

City Council

Regular Meeting Minutes

Monday, April 20, 2015
7:00 p.m., Council Chambers



1. **Call to Order by Mayor Burr at 7:00 p.m.**
2. **Invocation – Father Michael Ryan – Epiphany Episcopal**
3. **Roll Call**

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

4. **Approval of Agenda**

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

Voted Yes: All. Motion Carried.

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

Moved by Patterson, Seconded by Kozlik Wall to approve the Consent Agenda as follows:

- A. Council will be requested to approve the City Council Minutes of April 06, 2015.
- B. Bills totaling \$1,116,842.70 for the period ending April 19, 2015 be approved and forwarded to the Clerk and Treasurer for payment.
- C. City Council will be asked to approve changes to the Dyckman Avenue Reconstruction project and resurface Brockway Avenue from North Shore Drive to the cul-de-sac and authorize the City Manager to execute Change Order No. 3 in the estimated amount of \$150,852.97.
- D. City Council will be asked to approve a proposal from West Michigan Waterproofing LLC for soil stabilization of the seawall at Ellen Avery Park in the amount of \$27,100.00
- E. City Council will be asked to approve a modification to the Engineering Services Agreement for the Bascule Bridge Rehabilitation Project in the amount of \$50,131.18.
- F. City Council will be asked to approve a License Agreement for a Projecting Sign for 426 Phoenix Street by Beachwalk Properties.
- G. City Council will be asked to approve the following sign requests:
 - 1) Council will be asked to approve the following public property sign request for Old Time Baseball at Kid's Corner
 - 2) Council will be asked to approve special event sign request for National Day of Prayer.
- H. Council will be asked to receive the following administrative reports and approved minutes to be placed on file:
 - 1) 01-12-2015 BRA Minutes

- 2) 01-12-2015 LFDA Minutes
- 3) 03-05-2015 Planning Commission Minutes
- 4) 04-06-2015 Airport Authority Minutes
- 5) July 2014 Board of Review Minutes
- 6) March 2015 Board of Review Minutes

A Roll Call Vote was taken:

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

Nays: None

Motion carried.

NEW BUSINESS

- 6. Council will be asked to consider the application from Stephanie Timmer for appointment to the Local Development Finance Authority and Brownfield Redevelopment Authority.**

Motion by Gruber, Seconded by Fitzgibbon to appoint Stephanie Timmer to the Local Development Finance Authority and the Brownfield Redevelopment Authority.

Voted Yes: All. Motion Carried.

- 7. Council will be asked to consider Resolution 2015-18: a resolution addendum to the Utility Policy Adjusting Water & Sewer Availability Fees to cap the availability fee to \$250,000.**

Background Information:

In January of 2007, City Council adopted the Public Utilities Rules, Regulations and Policies as Resolution 2007-04. This resolution permits the assessment of a one-time availability fee for new water and sewer services to be utilized to offset a proportional cost of the existing capital investments for those parts of the water and/or sewer system(s) which provide service jointly to all users of the utilities. The resolution also permits the availability fees to be changed from time to time as recommended by the Board of Public Utilities and approved by City Council.

Since 2007, availability fees for new connections have been assessed on a Residential Equivalent Unit (REU) basis. Council adopted a schedule of Residential Equivalent Units for various land uses. This schedule is based on historic usage data for various land uses. The total availability fee is calculated by selecting the appropriate land use from the schedule to calculate the total Residential Equivalent Units for the new customer. Most new customers are single family residential and are assessed an availability fee based on 1.0 REU. Other land uses are typically assessed more than 1.0 REU.

City Council last reviewed and updated the availability fees on June 15, 2009 with the approval of Resolution 2009-33. Availability fees for new water system connections are \$5,750 per REU and for new sewer system connections are \$3,956 per REU.

On April 13, 2015, the Board of Public Utilities held a special meeting to discuss availability fees. The purpose of the discussion was to review changes to the availability fee structure

to place a combined total cap of \$250,000 on water and sewer availability fees. The cap is needed to ensure that the City can be competitive in attracting new businesses to locate in South Haven. Without the cap, various businesses that desire to locate in South Haven could see total availability fees in excess of \$1,000,000. This creates an undue hardship for those businesses that typically results in their desire to locate in an alternate jurisdiction. After discussion, the Board of Public Utilities passed a motion recommending that Council pass a resolution amending the utility policy by capping the total combined availability fees for new water and sewer services at \$250,000.

The attached draft resolution rescinds Resolution 2009-33 and replaces it with a similar resolution containing language related to the availability fee cap. If approved by Council, staff will continue to utilize the REU schedules to calculate availability fees for new connections. However, if the total availability fee exceeds \$250,000, the amount will be fixed at a not to exceed amount of \$250,000. The language also permits an integrated development with a single building to qualify for the rate cap, even if there are multiple customer connections within that building. Multi building developments will still be required to have a separate water and sewer service to each building and will be assessed separate availability fees for each building.

Staff has worked with the City's legal counsel in development of the language contained within the Resolution.

Moved by Patterson to adopt Resolution 2015-18: A resolution to include an addendum to the utility policy adjusting water & Sewer Availability Fees. Seconded by Klavins.

Voted Yes: All. Motion Carried.

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

Bruce Covey, 7067 105th Avenue, Casco Township – Asks council to consider including Pickleball courts in city parks to accommodate a growing number of Pickleball participants as it is the fastest growing sport in the U.S.

9. City Manager's Comments

10. Mayor and Councilperson's Comments

Klavins:	no comment
Patterson:	Enjoyed Pickleball comments and thanked the clergy for their statements
Fitzgibbon:	no comment
Kozlik Wall:	no comment
Arnold:	no comment
Gruber:	no comment
Burr:	Received a thank you card regarding handicap kayak ramp

11. Adjourned

Motion to Adjourn by Kozlik Wall, Seconded by Fitzgibbon.

City of South Haven
Regular Meeting Council Minutes
City Hall, Council Chambers
7:00 p.m., Monday, April 20, 2015

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "Kate Hosier". The signature is written in a cursive, flowing style.

Kate Hosier, Deputy City Clerk

Approved by City Council: **May 4, 2015**