

**CITY OF GRAND HAVEN
519 WASHINGTON AVE.
GRAND HAVEN, MICHIGAN
REGULAR CITY COUNCIL MEETING
JANUARY 18, 2022**

The Regular Meeting of the Grand Haven City Council was called to order at 7:30 p.m. by Mayor Cathy McNally in the Council Chambers of City Hall.

Present: Council Members Karen Lowe, Ryan Cummins, Kevin McLaughlin, Mike Fritz, and Mayor Cathy McNally.

Absent: None.

Others Present: City Manager Patrick McGinnis; City Clerk Kelly M. Beattie; Assistant City Manager Ashley Latsch; Director of Public Safety Jeff Hawke; Director of Public Works Derek Gajdos; Community Development Manager Jennifer Howland; Human Resources Manager Zac VanOsdol; Finance Director Amy Bessinger; Streets and Utilities Manager Matt Wade

INVOCATION/PLEDGE OF ALLEGIANCE

Mayor McNally read a selection of quotes from Rev. Martin Luther King, Jr.; following this reading Mayor McNally led the Pledge of Allegiance.

APPOINTMENTS TO BOARDS & COMMISSIONS

22-010 Moved by Council Member Lowe, seconded by Council Member Fritz the City Council approved the appointment of Mike Dora to the Planning Commission with a term expiring June 30, 2024 and Debi Hulverson to the Planning Commission with a term expiring June 30, 2022. Motion carried unanimously.

APPROVAL OF CONSENT AND REGULAR AGENDAS

22-011 Moved by Council Member Cummins, seconded by Council Member McLaughlin, to approve the consent and regular agendas This motion carried unanimously.

GENERAL BUSINESS/CALL TO AUDIENCE

Mayor McNally opened public comment, one audience member addressed the City Council.

1. **Jim Hagen**, 400 Lake Ave, spoke on the topic of master planning and specifically Harbor Island redevelopment. Hagen supports the installation of a community solar power array park garden on the location and supports locating a farmers market on Harbor Island.

CONSENT AGENDA

22-012 Moved by Council Member Fritz, seconded by Council Member Cummins, to approve the Consent Agenda. This motion carried unanimously.

22-013 Moved by Council Member Fritz, seconded by Council Member Cummins, to approve the City Council minutes for the special work session and regular meeting held on January 3, 2022. This motion carried unanimously.

22-014 Moved by Council Member Fritz, seconded by Council Member Cummins, to approve the bills memo in the amount of \$850,610.05. This motion carried unanimously.

22-015 Moved by Council Member Fritz, seconded by Council Member Cummins, to accept the proposal from Abonmarche of Benton harbor, Michigan in the amount of \$22,750.00 to provide Preliminary/Final Design & Construction Engineering Services for Street Resurfacing 2022, and authorize the Mayor and the City Clerk to execute the necessary documents. This motion carried unanimously.

PRESENTATIONS

None

PUBLIC HEARING

The mayor opened the public hearing concerning an amendment to the approved Planned Development for Grand Plaza located at 1021 Jackson Avenue (parcel #70-03-21-199-021) to redesign the plans to avoid State-regulated wetlands and to reduce the scope of development to one phase and one land use (medical marihuana provisioning center).

Denny Dryer, 220 ½ Washington, spoke on the discovery of wetlands on the site and redesign of the site to accommodate requests from EGLE to preserve the wetlands. Dryer noted that the wetlands were established because of prior paving in the area that had been covered up, this paving prevents natural draining. Dryer also responded to Council questions regarding proposed development.

Sid Rudehome, 16390 Springvale Ct., Spring Lake, shared information about the challenges the project has faced regarding the wetlands on the site. Rudehome added that the property owners would be supportive of improving the site, including improving the appearances of the wetlands, but the message he received from EGLE is that mitigation is not an option until highest and best use of the property is achieved.

CM Lowe inquired about City maintained data sets of suspected brownfield sites. McGinnis reported that there is no such inventory, but there are Sensitive Area Overlays (GIS) and a list of sites under redevelopment who have sought assistance from the City.

