

City Council

Regular Meeting Minutes

Monday, December 16, 2013
7:00 p.m., Council Chambers



1. Call to Order

2. Invocation

- Moment of silence

3. Roll Call

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

4. Approval of Agenda

Moved by Fitzgibbon to approve the agenda. 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 December 2, 2013.
- B. Bills totaling \$1,681,965.31 for the period ending December 17, 2013 be approved and forwarded to the Clerk and Treasurer for payment.
- C. Council will be asked to award the purchase of two motor pool trucks to Woodhams Ford in the amount of \$36,060.
- D. Council will be asked to receive the following administrative reports and approved minutes to be placed on file:
 - 1) 07-16-2013 SHARA Minutes
 - 2) 11-07-2013 Planning Commission Minutes
 - 3) 11-20-2013 Airport Authority Minutes

A Roll Call Vote was taken:

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

Nays: None

Voted Yes: All. Motion Carried.

- 6. South Haven Health System Update** - update given by Joanne Urbanski on South Haven Health System.

NEW BUSINESS

- 7. Council will be asked to introduce an ordinance to amend Chapter 86 Section 86-172 of the code of ordinances regarding the summer sanitary sewer credit.**

Background Information: In accordance with Chapter 86 Section 86-172 of the City of South Haven Code of Ordinances, the sewer usage volume charge for single-family and duplex residential structures for utility bills dated June 1 through September 30 will be based on the average monthly water use billed for the five month period from the November water meter readings through the April water meter readings with a minimum volume charge of 1000 cubic feet per month. This is commonly known as the "summer sewer credit" which provides for water usage for irrigation without sewer usage charges since this water does not enter the sewer system. This provides a credit allowance without the need for an additional meter.

The Board of Public Utilities (BPU) requested to include churches as residential for the purpose of providing the summer sewer credit. At the November 26, 2012 Regular Meeting, the BPU reviewed information prepared by the Finance Department based on the current utility policy at that time which included an estimate of \$3,595 summer sewer credit for churches (\$2,710 - city, \$885 - rural). The BPU provided unanimous approval of a recommendation to City Council to include churches as residential for the purpose of providing the summer sewer credit. An effective date of June 1, 2013 is requested to include the 2013 season.

If City Council chooses to adopt the ordinance, then Council needs to adopt a resolution indicating that it is intended to apply the rate change to the 2013 summer season and directing staff to make the needed adjustments on upcoming bills. This resolution will be presented to City Council at the January 6, 2014 Regular Meeting, after the ordinance has taken effect.

Moved by Gruber to approve the introduction of an ordinance that would amend Chapter 86 Section 86-172 of the code of ordinances regarding the summer sanitary sewer credit.
Seconded by Fitzgibbon.

Voted Yes: All. Motion Carried.

- 8. Council will be asked to approve Resolution 2013-72 a resolution to amend the adopted utility policy, adjusting the penalty charge to be assessed on late payments.**

Background Information: Council adopted the City of South Haven Public Utilities Rules, Regulations and Policies by passing Resolution 07-04 on January 15, 2007. References to the "Penalty Charge for Late Payments" appears on pages 17, 18 19 and 20 under "Application of Rates".

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The Board of Public Utilities (BPU) has been discussing a possible change in the penalty rate charged since its meeting in August, 2013. Penalty rates were compared with surrounding communities and the City of South Haven appears to be in the middle of the range of the sample selected.

The BPU reviewed the proposed policy change at their November 25, 2013 regular meeting and they recommended that the City change the rate from the current 10% of the current amount due to 2% compounded monthly on any unpaid utility account balance. Further discussion among the BPU resulted in the provision that there be no exceptions to the penalty charges to ensure fair and non-discriminatory enforcement.

Moved by Patterson to approve Resolution 2013-72 a resolution to amend the adopted utility policy, adjusting the penalty charge to be assessed on late payments. Seconded by Fitzgibbon.

Voted Yes: All. Motion Carried.

9. City Council will be asked to approve Resolution 2013-73, a resolution supporting the acquisition and placement of a weather buoy.

Background Information: Recently the South Haven Steelheaders made the City aware of an opportunity for placing of a near shore weather buoy in Lake Michigan, near South Haven.

The benefits of a near shore buoy are more accurate, real time wind and wave height data, and improved local weather data sent to NOAA for more accurate forecasting, which is essential for boaters and fishermen. Beach safety flagging can be improved with better forecasting and reporting of rip currents and wave conditions on the beach. Better information about currents and water temperatures may help the water treatment plant operators understand how different weather conditions affect water quality.

A grant may be available to cover some of the initial cost to purchase the buoy. The purchase cost with all options is estimated at \$72,000. If the buoy is placed in Lake Michigan, there will be operation and maintenance costs estimated at \$25,000 per year.

The City of South Haven is considering supporting the buoy with a commitment of \$5,000 per year for operating and maintenance costs. Van Buren County has committed \$5,000 per year toward operating and maintenance cost. Louis Padnos Iron and Metal Company has offered to donate the buoy anchor (train wheels).

Currently there have been letters of support from Van Buren County, Louis Padnos Iron and Metal Company, SHAES, Rotary, New Covert Generating and South Haven Steelheaders. South Haven Township and South Haven Public Schools.

In order to apply for the grant, a pre-proposal is due on December 18, with a full proposal due on March 21. Submitting a pre-proposal does not commit the City to applying for the grant in March.

Moved by Kozlik Wall to approve Resolution 2013-73, a resolution supporting the acquisition and placement of a weather buoy. Seconded by Fitzgibbon.

Voted Yes: All. Motion Carried.

10. City council will be asked to approve Special Event 2014-06 Gus Macker basketball tournament.

Background Information: This special event request is ready for the City Council's approval. Youth Development Co/PAL is again sponsoring a Gus Macker Tournament. The tournament will be held July 25 - 27, 2013. The Gus Macker Tournament is a basketball tournament designed so that anyone can play: male or female, young and old, short and tall, the most experienced or no experience at all. This maintains the purity and integrity of the driveway game.

They are again requesting to use South Beach and Water Street from the beach to Maple Street for the tournament. Please see maps in the special event application for more details. They have agreed to pay a total of \$3444.00 for the use of the South Beach parking lot for the three days of the event (\$1148.00/day = \$7.00 /space * 164 spaces). Volunteers will be helping with the event by manning the barricades and picking up trash, etc. Porta-potties, dumpsters and additional trash containers are being supplied by Youth Development Co/PAL.

Last year they received a complaint about sportsmanship and are committed to working certified referees to ensure this is not a future issue.

Moved by Patterson to approve Special Event 2014-06 Gus Macker basketball tournament.
Seconded by Klavins.

Voted Yes: All. Motion Carried.

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

12. City Manager's Comments

13. Mayor and Councilperson's Comments

Klavins – Spoke about positive change keeping sidewalks clear.

Arnold – Merry Christmas and Happy New Year

Patterson – Appreciates all that City staff does and Merry Christmas and Happy New Year

Fitzgibbon – Merry Christmas and Happy New Year

Gruber – Merry Christmas and Happy New Year

Kozlik Wall – Merry Christmas and Happy New Year

Burr – Spoke about having fun in South Haven.

14. Adjourn

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City Hall, Council Chambers
7:00 p.m., Monday, December 16, 2013

DRAFT

Moved by Fitzgibbon to adjourn. Seconded by Patterson.

Voted Yes: All. Motion carried. Meeting adjourned at 7:34 p.m.

RESPECTFULLY SUBMITTED,



Michelle Coffey
Deputy City Clerk

Approved by City Council: **DRAFT**