Bills from June 20, 2013 through July 17, 2013 totaling \$32,745.35 be approved.
- C. Manager's report dated July 17, 2013 be approved.

A roll call vote was taken; Yeas: Gruber, Jensen, Bower, Ratzlaff, Woodhams, Johnson and Wright. Nays: None.

Committee Reports: None.

Old Business: Clark Gruber moved to approve the Five Year Plan as amended from the Ten Year Plan, seconded by Ren Wright. A roll call vote was taken; Yeas: Gruber, Jensen, Bower, Ratzlaff, Woodhams, Johnson, and Wright. Nays; None.

New Business: Todd Jensen moved to go to closed session at 7:40 pm to discuss a property purchase, seconded by Ken Ratzlaff, approved. The board returned to open session at 7:55 pm and Ken Ratzlaff moved to proceed with the purchase of the Russell property for an amount up to the asking price, seconded by Todd Jensen. A roll call vote was taken; Yeas: Gruber, Jensen, Bower, Ratzlaff, Woodhams, Johnson, and Wright. Nays: None.

Member Comments: None.

Clark Gruber moved to adjourn the meeting at 8:00 pm, seconded by Ren Wright, approved, meeting adjourned.

# **LIBERTY HYDE BAILEY MUSEUM BOARD OF TRUSTEE AND MUSEUM STAFF MEETING MINUTES**

Thursday

August 1, 2013

3 PM

Board Members Present: Anne Long, Joan Hiddema, Esther Hansen, Olga Lewis, Cindy McAlear

Board Members Absent: David Fenske (Excused )and Robin Reva (Excused)

City Council Representative Absent: Clark Gruber (Excused)

LHBM Co-Directors Present: Lauren Denny & John Linstrom

LHBM Collections Manager Present: Derek Nightingale

Facilities Manager Absent: Bill Lundy (Excused)

Anne Long, Chair, called the meeting to order.

## **CO-DIRECTORS REPORT – JOHN LINSTROM & LAUREN DENNY**

### **Old BUSINESS**

1. Everything is set for the Jane Taylor presentation. We have secured the room at North Shore School and will plan on setting up the space on Friday.
2. Date has been set for Garden Club/Museum: Tuesday, August 20, 2013 at 10 AM.
3. John heard from Lou Ann Wurst about last summer's archaeological dig. She will be providing a hardcover copy of the report for the museum, along with an informational brochure and all of the artifacts from the dig.

### **NEW BUSINESS**

1. Off-Season program ideas for Museum Board
  - a. Victoria Howard - Artist from California is interested in holding a show in the museum event room. Theme centered on nature (bulbs, birds, foliage, flowers, etc.). You may view her portfolio at the meeting. It was discussed about saving this idea for a May or June exhibit to give the directors time, at the beginning of the opening of the season, to work on a July exhibit that they might want to display.
  - b. Joan Bonnette – Local artist who would like to set up a butterfly installation in the back room. People are encouraged to add to the installation with their own butterfly creation. This is supposed to be a “community” affair. You may view her portfolio at the meeting. This might work for an Earth Day project.
  - c. Passenger Pigeon – Russ Schipper and George Miller expressed their interest in holding a presentation at the museum on the passenger pigeon, led by Penny Brisco, vice president of

- the Kalamazoo Audubon Society. This presentation would coincide with the centennial of the last passenger pigeon. It was discussed that this might be a good program in the fall.
2. Community Fundraiser
    - a. Community Open House – last push to get people into the museum to view the special exhibit. This would be modeled after the hospice fundraiser dinner, hosted on the museum grounds. Catered by local restaurant, alcohol permit; music; RSVP. \$30 per head. Put on hold for spring.
  3. The last Brunch at the Bailey will be August 24<sup>th</sup>. It will be an event to show our appreciation to both our LHBM membership and volunteers.
  4. Title Changes
    - a. Lauren & John would like to change their titles for the sake of resumes, etc. to be able to explain their work more specifically than “co-director”, so they proposed the following new titles to reflect the work they have been doing:
      1. Lauren Denny, Education and Outreach Director
      2. John Linstrom, Curatorial and Outreach Director

The Board agreed to this change.

#### LOOKING AHEAD

1. Strategic Planning Meeting
  - a. Pete Stobie from the Kalamazoo Nature Center suggested that the museum hire a professional to come in and help with the five-year strategic plan. It would be a day-long meeting and at the end of it we’d have a professional document with a six or seven year game plan for the direction that we need to head as a museum, including planning principles and practices that would improve our success as a non-profit organization. It’s around \$300. Pete will give John the information.
2. Turnover Files
  - a. John and Lauren want to prepare for the museum’s future leadership so they plan to work on instructional “turnover files” for the next individual that moves into the director position, including instructions on how to run various program, contact info., successes and failures, etc. This will allow for a smooth(er) future transition and can be continuously added to with new resources/materials.
3. New Open Hours
  - a. Sunday is our slowest day of the week. John & Lauren propose that in the future the museum be open Wednesday – Saturday rather than Thursday- Sunday; or, in the event of a fulltime staff, Tuesday – Saturday.

At the next August LHBM Board Meeting the Board will accept this report and ask for a motion on the proposal for new museum hours.

## **COLECTIONS MANAGER'S REPORT – DEREK NIGHTINGALE**

### **OLD BUSINESS**

1. Derek is still building records in Past Perfect for the 3D objects and the picture collections. He will be done with these in the next week or two.
2. Derek will get some of the archives and ephemera documented and organized, though most likely not all of it.

### **NEW BUSINESS**

1. Derek's last day will be Sunday, August 25.

No comments from the floor. The meeting was adjourned at 4 PM.

Respectfully submitted by,

Cindy McAlear, Board Secretary

# **LIBERTY HYDE BAILEY MUSEUM BOARD OF TRUSTEE MEETING MINUTES**

Tuesday

August 20, 2013

7:15 PM

Board Members Present: Anne Long, Joan Hiddema, Cindy McAlear, David Fenske,

Board Members Absent: Olga Lewis (Excused), Esther Hansen (Unexcused), Robin Reva (Unexcused)

City Council Representative Present: Clark Gruber

LHBM Co-Directors Present: Lauren Denny, John Linstrom

LHBM Collections Manager Absent: Derek Nightingale (excused)

Facilities Manager Absent: Bill Lundy (Excused)

Guest Present: Peter Stoble, Director of Education from Kalamazoo Nature Center

Anne Long, Chair, called the meeting to order.

A motion to accept the minutes from the LHBM Board Meetings for July 16, 2013 and August 1, 2013 was called for.

It was moved by Joan Hiddema to accept the minutes from the July 16, 2013 and August 1, 2013 LHBM Board Meetings. Seconded by Clark Gruber. Motion carried.

## **LIBERTY HYDE BAILEY MEMORIAL FUND/TREASURER'S REPORT – JOAN HIDDEMA**

ASSETS:	\$35,553.65
DEPOSITS:	\$2,529.00
EXPENSES:	\$2879.42

## **GUEST- PETER STOBLE, DIRECTOR OF EDUCATION KALAMAZOO NATURE CENTER**

Anne Long introduced Peter Stoble from the Kalamazoo Nature Center who has been working with LHBM Director, Lauren Denny this summer for our children's program called, "Bailey's Budding Naturalists". Peter gave an overview of the summer's program which included; an introduction to Liberty Hyde Bailey, gardening, environmental education, crafts, and nature hikes. Peter praised the work that Lauren has contributed to the program and how well she enhanced the experience for the children. He thought it was a wonderful experience for the children and has had lots of great feedback from the parents. Peter is available as a consultant as to what the LHBM can do to extend a children's

area at the LHBM Museum. He also suggested that we visit Blandford Nature Center in Grand Rapids to get some ideas.

Peter recommends that the museum look into hiring Evie Kirkwood from the National Association for Interpretation to help us make a strategic plan. He has given her contact information to Lauren.

It was moved by Joan Hiddema for Lauren Denny to contact Evie Kirkwood to set up a date for a strategic planning day. Seconded by David Fenske. Motion carried.

## **NEW BUSINESS**

- A. Board Openings – Three openings on the LHBM Board  
Becky Linstrom has applied for Elaine Fluck's position on the board and will come on the board in Oct. We need one more person from the city and one from the township. David Fenske will contact people from a list to see who might be interest in joining the board.
- B. Appreciation Brunch – Saturday, August 24 at 11 AM  
John Stempien will be presenting the program.
- C. Meeting with Garden Club Representatives – Tuesday, August 20, 2013 John Linstrom and Anne Long met with Mary Lynn Bugge and Pat Gaston from the Garden Club. The Garden Club has been connected with LHBM since 1958. They hope to write about the relationship that the Garden Club has had with the museum during these many years. They would also like to be responsible for the garden around the stone bench, the Martha Warner Day Lily Garden, and the Sara Bailey Pinks Garden. All other gardens will be turned back over to the care of LHBM.

## **CONTINUING BUSINESS**

- A. Living Collections – David Fenske reported that the experimentation of the kitchen garden design and plantings was informative. Lots of growth but small yield in vegetables. Biggest problem is short sunlight per day. The gourds did poorly for lack of enough sun. The Family Garden and children's plots did well and the flowers that were planted along the fence are remarkable. Farmers aren't picking their crops enough. In the kitchen garden there lots of tomatoes, potatoes, eggplant, lettuces, peppers, radishes, onions, kale etc. It was discussed that this produce could be given to the food pantry at the Congregational Church and to the Open Door Dinners at the Methodist Church to help out the community.  
David asked the board to consider exchanging the Garden Club flower/vegetable garden with the current kitchen garden. This would give us more sunlight for the vegetables. This shouldn't be a problem after talking with Garden Club earlier in the day.  
David said that the hay bale plants did poorly for several reasons but should be tried again in a more sunny area.  
Long term plans to consider is a plastic hoop structure for fall and winter planting and earlier seed starting.  
Expansion of the herb plots would be nice with labeling of the plants.  
Low water pressure is still a problem on the south side.

- B. Membership – Cindy McAlear reported that as of today, August 20, 2013, there were 180 LHB Museum members. 43 are new members that joined for the first time. Members who did not rejoin for the year were called by Anne Long and Cindy McAlear asking them if they would like to continue to support LHBM. Several needed new envelopes and most were appreciative of the call and sent in their dues. The total membership dues brought in this year, so far, is \$7,030 and another \$1,152 were donations sent in with the dues for a grand total of \$8,182.
- C. Financial – Anne Long said that we are still waiting to hear from the city about if we will receive a \$5,000 increase in our budget that we requested. We are also waiting to hear about the maintained of museum, painting of the building and the lease with the city.

## **FLOOR**

- A. Joan Hiddema asked if anyone was interested in a field trip to Michigan State in Lansing to see their gardens. She will check into a date for us to go and if we can have a guide take us through the gardens.
- B. Cindy McAlear asked if we were interested in having a tent at the Craft Fair on August 31 and September 1. The Chamber of Commerce was inquiring if we wanted a space. The board chooses not to participate this year. It was discussed about sharing a table with the other museums at the Farmer's Market instead of participating in art or craft fairs.
- C. Anne Long reminded the board members that this month ends the cycle of two meetings a month. We will no longer have an extra meeting with the LHBM Staff on Thursdays.

Adjourned at 8:50 PM

Respectfully submitted by,

Cindy McAlear, Board Secretary



City of South Haven

BOARD AND COMMISSION APPLICATION

Name BRIAN PETERSON

Phone \_\_\_\_\_

Address \_\_\_\_\_

E-Mail Address \_\_\_\_\_

Resident of City? (Circle One)  Yes No If Yes, how long: 27 YEARS (NON-CONTIGUOUS!)

Board or Commission Applying for: PLANNING COMMISSION

Qualifications: MASTERS DEGREE IN ARCHITECTURE, FINAL YEAR OF STUDY FOCUSED ON URBAN STUDIES AND URBAN DESIGN.

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

I'VE GROWN UP HERE AND NOW MY CHILDREN ARE AND IF THERE'S ANY WAY I CAN CONTRIBUTE TO THE CITY'S STRIVING TO BE THE BEST PLACE IN THE REGION, I'LL DO MY BEST TO DO THAT.

Signature Brian Peterson

Date 8/27/2013

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

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



## Agenda Item 7

### Corridor Improvement District; Public Hearing

#### Background Information:

The City Council will be asked to continue a public hearing, related to the establishment of a Corridor Improvement Authority, to address issues related to the I-196 Business Loop and M-43 in the city limits. The public hearing was initiated at the City Council's August 19<sup>th</sup> regular meeting. That public hearing was continued for inclusion at the September 3<sup>rd</sup> regular meeting.

