

**CITY OF GRAND HAVEN
519 WASHINGTON AVE.
GRAND HAVEN, MICHIGAN
REGULAR CITY COUNCIL MEETINGS
MARCH 21, 2022**

CALL TO ORDER

The March 21, 2022 regular meeting of the Grand Haven City Council was called to order at 7:32 p.m. by Mayor Cathy McNally in the Council Chambers of City Hall, 519 Washington Ave.

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 Works Derek Gajdos; and Community Affairs Manager Char Seise

INVOCATION/PLEDGE OF ALLEGIANCE

Rev. Donald McGee, Grand Haven Community Baptist Church, provided an invocation; following this, Mayor McNally led those assembled in the Pledge of Allegiance.

APPROVAL OF CONSENT AND REGULAR AGENDAS

22-090 Moved by Council Member Lowe, second by Council Member Fritz to approve the regular and consent agenda. This motion carried with all five members voting in favor on a roll call vote.

CALL TO AUDIENCE

Eight members of the public provided public comment.

1. Kathleen O'Brien, 9384 Ottawa House Drive, West Olive, Insight Collaborative project lead, spoke in support of awarding the Insight Collaborative contract.
2. Brianne Dean, 531 Oaks Avenue, spoke in support of awarding the Community Center contract to Insight Collaborative.
3. Norma Koopman, 1625 Barbra Court, spoke in support of historic preservation of the diesel plant, but does not support the use of the property for condos. Koopman added that the property could be used for several festival events or other cultural uses.

4. Sharon Behm, 214 Washington, DDA Member, spoke in support of NEW/Art on Main Street. Behm also spoke in support of the service of Gerry Witherell on the Board of Light and Power and to the community in general.
5. Laurie Kelly, 1813 Doris, spoke in opposition to the amendment to the Planned Development for Noto's. Kelly also provided copies of emails and the consent agreement relating to the site.
6. Gerry McCaleb, 1235 Slayton, spoke in support the service Gerry Witherell and his service to the community on the Board of Light and Power
7. Steve Miller, 1540 Pennoyer, spoke in support of the efforts regarding Harbor Island. Miller also spoke in support of historic preservation of the diesel plant. Miller also spoke in opposition to moralizing recreational marijuana issues.
8. Gerry Witherell Jr., spoke in support of his father and provided his opinion as a medical doctor that his father is in a healthy cognitive state.

CONTINUATION OF THE WORK SESSION

CM Lowe resumed the strategic planning discussion, with a focus on vision, mission, strategic priorities and outcomes.

CM McLaughlin asked if this draft would be sent to board and commissions. Lowe responded that the draft is available for the public and all comments are welcome, but this phase does not include a review by boards and commissions.

Mayor McNally expressed concern that seven priorities might be too many. McNally also asked specific questions about the cohesion of point 4, because it encompasses both economic development and affordability. McNally also raised concerns that point 6, health and safety, may be too narrow of a priority.

CM Fritz requested that a shorter document be prepared and released with the full strategic plan to make the content more accessible and easier to understand for the public.

CONSENT AGENDA

22-091 Moved by Council Member Fritz, seconded by Council Member Lowe, to approve the Consent Agenda. This motion carried with all five members voting in favor on a roll call vote.

CM Fritz thanked the Ewings for their work on the Historic Marker application for Mulligan's ~~Hallow~~ Hollow. Fritz also thanked the Lighthouse Conservancy for their generous support. Fritz concluded his comments with support of the Earl O'Brien Memorial Fishing Derby sharing personal memories of time spent with Earl O'Brien.

Mayor McNally also thanked the Ewings for their work on the Historic Marker application. Additionally, McNally asked how the money raised from the Grand Haven Triathlon is redistributed.

Char Seise provided information about the history of the Grand Haven Triathlon and its community impact.

22-092 Moved by Council Member Fritz, seconded by Council Member Lowe, to approve the special meeting minutes, closed session meeting minutes, and regular meeting minutes of the City Council meetings held on March 7, 2022. This item was approved as part of the consent agenda.

22-093 Moved by Council Member Fritz, seconded by Council Member Lowe, to approve the bills memo in the amount of \$1,035,509.20. This item was approved as part of the consent agenda.

22-094 Moved by Council Member Fritz, seconded by Council Member Lowe, to approve a resolution to designate Robert Grimes as the non-resident member of the planning commission through the remainder of his appointed term ending June 30, 2023. This item was approved as part of the consent agenda.

