

**CITY OF GRAND HAVEN
GRAND HAVEN, MICHIGAN
REGULAR CITY COUNCIL MEETING
MONDAY, JUNE 6, 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 Mike Fritz, Karen Lowe, Kevin McLaughlin, Ryan Cummins, and Mayor Cathy McNally.

Absent: None.

Others Present: City Manager Patrick McGinnis, Assistant City Manager Ashley Latsch, Interim Human Resources Manager Bonnie Susechecki, and Senior Accountant Emily Greene.

REAPPOINTMENTS

22-215 Moved by Council Member **Cummins**, seconded by Council Member **Fritz**, to approve the appointments as presented. This motion carried unanimously.

APPROVAL OF CONSENT AND REGULAR AGENDAS

22-216 Moved by Council Member **Fritz**, seconded by Council Member **McLaughlin**, to approve the consent and regular agendas, as amended. This motion carried unanimously.

Mayor McNally requested that item D on the Consent Agenda regarding the appointment of an Interim City Manager be moved to New Business.

GENERAL BUSINESS/CALL TO AUDIENCE

Mayor McNally made a call to the audience, allowing audience members to address Council on any issue.

Roger Bergman, 214 Washington, relayed to Council that he was running for a sixth term on the County Commission.

Paul Kraus, Park Township, introduced himself as a candidate for Judge for the new Ottawa County seat.

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Oliver Shampine, 309 N Lake Ave., complimented Council on the creation of the Sustainability Committee. Shampine also hoped council would vote affirmatively later in the evening on recreational marijuana.

Landon Bartley, 40 Pearl St, GR, urged Council to consider voting yes on recreational marijuana.

Ron Streng, Chair of Cemetery Board, introduced himself and expressed need for new board members.

Kelly Oosterman, 5th Street, expressed concern regarding neighbors recently burned down home; wanted update on demolition.

Doug Vanse, Copper Post, asked Council to table the paid parking resolution on the agenda.

Erica Layton, Tri-Cities Museum, introduced herself and expressed opposition to paid parking.

Chelsea McCoy, Loutit Library, introduced herself and thanked council for waiving fees of recent Library event.

Jim Hagen, 400 Lake Ave., encouraged Council to challenge the new sustainability committee and utilize the group.

Rebecca Neil, 1644 Franklin Ave., supported the adult use resolution on the agenda.

CONSENT AGENDA

22-217 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to approve the Special and Regular City Council Minutes of May 16, 2022. This motion carried unanimously.

22-218 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to approve the bills memo in the amount of \$1,057,722.91. This motion carried unanimously.

22-219 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to approve the appointment of Emily Greene as Interim Finance Director. This motion carried unanimously.

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22-220 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to establish the Linear Park Sculpture Fund within the Grand Haven Area Community Foundation for the purpose of improvements to and maintenance of sculptures and art in the park and authorize the Mayor and Interim City Clerk to execute the Organization Non-Endowed Fund Agreement. This motion carried unanimously.

22-221 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to establish the Musical Fountain Project Fund within the Grand Haven Area Community Foundation for the purpose of preserving, restoring, enhancing, promoting and caring for the Musical Fountain in Grand Haven and authorize the Mayor and Interim City Clerk to execute the Community Service Fund Letter Agreement. This motion carried unanimously.

22-222 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to establish the Grand Haven Boardwalk 25th Anniversary Fund within the Grand Haven Area Community Foundation for the purpose of construction and beautification of the Boardwalk and authorize the Mayor and Interim City Clerk to execute the Organization Non-Endowed Fund Agreement. This motion carried unanimously.

22-223 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to establish the Grand Haven Waterfront Stadium Fund within the Grand Haven Area Community Foundation for the purpose of enhancing and maintaining the waterfront stadium, as well as enhancing and maintaining the surrounding public area, located at the base of Washington Street on the Grand River Channel and authorize the Mayor and Interim City Clerk to execute the Organization Non-Endowed Fund Agreement. This motion carried unanimously.

22-224 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to establish the Officer Scott A. Flahive Memorial Fund within the Grand Haven Area Community Foundation for the purpose of enhancing the parks/programs named in Scott A. Flahives's memory and authorize the Mayor and Interim City Clerk to execute the Organization Non-Endowed Fund Agreement. This motion carried unanimously.

