

**CITY OF GRAND HAVEN  
GRAND HAVEN, MICHIGAN  
REGULAR CITY COUNCIL MEETING  
MONDAY, JUNE 20, 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 Susecki, and Interim Finance Director Emily Greene.

**REAPPOINTMENTS**

**22-239** Moved by Council Member **Fritz**, seconded by Council Member **McLaughlin**, to approve the reappointments as presented. This motion carried unanimously.

**APPOINTMENTS**

**22-240** Moved by Council Member **Fritz**, seconded by Council Member **Cummins**, to approve the appointments as presented. This motion carried unanimously.

**APPROVAL OF CONSENT AND REGULAR AGENDAS**

Moved by Council Member **Fritz**, seconded by Council Member **Cummins**, to approve the consent and regular agendas, as presented.

**22-241** Moved by Council Member **McLaughlin**, seconded by Council Member **Cummins**, to approve the consent and regular agendas, as amended. Motion passed; in favor were Cummins, Lowe, and McLaughlin. Opposed were McNally and Fritz.

City Manager McGinnis requested the addition of a fee waiver for the Noah Ferry Celebration being held on November 12, 2022 to be placed on the consent agenda.

**Regular City Council Meeting**

**June 20, 2022**

**Page 2**

Council Member McLaughlin requested that item 13A be removed from New Business given recent legal opinion that City Council lacks the authority to take such action.

Mayor Pro Tem Cummins prompted City Attorney Ron Bultje for further advice. Bultje explained the Charter does not give Council proper authority. Bultje added the matter was one for civil court.

**GENERAL BUSINESS/CALL TO AUDIENCE**

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

**Kelly Larson, *Owner of Fortinos***, gave an overview of her shops and the role they play in the community. Larson thanked council for approving her lease extension on the agenda.

**Jeff Miller, *1120 South Harbor***, expressed gratitude that item 13A was removed from the agenda, as he felt it was inappropriate.

**Pete Stalzer, *Middleville MI***, expressed frustration to Council regarding his experience with staff regarding his pig roast event.

**Doug Vanse, *100 Washington***, requested that council waive fees and or parking fines for his residents.

**Steve Rockman, *11570 Oak Grove Road***, added that he supports the NOTO's proposal on the agenda.

**John Simeon, *1535 Beechtree Commons***, voiced support for retail recreational marijuana.

**Rebecca Neil, *1644 Franklin Avenue***, expressed frustration and disappointment in statements made at the previous Council Meeting regarding her business.

**Elizabeth Pell, *407 Ohio***, asked that the Mayor work with her fellow Council Members.

**Oliver Shampine, *309 North Lake Avenue***, asked the Mayor to address Council Members directly versus publicly.

**Jared Cramer, *11575 Oak Grove***, complimented City Manager Pat McGinnis on his time in Grand Haven. Cramer also hoped Council would approve their request to close Columbus for the Fiesta later on the agenda.

**Regular City Council Meeting**

**June 20, 2022**

**Page 3**

**Reyna Masko, 513 Woodlawn**, co-chair of the Hispanic Heritage Fiesta requested Council consider closing Columbus in their event approval later on the agenda.

**Ashley, 100 Washington**, resident above Copper Post, expressed concern about parking downtown, and would like a dedicated spot.

**Jim Hagen, 400 Lake**, presented Council with an airport report for the Sustainability Committee's review.

**Tina McGinnis, 1335 Oakes Avenue**, for the record, expressed that in their 19 years being a part of the community, Pat McGinnis' heart has always been in the right place; and that he loves the City of Grand Haven beyond measure. McGinnis thanked the community for their support, and thanked Pat for his selfless dedication to the community.

**Nicole Vandenberg, 16814 Virginia Avenue**, stated water bill information was publicly available and that she verified the Mayor's water use claims regarding another Council Member.

**Laurie Birdsall, Wyoming MI, Attorney of Laurie Kelley**, expressed once more why the consent judgement is binding for Noto's.

**Doug Van Essen, Attorney representing Noto's**, responded to Mrs. Birdsall's claims regarding the consent judgement.

**CONSENT AGENDA**

**22-242** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve the Special and Regular City Council Minutes of June 6, 2022. This motion carried unanimously.