22-095 Moved by Council Member Fritz, seconded by Council Member Lowe, to approve the registration of Mulligan's Hollow as an official Michigan Historic Site and permitting the erection of an Historic Marker on the site recognizing Native American Settlement and the early ownership of the site by the Bennet Family and authorize the mayor and clerk to sign the necessary documents. This item was approved as part of the consent agenda.

22-096 Moved by Council Member Fritz, seconded by Council Member Lowe, to accept a grant award from the 2022 Michigan Lighthouse Assistance Program in the amount of \$60,000, with a \$76,409 match to be reimbursed by the Grand Haven Lighthouse Conservancy fund held at the Grand Haven Community Foundation and authorize the mayor and clerk to sign the necessary documents. This item was approved as part of the consent agenda.

22-097 Moved by Council Member Fritz, seconded by Council Member Lowe, to approve a special event request to hold "Art on Main Street" on Sunday, April 24, from 10:00 a.m. to 5:00 p.m. on Washington Ave, with a requested rain date of May 1, 2022. This item was approved as part of the consent agenda.

22-098 Moved by Council Member Fritz, seconded by Council Member Lowe, to approve a special event request to hold "Earl O'Brien Memorial Fishing Derby," initiated by the Michigan Kiwanis, on May 26 and July 28, 2022, from 6:00 a.m. to 2:00 p.m., using 20 parking spots in Chinook Pier Parking Lot #18, and waiving \$475 in fees. This item was approved as part of the consent agenda.

22-099 Moved by Council Member Fritz, seconded by Council Member Lowe, to approve a special event request to hold the “YMCA, Kick Off to Summer Run” on Saturday, May 28, 2022, from 8:30 a.m. to 10:30 p.m., on city streets and through Duncan Park. This item was approved as part of the consent agenda.

22-100 Moved by Council Member Fritz, seconded by Council Member Lowe, to approve a special event request to hold the “Grand Haven Offshore Fishing Tournament,” in the municipal marina and Lynne Sherwood Waterfront Stadium, from Thursday, June 2 through Sunday, June 5, from 6:30 a.m. to 7:00 p.m., and allow amplified sound (from 9:00 a.m. to 7:00 p.m.). This item was approved as part of the consent agenda.

22-101 Moved by Council Member Fritz, seconded by Council Member Lowe, to approve a special event request to hold the “Tri-Cities Kiwanis Classic Car Show,” on June 12, from 11:00 a.m. to 2:00 p.m., on Washington Ave, from First Street to Third Street, and allow amplified sound and food truck vendors. This item was approved as part of the consent agenda.

22-102 Moved by Council Member Fritz, seconded by Council Member Lowe, to approve a special event request to hold the “Grand Haven Triathlon,” on Sunday, July 10, 2022, from 6:30 a.m. to 12:00 p.m., in Mulligan's Hollow and city streets, allow amplified sound, and waive the \$2,250 in park rental fees. This item was approved as part of the consent agenda.

22-103 Moved by Council Member Fritz, seconded by Council Member Lowe, to approve a special event request to hold the “West Michigan Offshore Rock the Coast,” from July 15 through 17, in the municipal marina and the green space outside the Grand River Sailing Club on Saturday, July 16 only, from 8:00 a.m. to 9:00 p.m., and allow amplified sound on Saturday July 16, from 9:00 a.m. to 9:00 p.m. for announcements and background music. This item was approved as part of the consent agenda.

22-104 Moved by Council Member Fritz, seconded by Council Member Lowe, to Approve a special event request to hold the “YMCA Coast Guard Run,” on Saturday, July 30, from 7:30 a.m. to 11:30 a.m., on city streets and through Duncan Park. This item was approved as part of the consent agenda.

22-105 Moved by Council Member Fritz, seconded by Council Member Lowe, to approve a special event request to hold the “2022 VFW Coast Guard Entertainment Tent,” to be held in City Lot #7 on Friday August 5, from 5:00 p.m. to 12:00 p.m., and Saturday, August 6, from 10:00 a.m. to 1:00 a.m., and allow amplified sound and consumption of alcohol. This item was approved as part of the consent agenda.

PUBLIC HEARINGS

The Mayor opened the public hearing, at 8:14 p.m., regarding authorization of a Michigan Natural Resource Trust Fund Application for \$100,800, and support of the financial obligations of \$33,700 (25%) of the total \$134,500 project cost, during the 2023/2024 or 2024/2025 fiscal year.

Derek Gajdos, Public Works Director, provided an overview of this project for the Public

The Mayor invited the public to provide comment, but no members of the public decided to provide public comment.