As part of this year's priority setting process, the City Council expressed interest in planning improvements to the I-196 Business Loop and exploring financing for those improvements.

That priority is listed below:

#### **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.

As part of the authority creation, the City Council is required to provide a series of notices to the public. For tonight's meeting, the City Council should continue the public hearing to receive public comment on the proposed Corridor Improvement Authority.

#### Recommendation:

The City Council should continue the public hearing, to receive public comment, related to the proposed Corridor Improvement Authority.

#### Support Material:



## Local Development Finance Authority (LDFA) Rezoning Request

**Background Information:** In January, 2013, the City of South Haven Local Development Finance Authority (LDFA) purchased 16.8 acres located at 220 Aylworth Avenue. The property is currently zoned I-1B, a classification created to allow for a proposed, specific use and is only found on the two (2) city owned parcels proposed for rezoning and one 2.7 acre parcel which is adjacent and privately owned. On February 11, 2013, the LDFA adopted a resolution asking the planning commission to rezone the city owned property back to the I-1 zoning district (attached).

The owner of the adjacent 2.7 acre I-1B property, Lovejoy Self Storage LLC, was approached several times regarding the inclusion of his property in the rezoning. After discussion with his business partners, he requested not to be part of the proposed rezoning at this time.

The planning commission had discussed this rezoning in the past and it was agreed that the city should eliminate the I-1B zoning and return to the original two (2) industrial classifications. This rezoning will further that objective.

At the June 6, 2013 meeting, the planning commission held a public hearing on the request (minutes attached). Following the public hearing, where no comments were received, the Planning Commission unanimously approved a resolution recommending adoption of the rezoning to City Council (attached).

**Recommendation:** At the current meeting, City Council members may introduce the zoning ordinance amendment to the public. No action is required at this time unless Council members have concerns with the amendment which need to be directed back to the planning commission for further consideration.

At the next City Council meeting, the members may elect, through a simple majority vote, to adopt the zoning amendment as presented, deny the amendment or adopt the amendment with some modifications. If the amendment is adopted, it will become effective ten (10) days after the City Council vote. A draft ordinance for the amendment is included in this packet.

### Support Material:

1. Rezoning Application and map
2. Resolution of request from the LDFA
3. Planning Commission Public Hearing Minutes
5. Planning Commission Resolution of Support
6. Draft Ordinance for City Council

Respectfully submitted,

Linda Anderson  
Zoning Administrator

**REZONING APPLICATION**  
**CITY OF SOUTH HAVEN**  
**BUILDING SERVICES DEPARTMENT**  
**539 PHOENIX STREET, SOUTH HAVEN, MICHIGAN 49090**  
**FOR INFORMATION CALL 269-637-0760**

Date: January 15, 2013 Applicant: City of South Haven LDFA  
(If applicant is not the owner of the subject property, a letter granting said applicant authority is required.)

Applicant Address: 539 Phoenix Street, South Haven, MI

Applicant Phone Numbers: 269-637-0775

Applicant e-mail: pvandenbosch@south-haven.com

Subject Property Address: 220 Aylworth Avenue  
(A legal description and survey of the subject property is required to be submitted with this application.)

Existing Zoning District: I-1B

Zoning District Requested: I-1

Attach a list of the conditions for approval which apply to your request and comment on how your request will meet those standards:

Applicant shall respond to the general standards in Sec. 2501 below and comment on how the requested Rezoning will meet the standards:

- General Standards - The matters to be considered by the Planning Commission shall include, but shall not be limited to, the following:
- a. What, if any, identifiable conditions related to the application have changed which justify the proposed amendment?
  - b. What are the precedents and the possible effects of such precedent which might result from the approval or denial of the application?
  - c. What is the impact of the amendment on the ability of the City and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the proposed amendment is adopted?
  - d. Does the proposed district change adversely affect environmental conditions, the character or the likely value of the surrounding property?
  - e. Does the proposed district change comply with the adopted City Comprehensive Plan? If not, and if the proposed zoning change is reasonable, in light of all other relevant factors, then the Plan should be amended before the requested zoning amendment is approved.
  - f. If a specific property is involved, can the property in question be put to a reasonable economic use in the zoning district in which it is presently located.
  - g. Is another procedure, such as a variance, special land use or planned unit development procedure a more appropriate alternative than a rezoning?

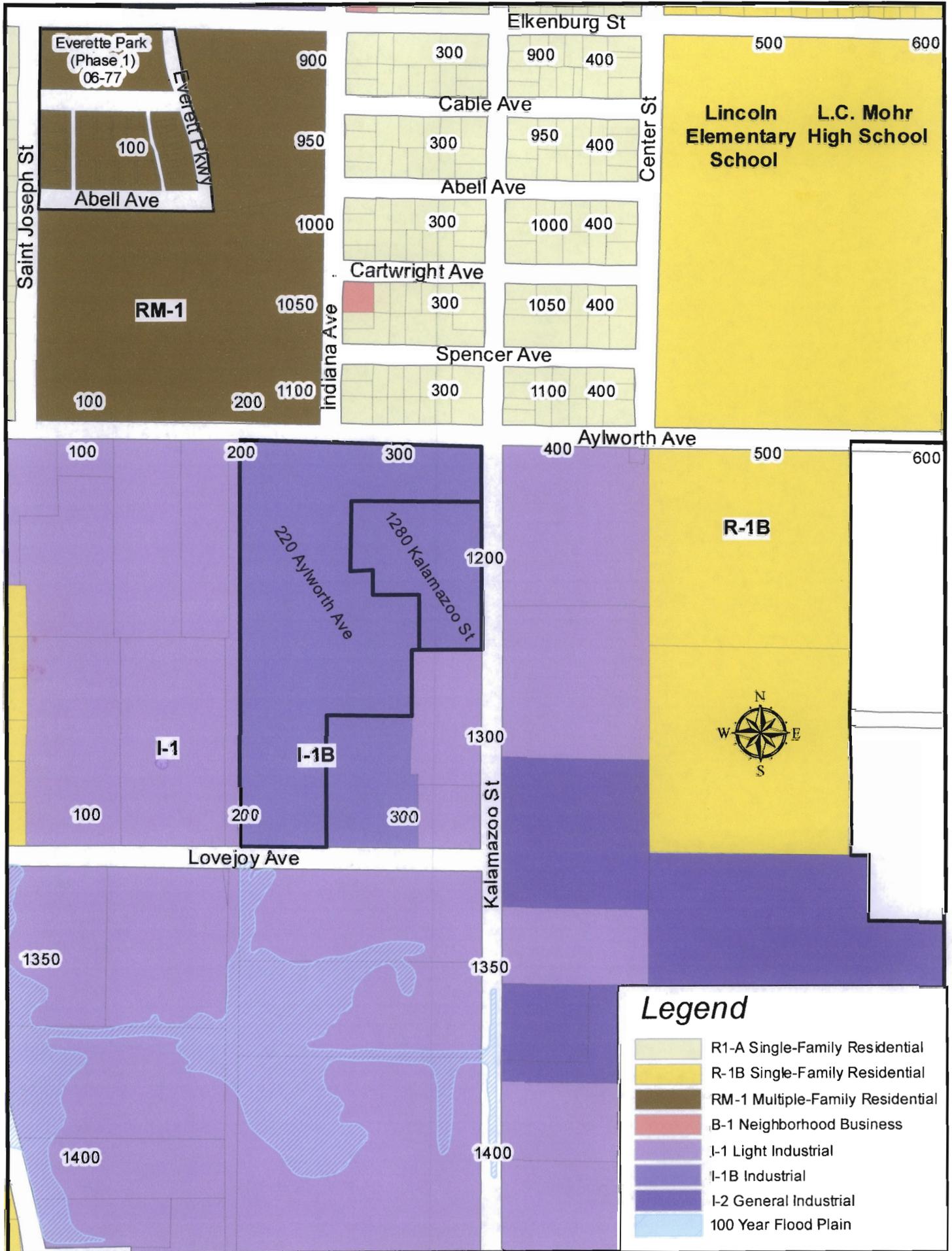
THE INFORMATION CONTAINED WITHIN THIS APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE AND SUBMITTED TO THE PLANNING COMMISSION FOR REVIEW. THE UNDERSIGNED REALIZES THAT ANY INFORMATION SUPPLIED IN SUPPORT HEREOF THAT IS NOT CORRECT COULD VOID ANY DECISION BY THE COMMISSION. SAID SIGNATOR ALSO ACKNOWLEDGES THAT IF THE PERMIT IS GRANTED, THE WORK WITHIN THE REQUEST MUST BE CARRIED OUT WITHIN ONE YEAR OF SAID APPROVAL OR SAID PERMIT APPROVAL BECOMES NULL AND VOID.

Applicant Signature



Date: January 15, 2013

**Fee Waived**



### Legend

- R1-A Single-Family Residential
- R-1B Single-Family Residential
- RM-1 Multiple-Family Residential
- B-1 Neighborhood Business
- I-1 Light Industrial
- I-1B Industrial
- I-2 General Industrial
- 100 Year Flood Plain

**LOCAL DEVELOPMENT FINANCE AUTHORITY  
OF THE CITY OF SOUTH HAVEN  
COUNTIES OF VAN BUREN AND ALLEGAN, MICHIGAN**

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**RESOLUTION NO. 2013-01**

**A RESOLUTION REQUESTING THAT THE PROPERTY AT  
220 AYLWORTH BE REZONED TO I-1 LIGHT INDUSTRIAL**

Minutes of a regular meeting of the Board of Directors of the Local Development Finance Authority of the City of South Haven, Allegan and Van Buren Counties, State of Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan, on February 11, 2013, at 4:00 p.m., local time.

Present, Boardmembers: Erdmann, Gawreliuk, Herrera, Kerber, Valentine, Varney

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Absent, Boardmembers: Bolt, Henry, Klavins, Lewis, Rainey

---

The following preamble and resolution were offered by Boardmember Erdmann and supported by Boardmember Gawreliuk.

WHEREAS:

1. The Local Development Finance Authority (LDFA) has completed the purchase of the former Bohn Piston facility at 220 Aylworth Avenue.
2. The current zoning designation for the property was established to encourage an industrial development that did not occur.
3. The LDFA desires to change the zoning to be the same as that of adjacent parcels.

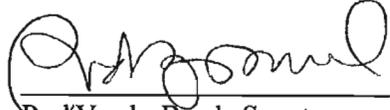
NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City of South Haven Local Development Finance Authority hereby requests that the zoning of the property owned by the LDFA at 220 Aylworth Avenue (parcels 80-53-220-001-10 and 80-53-220-002-10) be changed to I-1 Light Industrial zoning.

AYES: Erdmann, Gawreliuk, Herrera, Kerber, Valentine, Varney

NAYS: -none-

RESOLUTION DECLARED ADOPTED.

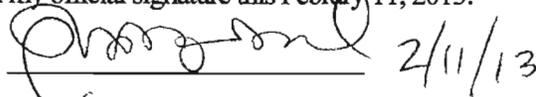
  
\_\_\_\_\_  
Paul VandenBosch, Secretary

**CERTIFICATION**

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

I, Paul VandenBosch, the duly qualified and acting Secretary of the Board of the Local Development Finance Authority of the City of South Haven, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board at a meeting held on February 11, 2013, the original of which is on file in the office of the Local Development Finance Authority. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended.

IN WITNESS WHEREOF, I have hereto affixed my official signature this February 11, 2013.

  
\_\_\_\_\_  
Paul VandenBosch, Secretary

# Planning Commission

## Regular Meeting Minutes

Thursday, June 6, 2013  
7:00 p.m., Council Chambers



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

### 2. Roll Call

Present: Heinig, Miles, Smith, Soukup, Wall, Paull  
Absent: Frost

Motion by Wall, second by Smith to excuse Frost.

All in favor. Motion carried.

### 2a. Election of Officers

Motion by Wall, second by Smith to nominate Paull as chair.

All in favor. Motion carried.

Motion by Wall, second by Smith to elect Heinig as co-chair.

All in favor. Motion carried.

### 3. Approval of Agenda

Motion by Wall, second by Heinig to approve the agenda as presented.

All in favor. Motion carried.

### 4. Approval of Minutes – April 11, 2013

Motion by Wall, second by Miles to approve the April 11, 2013 minutes as written.

All in favor. Motion carried.

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

None at this time.

**6. New Business**

Paull enumerated the basic requirements of a public hearing.

