

City Council

Regular Meeting Minutes

Monday, December 19, 2016
7:00 p.m., Council Chambers



1. **Call to Order by Mayor Burr at 7:01 p.m.**
2. **Invocation – Pastor Craig Massey – Hope Reformed Church**
3. **Presentation of proclamations to the South Haven “King & Queen’s Court”**
4. **Roll Call**

Present: Jeff Arnold, Clark Gruber, Andy Klavins, Steve Schlack, Scott Smith, Robert Burr

Absent: Vickiy Kozlik-Wall

Moved by Gruber, seconded by Arnold, to excuse councilmember Kozlik-Wall due to personal reasons.

Voted Yes: All. Motion carried.

5. **Approval of Agenda**

Moved by Smith, seconded by Schlack, to approve the agenda.

Voted Yes: All. Motion carried.

6. **Consent Agenda: Items A through H (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 asked to approve the regular City Council minutes for December 5, 2016.
- B. Council will be asked to approve invoices totaling \$2,530,696.72 for the period ending December 18, 2016 to be approved and forwarded to the Clerk and Treasurer for payment.
- C. Council will receive the annual report from the city’s Planning Commission for activities which occurred during the 2016 calendar year.
- D. Council will be asked to approve a license agreement with Mary & Asa Strong of 105 Orchard, for the sole purpose of maintaining a private fence within the city’s right-of-way.
- E. Council will be asked to approve a one-year agreement, for the 2017 calendar year, with the Greater South Haven Area Chamber of Commerce for the management and oversight of the city’s farmers’ market operations in the amount of \$16,500.

- F. Council will be asked to award additional work to Milbocker and Sons, Inc. associated with the North Shore Drive Reconstruction Project and the North Beach Improvement Project in the total amount of \$69,650.
- G. Council will be asked to approve a license agreement with The Benevolent and Protective Order of the Elks (BPOE) of 405 Phoenix Street, for the purpose of building an extension to the second story balcony and a new agreement to cover both the street level railing and the second story balcony, located on the Kalamazoo Street side.
- H. Council will be asked to accept the following meeting minutes:
 - 1) November 18, 2016 Local Development Finance Authority minutes;
 - 2) November 18, 2016 Brownfield Redevelopment Authority minutes;

A Roll Call Vote was taken:

Yeas: Arnold, Gruber, Klavins, Schlack, Smith, Burr

Nays: None

Motion carried.

OLD BUSINESS

- 7. Council will be asked to consider adoption of a proposed amendment to the city's Code of Ordinances. The proposed code amendment seeks to prohibit refuse collection activities during the hours of 12:00 a.m. until 6:00 a.m. Council should consider the following actions:**

- A. Host a public hearing related to the proposed amendment to the city's code related to refuse collection activities.**

Moved by Gruber, seconded by Arnold, to open a public hearing related to the proposed amendment to the city's code related to refuse collection activities.

Voted Yes: All. Motion carried, public hearing opened.

There was no comment from the public, the Council, or city staff on the item.

Moved by Arnold, seconded by Klavins, to close the public hearing related to the proposed amendment to the city's code related to refuse collection activities.

Voted Yes: All. Motion carried, public hearing closed.

- B. Consider a motion to adopt an amendment to the city's Code of Ordinances. The proposed code amendment seeks to prohibit refuse collection activities on commercial property during certain hours of the day.**

Moved by Arnold, seconded by Gruber, to adopt an amendment to the city's Code of Ordinances. The proposed code amendment seeks to prohibit refuse collection activities on commercial property during certain hours of the day.

Voted Yes: All. Motion carried.

8. The City Council will be asked to consider the following actions regarding plan amendments for the Local Development Finance Authority (LDFA):

A. Host a public hearing regarding the proposed plan amendments extending the terms of the Local Development Finance Authority (LDFA) parks #1, #2, and #3.

Moved by Smith, seconded by Arnold, to open a public hearing regarding the proposed plan amendments extending the terms of the Local Development Finance Authority (LDFA) parks #1, #2, and #3.

