

# City Council

## Regular Meeting Minutes

Monday, November 2, 2015  
7:00 p.m., Council Chambers



1. **Call to Order by Mayor Burr at 7:02 p.m.**

2. **Invocation – Moment of Silence**

3. **Proclamation for Paul VandenBosch**

4. **Roll Call**

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

Absent: Klavins

Moved by Arnold, seconded by Patterson, to excuse Councilmember Klavins for personal reasons.

Voted Yes: All. Motion carried.

5. **Approval of Agenda**

Moved by Fitzgibbon, seconded by Kozlik Wall, to approve the agenda.

Voted Yes: All. Motion carried.

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

Moved by Patterson, seconded by Fitzgibbon, to approve the consent agenda.

- A. Council will be requested to approve the Regular City Council Minutes for October 19, 2015.
- B. Council will be requested to approve the Special Workshop City Council Minutes for October 19, 2015.
- C. Council will be requested to approve the Special Meeting City Council Minutes for October 26, 2015.
- D. Council will be asked to approve invoices totaling \$1,098,691.33 for the period ending November 1, 2015 to be approved and forwarded to the Clerk and Treasurer for payment.
- E. Council will be asked to approve the amended License Agreement for SoHa Surf Shop.
- F. Council will be asked to approve the proposal with Abonmarche for Southside Marina Improvements in the amount of \$8,000.00
- G. Council will be asked to approve the proposal with Abonmarche for Northside Marina Erosion Control on the east end of the Northside Marina in the amount of \$8,500.00.

H. Council will be asked to approve the following minutes:

- 1) May 20, 2015 Downtown Development Authority (DDA) Workshop minutes;
- 2) July 15, 2015 Downtown Development Authority (DDA) Minutes;
- 3) August 12, 2015 Downtown Development Authority (DDA) Workshop minutes;
- 4) August 18, 2015 Harbor Commission minutes;
- 5) August 31, 2015 Board of Public Utilities (BPU) minutes;
- 6) September 15, 2015 Liberty Hyde Bailey Museum minutes; and
- 7) September 28, 2015 Zoning Board of Appeals (ZBA) minutes.

A Roll Call Vote was taken:

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

Motion Carried

OLD BUSINESS

**7. Council will be asked to approve an ordinance amendment regulating the seasonal use of off road vehicles (ORVs) on city streets.**

Moved by Patterson, seconded by Arnold, to approve an ordinance amendment regulating the seasonal use of off road vehicles (ORVs) on city streets.

Voted Yes: Arnold, Patterson, Gruber, Kozlik Wall, and Burr.  
Voted No: Fitzgibbon.  
Motion carried.

NEW BUSINESS

**8. Council will be asked to appoint Robert McAlear to an alternate seat on the Zoning Board of Appeals for a three-year term.**

Moved by Gruber, seconded by Patterson, to appoint Robert McAlear to an alternate seat on the Zoning Board of Appeals for a three-year term.

Voted Yes: All. Motion carried.

**9. Council will be asked to approve the Easement for Access to Property at 229 Elkenburg (Overton demo site) for DEQ Remediation on the Belgravia – Factory Condominiums site.**

Paul VandenBosch, Assistant City Manager, spoke to City Council on this matter.

Moved by Gruber, seconded by Kozlik Wall, to approve the Easement for Access to Property at 229 Elkenburg (Overton demo site) for DEQ Remediation on the Belgravia – Factory Condominiums site contingent upon the contractor constructing the temporary trail route with asphalt.

Voted Yes: All. Motion carried.

**10. Council will be asked to approve the Harbor Capital Improvement Plan which has been reviewed by the Harbor Commission and recommended to City Council for approval.**

Paul VandenBosch, Harbormaster, spoke to the City Council on this matter.

Moved by Fitzgibbon, seconded by Patterson, to approve the Harbor Capital Improvement Plan which has been reviewed by the Harbor Commission and recommended to City Council for approval.

Voted Yes: All. Motion carried.

**11. Council will be asked to approve Resolution 2015-45, a resolution approving the marina slip agreements, including a version which would allow for the placement and use of hydraulic boat lift(s).**

Paul VandenBosch, Harbormaster, spoke to the City Council on this matter.

Moved by Patterson, seconded by Arnold, to approve Resolution 2015-45, a resolution approving the marina slip agreements, including a version which would allow for the placement and use of hydraulic boat lift(s).

Voted Yes: All. Motion carried.

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

Steve Sweet, of 507 Lagrange, spoke to the Council regarding zoning concerns.

Todd Heinrich, South Haven Township resident and business owner at 930 Blue Star Highway, spoke to the Council regarding a building development on Cass Street.

Robert Kripaitis, 140 North Shore Drive, spoke to the Council regarding zoning concerns and vacation rentals.

Barb Calhoun, 862 Monroe, questioned the Council on zoning issues.

Jim Schepers, 52 Lake Court, addressed the Council regarding zoning standards.

Joann Nordin, 1073 Monroe Boulevard, addressed the Council regarding the number of rentals in the city.

Elaine Herbert, 140 North Shore Drive, addressed the Council regarding zoning concerns and rentals in the city.

Susan Ryan, 37 Cass Street, addressed the Council regarding zoning concerns and rentals in the city.

Dorothy Appleyard, of 806 Wilson, addressed the Council regarding zoning concerns.

Pat Gaston, 97 Superior Street, addressed the Council regarding zoning concerns.

Connie Schaffer, 735 North Shore Drive, addressed the Council regarding zoning concerns.

Steve Runkle, of 16 Pine Street, addressed the City Council regarding zoning concerns.

Bill Wood, at 740 Kentucky, spoke to Council regarding zoning concerns.

Benita Davido, 1053 Monroe Boulevard, spoke to the Council regarding the state of the city's economy.

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

The city's planning commission has been working with staff, city's attorney and is working with residents on the issues that have been brought up.

Expresses sympathy to the Smiley family on their terrible loss over the weekend.

Congratulations to the Police Department for great work on catching the Little Caesar's robbers over the weekend.

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

Arnold: Thanks attendees for their comments. Thanks Paul VandenBosch for his years of service to the city. Wishes fellow Councilmember Andy Klavins good thoughts and to get well. His thoughts go out to Devo's family.

Patterson: Thanks people for coming out. She respects neighborhoods and wants to hear what people have to say. Her thoughts are with the Smiley family. Thanks Paul for his service to the city.

Fitzgibbon: For thirty years she's lived here and many in the audience are her friends. She feels that the rentals are getting out of hand. She thanks the audience for coming out on this issue.

Gruber: Thanks Paul VandenBosch for his service with the city. Thanks commenters for giving their opinions. Thinks that rentals are at a tipping point. Says everyone is the City not just the people sitting on the Council. Change is a positive thing.

Kozlik Wall: She was born and raised here and seen a lot of changes. As an elected official, this is what we (the Council) need to hear. She appreciates it when constituents speak to the Council. She thanks Paul VandenBosch for his dedication to the city and he will be missed. To the Smiley family, her heart goes out to them. The outpouring of love for Devo at school and the community shows how much he will be missed.

Burr: Congratulations to Paul VandenBosch for a successful tenure with the city. Thanks the audience for attending and airing their concerns. He thanks MDOT of Kalamazoo for the getting the Van Buren Trail paved. Please try it out - it is a great trail.

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Regular Meeting Council Minutes  
City Hall, Council Chambers  
7:00 p.m., Monday, November 2, 2015

## 15. Adjourn

Moved by Patterson, seconded by Kozlik Wall, to adjourn the meeting.

Voted Yes: All. Motion carried. Meeting adjourned at 8:25.

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: **November 16, 2015**