**PUBLIC HEARINGS**

**a. Rezoning request**

**An Ordinance to Amend the Official Map of the South Haven Zoning Ordinance to Rezone 16.8 Acres from Industrial I-1B to Industrial 1-1.**

Anderson noted that this rezoning has been discussed in the past. Paull pointed out that the rezoning will actually be reverting to the former zoning.

Motion by Wall, second by Soukup to open the public hearing.

All in favor. Motion carried.

Paull called for anyone who cared to speak. Seeing none . . .

Motion by Smith, second by Heinig to close the public hearing.

All in favor. Motion carried.

Motion by Smith, second by Wall to forward the rezoning request on to city council with a recommendation to rezone 220 Aylworth from I-1B Industrial to I-1.

Paull noted this has needed to be done.

All in favor. Motion carried.

**PLANNING COMMISSION  
CITY OF SOUTH HAVEN**  
Van Buren and Allegan Counties, Michigan

Commissioner Smith, supported by Commissioner Kozlik-Wall, moved the adoption of the following resolution:

**RESOLUTION 2012- 0001**

**RESOLUTION RECOMMENDING CITY COUNCIL APPROVAL OF A  
REZONING REQUEST SUBMITTED BY THE CITY OF SOUTH HAVEN LOCAL  
DEVELOPMENT FINANCE AUTHORITY (LDFA)**

Whereas, on February 11, 2013, the LDFA submitted an application to rezone 16.8 acres located 220 Aylworth as depicted on the attached Exhibit A (the "Property"), from the I-1B Industrial zoning district to the I-1 (Light Industrial) zoning district; and

Whereas, after providing notice in accordance with the Michigan Zoning Enabling Act, 2006 PA 110, as amended, MCL 125.3101 *et seq.* (the "MZEA"), and the City of South Haven Zoning Ordinance, the Planning Commission held a public hearing on June 6, 2012, to receive and consider public comment on the rezoning application and to review the information and materials submitted by the applicant and others relating to the rezoning request; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. After reviewing the information, materials and comments submitted in relation to the LDFA rezoning application, pursuant to and in accordance with the MZEA and the factors and criteria provided by Section 2501 of the South Haven Zoning Ordinance, the Planning Commission makes the following finding:

Based upon the application and other submitted materials, the Planning Commission determines that the rezoning of the Property to I-1 is consistent with the existing Master Plan and that the uses permitted by right and special use within the I-1 zoning district are consistent with existing uses and the general character of the area surrounding the Property.

2. The Planning Commission approves the LDFA rezoning application as submitted, (Case No. 2013-0008-REZ) and recommends that the City Council adopt the amendment.

3. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

YEAS: Commissioners: Heinig, Soukup, Miles, Paull, Smith, Wall, \_\_\_\_\_

NAYS: Commissioners: None \_\_\_\_\_

ABSTAIN: Commissioners: None \_\_\_\_\_

ABSENT: Commissioners: Frost \_\_\_\_\_

**RESOLUTION DECLARED ADOPTED.**

CERTIFICATION

As its Recording Secretary, I certify that this is a true and complete copy of a resolution adopted by the Planning Commission of the City of South Haven, Van Buren and Allegan Counties, Michigan, at a meeting held on June 6, 2013.

Date: June 7, 2013

  
\_\_\_\_\_  
Marsha Ransom, Recording Secretary

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

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

**AN ORDINANCE TO AMEND THE OFFICIAL MAP OF THE SOUTH HAVEN  
ZONING ORDINANCE TO REZONE 16.8 ACRES FROM INDUSTRIAL I-1B TO  
INDUSTRIAL 1-1.**

The City of South Haven Ordains:

The following properties are rezoned from the Industrial I-1B to Industrial I-1:

220 Aylworth  
Parcel Number 80-53-220-001-10  
13.3 acres

1280 Kalamazoo  
3.5 acres  
Parcel Number 80-53-220-002-10

SECTION 2

If any portion of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining provisions of this ordinance.

SECTION 3

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

SECTION 4

This ordinance shall take effect ten (10) days after its adoption or upon its publication in the *South Haven Tribune*, whichever occurs later.

INTRODUCED by the City Council of the CITY OF SOUTH HAVEN, MICHIGAN on this 19 day of August, 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

**Zoning Ordinance Amendments  
To Section 201, Definitions**

Background Information:

At the August 19, 2013 City Council meeting, staff was asked to make a clarification to the draft amendment to zoning ordinance section 201 regarding easements. Staff subsequently made the clarification by including the provision that the easements must be recorded to be considered valid.

Recommendation:

The planning commission asks that the City Council adopt the proposed amendments to Zoning Ordinance Section 201, as now presented. If the amendment is adopted, it will become effective ten (10) days after the City Council vote. The revised draft ordinance for the amendment is included in this packet.

Support Material:

1. Revised draft Zoning Ordinance Section 201

If you have questions or concerns prior to the City Council meeting, please let me know.

Respectfully submitted,  
Linda Anderson  
Zoning Administrator

**CITY COUNCIL  
CITY OF SOUTH HAVEN**

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

**AN ORDINANCE TO AMEND SECTION 201 OF THE SOUTH HAVEN  
ZONING ORDINANCE TO DEFINE “EASEMENT” AND “PRIVATE  
ROAD”**

The City of South Haven Ordains:

Section 1. Amendment. Sections 201.5 and 201.16 of the South Haven Zoning Ordinance are amended to read as follows:

Sec. 201.5. “E”.

**Easement: A duly recorded interest in land that entitles its holder to the limited use of another’s property for a specified purpose.**

Efficiency Unit: A dwelling unit consisting of one (1) room and having such facilities as kitchen, closets, bathrooms, and hallways in or immediately adjoining such room.

Erected: The word “erected” includes built, constructed, altered, reconstructed, moved upon, or any physical operations on the premises, which are required for a building or structure. Excavation, fill, drainage, and the like, shall be considered a part of erection when done in conjunction with a structure.

Essential Services: The erection, construction, alteration, or maintenance by public utilities or municipal departments of underground, surface, or overhead gas, electrical, steam, fuel or water transmission or distribution systems; collection, telephone, communication, supply or disposal system; including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals and hydrants in connection therewith which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general health, safety, convenience or welfare of the public, but not including towers, or office buildings, substations, or structures which are enclosures or structures for service equipment, or maintenance depots.

Excavation: Any breaking of ground, except common household gardening and ground care.

Sec. 201.16. “P”.

Parcel: A lot described by metes and bounds or described in a recorded plat, or as used in Article XVI, a continuous area or acreage of land, which is under the same ownership at the time of the high-risk erosion area designation.

Park: A parcel of land, building or structure used for recreational purposes including but not limited to playgrounds, sport fields, game courts, beaches, trails, picnicking areas, and leisure time activities.

**Parking Spaces:** An area of definite length and width used for the parking of a motor vehicle. Said area shall be exclusive of drives, aisles, or entrances giving access thereto, and shall be fully accessible for the parking of permitted vehicles.

**Permanent Foundation:** As used in Article XVI, a foundation for a structure that includes all frost-free foundations as regulated by the building code as well as concrete block, poured concrete, and slabs or other materials used to support the walls of a building, even if they do not extend down below the frost free line.

**Permanent Structure:** As used in Article XVI, any one (1) of the following structures that is erected, installed, or moved on a parcel of property:

1. A residential building.
2. A commercial building.
3. An industrial building.
4. An institutional building.
5. A mobile home.
6. Accessory and related buildings.
7. Septic systems.
8. Tile fields.
9. Other waste handling facilities.

A permanent structure shall be considered small if it has a foundation size of three thousand five hundred (3,500) square feet or less and less than five (5) individual living units. All other permanent structures shall be considered large. The term does not include recreational vehicles, travel trailers, or other recreational units. The term also does not include accessory structures, which have less than two hundred and twenty five (225) square feet, which are used for picnicking, storing of recreational, or lawn equipment, and which are constructed in a manner that facilitates easy removal. The accessory structure shall not have a permanent foundation and shall not be used as a residential facility.

**Person:** Means an individual, partnership, association, trust, or corporation, or any other legal entity or combination of legal entities.

**Planned Unit Development:** A tract of land or lot, developed under single ownership or management as a separate neighborhood or community unit. The development shall be based on an approved site plan, which allows flexibility of design not available under normal zoning district requirements. The plan may contain a mixture of housing types, common open space, and other land uses as provided in this Ordinance.

**Plat:** A map of a subdivision of land recorded with the County Register of Deeds pursuant to Public Act 288 of 1967, or a prior statute.

**Plot Plan:** A drawing showing the proposed placement of a new building, dwelling structure or use, or an addition to a building, structure, or use on a parcel of land. See Section 2102.

**Porch:** A roofed open area, which may be screened, usually attached to or part of and with direct access to or from a building. A porch becomes a room when

the enclosed space is heated or air-conditioned and when the percentage of window area to wall area is less than fifty (50) percent.

Principal Structure: As used in Article XVI, the main building on a lot or parcel, including but not limited to, residential, commercial, industrial, institutional structures and mobile homes. In the high-risk erosion areas described in this Ordinance, principal structure also includes septic systems, tile fields, any on-site waste handling facility, garages and any other building designed and intended for permanent use.

Principal Use: The primary or predominant use of any lot or parcel of land.

**Private Road: A private way or means of approach, other than an alley, right-of-way or easement, providing access to two (2) or more abutting lots, and which is constructed and maintained by the owner or owners and is not dedicated for general public use.**

Public Utility: A person, firm or corporation, municipal department, board or commission, duly authorized to furnish and furnishing under federal, State, or municipal regulations to the public: gas, steam, electricity, sewage disposal, communication, telephone, telegraph, transportation, or water.

SECTION 2: If any portion of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining provisions of this ordinance.

SECTION 3: This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

SECTION 4: This ordinance shall take effect ten (10) days after its adoption or upon its publication in the *South Haven Tribune*, whichever occurs later.

INTRODUCED by the City Council of the CITY OF SOUTH HAVEN, MICHIGAN on this 19 day of August, 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.

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Amanda Morgan, City Clerk





## Proposed Amendments to Article XX, Sections 2001 and 2008, Signs

City of South Haven

**Background Information:** At the August 19, 2013 City Council meeting, staff was asked to make a clarification to the draft amendment to zoning ordinance Article XX, Sections 2001 and 2008 as to the number of signs permitted for institutional uses in residential zoning districts. s. Staff subsequently made the clarification by including the provision that, *“No establishment may have both a wall sign and a freestanding sign on any street front”*.

**Recommendation:** The planning commission asks that the City Council adopt the proposed amendments to Zoning Ordinance Sections 2001 and 2008, as now presented. If the amendment is adopted, it will become effective ten (10) days after the City Council vote. The revised draft ordinance for the amendment is included in this packet.

**Support Material:**

1. Revised draft Zoning Ordinance Sections 2001 and 2008

Respectfully submitted,  
Linda Anderson  
Zoning Administrator

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

ORDINANCE NO - \_\_\_\_

AN ORDINANCE TO AMEND SECTION 2001 AND 2008 OF THE SOUTH HAVEN ZONING ORDINANCE TO ALLOW FOR INSTITUTIONAL SIGNAGE IN RESIDENTIAL ZONES

The City of South Haven Ordains:

SECTION 1 - Amendment. Sections 2001 and 2008 of the South Haven Zoning Ordinance are amended to read as follows:

**ARTICLE XX  
SIGNS**

**SECTION 2001. DEFINITIONS**

**Institutional Signs:** A sign, which by symbol or name, identifies an institutional or not-for-profit use permitted in a residential zoning district and may also provide the announcement of services or activities to be held therein.

**SECTION 2008. PERMITTED SIGNS**

All signs in this Section shall require a building permit and comply with the regulations set forth in this Article.