**22-243** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve the bills memo in the amount of \$484,894.20 (Attachment A.) This motion carried unanimously.

**22-244** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve a three-year license agreement extension from October 10, 2022 through October 10, 2025, for the tenants currently occupying the Grand Trunk Depot; Temptations, Grand Haven Beach Company, and Peace Frogs and to authorize the Mayor and Interim City Clerk's Signatures. This motion carried unanimously.

**Regular City Council Meeting**

**June 20, 2022**

**Page 4**

**22-245** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve a three-year agreement with Seven Steps Up LLC to co-promote four concerts per year at the Lynne Sherwood Waterfront Stadium and authorize the Mayor and Interim City Clerk to execute the necessary documents. This motion carried unanimously.

**22-246** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve the terms of a new three-year contract renewal with Grand Haven RC Flying Club, Grand Haven, MI in the amount of \$300 annually and to authorize the Mayor and Interim City Clerk's Signatures. This motion carried unanimously.

**22-247** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve a policy renewal for property and liability insurance coverage through the Par Plan administered by Municipal Underwriters of Michigan, Inc. in the amount of \$182,742 for a one-year period beginning July 1, 2022. This motion carried unanimously.

**22-248** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve a one-year lease renewal with Life Church of Grand Haven, MI for the use of the annex building located at 18 N. 5th Street and to authorize the Mayor and Interim City Clerk's Signatures. This motion carried unanimously.

**22-249** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve a contract with the Police Officers Labor Council (Command) from July 1, 2022– June 30, 2025 and authorize the Mayor and Interim City Clerk's signatures. This motion carried unanimously.

**22-250** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve a contract with the Service Employees International Union (SEIU Local 517M) from July 1, 2022 – June 30, 2025 and authorize the Mayor and Interim City Clerk's signatures. This motion carried unanimously.

**22-251** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve a resolution to sign MERS Defined Contribution Plan Adoption Agreements for Non-Union, SEIU, POLC-C and POLC-P New Hires and to authorize the Mayor and Interim City Clerk's Signatures. This motion carried unanimously.

**22-252** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve a ten-year license agreement renewal with the Ottawa County Department of Public Health for the operation of an Environmental Sustainability Center located at 16850 Comstock, with an annual fee of \$1,800 and to authorize the Mayor and Interim City Clerk's Signatures. This motion carried unanimously.

**Regular City Council Meeting**

**June 20, 2022**

**Page 5**

**22-253** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve the 2022 Armory Anniversary Party, to be held on Saturday, September 10 from 2:00 p.m. to 10:00 p.m., in the parking lot on Franklin/2nd, and to allow alcohol and amplified sound. This motion carried unanimously.

**22-254** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve the recurring Art on the Riverfront event, to be held on Saturday, August 20, 2022 from 10:00 a.m. to 5:00 p.m. in the marina green space, including 22 parking spaces. This motion carried unanimously.

**22-255** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve Emily Greene as Finance Director for the City of Grand Haven. This motion carried unanimously.

**22-256** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve budget amendments for the General Fund (Fund 101), Major Streets Fund (Fund 202) and Local Streets Fund (Fund 203). This motion carried unanimously.

**22-257** Moved by Council Member **McLaughlin**, seconded by Council Member **Fritz**, to approve partnering on the National Fish and Wildlife Foundation grant submitted by Ottawa County and pledge \$150,000 in matching funds for this project through the work being done by HDR Environmental Services. This motion carried unanimously.

Mayor Pro Tem Cummins asked for clarification that the Union Contract on the agenda was updated to reflect wage increases of 3% for 3 years. Cummins further thanked staff and the unions for the significant undertaking that was wrapping up the contracts and closing the defined benefit plan.

Mayor McNally noted that she was grateful for item P on the agenda, and the partnership with the County to make progress on the future of Harbor Island.

Council Member Fritz thanked Interim HR Manager Bonnie Schecki for the support she has provided in the previous two months.