22-225 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to approve the Dedication of Robinson Street as an addition to the City of Grand Haven's Act 51 mapping system and authorize the Mayor and Interim City Clerk to execute the necessary documents. This motion carried unanimously.

22-226 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to approve the Decertification of 4th Street from Clinton Avenue to Franklin Avenue on the City of Grand Haven's Act 51 mapping system and authorize the Mayor and Interim City Clerk to execute the necessary documents. This motion carried unanimously.

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22-227 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to approve the Decertification of Elliott Avenue from 1st Street to 2nd Street on the City of Grand Haven's Act 51 mapping system and authorize the Mayor and Interim City Clerk to execute the necessary documents. This motion carried unanimously.

22-228 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to approve a three-year license agreement with Michelle Hanks, owner of Courtyard Concerts, for space at the Grand Trunk Depot with an annual fee of \$7,800 and annual CPI increases and authorize the Mayor and Interim City Clerk to execute the necessary documents. This motion carried unanimously.

22-229 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to accept the proposal from Abonmarche of Benton harbor, Michigan in the amount of \$81,310 to provide Preliminary/Final Design & Construction Engineering Services for Howard Avenue Water Main Replacement Project from 2nd to 4th Street and authorize the Mayor and Interim City Clerk to execute the necessary documents. This motion carried unanimously.

22-230 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to approve a contract with Police Officers Labor Council (Patrol) from July 1, 2022 – June 30, 2025 and to authorize the Mayor and Interim City Clerk's Signatures. This motion carried unanimously.

NEW BUSINESS

22-231 Moved by Council Member **McLaughlin**, seconded by Council Member **Cummins**, to approve a resolution to amend the 2022-2023 City of Grand Haven Budget to include a placeholder for an additional \$750,000 to provide resources to cover short term costs associated with closing City defined benefit pension plans and to close non-union (and union as appropriate) defined benefit plan to be replaced with a defined contribution plan for all new hires. This motion passed unanimously.

Council Member McLaughlin emphasized the importance of taking this step; acknowledging that staff are paying almost 50% of their wages in deductions with pension being a significant portion.

Mayor Pro Tem Cummins thanked staff for their patience as Council works to solve pension concerns.

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Council Member Lowe acknowledged that this was the first step in the process. She further expressed gratitude for everyone working together to get to this point.

Council Member Fritz asked if the amount was budgeted for. City Manager McGinnis explained that the resolution would set aside the funds, although he was confident Council wouldn't use it all.

22-232 Moved by Council Member **Cummins**, seconded by Council Member **Fritz**, to postpone a resolution to amend the 2022-2023 City of Grand Haven Budget to increase fees for Short-Term Rental units to \$300 per unit to offset significant public expenses applied to appointing visitor areas with exciting, beautiful spaces and for creating a structure to allow for expansive summertime programming in our beach town. The amended motion passed unanimously.

Council Member McLaughlin explained he felt this move was necessary as the City is in need of additional funding.

Council Member Lowe explained that fees for short term rentals in other municipalities similar to Grand Haven are significantly higher. Lowe emphasized that the fees are to recoup actual costs of staff time. Lowe commented that the existing fees are not sufficient.

Mayor Pro Tem Cummins expressed that he would like more time to review the attorney comments along with comparable communities.

Council Members agreed to postpone the vote; with Council Member Lowe adding she would like the attorney to also review the appropriateness of fines/fees for nonpayment.

22-233 Moved by Council Member **Cummins**, seconded by Council Member **McLaughlin**, to approve resolution to direct staff to propose a formal plan and issue a request for proposals to implement waterfront user paid parking in the spring of 2023 and to include optional plan for implementation of user paid parking in all downtown parking lots. Motion passed; in favor were Cummins, Lowe, and McLaughlin. Opposed were McNally and Fritz.

Council Member Fritz expressed opposition to any proposal for paid parking.

Council Member Lowe requested that the study include the street parking along Lake Avenue near the Cemetery.

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Mayor Pro Tem Cummins referenced the pension concerns discussed earlier in the evening, along with the rising costs of all goods and services. Cummins explained that parking is not free and that this presents an opportunity to spread the costs to visitors and not have taxpayers bear the complete burden.

Mayor McNally expressed opposition to the intent, given potential for sightline disruptions with additional signs and kiosks.