The Mayor closed the public hearing at 8:18 pm.

22-106 Moved by Council Member Fritz, second by Council Member Cummins to approve resolution to authorize a Michigan Natural Resource Trust Fund Application for \$100,800, and support the financial obligations of \$33,700 (25%) of the total \$134,500 project cost, during the 2023/2024 or 2024/2025 fiscal year and authorize the mayor and clerk to sign the necessary documents. This motion carried with all five members voting in favor on a roll call vote.

The Mayor opened the public hearing, at 8:21 p.m., regarding authorization to apply for a 2022 Michigan Department of Natural Resources Land and Water Conservation Fund grant in the amount of \$188,100, with a local match of \$188,100, for improvements to the dugouts, fencing, bleachers and parking lot at Sluka Field and authorize the mayor and clerk to sign the necessary documents.

Ashley Latsch, Assistant City Manager, provided an overview of this project for the Public

The Mayor invited the public to provide comment, but no members of the public decided to provide public comment.

The Mayor closed the public hearing at 8:23 p.m.

22-107 Moved by Council Member Fritz, second by Council Member Cummins to approve a resolution authorizing the application of a 2022 Michigan Department of Natural Resources Land and Water Conservation Fund grant in the amount of \$188,100, with a local match of \$188,100, for improvements to the dugouts, fencing, bleachers and parking lot at Sluka Field and authorize the mayor and clerk to sign the necessary documents. This motion carried with all five members voting in favor on a roll call vote.

CM Cummins asked about the budgeting process for the City's match amount, because it is a considerable amount. Ashley Latsch, responded that there would likely not be a response to this application until November and budgeting would likely be for the 23/24 or 24/25 budget.

Mayor McNally inquired about the competitiveness of the selection process and the strength of the application. Latsch responded that the City has applied for this grant in the past, but this application would be competitive.

NEW BUSINESS

22-108 Moved by Council Member Fritz, second by Council Member Cummins to approve a resolution to approve the Community Center re-branding and marketing contract with Insight Collaborative, in the amount of \$27,550 and authorize the mayor and clerk to sign the necessary documents. This motion carried with four members voting in favor and one member voting in opposition. Yes: Lowe, Cummins, Fritz, McNally. No: McLaughlin.

Char provided an overview of the selection process. Including members of the Community Center Board. Key deliverables reviewed were:

- Market research
- Brand development
- Brand guidelines
- Marketing tools
- Online reservation system
- Signage and videos

CM McLaughlin raised the issue that the proposed contract is significantly more expensive than the anticipated \$10,000. McLaughlin specifically asked if other goals will be accomplished with an overall approved budget of \$35,000. McLaughlin also asked if Insight Collaborative believes the focus on culture and the arts can bring in self-sustaining revenue and if completion from an event center at the diesel plant would be a concern. Kathleen O'Brien from Insight Collaborative responded that that branding this as a cultural center will be beneficial, but competing with an event center at the diesel plant would be a concern.

22-109 Moved by Council Member Cummins, second by Council Member Fritz to approve an introductory resolution to amend the City of Grand Haven Code of Ordinances by restating Section 9-1, regarding Penalties for Violating Construction Codes. This motion carried with all five members voting in favor on a roll call vote.

Mayor McNally asked for a reordering of the enumeration of codes in section (e) to parallel the introduction.

Moved by Council Member Fritz, second by Council Member McLaughlin to approve a resolution to:

- 1) waive past physical absence from the City of Grand Haven and failure to perform the duties of office for a period in excess of 60 days by Board of Light and Power Member Gerald Witherell, both of which are directly attributable to a qualified disability;
- 2) waive Board of Light and Power Member Witherell's failure to seek advance City Council approval for past absence and failure in duty performance, also attributable in whole or in part to a qualified disability;

- 3) authorize Gerald Witherell to retain his office as a Member of the Board of Light and Power with a term expiring November 2023; and
 - 4) authorize Board Member Gerald Witherell to remain outside the City of Grand Haven for medical and rehabilitation purposes so long as medically necessary.
- (Amended)**

Gerald Witherell provided a personal statement to the City Council over the phone.

22-110 Moved by Council Member Cummins, seconded by Council Member Lowe to amend the motion to read “Reappoint a Gerald Witherell to the automatically vacated seat on the Board of Light and Power with a term ending November 2023.” This motion carried with all five members voting in favor on a roll call vote.