There being no further members of the public wishing to speak, Mayor McNally mayor closed the public hearing.

22-016 Moved by Council Member McLaughlin, seconded by Council Member Lowe to adopt an introductory resolution to approve an amendment to the approved Planned Development for Grand Plaza located at 1021 Jackson Avenue (parcel #70-03-21-199-021) to redesign the plans to avoid State-regulated wetlands and to reduce the scope of development to one phase and one land use (medical marihuana provisioning center). This motion carried unanimously.

NEW BUSINESS

22-017 Moved by Council Member Fritz, seconded by Council Member Cummins, to approve a resolution to approve the Fulton Avenue Phase II Reconstruction Contract with the Michigan Department of Transportation in the not to exceed amount of \$977,080 and authorize the mayor and clerk to execute the necessary documents. This motion carried unanimously.

Derek Gajdos shared information about this project and contract, including information about the administration process, because this contract will use non-local funds.

22-018 Moved by Council Member Fritz, seconded by Council Member Cummins, to approve the agreement with Progressive AE for a master plan update at a cost not to exceed \$15,300 and authorize the mayor and clerk to execute the necessary agreements. This motion carried unanimously.

Jennifer Howland provided a brief overview of the master plan process and provided general information to the City Council on the agreement.

CM McLaughlin asked if the agreement reflects issues raised at a November Planning Commission meeting regarding the scope of services and possible additional costs. Howland responded that this agreement does not reflect possible changes discussed at the November Planning Commission meeting, but is certain there will be improvements made. Howland believes she can work with the consultant complete the project within allocated funds.

CM Cummins asked if Master Planning or Strategic Planning should come first and expressed concerns about the possibility of numerous change orders. Howland responded that the Master Plan by nature takes a longer range view than a strategic plan does, but thinks the two can move forward together.

CM Lowe asked about the planning process and the scope of work in this project, but supports advancing the Master Planning process and Strategic Planning concurrently.

UNFINISHED BUSINESS

22-019 Moved by Council Member McLaughlin, seconded by Council Member Fritz, to approve a resolution to retain the firm of Eisenstein Malanchuk to pursue possible insurance coverage for financial liability on Harbor Island resulting from past City operations there and authorize the mayor and clerk to execute the necessary documents. **Moved by Council Member Fritz, seconded by Council Member McLaughlin to postpone this item until the second regular meeting of the City Council in February.** Motion to postpone carried unanimously.

McGinnis shared information about the prior postponement that placed this item on the agenda for this meeting. McGinnis stated that the requested actions of the City Manager had not been completed, because the City Council would need to approve the next agenda item before he could complete the requests. McGinnis shared that there would be no harm in postponing the item again to complete the requested consultation pending the approval of the next agenda item.

22-020 Moved by Council Member Fritz, seconded by Council Member Lowe, to approve a resolution to select HDR, Ann Arbor, MI to be the Environmental Consultant of record and authorize City Staff to negotiate a service contract for holistic environmental consultation and remediation services. This motion carried unanimously.

Derek Gajdos introduced Lara Syrocki from HDR to respond to questions.

CM McLaughlin asked if hiring HDR will slow down the process of moving forward with Harbor Island. Syrocki responded that by the end of the 1st quarter of 2022 HDR will be up to speed and ready to proceed. McLaughlin further stated he supports hiring HDR, and read a statement regarding the postponement of this agenda item from the January 3 meeting, including the BLP requests to delay this item. McLaughlin, in his statement, also referenced requests by members of the City Council for the BLP to release documents and questioned the way in which the BLP has, up to this point, managed the environmental cleanup process for Harbor Island.

Mayor McNally inquired if changing consultants in this type of project was common and asked about Syrocki's professional knowledge of firms such as Eisenstein Malanchuk, from the previous agenda item. Syrocki responded that it is common to pick up a remediation project after other companies have started and that it is common to review insurance policies, but has not personally been involved in a review that reached back as far as the Eisenstein Malanchuk proposal.