Voted Yes: All. Motion carried, public hearing opened.

Assistant City Manager Kate Hosier gave a brief description of the amendments. The amendments simply extend the LDFA's, allowing them to contribute \$100,000 toward capital improvements. Extending the LDFA's will provide benefits for the businesses contained within the parks, in an effort for the city to retain them.

City Manager Brian Dissette expounded upon the Assistant City Manager's thoughts, adding that the amendments will allow the LDFA's to make their contributions for the next 25 years.

It was determined by the Mayor and the Council to keep the public hearing open, in order to accommodate Item 9, related to Item 8.

B. Consider a motion to approve Resolution 2016-93, a resolution approving the fourth amendment to the LDFA #1 Plan.

Moved by Gruber, seconded by Arnold, to approve Resolution 2016-93, a resolution approving the fourth amendment to the LDFA #1 Plan.

Voted Yes: All. Motion carried.

C. Consider a motion to approve Resolution 2016-94, a resolution approving the fourth amendment to the LDFA #2 Plan.

Moved by Smith, seconded by Schlack, to approve Resolution 2016-94, a resolution approving the fourth amendment to the LDFA #2 Plan.

Voted Yes: All. Motion carried.

D. Consider a motion to approve Resolution 2016-95, a resolution approving the second amendment to the LDFA #3 Plan.

Moved by Arnold, seconded by Klavins, to approve Resolution 2016-95, a resolution approving the second amendment to the LDFA #3 Plan.

Voted Yes: All. Motion carried.

9. The City Council will be asked to consider the following actions regarding the proposed brownfield plan amendment:

A. Host a public hearing on the proposed brownfield plan, and

The public hearing from Item 8 has remained in session to cover Item 9.

Assistant City Manager Hosier explained the purchase agreement for 220 Aylworth. The new owners would like to proceed with a brownfield plan, which is what is being brought before the Council.

City Manager Dissette explained that building is again in use due to the purchase agreement.

Moved by Arnold, seconded by Smith, to close the public hearing related to Agenda Items 8 and 9.

Voted Yes: All. Motion carried, public hearing closed.

B. Consider a motion to approve Resolution 2016-96, a resolution approving a brownfield plan amendment to the city's Brownfield Plan for 220 Aylworth & 1280 Kalamazoo (the former "Bohn" building).

Moved by Klavins, seconded by Smith, to approve Resolution 2016-96, a resolution approving a brownfield plan amendment to the city's Brownfield Plan for 220 Aylworth & 1280 Kalamazoo (the former "Bohn" building).

Voted Yes: All. Motion carried.

10. Council will be asked to consider a motion to adopt an amendment to the city's parking ordinance. Council should consider the following actions:

A. Host a public hearing related to the proposed amendment to the city's parking ordinance.

Moved by Klavins, seconded by Smith, to open a public hearing related to the proposed amendment to the city's parking ordinance.

Voted Yes: All. Motion carried, public hearing opened.

City Manager Dissette briefly summarized the need for a complete rewrite of the parking ordinance, as the ordinance had previously been amended to the point that it was extremely difficult to understand. The rewrite is a result of collaboration between the Department of Public Works, Engineering, City Hall and Dickinson Wright. Dissette also summarized the proposed fee schedule that would go into effect with the enactment of the amendment.

Councilmember Smith reminded of the fact this amendment is simply "keeping in line" with other communities.

Councilmember Schlack asked for clarification regarding the tools given to the police department to enforce restrictions on the parking of oversized vehicles on city streets.

Moved by Gruber, seconded by Schlack, to close the public hearing related to the proposed amendment to the city's parking ordinance.

Voted Yes: All. Motion carried, public hearing closed..

B. Consider a motion to adopt an amendment to the city's Code of Ordinances. The proposed code amendment seeks to amend the city's parking ordinances.

Moved by Smith, seconded by Gruber, to adopt an amendment to the city's Code of Ordinances. The proposed code amendment seeks to amend the city's parking ordinances.

Voted Yes: All. Motion carried.