<b>1. Signs permitted in the R-1A, R-1B, R-1C, R-2 and RM-1 Districts</b>		
<b>Wall signs for residences with 6 or fewer units</b>		
Number	1 per lot or parcel	
Size	2 sq. ft. maximum	
Location	Attached anywhere on the front of the structure below the second floor level and within eight (8') feet of the front wall of the structure.	
<b>Wall signs for home occupations</b>		
Number	1 per lot or parcel	
Size	2 sq. ft. maximum	
Location	On the wall facing the street.	
<b>Wall signs for multiple-family complexes having 6 or more units, and nonresidential uses</b>		
Number	1 per lot or parcel	
Size	12 sq. ft. maximum	
Location	On the wall facing the street.	
<b>Subdivision entry signs</b>		
Number	2 per development.	
Size	32 sq. ft. maximum per sign	
Location	Less than 16 sq. ft.	Minimum 2 ft. from any property line
	More than 16 sq. ft.	Minimum 8 ft. from any property line
Height	6 ft. maximum	
<b>Signs for bed and breakfast establishments</b>		
Number	Freestanding	1 per establishment
	Wall	1 per establishment

	No establishment may have both a wall and a freestanding sign.	
Size	RM-1	32 sq. ft. maximum
Location	Freestanding	Minimum 8 ft. from any property line
	Wall	On the wall facing the street.
<b>Signs for Institutional Uses</b>		
Number	Freestanding	1 per parcel except on a corner lot where 1 sign is permitted on each street front
	Wall	1 per parcel except on a corner lot where 1 sign is permitted on each street front
	No establishment may have both a wall sign and a freestanding sign on any street front	
Size	Freestanding	30 square feet; height not to exceed 5 feet
	Wall	20 square feet; height not to exceed 4 feet
Location	Freestanding	A minimum of 5 feet from the street right-of-way or the average setback of the residences on both sides, whichever is more restrictive
	Wall	No more than 20 feet above the average grade of the wall on which the sign is placed
Lighting	No internal lighting. Any external lighting fixtures used to illuminate a sign shall be mounted on top of the sign structure and directed and shielded such that no light rays are emitted beyond the sign display area. Lights shall be turned off between the hours of 11:00 PM and 7:00 AM.	

## SECTION 2

If any portion of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining provisions of this ordinance.

## SECTION 3

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

## SECTION 4

This ordinance shall take effect ten (10) days after its adoption or upon its publication in the *South Haven Tribune*, whichever occurs later.

INTRODUCED by the City Council of the CITY OF SOUTH HAVEN, MICHIGAN on this 19 day of August, 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



## Agenda Item 11

### American Twisting IFT Consideration

#### Background Information:

The City Council will be asked to schedule a public hearing date to consider an Industrial Facilities Tax Exemption Certificate for American Twisting Company, located at 1675 Stieve Drive.

The tax exemption request, which totals \$540,000, is for personal property acquired by the company. The company plans to acquire new twisting equipment to assist with their paper products assembly. The applicant notes that the company anticipates creating 2 new jobs and plans to retain 39 existing jobs at their facility as a result of the project.

American Twisting Company was founded in 1924. Since 1986 American Twisting has been located in the City of South Haven. American Twisting produces twisted paper bag handles for designer shopping bags found in virtually every shopping mall across the Country. In 1991 American Twisting constructed a second facility in South Haven, across the street from their main building. From these facilities, American Twisting produces between 8 million and 10 million feet of twisted paper products, per day, for use by their customers. The company is an ISO 9001:2008 Manufacturer of Paper Covered Wire and Custom Slitted Products. American Twisting is also recognized by the Forest Stewardship Council (FSC) and is FSC Certified.

The estimated total value of the Industrial Facilities Tax Exemption Certificate for American Twisting Company is \$27,762 over the 12 year life of agreement. The tax exemption does include a "claw-back" provision, which allows the City of South Haven to seek the abated tax amount if the terms of the abatement are not met by the business.

A public hearing will be held on September 16, 2013 prior to final approval of the request.

#### Recommendation:

The City Council should consider approval of Resolution 2013-53: which, if approved, sets a public hearing date to consider an Industrial Facilities Tax Exemption Certificate for American Twisting Company, located at 1675 Stieve Drive.

#### Support Material:

Staff report: American Twisting IFT  
Resolution 2013-53

**MEMORANDUM**

**DATE:** August 26, 2013

**TO:** Brian Dissette, City Manager

**FROM:** Connie Phillips, Deputy Assessor

**SUBJECT:** Resolution to Set Public Hearing for an Industrial Facilities Tax Exemption Application for American Twisting Company

American Twisting Company has filed an application for an Industrial Facilities Tax Exemption Certificate on August 1, 2013 with a location of 1675 Stieve Drive. The application listed the estimated cost of acquisition and installation of machinery and equipment at \$540,000.

American Twisting Company expects to retain 39 jobs (of this number 2 jobs have already been added to date) and create 2 additional jobs at this facility as a result of this project.

\$27,762 is the estimated tax savings of the IFT for the duration of 12 years.

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2013-53

A RESOLUTION SETTING A PUBLIC HEARING DATE  
FOR CONSIDERATION OF AN APPLICATION FOR AN  
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE REQUESTED BY  
AMERICAN TWISTING COMPANY

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 September 3, 2013 at 7:00 p.m. local time.

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

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

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

WHEREAS, on August 1, 2013, the City of South Haven received an application from American Twisting Company, 1675 Stieve Drive PO Box 391, South Haven MI 49090 for issuance of an Industrial Facilities Exemption Certificate pursuant to Act 198, Public Acts of 1974, as amended, the Plant Rehabilitation and Industrial Development Districts Act, for an industrial development project located at 1675 Stieve Drive; and

WHEREAS, an Industrial Development District, known as Industrial Development District No. 94-01, within which the project is located has previously been established by the City of South Haven; and

WHEREAS, the City is required to schedule, provide notice of, and conduct a public hearing for consideration of the application:

BE IT THEREFORE RESOLVED, that a public hearing for consideration of the application for an Industrial Development Exemption Certificate submitted by American Twisting Company on August 1, 2013, shall be conducted by the City Council on September 16, 2013 during the regular City Council meeting which begins at 7:00 p.m. local time in the City Council Chambers at 539 Phoenix Street in the City of South Haven; and

BE IT FURTHER RESOLVED, that proper notice of the public hearing shall be issued; and

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

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

RECORD OF VOTE:

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

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

RESOLUTION DECLARED ADOPTED.

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

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the 3rd day of September, 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: August 28, 2013

Re: Summer Art Fair  
Special Event 2014-01

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The special event request for the 2014 Summer Art Fair sponsored by the South Haven Center for the Arts is ready for City Council to approve. As in the past it will be held at Stanley Johnston Park. While the 2014 event is similar to past events in 2014 the organizers are requesting to change the event from a one day event to a two day event (Saturday, July 5 & Sunday, July 6) with set up being on Friday, July 4<sup>th</sup>.

Overnight security will be provided by the Art Center. An extra dumpster and extra trash containers will be necessary as this event has the potential to draw 20,000 people. The Art Center intends to bring in port-a-johns for this event and place them adjacent to the picnic shelter. This is necessary because the existing restrooms cannot handle the large volume of people that attend the art fair.

The special event application has been provided for your review.

Proof of insurance has been provided.

# CITY OF SOUTH HAVEN

## Special Events & Festivals Application

FOR OFFICE USE ONLY
Special Event # _____
Date Received _____

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

Complete and return this application to the Special Events Coordinators Office at least 21 business days prior to the start of the event.

A new application must be submitted each year.

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

YK  
Initial

8/20/13  
Date

### CONTACT INFORMATION

Event Title: 56<sup>th</sup> Annual Summer Art Fair  
Sponsoring Organization: South Haven Center for the ARTS (SHCA)  
Applicants Name: LYNN KASPER, SHCA Board Member, Art Fair Chair  
Telephone #: 637-6657 Phone # During Event: 269-615-2498  
E-mail Address: LJKASPER@Frontier.com

### Other contacts for/during event

Name: Melissa Warner-Talcoff Telephone: 269-845-1537  
Name: Paul Hix Telephone: 877-639-9533

### EVENT SPECIFIC INFORMATION

Event Location: Stanley Johnston Park  
Date(s) Requested: July 4, 5 & 6, 2014 Alternative Date(s): \_\_\_\_\_  
Start Time: 7/4 (Fri) 10am-9pm 7/5 (Sat) 6am-10pm End Time: FRI 9pm, SAT 10pm, Sun 6pm

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

Number of people expected to attend: 20,000 +

### EVENT DESCRIPTION

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

Annual <sup>juried</sup> fine art fair with 110 to 140 ARTISTS and 8-12 food vendors. There will be 100+ volunteers, with over night security provided Fri. (7/4) and Saturday (7/5). Friday 7/4/14 will be set up day. Saturday and Sunday will be the official sales days with this becoming our first 2 day art fair event.

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

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

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

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

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

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

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

Event Command Post. Mark location on maps.

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

Portable toilet facilities. Mark locations on maps. How many? 10 units  
The City requires the use of portable facilities for events expecting over 500 attendants.

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

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

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

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

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

Fireworks/pyrotechnics site. Mark location on maps.

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

**Vendors and General Merchandise Concessions will not be allowed in the Central**

**Business District (CBD).** Please refer to the Special Events & Festivals

**Information Pamphlet for a detailed map of this area.**

Name: Lynn Kasper Telephone: 269.615-2498

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

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

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

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

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

**ADDITIONAL EVENT INFORMATION**

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

*None, other than what's expected of a crowd within the park area.*

Date: *July 4-6, 2014* Time: \_\_\_\_\_

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

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

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

*A banner placed on the SHCA building & one hung over Broadway.*

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

**CITY SERVICES**

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

If yes, explain: *Turn on water and electricity. Unlock Pavillion bathrooms.*

*Mow grass prior to July 2, Erect temp. fencing on Dyckman prior to 10am Fri. day, July 4.*

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

Name: *LYNN KASPER* Telephone: *269-615-2498*

Will vendors be using electric utilities:  Yes  No

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

Will you require additional police services:  Yes  No

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

Will you require additional fire/ambulance services:  Yes  No

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

Additional fire information: Mark all that apply

Tents  Concessions  Exits  Compressed Gases

Extinguishers  Electrical  Exposed Flames

Other: \_\_\_\_\_

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

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

#### INSURANCE

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

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

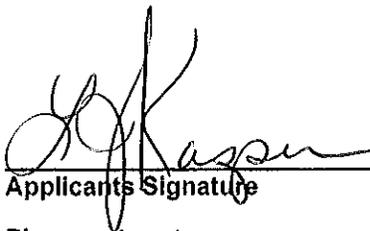
#### REMINDERS

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

- Map(s) - *Included our 2013 Event map, 2014 will be very similar*
- Proof of Insurance Certification
- Cones and Barricade Request Form (if applicable)

#### INDEMNIFICATION AGREEMENT

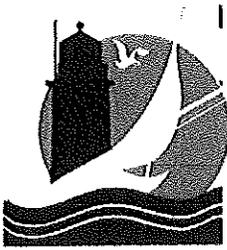
The undersigned agrees and promises, as a condition of approval of this Special Events & Festivals Application to defend, indemnify, and save harmless the City of South Haven, its agents, officials and employees from all suits, claims, damages, causes of action or demands of any kind and character arising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

  
Applicants Signature

8/20/13  
Date

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

Please remember this application must be submitted to the Special Events Coordinators Office at least 21 business days prior to the start of the event.



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

## Cones and Barricades Request Form

Requester's Name Lynn Kasper  
 Date Requested Am on Friday July 4th, 2014  
 Organization/Committee South Haven Center for the Arts  
 Mailing Address 600 Phoenix St.  
South Haven  
 Office/Main Phone 637-1041  
 Cell Phone 269-615-2498

EVENT: South Haven Art Fair DATE of EVENT: 7/4, 5, +6, 2014

CONES	Quantity	Who will pick up cones (Please Print Legibly)	Cell Phone	Pick Up Date/Time	Return Date/Time
	About 30	Leave in Shed @ SPARK	269-615-2498	July 4, 2014 AM PM	July 6, 2014 AM PM

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

BARRICADES	Quantity	Drop Off Location (Please Print Legibly)	Contact Person	Drop Off Date/Time	Pick Up Date/Time
			Cell Phone		
	2	SJ Pirex by Service Drive	LJ Kasper 269-615-2498	Fri, July 4 8 AM PM	Sunday July 6 2014 AM PM

