

# City Council

## Regular Meeting Minutes

Tuesday, September 6, 2016  
7:00 p.m., Council Chambers



### 1. Call to Order

### 2. Invocation – Rev. Travis Wilson – Peace Lutheran Church

### 3. Roll Call

Present: Jeff Arnold, Clark Gruber, Andy Klavins, Vickiy Kozlik-Wall, Steve Schlack, Scott Smith, Robert Burr

Absent: None.

### 4. Approval of Agenda

Moved by Kozlik-Wall, seconded by Gruber, to approve the agenda.

Voted Yes: All. Motion carried.

### 5. Consent Agenda: Items A through F (Roll Call Vote Required)

Moved by Smith, seconded by Arnold, to approve the Consent Agenda as follows:

- A. Council will be asked to approve the regular City Council minutes for August 15, 2016.
- B. Council will be asked to approve invoices totaling \$2,289,207.43 for the period ending September 4, 2016 be approved and forwarded to the Clerk and Treasurer for payment.
- C. Council will be asked to approve Resolution 2016-78, a resolution to granting the City Manager authority to enter into a lease agreement with the State of Michigan for the property adjacent to the former Michigan State Police post.
- D. Council will be asked to approve Resolution 2016-79, a resolution ratifying and confirming the City of South Haven as an associate member of the Michigan Public Power Agency.
- E. Council will be asked to approve a contract with Kent Power Inc. of Kent City, Michigan, in the amount of \$466,871.44 for the North Shore Drive and Monroe Boulevard Line Rebuild projects.
- F. Council will be asked to approve the following meeting minutes:
  - 1) June 22, 2016 Housing Commission minutes;
  - 2) July 25, 2016 Board of Public Utilities minutes

A Roll Call Vote was taken:

Yeas: Arnold, Gruber, Klavins, Kozlik-Wall, Schlack, Smith, Burr

Nays: None.

Motion carried.

## NEW BUSINESS

6. **Council will be asked to receive a presentation from Doug Shaffer, Vice President of Student Services, and Jeremy Burlison, South Haven Campus Director, regarding Lake Michigan College's proposed millage, to be presented to voters on November 8.**
7. **Council will be asked to receive an Annual Report from Senior Services of Van Buren County.**

8. **Council will be asked to consider the following actions regarding the use of fireworks within the City:**

City Manager Brian Dissette gave a summary of Michigan State Law regarding fireworks, and explained the reasoning behind the resolution of support for increased local control over consumer fireworks. Additionally, Dissette explained the proposed ordinance amendment to increase fines on those who break the law.

- A. **Adoption of Resolution 2016-80, a resolution of support which seeks changes to the state law regarding consumer fireworks.**

Moved by Kozlik-Wall, seconded by Arnold, to approve Resolution 2016-80, a resolution of support which seeks changes to the state law regarding consumer fireworks.

Voted Yes: All. Motion carried.

- B. **Introduction of an ordinance amendment which tightens the penalties for violations of the fireworks ordinance.**

Moved by Smith, seconded by Kozlik-Wall, to approve the introduction of an ordinance amendment which tightens the penalties for violations of the fireworks ordinance.

Voted Yes: All. Motion carried.

9. **Council will be asked to consider introduction of an ordinance which creates local rules which protect unattended animals from being left in parked motor vehicles.**

City Manager Dissette explained the reasoning behind proposing the ordinance.

Moved by Kozlik-Wall, seconded by Gruber, to approve the introduction of an ordinance which creates local rules which protect unattended animals from being left in parked motor vehicles.

Voted Yes: All. Motion carried.

10. **Interested Citizens in the Audience Will Be Heard on Items Not on the Agenda**

Bob Hiddema, 212 Monroe St, made the case for citizens with chronic health conditions against wood burning fire pits.

Barbara Craig, Lake Michigan Community College, provided answers to questions asked by the Council during her presentation.

Ed Appleyard, 806 Wilson St., gave an update regarding the lighthouse on behalf of the Historical Association. Mr. Appleyard also discussed the installation of a brick-walk leading to the lighthouse.

Susan Ryan, 37 Cass St., made the case against wood burning fire pits within the City.

Pat Gaston, 97 Superior St., spoke out against wood burning fire pits, emphasizing both the health hazards as well as the safety issues posed.

Joe Ashen, 270 Baseline Rd., is concerned with the trees that will be removed during the North Shore Drive construction project. Mr. Ashen feels that the charm of North Shore Drive will be lost if these trees are removed. Mr. Ashen spoke on behalf of a group threatening legal action against the City in order to postpone the project.

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

City Manager Dissette quickly summarized the upcoming capital improvement projects.

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

Councilmember Andy Klavins emphasized that the information regarding the upcoming construction projects (specifically regarding the loss of trees) has been available to the public since May. All of the information has been presented numerous times and in various forums. Mr. Klavins expressed frustration at the fact that these issues are being raised now.

Councilmember Scott Smith thanked Lake Michigan College, Senior Services of Van Buren County, and the Historical Association for their presentations and for the work that they do.

Councilmember Jeff Arnold gave an update on South Haven Public Schools.

Councilmember Clark Gruber expressed his concern with the number of garage sale signs posted along Phoenix Street. Mr. Gruber also mentioned that the problems with wood burning fire pits within the City seems to be centered around two particular locations. Mr. Gruber concluded his comments by reiterating his support for the construction projects. The loss of trees was not taken lightly, and 43 new trees will be planted.

Councilmember Steve Schlack echoed the thoughts of Mr. Klavins, and further noted that any litigation against the City would cost taxpayer money.

Councilmember Kozlik-Wall mentioned the fact that many of the trees that are being removed have health problems. Ms. Kozlik-Wall also implored residents to read their updates that are included with their utility bills. Ms. Kozlik-Wall also gave an update on the first week of classes at Lake Michigan College, and thanked City staff for a great summer season.

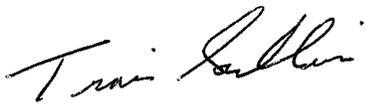
Mayor Robert Burr commented that 2/3 of the trees along North Shore Drive will not be affected by the construction. Mr. Burr also pointed out that 16 of the trees scheduled to be removed are either unhealthy or completely hollowed out. Mr. Burr also gave a reminder about waste disposal on Saturday, September 17 at the Public Works building.

### **13. Adjourn**

Moved by Kozlik-Wall, seconded by Schlack, to adjourn.

Voted Yes: All. Motion carried, meeting adjourned at 8:17 p.m.

RESPECTFULLY SUBMITTED,

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

**Travis Sullivan**  
**City Clerk**