#### **NEW BUSINESS**

**22-258** Moved by Council Member **Fritz**, seconded by Council Member **Cummins**, to approve a resolution to approve the recurring Grand Haven Hispanic Heritage Fiesta, to be held at Lynne Sherwood Waterfront Stadium on Friday, September 16, 2022 from 5:00 p.m. to 9:00 p.m., and to allow amplified sound and consumption of alcohol; and Saturday, September 24, 2022, in Central Park from 11:00 a.m. to 10:30 p.m., and to allow street closures, the fencing of Central Park, consumption of alcohol and amplified sound. This motion carried unanimously.

Council Members Fritz and Cummins noted that the City had closed a portion of Columbus before and that they supported the closure for this purpose.

Council Member Lowe didn't believe it set any precedent to close Columbus.

Mayor McNally added that the time of year the event was being held provided less challenges.

#### **UNFINISHED BUSINESS**

**22-259** Moved by Council Member **Fritz**, seconded by Council Member **McLaughlin**, to approve 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). The proposed amendment is to construct a conference room/bridal lounge addition and second story deck and enclose an existing three-season patio. Motion failed; in favor were Fritz and McLaughlin. Opposed were Cummins and McNally. Abstained was Lowe.

Mayor Pro Tem Cummins expressed concern about ongoing property issues being addressed prior to site plan approval.

Attorney Bultje reminded Council that the amendment was the only concern before council tonight.

Manager McGinnis added that there were no formal complaints received regarding the property.

**22-260** Moved by Council Member **Cummins**, seconded by Council Member **McLaughlin**, to approve final 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 and amend the 2022/2023 budget to add Adult Use fees of \$5,000 for application and renewal fees, consistent with the fees charged for Medical Marijuana

**Regular City Council Meeting**  
**June 20, 2022**  
**Page 7**

Facilities. Motion passed; in favor were Cummins, Lowe, and McLaughlin. Opposed were McNally and Fritz.

Mayor Pro Tem Cummins inquired with Attorney Forshee if any changes were made between readings.

Forshee responded that there was the addition of a few commas, and that further clarification was made to existing medical facilities in regard to buffers.

Council Member Fritz thanked the Planning Commission for taking their time and evaluating the ordinance ahead of time.

**22-261** Moved by Council Member **McLaughlin**, seconded by Council Member **Lowe**, to approve final resolution to amend Sections 40-201.01, 40- 201.07, 40-201.16, 40-201.19, 40-402.01, 40-411.02.b., 40-413.02.b., 40-413.03, 40- 414.02.b., 40-415.02.b., 40-416.02.b., 40-417.02.b., 40-419.02.b., 40-420.02.b. and Section 40-543a 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.

Manager McGinnis reviewed the zoning buffers.

Mayor McNally inquired how the lottery would work.

Attorney Forshee explained the manager has the authority to decide and set the procedure.

#### **REPORTS BY CITY COUNCIL**

Council Member Fritz thanked City Manager McGinnis for his dedication to the City over his 19-year career; complimenting the quality of work McGinnis provided.

Council Member McLaughlin wished City Manager McGinnis well in his next experience.

Mayor Pro-Tem Cummins commented that he has learned a lot from City Manager McGinnis and has always appreciated his availability and constant positive outlook. Cummins complimented his ability to collaborate with others.

Council Member Lowe thanked City Manager McGinnis for his service. Lowe also commented on the agenda item regarding her earlier in the meeting and encouraged that if there are further concerns, they should be brought forward outside of City Council meetings and put to rest.

**Regular City Council Meeting**  
**June 20, 2022**  
**Page 8**

Mayor McNally also thanked City Manager McGinnis for his service and reminded everyone to attend his party later in the week.

**REPORT BY CITY MANAGER**

City Manager McGinnis reported on the Sustainability and Energy Commission. McGinnis also noted that Council should consider closing on Juneteenth next year.

**GENERAL BUSINESS/CALL TO AUDIENCE**

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

**Laurie Birdsall, Attorney for Laurie Kelly**, spoke against the Noto's proposal.

**Greg Taylor, 401 Lake Avenue**, thanked City Manager McGinnis for his service.

**Laurie Kelley, 1813 Dorris**, noted that she had used SeeClickFix to complain about Noto's prior.

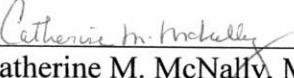
**Doug Vanse, Copper Post**, complimented City Manager McGinnis' long career. Vanse also raised issue with parking downtown.