22-111 Moved by Council Member Fritz, seconded by Council Member McLaughlin to reappoint a Gerald Witherell to the automatically vacated seat on the Board of Light and Power with a term ending November 2023. This motion carried with all five members voting in favor on a roll call vote.

UNFINISHED BUSINESS

Moved by Council Member McLaughlin, second by Council Member Cummins to approve a final resolution to approve an amendment to the approved Planned Development for Noto's at the Bil-Mar, located at 1223 South Harbor Drive (parcel #70-03-29-312-004), to construct a conference room/bridal lounge addition and second story deck and enclose an existing three-season patio. **(Postponed)**

22-112 Moved by Council Member Cummins, seconded by Council Member Fritz to for Council Member Lowe to abstain from voting on the issue of the amended Planned Development due to a conflict of interest. Council Member Lowe was excused from this issue by a vote of four members: Cummins, McLaughlin, Fritz, and McNally.

Council Member Lowe again disclosed that she lives in Highland Park and is a VIP member of Noto's.

Council Member Cummins asked if the City Attorney has reviewed the Planned Development amendment and if it is consistent with the consent judgment. Pat McGinnis responded that he believes this plan is consistent with the consent judgment. CM Fritz responded that he is not aware of a legal review of this Planned Development amendment.

22-113 Moved by Council Member Cummins, seconded by Council Member Fritz to postpone the consideration of the final resolution to approve the amendment to Planned Development and to ask the City Attorney to review the Consent Judgement and Proposed rooftop deck. This motion carried with four members voting in favor and one abstention. Yes: Cummins, McLaughlin, Fritz, McNally. Abstain: Lowe.

22-114 Moved by Council Member Fritz, second by Council Member Cummins to approve a resolution to identify 301 North Harbor Dr., commonly referred to as Chinook Pier, as a Permanent Vendor Location per Section 26-3 of the Grand Haven Code of Ordinances. This motion carried with all five members voting in favor on a roll call vote.

CM Lowe asked how the use of this location would be effected by the Coast Guard Festival. Ashley Latsch does not believe the Coast Guard Festival asked to use this space in 2022.

Several Members of City Council voiced concerns about generators on the site. Derek Gajdos responded with steps the City is taking to provide electricity at the location and avoid the use of generators.

22-115 Moved by Council Member McLaughlin, second by Council Member Fritz to approve a resolution in support of providing reasonable accommodation under the Americans with Disabilities Act for Elected Officials and members of Boards and Commissions. This motion carried with all five members voting in favor on a roll call vote.

CM Cummins reaffirmed his reading of a summary of a City Attorney Opinion on this issue. Kelly Beattie stated that he concurred with the summary provided by Cummins.

REPORTS BY CITY COUNCIL

CM Lowe reported on her experience at the 2022 Michigan Municipal League Capital Conference.

CM Cummins reported on the resignation of Zac VanOsdol, Human Resources Manager, and thanked Zac for his service during the last two challenging years.

CM McLaughlin reported that his vote on against awarding the community center contract to Insight Collaborative was not based on the company, but was a vote based on the contract exceeding the budget.

CM Fritz reported on his experience at the 2022 Michigan Municipal League Capital Conference and opportunities for funding, including funding for Harbor Island. Fritz also reported that the money for the community center marketing proposal was appropriated by the City Council. Fritz closed by reporting he was optimistic for the Detroit Tigers' opening day, on April 8, his birthday.

Mayor McNally reported on her experience at the 2022 Michigan Municipal League Captain Conference, including time spent with legislators regarding funding efforts at Harbor Island. McNally also reported on a court ruling regarding Duncan Park upholding the ownership of the park by the City of Grand Haven.

REPORT BY CITY MANAGER

City Welcome Sign

The City Manager reported that the City Welcome sign had messaging supporting Ukraine, including a graphic of the flag. The City Manager commented that members of the City Council had reached out to him individually in support of this action and asked for any opposition to this action, members of the City Council positively reaffirmed their support for this messaging.

Harbor Island Updates

Derek Gajdos reported on an update on the efforts of HDR regarding Harbor Island. Some key points of the report included:

- A logo and tagline: "Renew Harbor Island: Work Today, protect tomorrow" Project Update #1.
- A Communication Plan draft is underway
- The transition from Golder to HDR is going smoothly
- Virtual meeting with EGLE
- A Community Advisory Group will be established soon

April Council Meeting Schedule

Kelly Beattie reported that the, April meeting schedule different from other months and provided a reminder to the City Council and everyone in attendance.