CM Cummins asked how challenging the site is and how difficult it would be to get to a place that EGLE would accept. Syrocki responded that Harbor Island is a very complex site, that this is the only site she knows of with CCR and PFAS in the same site, but HDR has the expertise and specialist, to address the complexity of this project. Cummins also asked what process HDR will use to include community engagement in efforts moving forward and spoke in support of transparency as efforts move forward. Syrocki shared information about the HDR public involvement group, and public participation efforts that HDR incorporates into projects.

CM Lowe, spoke in support of the integrated communications and public relations functions in the proposal.

CM Fritz spoke in support of working with HDR and a joint approach by the City Council and BLP. Fritz is optimistic for the fresh approach that HDR will bring to this project.

Mayor McNally commented that the City optimistic about moving forward with Harbor Island clean up. McNally cited a fresh relationship with a new consultant, plans to build a better relationship with EGLE, and improved communications between the City Council and BLP.

REPORTS BY CITY COUNCIL

CM Fritz spoke about loss in the community resulting from the death of Lena Meijer and offered condolences to the Mejier family.

CM McLaughlin thanked Council Member Lowe for her efforts on the strategic planning process.

CM Lowe shared a presentation about the unfunded pension liabilities to address three common questions:

- Why is the City Concerned about unfunded pension liabilities?
 - o The health of the city's pension was ranked 228 out of 241 cities (i.e., bottom 5th percentile) by the Michigan Department of Treasury.
- Why is the City Talking about changing from defined benefits plan to a defined contribution plan?
 - o Simply put, traditional pension plans [DB Plans] are becoming unaffordable, because they are almost mathematically impossible to sustain.
- What are the other differences between a traditional DB and DC Plan?
 - o The two of plans differ in the areas of equity, portability, management and employee empowerment, security and risk.

CM Cummins thanked the DPW staff for cleanup after the recent winter storm, including a recent water main break during the winter weather. Cummins also thanked all staff members for the day of service many participated in on January 17, 2022 and thanked the Mayor for opening the meeting by sharing MLK quotes.

Mayor McNally asked for a volunteer to work with her on responding to a letter from the Grand Haven Energy Organization letter, sharing that a draft response will be shared with the City Council for consideration; CM Lowe volunteered for this. McNally asked for work session, including the City Attorney on the legal issues regarding the possibility of legalizing Adult-Use Marihuana.

REPORT BY CITY MANAGER

McGinnis thanked Ryan Gilligan for his efforts to improve the Wall of Mayors, by proactively providing a new photograph to correct a misidentified photograph of William Ferry, Jr.

McGinnis also announced that the Fraternal Order of Eagles auction scheduled for January 29 was cancelled, but it may be held later this year, possibly in April.

SECOND CALL TO THE AUDIENCE

Two members of the public provided public comment.

1. **Field Reichardt**, 317 Lakeview, Spring Lake, spoke on the significance and history of the Ferry family; issues on the BLP meeting overuse word holistic; The significance of Harbor Island as a resource, and supported the need for a team effort moving forward to address the numerous concerns with the island.
2. **Jim Hagen**, 400 Lake, spoke about the short term rental map, noting that shows produced dunes as short term rentals, and asked that numerous maps used in the master plan be examined and updated as part of the update process.

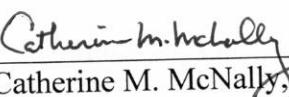
CLOSED SESSION

22-021 Moved by Council Member McLaughlin Seconded by Council Member Cummins, to go into closed session for labor negotiations, pursuant to 15.268 Closed sessions; permissible purposes, Sec. 8 (c) of the Open Meetings Act. at 9:01 pm.

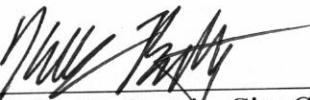
22-022 Moved by Council Member Fritz Seconded by Council Member Cummins, to come out of Closed session at 10:16 pm

ADJOURNMENT

After hearing no further business, Mayor McNally adjourned the meeting at 10:16 p.m.



Catherine M. McNally, Mayor



Kelly M. Beattie, City Clerk