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

Borrower's Signature: LJ Kasper

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

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

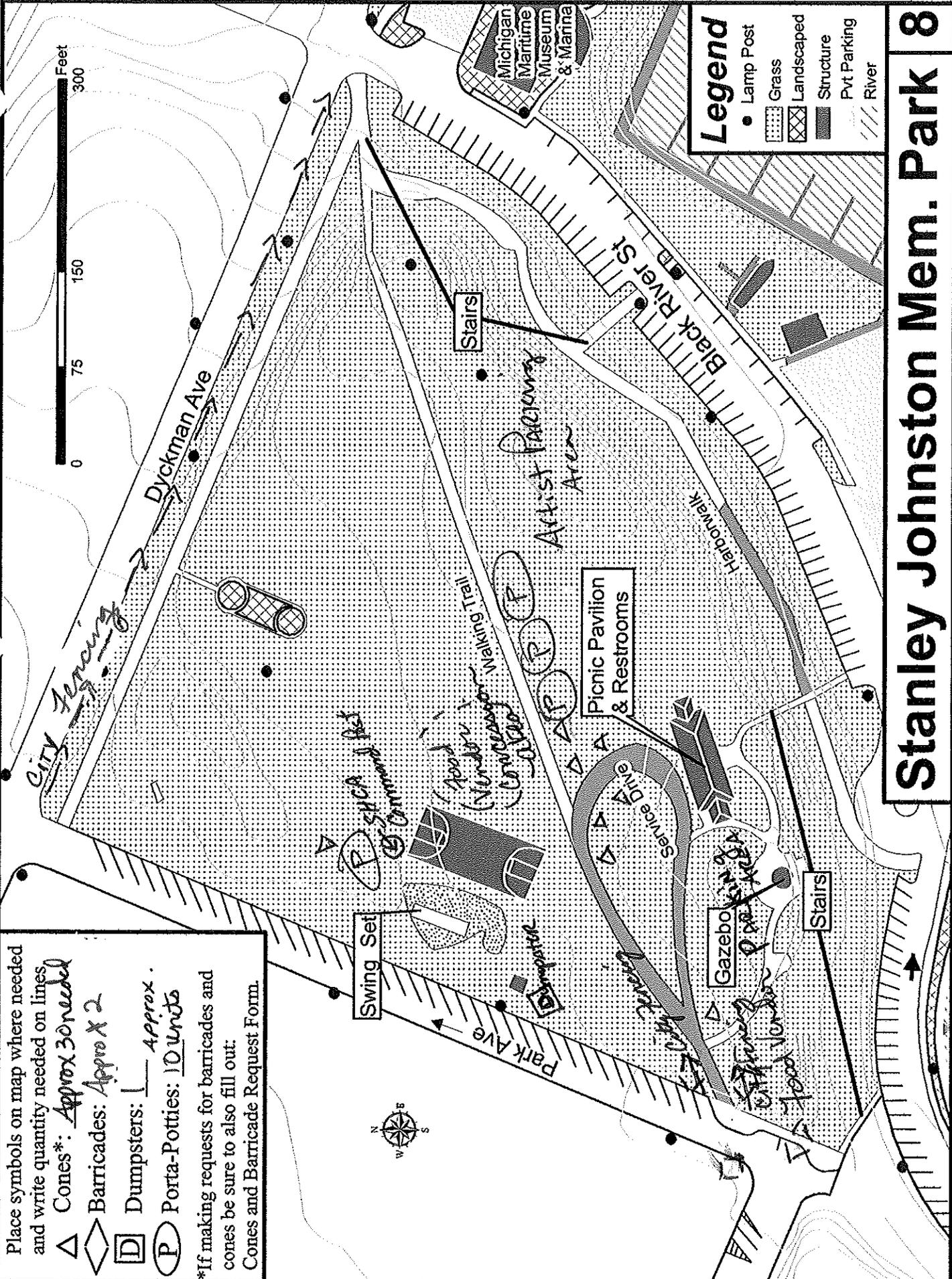
△ Cones\*: Approx 30 needed

◇ Barricades: Approx X 2

□ Dumpsters: 1 approx.

○ Porta-Potties: 10 units

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



# Stanley Johnston Mem. Park 8



West Bend Mutual Insurance Company  
 1900 S. 18th Avenue | West Bend, WI 53095

CUSTOMER NO. 0110515205

R MD7

COMMERCIAL LINES POLICY DECLARATION  
 POLICY NUMBER NNL 1360979 02  
 RENEWAL

INSURED NAME AND ADDRESS

SOUTH HAVEN ART ASSN  
 600 PHOENIX ST  
 SOUTH HAVEN, MI 49090

AGENCY NAME AND ADDRESS

SOUTH HAVEN INSURANCE AGY SERV  
 613 HURON STREET  
 PO BOX 469  
 SOUTH HAVEN, MI 49090  
 (269) 637-2105  
 AGENCY NUMBER: 2160847 00

POLICY PERIOD: FROM: AUG. 31, 2012 TO: AUG. 31, 2013 AT  
 12:01 A.M. STANDARD TIME AT YOUR MAILING ADDRESS SHOWN ABOVE.

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS  
 POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.

THIS POLICY CONSISTS OF THE FOLLOWING COVERAGE PARTS  
 FOR WHICH A PREMIUM IS INDICATED. THIS PREMIUM MAY  
 BE SUBJECT TO ADJUSTMENT.

	PREMIUM
NOT FOR PROFIT ORGANIZATION DIRECTOR, OFFICER & TRUSTEE LIAB COV	\$450.00
TOTAL PREMIUM:	\$450.00
PAYABLE AT INCEPTION:	\$450.00

SEE ATTACHED SCHEDULE FOR FORMS APPLICABLE TO ALL COVERAGE PARTS

COUNTERSIGNED THIS July DAY OF 23, 2012 BY

Jan A. Pedraza  
 (AUTHORIZED REPRESENTATIVE)

FORM NO. COMMONDEC 02/09

ISSUED 07/09/2012

INSURED COPY



## Agenda Item 13

### Special Assessment Poverty Exemption Guidelines

#### Background Information:

The City Council will be asked to consider the 2013 special assessment poverty exemption guidelines for approval and adoption. Should the guidelines be approved, the special assessment poverty exemption guidelines will be used by the Assessing Department when considering relief requests at the annual Board of Review meeting(s).

As part of the Kalamazoo Street Reconstruction Project, Phase 2, the City Council approved a variety of action items, including the approval of a special assessment district (SAD) for the properties adjacent to the construction. As part of the SAD approval, the City Council expressed interest in providing a poverty exemption program, similar to the long established property tax poverty exemption program, for properties included in a SAD.

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

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

For tonight's meeting, the City Council will be asked to approve and adopt the special assessment poverty guidelines. Staff has mirrored the levels set forth in the 2009 property tax poverty exemption guidelines, in an effort to continue the levels offered in the prior years. The proposed 2013 special assessment poverty guidelines, if adopted, will be less restrictive than the Federal poverty guidelines, but appear to be locally acceptable.

#### Recommendation:

The City Council should consider adoption of Resolution 2013-54, a resolution adopting the 2013 special assessment installment poverty exemption guidelines.

#### Support Material:

2013 Special Assessment Poverty Exemption Filing Requirements  
Resolution 2013-54; Special Assessment Poverty Exemption Guidelines

CITY OF SOUTH HAVEN

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

Adopted by the South Haven City Council on \_\_\_\_\_, 20\_\_.

FILING REQUIREMENTS

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

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

## ASSET STANDARDS

### Asset Eligibility Limitation

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

### Divestment of Assets

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

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

### Definition of Assets (Non-Inclusive)

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

## INCOME STANDARDS

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

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

### Tax Year 2013 Poverty Threshold — Maximum Household Income

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

Ordinary income includes the following:

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

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

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

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

## PRIOR SPECIAL ASSESSMENTS INSTALLMENTS AND UTILITY BILLS

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

## MICHIGAN HOMESTEAD CREDIT

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

## DEFINITION OF HOMESTEAD

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

## REVENUE BOND ACT

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

## PAYMENT FROM UTILITY FUND

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

## APPEAL

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

CITY OF SOUTH HAVEN  
APPLICATION FOR SPECIAL ASSESSMENT INSTALLMENT POVERTY EXEMPTION

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

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

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

Name of Spouse, if Applicable \_\_\_\_\_

Total number of household members \_\_\_\_\_

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

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

PROPERTY INFORMATION

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

How long have you lived at this residence?

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

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

Income received from other real property

EMPLOYMENT INFORMATION

Name and Address of Employer of Head of Household

How long employed there \_\_\_\_\_ Job Title \_\_\_\_\_

HOUSEHOLD INCOME INFORMATION

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

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

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

HOUSEHOLD ASSET INFORMATION Savings and Investments

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

Divestment of Assets

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

Motor Vehicles in the Household

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

Life Insurance

Insured Person                      Insurance Company                      Face Amount                      Cash Value                      Beneficiary

\_\_\_\_\_

Other Household Assets

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

AUTHORIZATION FOR VERIFICATION

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

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

STATE OF MICHIGAN

COUNTY OF VAN BUREN

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

Signature of Applicant(s): \_\_\_\_\_ Date \_\_\_\_\_

Witness: \_\_\_\_\_ Assessor or Deputy Assessor Date \_\_\_\_\_

: \_\_\_\_\_ Board of Review Member Date \_\_\_\_\_

-----  
BOARD OF REVIEW DISPOSITION

Date of Board of Review Determination

Exemption Denied \_\_\_\_\_ Exemption Approved \_\_\_\_\_

Reason for Determination: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Board Member Signatures: \_\_\_\_\_

Witness: \_\_\_\_\_ Assessor or Deputy Assessor

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

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2013-54

A RESOLUTION ADOPTING POVERTY LEVEL INCOME STANDARDS FOR THE SPECIAL  
ASSESSMENT POVERTY EXEMPTION GUIDELINES  
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 September 3, 2013 at 7:00 p.m. local time.

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

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

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

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

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

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

BE IT THEREFORE RESOLVED, that, the Special Assessment Installment Poverty Exemption Guidelines, along with the corresponding application, for Tax Year 2013 is hereby adopted.

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

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

RECORD OF VOTE:

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

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

RESOLUTION DECLARED ADOPTED.

---

Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the 3<sup>rd</sup> day of September, 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 14

### DuPont Imprelis<sup>®</sup> Claim Resolution Agreement

City of South Haven

#### Background Information:

The City Council will be asked to consider a resolution which authorizes the City Manager to agree to the terms of the DuPont Imprelis<sup>®</sup> Claim Resolution Agreement and to sign as the Authorized Property Owner.

There is a Settlement of a class action lawsuit providing money and other compensation for damage to trees and other vegetation that was caused by a weed-control product called Imprelis<sup>®</sup>.

Imprelis<sup>®</sup> was an herbicide (weed-killer or weed-control product) approved for use in all states across the country, except California and New York, and was used by lawn care professionals on residential and commercial properties as well as by golf courses and other self-applicators between August 31, 2010, and August 21, 2011. In addition to weeds, the lawsuit claims that Imprelis<sup>®</sup> also kills and damages certain trees and other non-target vegetation.

The City of South Haven received notice from DuPont that City Hall property was identified as having reported injuries to trees related to the application of Imprelis<sup>®</sup>, and offered a claims process. The claims process included submitting an Inspection Request Form, a property inspection by a Settlement Claims Process representative, review of the claim, and receipt of a proposed offer detailing the compensation and services available under the Settlement.

In the attached Claim Resolution Agreement, DuPont offers to:

- Remove 8 specified trees from the property or pay \$6,437.50.
- Pay \$27,580.00 for the replacement of those 8 trees.
- Pay \$1,200.00 to provide new tree maintenance for replacement trees.
- Pay \$5,505.00 to purchase tree care for 7 other trees remaining on the property.
- Give a limited warranty for damage (if any) to trees caused by Imprelis<sup>®</sup> arising in the future.
- Pay an additional \$6,108.38 in compensation.

The City's legal counsel has reviewed this agreement and recommends accepting the terms.

**Recommendation:**

The City Council should consider approval of Resolution 2013-55, a resolution which authorizes the City Manager to agree to the terms of the DuPont Imprelis® Claim Resolution Agreement and to sign as the Authorized Property Owner.

**Support Material:**

Resolution 2013-55  
Claim Resolution Agreement

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2013-55

A RESOLUTION AUTHORIZING THE CITY MANAGER TO AGREE TO THE TERMS OF THE  
DUPONT IMPRELIS® CLAIM RESOLUTION AGREEMENT AND TO SIGN AS THE  
AUTHORIZED PROPERTY OWNER

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 September 3, 2010 at 7:00 p.m. local time.

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

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

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

WHEREAS, there is a Settlement of a class action lawsuit providing money and other compensation for damage to trees and other vegetation that was caused by a weed-control product called Imprelis®; and

WHEREAS, the City of South Haven received notice from DuPont that City Hall property was identified as having reported injuries to trees related to the application of Imprelis®, and offered a Claim Resolution Agreement; and

WHEREAS, the terms of the Claim Resolution Agreement include remove 8 specified trees or pay \$6,437.50, pay \$27,580.00 for the replacement of those 8 trees, pay \$1,200.00 to provide new tree maintenance for replacement trees, pay \$5,505.00 to purchase tree care for 7 other trees remaining, give a limited warranty for damage (if any) to trees caused by Imprelis® arising in the future, and pay an additional \$6,108.38 in compensation.