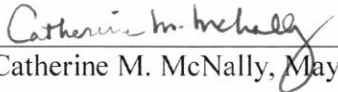
SECOND CALL TO THE AUDIENCE

Two members of the public provided public comment.

1. Doug Vance, 100 Washington, The Copper Post, raised concerns of downtown parking for the 17 residents that in apartments above The Copper Post. Vance commented that residents living at this address frequently have difficulties finding parking without having to walk considerable distance. Vance asked that the City address the parking issue specifically for the residents.
2. Marcia McGee, 700 Sheldon, thanked the City Council and the Ewings for initiating the historical marker process for Mulligan's Hollow and spoke in support of the recognition the draft text provides for the Bennetts, the first black family in Grand Haven.

ADJOURNMENT

After hearing no further business, Mayor McNally adjourned the meeting at 9:34 p.m.


Catherine M. McNally, Mayor


Kelly M. Beattie, City Clerk

**City of Grand Haven
(Ottawa County, Michigan)
Resolution No. 22-106**

The following resolution was offered by Council Member Fritz,
supported by Council Member Cummins

A resolution authorizing a Michigan Natural Resource Trust Fund Application for \$100,800, and support the financial obligations of \$33,700 (25%) of the total \$134,500 project cost, during the 2023/2024 or 2024/2025 fiscal year and authorize the mayor and clerk to sign the necessary documents.

WHEREAS, the City of Grand Haven supports the submission of an application titled "Grand Haven Boardwalk – Seating Wall & Pathway Improvements" to the Michigan Natural Resources Trust Fund for development of improved seating walls and pathways at Bicentennial Park along the Grand River Channel in Grand Haven; and,

WHEREAS, the City of Grand Haven is hereby making a financial commitment to the project in the amount of \$33,700 matching funds; and,

NOW THEREFORE, BE IT RESOLVED that the City of Grand Haven City Council hereby authorizes submission of a Michigan Natural Resources Trust Fund Application for \$100,800, and further resolves to make available its financial obligation amount of \$33,700 (25%) of a total \$134,500 project cost, during the 2023-2024 or 2024-2025 Fiscal Years.

Record of Vote


Yes: Council Members Lowe, Cummins, McLaughlin, Fritz, Mayor McNally.

No: None

Abstain: None

Absent: None


This resolution was declared adopted with five members voting in favor and no members absent, abstaining, or voting in opposition.



Kelly M. Beattie, City Clerk
City of Grand Haven

Certification

I, Kelly M. Beattie, the duly qualified and acting Clerk of the City of Grand Haven, Ottawa County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on March 21, 2022, the original of which is on file in my office at 519 Washington Ave.. Public notice of said meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan, 1976, as amended.



Kelly M. Beattie, City Clerk
City of Grand Haven

**City of Grand Haven
(Ottawa County, Michigan)
Resolution No. 22-107**

The following resolution was offered by Council Member Fritz,
supported by Council Member Cummins

A resolution authorizing the application of a 2022 Michigan Department of Natural Resources Land and Water Conservation Fund grant in the amount of \$188,100, with a local match of \$188,100, for improvements to the dugouts, fencing, bleachers and parking lot at Sluka Field and authorize the mayor and clerk to sign the necessary documents.

WHEREAS, the City of Grand Haven supports the submission of an application titled "Sluka Field Renovations" to the Michigan Department of Natural Resources Land and Water Conservation Fund for improvements to the dugouts, fencing, bleachers and parking lot at Sluka Field in Grand Haven; and,

WHEREAS, the City of Grand Haven is hereby making a financial commitment to the project in the amount of \$188,100 matching funds; and,

NOW THEREFORE, BE IT RESOLVED that the City of Grand Haven City Council hereby authorizes submission of a Michigan Department of Natural Resources Land and Water Conservation Fund Application for \$188,100, and further resolves to make available its financial obligation amount of \$188,100 (50%) of a total \$376,200 project total.

Record of Vote


Yes: Council Members Lowe, Cummins, McLaughlin, Fritz, Mayor McNally.

No: None

Abstain: None


Absent: None

This resolution was declared adopted with five members voting in favor and no members absent, abstaining, or voting in opposition.


Kelly M. Beattie, City Clerk
City of Grand Haven

Certification

I, Kelly M. Beattie, the duly qualified and acting Clerk of the City of Grand Haven, Ottawa County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on March 21, 2022, the original of which is on file in my office at 519 Washington Ave.. Public notice of said meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan, 1976, as amended.


Kelly M. Beattie, City Clerk
City of Grand Haven