22-234 Moved by Council Member **Cummins**, seconded by Council Member **Lowe**, to approve an introductory resolution to repeal Section 9.5-38 and amend Sections 9.5-39 through 9.5-45 of the City of Grand Haven Code of Ordinances to allow and regulate certain adult use marihuana establishments. Motion passed; in favor were Cummins, Lowe, and McLaughlin. Opposed were McNally and Fritz.

Mayor McNally expressed concern about the litigious nature of these ordinances. McNally further expressed concern about the justification of the proposed buffers. She also inquired about the state of the existing three medical licensees. Further discussion was had regarding the inspection clause; McNally felt law enforcement should have authority to inspect the facility, unannounced, during business hours and after business hours if there were complaint of illegal activity.

Council Members asked clarifying questions to City Attorney Tom Forshee.

22-235 Moved by Council Member **Cummins**, seconded by Council Member **Lowe**, to approve an introductory resolution to amend Sections of the Grand Haven Zoning Ordinance to regulate medical and adult-use marihuana facilities. Motion passed; in favor were Cummins, Lowe, Fritz and McLaughlin. Opposed was McNally.

Mayor Pro Tem Cummins inquired about the buffer separations; specifically, the 2,500 ft distance between medical facilities and adult use facilities. Cummins also inquired about the fee's identified and noted the city would need to add language to the fee schedule regarding adult use facilities.

Mayor Pro Tem Cummins and Mayor McNally also pointed out an error in the chart within the proposed ordinance.

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Attorney Forshee noted that appropriate adjustments would be made prior to the second reading.

22-236 Moved by Council Member **Lowe**, seconded by Council Member **McLaughlin**, to postpone an introductory resolution to amend the City of Grand Haven Code of Ordinances by revising Chapter 19, Article II regarding Historic Conservation Districts. The amended motion passed unanimously.

Council Member Lowe reviewed the history to date of the proposed ordinance amendment. Lowe further expressed concern with wording in the proposal and requested that council postpone until the next meeting providing time to attend the next Historic Commission meeting for discussion.

22-237 Moved by Council Member **Fritz**, seconded by Council Member **Lowe**, to approve the appointment of Ashley Latsch as Interim City Manager.

Mayor McNally explained her reasoning for moving the item from consent; expressing that it was an issue worthy of discussion.

Council Member Lowe expressed her reasoning for adding the resolution to the agenda.

Mayor Pro Tem Cummins encouraged Assistant City Manager Latsch to let Council know if there's any support she needs in the interim.

UNFINISHED BUSINESS

22-238 Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve a buy-sell agreement with CL/ Lakewood to transfer ownership of the Diesel Plant Property at a sale price of \$1 million for the redevelopment of the property as a restaurant and event center and authorize the Mayor and Clerk to execute the necessary documents. This motion passed unanimously.

Mayor McNally expressed support for the Historic Commission's stance on saving not only certain facades, but the entire exterior if possible.

Council member Lowe added that while the Diesel Plant is a beautiful historic looking building, it is not identified as a historic landmark.

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REPORTS BY CITY COUNCIL

Mayor Pro Tem Cummins thanked staff for their efforts in implementing the composting sites on Harbor Island. Cummins also inquired about the process for the City Manager Search.

City Manager McGinnis responded that he will send out the RFP submissions immediately, and at that time Council could call a special meeting to discuss how to proceed.

Council agreed to set a special meeting the following Monday.

Council Member Fritz attended the airport event. Fritz noted that he also visited the imagination station recently and found a couple of concerning spots that could use repair.

Mayor McNally was at Sluka Field for Tri Cities Kid's League opening day. McNally also reported having represented the City at the Change of Command in Washington DC.

GENERAL BUSINESS/CALL TO AUDIENCE

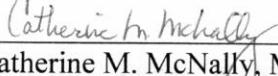
Mayor McNally made a call to the audience, allowing audience members to address Council on any issue.

Doug Vanse, Copper Post, encouraged council to consider charging an even higher fee or a tax for short term rentals.

Andrea Hendrick, 1514 Pennoyer, expressed disappointment in council member conduct.

ADJOURNMENT

After hearing no further business, Mayor McNally adjourned the meeting at 10:58 p.m.



Catherine M. McNally, Mayor



Ashley Latseh, Assistant City Manager