NOW, THEREFORE BE IT RESOLVED that the City of South Haven does hereby authorize the City Manager to agree to the terms of the DuPont Imprelis® Claim Resolution Agreement and to sign as the Authorized Property Owner.

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 3<sup>rd</sup> day of September, 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

DuPont Imprelis® Claims Resolution Process  
c/o Epiq Systems  
PO Box 4834, Grand Central Station  
New York, NY 10163-4834

July 31, 2013

**VIA UPS**

CITY OF SOUTH HAVEN- CITY HALL  
ATTN: AARON PRIEBE  
539 PHOENIX ST  
SOUTH HAVEN, MI 49090

Re: Claim Number: 7000853  
Property Location: 539 PHOENIX ST  
SOUTH HAVEN, MI 49090

E.I. du Pont de Nemours and Company (“DuPont”) has evaluated the claim(s) you filed with the Imprelis® Claims Resolution Process for the above-referenced property. This notice only applies to the property identified above. If you submitted information about other properties, separate notice letters have been or will be issued to you.

If you agree to the terms of the enclosed Claim Resolution Agreement (“Agreement”), DuPont offers to:

- Remove 8 specified tree(s) from your property.
- Pay you \$27,580.00 that you can use to arrange for the replacement of those 8 tree(s).
- Pay you \$1,200.00 to provide new tree maintenance for your replacement tree(s).
- Pay you \$5,505.00 that you can use to purchase tree care for 7 other tree(s) remaining on your property.
- Give you a limited warranty for damage (if any) to trees caused by Imprelis® arising in the future.
- Pay you an additional \$6,108.38 in compensation.

Detailed information about each of these offers is provided in the enclosed Agreement.

In agreeing to accept services and payment from DuPont relating to trees on your property, you must also agree to several other terms, including, but not limited to, a release waiving your right to file or participate in any lawsuit related to Imprelis®, an agreement to bring remaining

disputes in arbitration, and a waiver of your right to a jury trial. Please read this enclosed Agreement in its entirety. At your own expense, you may seek the advice of counsel of your choosing at any time before signing the Agreement.

When you have signed the Agreement, please return all of the pages of the Agreement (including the Tables) to:

*If by regular mail:*

Imprelis Claims Resolution Process  
c/o Epiq Systems  
P.O. Box 4834, Grand Central Station  
New York, NY 10163-4834

*If by overnight mail:*

Imprelis Claims Resolution Process  
c/o Epiq Systems  
757 Third Avenue, 3rd Floor  
New York, NY 10017

Once DuPont receives the signed Agreement, it will begin the process of arranging for tree removal and other steps, as applicable and consistent with the Agreement. Payments will be made via check and sent to the address indicated at the top of this letter.

**If you do not agree with any of the terms set forth in the attached Tables, or you believe that there are additional trees on your property that were damaged by Imprelis®, please provide your reasons in writing to DuPont at the above-identified Imprelis® Claims Resolution Process address. Please include in your submission: (i) your claim number; (ii) a statement detailing the basis for your disagreement; (iii) copies of any documents or photographs upon which you rely; and (iv) your address, phone, and e-mail contact information. DuPont will only consider disagreements with the information and recommendations that appear in the attached Tables.**

**NOTE: There is a Class Action Settlement (“Settlement”) awaiting final approval by the Court. You may sign this Claim Resolution Agreement at any time and receive the compensation described herein without waiting for a determination of whether the Settlement is approved by the Court. Should the Settlement become final (as defined in the Settlement Agreement), you will receive the benefits of the extended warranty provided under the Settlement Agreement. You may also provide notice that you wish to object to the terms of your offer set forth in the Tables of this Claim Resolution Agreement, and that you wish for your objection to be heard by the Appeals Panel that will be convened if the Settlement becomes final. If you have already requested an appeal before the Appeals Panel and receive a revised offer to resolve your claim, you may accept the offer OR reject the revised offer and continue with your appeal. If you want to continue with your appeal, please call 1-866-802-8112 within thirty (30) days after receiving your revised offer. For more detailed information about the Appeals Panel, go to [www.TreeDamageSettlement.com](http://www.TreeDamageSettlement.com). If you do not opt out of the Settlement by the deadline for doing so and the Settlement becomes final, any objection or notice of intent to appeal must be in writing, and postmarked by thirty (30) days after the date you receive notice that the Settlement has become final or thirty (30) days after receipt of your offer, whichever is later. Otherwise, you will be deemed to have accepted the offer consistent with the terms of the Settlement. If you have not accepted this Claim Resolution Agreement and the Settlement *does not* become final, you will receive written notice that**

**the Settlement did not become final, which will set forth the deadline for submitting signed Claim Resolution Agreements. You will have sixty (60) days from your receipt of this written notice to accept the terms of this Claim Resolution Agreement.**

**For more information, go to [www.TreeDamageSettlement.com](http://www.TreeDamageSettlement.com).**

Included with your Agreement is a copy of the claim form that was completed when your property was inspected. The Agreement may be based on supplemental information not contained in the claim form. If you would like additional details about supplemental information used to determine your claim, if any, please contact DuPont. If tree measurements required for claim valuation were not provided on the claim form, default measurements may have been used to process your claim. Please carefully review the tree measurements specified in the Tables attached to this Agreement. If you believe that any of those measurements are incorrect, please submit an objection within thirty (30) days and provide evidence, including photographs, to substantiate your claim.

DuPont intends for this Agreement to provide resolution of your Imprelis®-related claims and is hopeful that it will meet with your satisfaction. If you have any questions or concerns about the Imprelis® Claims Resolution Process, please contact DuPont at 1-866-796-4783.

**Please read this entire Claim Resolution Agreement (“Agreement”) carefully. By signing the Agreement, you agree to be bound by all of the terms and conditions set forth below.**

## **CLAIM RESOLUTION AGREEMENT**

This Claim Resolution Agreement (“Agreement”) is entered into between E.I. du Pont de Nemours and Company (“DuPont”) and an authorized owner of the property at 539 PHOENIX ST, SOUTH HAVEN, MI 49090. The authorized Owner (“Owner”) represents that he or she holds title to the property at issue, and that all other persons or entities holding a fee simple, leasehold or other possessory interest in the property have authorized Owner to execute this Agreement, to bind them to the terms thereof, and to make choices about and receive services and payment on their behalf.

### **TREE REMOVAL AND REPLACEMENT**

There may be laws or regulations and/or neighborhood or homeowner association rules that address tree removal or replacement. Before any removal and/or replacement of trees can take place under this Agreement, Owner must make sure that such action is in compliance with such laws, rules and/or regulations.

### **REMOVAL AND DISPOSAL**

*Service:* DuPont recommends removal for all trees listed in Table 1. DuPont will arrange for proper removal and disposal of these trees by paying a tree removal company directly for this service on Owner’s behalf. Owner has the right to obtain and to retain samples from such trees or other materials of Owner’s choosing. If Owner so chooses, Owner should arrange at Owner’s expense to obtain and/or retain such materials. If tree(s) listed in Table 1 have already been removed and disposed of properly, DuPont will pay Owner the amount listed in Table 1 to compensate Owner for removal of those trees in lieu of DuPont arranging for removal unless DuPont removed, arranged, or paid for the removal and disposal of a tree(s) prior to the Agreement. DuPont does not offer assurances about compensation for trees Owner may have caused to have removed before DuPont was able to evaluate them under the claims process.

### **REPLACEMENT**

*Payment:* DuPont offers to pay Owner \$27,580.00 for the value of the trees listed in Table 1. Owner shall decide how to use this compensation and is not bound to purchase replacement tree(s). If Owner opts to use this compensation to replace trees, replacement tree or trees of the Owner’s choosing may be purchased from (a) one of DuPont’s designated qualified tree replacers or (b) a tree replacer of the Owner’s choosing. A list of designated qualified tree replacers is available at [www.imprelis-facts.com](http://www.imprelis-facts.com). If Owner decides to purchase replacement

tree(s) from a tree replacer other than those listed on the designated qualified tree replacer list, the Limited Warranty for new trees identified below may not apply. Not all trees (particularly trees greater than 20 feet tall) will be able to be replaced with precise equivalents. Table 5 represents a listing of tree replacement prices that have been agreed to by DuPont's designated qualified tree replacers for the particular species of trees to be removed from Owner's property. If Owner is unable to arrange for tree replacement with another tree or trees of the same species from one of DuPont's designated qualified tree replacers at the prices set forth in Table 5, Owner may contact DuPont at 1-866-796-4783 for assistance. DuPont will work with its designated qualified tree replacers or another company to ensure that, if Owner so chooses, Owner can receive another tree or trees of the same species at the value promised.

*New Tree Maintenance:* In addition, DuPont will pay Owner \$150.00 per removed tree for new tree maintenance of any replacement trees.

*Qualified Tree Replacer Limited Warranty for Replacement Trees:* Each replacement tree planted by DuPont's designated qualified tree replacers will be covered by a two-year replacement guarantee supported by DuPont's designated qualified tree replacers. If Owner believes that the tree replacement guarantee is not being honored by DuPont's designated qualified tree replacers, Owner should contact DuPont at 1-866-796-4783 for assistance.

Any replacement tree will be planted in a workmanlike manner according to standard industry practice. Subject to the limitations below, any replacement tree that does not survive the period extending two years from the date of planting will be replaced by a tree of the same or similar value. A tree will only be replaced once during the warranty period. A new guarantee will not extend to a replacement tree planted during the warranty period.

The warranty excludes any damage to a tree outside of DuPont's designated qualified tree replacers' control and specifically excludes any tree damage resulting from acts of nature such as severe weather conditions, wind, hail, low temperature, drought, flooding, or storm damage; damage caused by humans or animals, including mowing, plowing, digging; damage caused by insects or disease; and damage attributable to an Owner's failure to properly care for a replacement tree, such as improper watering, pruning, and fertilization. The limited warranty provided by DuPont's designated qualified tree replacers excludes any tree damage relating to Imprelis®.

### **TREE CARE**

*Payment:* DuPont recommends tree care for the trees listed in Table 2, as care is required for these trees to have the best chance to thrive. DuPont will pay Owner \$5,505.00 so that Owner can provide tree care for each of these trees. DuPont recommends that Owner consult an arborist or lawn care professional for assistance in purchasing and/or ascertaining proper tree care for the trees listed in Table 2. Tree care for each tree may include pruning, shaping, watering, insect spraying, and other care.

*Reassessment.* If a tree receiving tree care remains alive at the end of the DuPont Limited Warranty period set forth below, but Owner reasonably believes that it will not recover because of its exposure to Imprelis®, DuPont will, at Owner's request, reassess the tree for possible removal and replacement or reasonable compensation. If a tree receiving tree care dies during the DuPont Limited Warranty period set forth below because of its exposure to Imprelis®, DuPont will arrange to remove and replace the tree or provide reasonable compensation for the value of the tree. Owner should make any requests under this subparagraph by calling 1-866-796-4783. DuPont will not be responsible for reassessment, removal, replacement or compensation for any tree for which Owner has failed to provide appropriate care. When requesting reassessment of a tree, Owner agrees to provide adequate documentation, such as receipts, invoices, or other information, to verify that the Owner provided appropriate tree care to the trees identified on Table 2.

**Important: If Owner removes (or authorizes anyone else to remove) any tree identified on Table 2 at a future time, Owner agrees that the removal and disposal will be performed in accordance with the instructions listed at [www.imprelis-facts.com](http://www.imprelis-facts.com).**

#### **ADDITIONAL PAYMENT**

In addition to the above, DuPont will make an additional payment to Owner. The amount of the additional payment is listed in the bottom row of Table 4, and represents 15% of the total value of the other payments and services DuPont is providing. This additional payment of \$6,108.38 is intended to compensate Owner for all other potential Imprelis®-related claims against DuPont that may exist, including but not limited to any claims for loss of aesthetic enjoyment; loss of use; loss in property value; or claimed damage to other trees, shrubs, grasses, or other plants.

#### **DUPONT LIMITED WARRANTY**

DuPont warrants against any damage to any tree on Owner's property (including replacement trees) caused by Imprelis® until December 31, 2013, or in the case of replacement trees, until a date two years after the date of planting. In the event that the Owner's property is sold, this limited warranty transfers with the property to the new owner. If Owner believes that a tree covered by this warranty has experienced damage caused by Imprelis®, it shall promptly inform DuPont by sending a letter by regular U.S. Mail detailing such damage and the reason Owner believes it is caused by Imprelis® to:

DuPont Imprelis® Claims Resolution Process  
c/o Epiq Systems  
**Attn: Warranty Notifications**  
FDR Station, P.O. Box 5013  
New York, NY 10150-5013

This warranty does not apply to trees recommended to receive tree care for which Owner has failed to provide the appropriate care.