NEW BUSINESS

11. Council will be asked to accept the audit report for Fiscal Year 2015-16 and place it on file in the Finance Department.

Douglas Vredevelde of Vredevelde Haefner LLC provided the Council with a brief overview of the city's 2015-16 audit report.

Mayor Burr asked for clarification regarding the city's pension liability. Mr. Vredevelde emphasized that the city's net positive position and its 76% funded pension liability have the city set up in good shape.

Councilmember Klavins asked for further clarification of the pension position. City Manager Dissette responded by outlining the MERS pension program, as well as why alternatives to the program are not currently feasible.

12. Council will be asked to consider approval of Resolution 2016-97, a resolution recommending local government approval of an application for a microbrewery license by Three Blondes Brewing, LLC, located at 1875 Phoenix Street.

Ray Vanderzee, owner of the Vanderzee Motorplex, explained the proposal to the Council. Mr. Vanderzee summarized the research that has been that will lead to the expansion of the Motorplex, which will include outdoor seating.

Councilmember Klavins asked when the brewery plans to open. Mr. Vanderzee responded that the plan is to open late in the spring of 2017.

Moved by Gruber, seconded by Smith, to approve Resolution 2016-97, a resolution recommending local government approval of an application for a microbrewery license by Three Blondes Brewing, LLC, located at 1875 Phoenix Street.

Voted Yes: All. Motion carried.

13. Council will be asked to consider approval of Resolution 2016-98, a resolution approving a financing contract between the city and the city's Local Development

Finance Authority (LDFA,) to provide assistance with the city's water/sewer capital improvement projects.

City Manager Dissette explained that the plan amendments approved earlier in the meeting have set the table to approve the contract between the city and the LDFA, which would allow the LDFA to provide funding. Dissette emphasized that city staff highly recommend that the council take this action.

Moved by Smith, seconded by Arnold, to approve Resolution 2016-98, a resolution approving a financing contract between the city and the city's Local Development Finance Authority (LDFA,) to provide assistance with the city's water/sewer capital improvement projects.

Voted Yes: All. Motion carried.

14. Council will be asked to approve Resolution 2016-99, a resolution establishing the 2017 City Council meeting dates.

City Manager Dissette explained the dates in question and the reasons for the changes to the schedule.

Moved by Gruber, seconded by Schlack, to approve Resolution 2016-99, a resolution establishing the 2017 City Council meeting dates.

Voted Yes: All. Motion carried.

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

16. City Manager's Comments

The City Manager informed the Council that he and the Mayor attending the swearing in ceremony of former councilmember Gail Patterson-Gladney, as she begins in her new role as a Van Buren County Commissioner. The City Manager also explained that the Council had approved the 2017 contract with the Chamber of Commerce regarding the management of the Farm Market. The special event application will be brought to the Council in January of 2017.

17. Mayor and Councilperson's Comments

Councilmember Schlack wished everyone a Merry Christmas and safe holidays, and thanked city staff for their hard work throughout the year.

Councilmember Gruber wished everyone a Merry Christmas and Happy New Year, as well as welcomed home the community's college students who are back on break. Gruber also reminded folks to shop locally over the holidays.

Councilmember Arnold commended the South Haven Police Department and Chief Thompson for their role in an assembly with the South Haven Diversity Club, in which officers and students had the opportunity to interact in a fun way.

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Councilmember Smith wanted to ensure it was clear to the community that the Council and city staff are aware of and working through the impending closure of the Palisades nuclear plant.

Councilmember Klavins reminded folks to be careful on Monroe Boulevard and North Shore Drive, as the cold temperatures have frozen over the streets currently under construction. Klavins also reminded folks to be courteous of pedestrians using the crosswalks.

Mayor Burr reminded everyone that the road construction crews have left for Christmas, but that the projects are ahead of schedule, which should have them completed by Memorial Day weekend in 2017.

18. Adjourn

Moved by Smith, seconded by Klavins, to adjourn the meeting.

Voted Yes: All. Meeting adjourned at 8:01 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