**NOTE: If the Settlement becomes final (as defined in the Settlement Agreement), DuPont will warrant against any damage to any tree on Owner's property (including replacement trees) caused by Imprelis® until May 31, 2015.**

### **RELEASE AND NOTICE**

As consideration for the above, Owner agrees to forever release, acquit, and discharge DuPont, any third-party individuals or entities that applied or arranged for the application of Imprelis® on Owner's property, and any Imprelis® distributors; and all of their respective principals, agents, officers, directors, stockholders, owners, partners, employees, attorneys, sureties, insurers, successors, predecessors, assigns, and all affiliated corporations and entities, including their sureties, insurers, and attorneys, or any other insurer and each of them (collectively, the "Released Parties") from any and all claims arising from or relating to Imprelis® including but not limited to those that were, could have been, or could be asserted by Owner, subject only to the express exceptions listed herein. The Released Claims shall include, but are not limited to, any and all claims, causes of action, demands, actions, suits, rights, obligations, controversies or the like, known or unknown, arising from or relating to Imprelis® under state consumer fraud, warranty or unjust enrichment laws (the "Released Claims"). **The only claims excluded from this Release shall be that Owner will not release claims for personal injury, wrongful death, and any environmental claims not related to claimed injuries to Owner's property and vegetation.**

Owner covenants and agrees that he/she/it shall not hereafter seek to establish liability against any Released Parties based, in whole or in part, on any of the Released Claims. Owner expressly waives and fully, finally, and forever settles and releases any known or unknown, suspected or unsuspected, contingent or non-contingent Released Claims without regard to the subsequent discovery or existence of different or additional facts.

IN ADDITION, OWNER HEREBY EXPRESSLY WAIVES AND RELEASES ANY AND ALL PROVISIONS, RIGHTS, AND BENEFITS CONFERRED BY ANY STATUTE, LAW OR PRINCIPLE OF COMMON LAW, WHICH IS SIMILAR, COMPARABLE, OR EQUIVALENT TO § 1542 OF THE CALIFORNIA CIVIL CODE, WHICH READS:

SECTION 1542. GENERAL RELEASE; EXTENT. A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR;

Owner may hereafter discover facts other than or different from those which he, she, or it knows or believes to be true with respect to the Released Claims, but Owner hereby expressly waives and fully, finally, and forever settles and releases any known or unknown, suspected or unsuspected, contingent or non-contingent Released Claims arising from or relating to Imprelis® whether or not concealed or hidden, without regard to the subsequent discovery or existence of such different or additional facts. Owner also hereby expressly waives and fully, finally, and forever settles and releases any and all Released Claims it may have against the Releasees under § 17200, et seq., of the California Business and Professions Code.

Owner warrants and represents that he/she/it has not assigned and will not attempt to assign to any party any rights related to the matters covered by this Release and Agreement. Additionally, Owner warrants and represents that he/she/it will not seek compensation from any other party, including but not limited to any insurance company relating to the matters covered by this Release and Agreement. This release does not include claims made under the DuPont Limited Warranty or claims arising out of this Release and Agreement.

Owner and DuPont agree that no medical claim has been made or released by Owner that would implicate the Medicare Secondary Payer Act or the Medicare, Medicaid, and SCHIP Extension Act of 2007.

**NOTICE: DuPont advises Owner that other property owners have filed lawsuits against DuPont, including those seeking to certify class actions of which Owner may be a putative member. These lawsuits allege, among other things, that DuPont failed adequately to test Imprelis® before releasing it to the market and failed to include appropriate warnings about the harm that Imprelis® could cause to non-target vegetation. Plaintiffs in these lawsuits seek compensatory damages, statutory damages, punitive damages, and other types of relief that may be greater than that available in this claims process.**

**Many of those lawsuits have been consolidated in In re Imprelis Herbicide Marketing, Sales Practices and Products Liability Litigation, Case No. 2:11-md-02284-GP in the U.S. District Court for the Eastern District of Pennsylvania. The Court has appointed the following counsel for Plaintiffs:**

**Co-Lead Counsel**

- **Richard J. Arsenault of NEBLETT, BEARD & ARSENAULT, 2220 Bonaventure Court, P.O. Box 1190, Alexandria, Louisiana 71301, (800) 256-1050;**
- **Adam J. Levitt of GRANT & EISENHOFER PA, 30 N. LaSalle Street, Suite 1200, Chicago, Illinois 60602, (312) 214-0000;**
- **Gregory S. Ascioffa of LABATON SUCHAROW LLP, 140 Broadway, New York, New York 10005, (212) 907-0700; and**
- **Jonathan D. Selbin of LIEFF CABRASER HEIMANN & BERNSTEIN, LLP, 250 Hudson Street, 8th Floor, New York, New York 10013, (212) 355-9500.**

**Liaison Counsel**

- **Robert Kitchenoff of WEINSTEIN KITCHENOFF & ASHER LLC, 1845 Walnut Street, Suite 1100, Philadelphia, Pennsylvania 19103, (215) 545-7200.**

**Copies of any complaints are available on request from DuPont. By signing this release, in exchange for the relief provided by DuPont, Owner is foregoing any right to participate in any of these other actions or to otherwise file suit against DuPont for claims released. OWNER UNDERSTANDS THAT IT HAS THE RIGHT TO SEEK LEGAL COUNSEL OF OWNER'S OWN CHOICE BEFORE SIGNING THIS AGREEMENT.**

**NO ADMISSIONS OR CONCESSIONS**

This Agreement shall not in any way be construed or deemed to be evidence or an admission or a concession of any fault, liability, fact or amount of damages, or any other matter whatsoever on the part of any party to this agreement.

**OWNER'S REPRESENTATIONS, COVENANTS, AND WARRANTIES**

Owner represents, covenants, and warrants that:

- it has not assigned, transferred, encumbered, or otherwise impaired its rights to settle any claims released by the Agreement; AND
- it will pay or otherwise resolve all known liens asserted in or arising out of this matter, including any liens asserted by Owner's attorney, insurers or others.

**ARBITRATION AGREEMENT**

Owner and DuPont agree that any and all claims or disputes of whatever nature between Owner and DuPont and/or any Released Party or Parties that arise out of or relate to Owner's claims, Imprelis®, or this Agreement (including but not limited to those relating to the DuPont Limited Warranty, this Agreement and the events surrounding its negotiation and execution) in any way must be resolved through mandatory, binding arbitration, rather than litigation in court. This Agreement shall be enforced pursuant to the Federal Arbitration Act, 9 U.S.C. § 1 *et seq.* **An arbitrator, not a judge or jury, will decide any dispute. DuPont and Owner hereby specifically waive any right to trial by jury.** If any part of this paragraph is found to be unenforceable by any court or arbitrator, then the Agreement is invalid.

- a) **Class Action Waiver.** Owner agrees that any and all claims or disputes between it and any Released Party or Parties that arise out of or relate to this Agreement (including the DuPont Limited Warranty) in any way will be arbitrated on an individual basis and that there will be no class or representative actions in arbitration. Owner agrees not to participate in a class or representative action against any Released Party or Parties and agrees to affirmatively opt out of such a class, if the class action asserts claims that would

fall within the scope of the Release if they were asserted directly by Owner. Owner and DuPont agree that this class action waiver is an essential part of this Agreement and that the class action waiver may not be severed from this Agreement. If this class action waiver is found to be unenforceable by any court or arbitrator, then the Agreement is invalid.

- b) Notice of Arbitration. If Owner wishes to bring a claim or dispute against DuPont which is subject to mandatory, binding arbitration under this provision, Owner must send a written Notice of Arbitration as set forth in the CPR Fast Track Arbitration Rules to DuPont by regular U.S. Mail at the following address:

DuPont Imprelis® Claims Resolution Process  
c/o Epiq Systems  
**Attn: Arbitration Process**  
FDR Station, P.O. Box 5011  
New York, NY 10150-5011

Notwithstanding the deadline contained in the CPR Fast Track Arbitration Rules, DuPont will have thirty (30) days from receipt of the Notice of Arbitration to respond.

- c) Choice of Arbitrator, Fees and Costs. All arbitrations shall be conducted before the CPR International Institute for Conflict Prevention and Resolution ([www.cpradr.org](http://www.cpradr.org), 1-212-949-6490). The CPR Fast Track Arbitration Rules will apply in any arbitration. Arbitration fees, not including attorney's fees and costs, shall be borne by DuPont.
- d) Limit on Relief in Arbitration. DuPont and Owner agree that an arbitrator may only award such relief as a court of competent jurisdiction could.

#### **TRANSITIONAL NATURE OF CLAIM RESOLUTION AGREEMENT**

**If the Settlement becomes final (as defined in the Settlement Agreement), the terms of the Settlement will supersede these arbitration provisions, warranty provisions, and release provisions. A copy of the Settlement Agreement will be posted at [www.TreeDamageSettlement.com](http://www.TreeDamageSettlement.com).**

**Should the Settlement not become final, the terms of this Claim Resolution Agreement shall remain in force.**

**If you have not accepted this Claim Resolution Agreement and the Settlement does not become final, you will receive written notice that the Settlement did not become final, which will set forth the deadline for submitting signed Claim Resolution Agreements. You will have sixty (60) days from your receipt of this written notice to accept the terms of this Claim Resolution Agreement.**

**MISCELLANEOUS**

**Mandatory Disclosures.** State and local laws may require that Owner disclose to potential buyers the existence of pending Imprelis® claims, as well as the warranties set forth in the Agreement. Owner may consult with an attorney of its choosing at any time regarding disclosure obligations that may arise during sale of this property.

**Choice of Law.** This Agreement is made and shall be construed, interpreted, enforced, and governed in all respects under the laws of the State of Delaware, without giving effect to any choice of law or conflict of law provision or rule that would cause the application of the laws of any other jurisdiction.

**Severance.** Aside from specific exceptions explicitly noted in the Agreement, if any provision, or any portion of any provision, of this Agreement is held to be illegal, invalid, or contrary to public policy by a court of competent jurisdiction, such provision shall be deemed to be severed and deleted; neither such provision, nor its severance and deletion, shall affect the validity of the remaining provisions of this Agreement.

**Integration.** This Agreement memorializes and constitutes the entire agreement and understanding between and among DuPont and Owner, and supersedes and replaces all prior negotiations, proposed agreements, and agreements, whether written or unwritten. Owner acknowledges that no Released Party, or any agent or attorney of any Released Party, has made any promise, representation, or warranty whatsoever respecting this Agreement, and that Owner has not relied on any such promise, representation, or warranty.

**Heirs and Successors Bound.** This Agreement shall be binding upon and inure to the benefit of DuPont and Owner hereto and their respective heirs, personal representatives, successors and assigns, and any corporation, partnership or other entity into or with which any party hereto may merge, consolidate or reorganize.

DuPont and Owner have fully read and understood the terms and conditions above, and agree to be bound by them.

Signed,

**E.I. du Pont de Nemours and Company**



C. Steven Williams  
Manager Claims Resolution

**Authorized Property Owner:**

**Only the current owner who holds legal title to the property may sign this Agreement. The name signed below must match (one of) the name(s) of the record owner for the property. If you are unsure whether you are the authorized property owner, please consult the deed to the property.** Agreements signed by someone other than the current property owner will not be accepted, and delays are likely to result while the correct signature is obtained.

If signature is by a trustee, executor, administrator, attorney-in-fact, officer of a corporation or other acting in a fiduciary or representative capacity, it must be so indicated and **proper evidence of authority satisfactory to DuPont, must be submitted.** A tax identification number **must** be provided for all non-residential properties, including golf courses, corporations, and companies. Although DuPont does not anticipate that payments under the Agreement will be taxable, individual circumstances and applicable regulations may vary. Please provide the requested tax identification number, and consult your tax advisor for determinations about your particular payment. Agreements submitted without the proper authority and tax information will not be processed, and delays are likely to result while the missing information is obtained.

The Property Owner **must have a witness present** when signing this Agreement. The **witness must then sign** the signature line below and provide the specified contact information. The Owner must return all pages of the Agreement (including the Tables). Agreements submitted without a witness signature and all the pages will not be processed, and delays are likely to result while the missing material is obtained.

The Undersigned represents that I have full authority to sign.

**Authorized Property Owner:**

**Witness:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title (if applicable)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Business Name (if applicable)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Tax ID No. for Businesses Required  
for Payment Purposes

\_\_\_\_\_  
City, State Zip

\_\_\_\_\_  
Date

\_\_\_\_\_  
Telephone Number

**TABLE 1  
TREES RECOMMENDED FOR REMOVAL AND REPLACEMENT**

Tree No.	Tree Species	Height (feet)	Removed Tree Value
2	LOCUST HONEY	21	\$2,500.00
4	LOCUST HONEY	29	\$4,500.00
5	LOCUST HONEY	36	\$6,000.00
6	LOCUST HONEY	20	\$1,910.00
7	SPRUCE BLUE	11	\$650.00
9	LOCUST HONEY	26	\$3,500.00
11	SPRUCE BLUE	10	\$520.00
12	SPRUCE BLUE	41	\$8,000.00

**TABLE 2  
TREES RECOMMENDED FOR CARE**

Tree No.	Tree Species	Height (feet)	Service Value
1	LOCUST HONEY	19	\$545.00
3	LOCUST HONEY	26	\$855.00
8	LOCUST HONEY	20	\$655.00
10	LOCUST HONEY	34	\$855.00
13	LOCUST HONEY	33	\$955.00
14	LOCUST HONEY	35	\$955.00
15	LOCUST HONEY	38	\$685.00

**TABLE 3  
TREES RECOMMENDED FOR NO ACTION**

Tree No.	Tree Species	Height (feet)
N/A	N/A	N/A

**TABLE 4  
VALUE OF COMPENSATION/SERVICES**

Category	Service or Payment	Value
Trees to be Removed	Service	\$6,437.50
Removed Tree Value	Payment	\$27,580.00
Replacement New Tree Maintenance	Payment	\$1,200.00
Care for Existing Trees	Payment	\$5,505.00
<b>Total Claim Value</b>		<b>\$40,722.50</b>
Additional Compensation -- 15% of Total Claim Value	Payment	\$6,108.38

**TABLE 5  
REPLACEMENT VALUE TABLE**

1' H	2-4' H	5-6' H	7-8' H	9-10' H	11-12' H	13-14' H	15-16' H	17-18' H	19-20' H
\$30	\$90	\$230	\$360	\$520	\$650	\$930	\$1,000	\$1,120	\$1,910

# IMPRELIS® Settlement Claim Form (Option 2)

Your Property Location ID is: 36591055  
Your Lawn Care Company ID is: 32921244

JUN 26 2013

## A. PROPERTY LOCATION:

Address: 539 PHOENIX ST City: SOUTH HAVEN  
Address Line 2: \_\_\_\_\_ State, Zip Code: MI, 49090  
Property Owner: CITY OF SOUTH HAVEN-  
Business Name (if applicable): CITY HALL  
Contact First Name: AGRON Phone Number: 269-637-0778-269-214-2783\*  
Contact Last Name: PRIEBE Email Address: APRIEBE@SOUTH-HAVEN.COM

If the property is jointly owned please provide information for additional owner below. If more than two owners, please attach additional contact information to the claim form.

Contact First Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Contact Last Name: \_\_\_\_\_ Email Address: \_\_\_\_\_

Did you own this property as of March 1, 2011?  Yes  No

The primary structure on this property is a:  Single family home  Other

Please indicate preferred means of contact:  Email  Phone

If the mailing address of the Property Owner is different from above, please provide mailing address below:

Address: \_\_\_\_\_ City: \_\_\_\_\_  
Address Line 2: \_\_\_\_\_ State, Zip Code: \_\_\_\_\_

## B. LAWN CARE COMPANY:

Company: COASTAL LANDSCAPING INC Address: PO BOX 182  
Last Name: \_\_\_\_\_ Address Line 2: \_\_\_\_\_  
First Name: \_\_\_\_\_ City: SOUTH HAVEN  
Phone Number: \_\_\_\_\_ State, Zip Code: MI, 49090  
Email Address: \_\_\_\_\_ Tax ID Number: \_\_\_\_\_

Please indicate preferred means of contact:  Email  Phone

I have confirmed that the property owner has not retained a lawyer related to this claim  Yes

## C. IF AN INSURANCE CLAIM HAS BEEN FILED, PROVIDE INFORMATION BELOW:

Insurance Company: \_\_\_\_\_ Address: \_\_\_\_\_  
Last Name: \_\_\_\_\_ Address Line 2: \_\_\_\_\_  
First Name: \_\_\_\_\_ City: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ State, Zip Code: \_\_\_\_\_  
Email Address: \_\_\_\_\_ Claim No. (if known): \_\_\_\_\_

Has the property owner received payment from an insurance company related to impacted trees listed on Tree Detail Listing (Section D of Claim Form)?  Yes or  No

If yes, please detail amount received, and recipient:

D. TREE DETAIL LISTING  
 Property Location ID: 34591055

Tree Number	Tree Species	Height (in feet)	Trunk Circumference (in inches - For Deciduous Trees Only)	Rating (0-5 or X)	Estimated Proximity of Tree to Area Treated with Imprelis® (in feet)*	Is Tree Upslope or Downslope, or Both, to Area Treated with Imprelis®? (Mark U, D or B)*	Was the Tree Matched with Clippings from Area Treated with Imprelis®? (Y/N)*	If Tree Was Removed, Provide the Date and Removal Company Name	Symptoms Evident in New Growth Areas (check all that apply)						Comments (including Evidence of Disease, Insect Damage, Physical Injury, or Environmental Condition that may have caused damage)
									Twisted or Drooping Top/Epinasty/Bending/Drooping or Bending Limbs	Brown or Dead Buds	Umbrella Effect (White Pine, Yew (Taxus) Arborvitae)	Large Fleshy Galls (Honey Locust trunk or branches or tips of arborvitae)	Extreme Branch Tip or Terminal Bud Swelling	For Deciduous Trees Only Leaf Distortion (cupping or twisting leaves)	
1	LOCUST HONEY	19	24	3	0	B	N	-	✓	✓	✓	✓	✓	✓	GALLS. CANOPY NOT BAD.
2	LOCUST HONEY	21	23	5	0	B	N	-	✓	✓	✓	✓	✓	✓	
3	LOCUST HONEY	26	45	4	0	B	N	-	✓	✓	✓	✓	✓	✓	90% DEAD
4	LOCUST HONEY	29	42	5	0	B	N	-	✓	✓	✓	✓	✓	✓	
5	LOCUST HONEY	36	47	5	0	B	N	-	✓	✓	✓	✓	✓	✓	
6	LOCUST HONEY	20	28	5	0	B	N	-	✓	✓	✓	✓	✓	✓	
7	SPRUCE BLUE	11	-	3	2	B	N	-	✓	✓	✓	✓	✓	✓	
8	LOCUST HONEY	20	24	4	2	B	N	-	✓	✓	✓	✓	✓	✓	80% DEAD

\*Note: The U.S. Environmental Protection Agency has requested that DuPont ask these questions about impacted trees. Please answer these questions to the best of your ability. If you do not know the answer, indicate "unknown."

Tree Number	Tree Species	Height (in feet)	Trunk Circumference (in inches - For Deciduous Trees Only)	Rating (0-5 or X)	Estimated Proximity of Tree to Area Treated with Imprelis® (in feet)*	Is Tree Upslope or Downslope, or Both, to Area Treated with Imprelis®? (Mark U, D or B)*	Was the Tree Mulched with Clippings from Area Treated with Imprelis®? (Y/N)*	If Tree Was Removed, Provide the Date and Removal Company Name	Symptoms Evident in New Growth Areas (check all that apply)						Comments (including Evidence of Disease, Insect Damage, Physical Injury, or Environmental Condition that may have caused damage)
									Twisted or Drooping Top/Epiphytic/Bending/Drooping or Bending Limbs	Brown or Dead Buds	Umbrella Effect (White Pine, Yew (Taxus) Arborvitae)	Large Fleshy Galls (Honey Locust trunk or branches or tips of arborvitae)	Extreme Branch Tip or Terminal Bud Swelling	For Deciduous Trees Only Leaf Distortion (cupping or twisting leaves)	
9	LOCUST HONEY	26	38	5	0	B	N	-	✓	✓	✓	✓			
10	LOCUST HONEY	34	42	4	0	B	N	-	✓	✓	✓	✓		80% DEAD	
11	SPRUCE BLUE	10	-	3	3	B	N	-	✓	✓	✓	✓			
12	SPRUCE BLUE	41	-	3	7	B	N	-	✓	✓	✓	✓			
13	LOCUST HONEY	33	49	4	0	B	N	-	✓	✓	✓	✓		OVER 90% DEAD	
14	LOCUST HONEY	35	54	4	0	B	N	-	✓	✓	✓	✓		85% DEAD	
15	LOCUST HONEY	38	42	3	0	B	N	-	✓	✓	✓	✓		50% DEAD	

\*Note: The U.S. Environmental Protection Agency has requested that DuPont ask these questions about impacted trees. Please answer these questions to the best of your ability. If you do not know the answer, indicate "unknown."

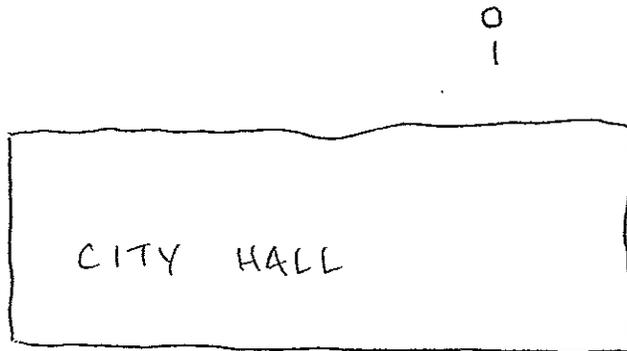
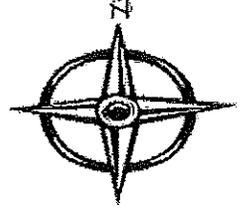
E. SITE MAP

Property Location ID: 36591055

Site Map

Note: Number each tree on map to match Tree Number on Tree Detail Listing.

To orient map, enter North



PHOENIX

**F. EPA QUESTIONNAIRE:**

Property Location ID: 36591055

The U.S. Environmental Protection Agency (EPA) has requested that DuPont ask the following questions about this property and impacted trees on this property. Please answer these questions to the best of your ability. If you do not know the answer, indicate "unknown."

\*\*\*

1. When were adverse impacts attributed to Imprelis® first noticed on this property? Date: MAY 2012
2. How many applications of Imprelis® occurred on this property before adverse impacts were reported? UNK
3. Did irrigation occur on this property after the application of Imprelis®?  Yes  No  Unknown
  - a. If yes, what is the approximate number of gallons of water applied? UNK
  - b. If yes, did the irrigation water come from a recovery reservoir or pond?  Yes  No  Unknown
4. Have you conducted any testing for Imprelis® in soil on this property?  Yes  No  Unknown
  - a. If yes, were any Imprelis® residues detected?  Yes  No  Unknown
5. Have you conducted any testing for Imprelis® in plant tissue collected from this property?  Yes  No  Unknown
  - a. If yes, were any Imprelis® residues detected?  Yes  No  Unknown

**G. DECLARATION:**

Property Owner – I certify that the information I have provided for this Claim Form is true and correct to the best of my knowledge, information and belief.

Date: 5/17/13

Name (please print) Aaron Friebe

Signature: [Handwritten Signature]

**H. DUPONT REPRESENTATIVE AND PROPERTY OWNER CONSENT FORM:**

Property Location ID: 36591055

**DuPont Representative** – I agree to collect accurate information and documentation relating to trees at the above property location, as authorized, and to provide such information and documentation to DuPont for the purpose of assessing property owner's claims relating to trees believed to have been impacted as a result of an Imprelis® herbicide application. I will only enter onto property owner's land at mutually agreed upon time(s) for the limited purpose of gathering this information.

Date: 6-17-13

Name (please print): MARTIN CRADDOCK

Signature: 

**Property Owner** – I authorize the DuPont representative identified above to collect information relating to trees at the above property location, including details about and photographs of those trees, and to provide such documentation to DuPont for purposes of assessing any claim relating to trees believed to have been impacted as a result of an Imprelis® herbicide application. I will provide the DuPont representative with authorization to access my property for purposes of gathering this information at mutually agreed upon time(s). I understand that the DuPont representative's collection and provision of this information to DuPont may directly affect the resolution of my claims through DuPont's claims process.

**Note:** You may seek the advice of counsel of your choosing at any time during this process.

Date: 6/17/13

Name (please print): Aaron Priebe

Signature: 