**Molly McGinnis, 1119 Slayton**, emphasized that the incredible community that all enjoy today was largely built by City Manager Pat McGinnis. Molly thanked Pat for what he has meant to her, and the community.

**Mike VanTubergan, 1918 Pine Court**, thanked City Manager McGinnis for his service; and also thanked his wife Tina for her service to the Schools and the Community.

**ADJOURNMENT**

After hearing no further business, Mayor McNally adjourned the meeting at 10:15 p.m.

  
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Catherine M. McNally, Mayor

  
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Ashley Latsch, Assistant City Manager

Regular City Council Meeting  
 June 20, 2022  
 Page 9

Attachment A

To: Patrick McGinnis, City Manager  
 From: Emily Greene, Interim Finance Director  
 CM Date: 06.20.22  
 RE: Bills From Payables Warrant

FUND NUMBER	FUND NAME	WARRANT 06.08.22	WARRANT 06.15.22	ACH WARRANT 06.15.22	CREDIT CARD WARRANT 06.14.22	TOTALS
101	General Fund	\$52,962.61	\$58,393.41	\$27,485.23	\$8,677.53	\$147,518.78
202	Major Street Fund	\$946.04	\$1,524.93	\$6,797.60	\$10.64	\$9,279.21
203	Local Street Fund	\$99.99	\$274.12	\$5,513.65	\$0.00	\$5,887.76
225	Land Acquisition Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
236	Main St Dist Dev	\$403.38	\$0.00	\$0.00	\$3,693.74	\$4,097.12
251	Econ. Dev. Corp. Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
252	Brownfield Redevelopment Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
252	<b>BRA Peerless Flats EGLE Loan</b>	\$0.00	\$0.00	<b>\$5,842.18</b>	\$0.00	<b>\$5,842.18</b>
253	Brid LSRRF TIF	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
254	Downtown TIF	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
255	GLTIF Spec Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
256	UTGO Inf Spec Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
257	LTGO Bond Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
258	2015 UTGO Bond Rev	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
275	Housing Fund	\$0.00	\$1,781.21	\$0.00	\$15.89	\$1,797.10
276	LightHouse Maintenance Fund	\$858.54	\$0.00	\$0.00	\$0.00	\$858.54
278	Community Land Trust	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
310	Assessment Bond Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
351	Operating Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
352	Brownfield TIF Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
353	Downtown TIF Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
355	GLTIF Debt Serv Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
356	UTGO Inf Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
357	LTGO Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
358	2015 UTGO Bond Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
360	2020 LTGO Bond - Warber Drain	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
369	Building Auth Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
401	Public Improvements Fund	\$0.00	\$2,192.06	\$188.74	\$0.00	\$2,380.80
402	Fire Truck Replacement Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
403	Brownfield TIF Const	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
404	Downtown TIF Const.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
455	G/L TIF Construction Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
456	UTGO Inf Construction Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
457	LTGO Bond Construction Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
458	2015 UTGO Bond Inf Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
469	Building Auth. Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
508	North Ottawa Rec Authority	\$0.00	\$0.00	\$0.00	<b>\$762.19</b>	<b>\$762.19</b>
581	Airpark Fund	\$16,584.82	\$101.04	\$366.80	\$0.00	\$17,052.66
582	Chinook Pier Rental Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
590	City Sewer Fund	\$5,500.13	\$1,800.72	\$6,474.17	\$0.00	\$13,775.02
591	City Water Fund	\$62,254.78	\$1,187.31	\$14,587.55	\$39.54	\$78,069.18
594	City Marina Fund	\$2,807.84	\$5,760.59	\$0.00	\$88.09	\$8,456.52
597	City Boat Launch Fund	\$15.00	\$160.00	\$0.00	\$0.00	\$175.00
661	Motorpool Fund	\$1,326.44	\$1,418.97	\$24,130.41	\$299.55	\$27,175.37
677	Self Insurance Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
678	Retirement Health Fund	\$40,779.65	\$0.00	\$0.00	\$0.00	\$40,779.65
679	Health Benefit Fund	\$1,039.29	\$0.00	\$0.00	\$0.00	\$1,039.29
701	Trust & Agency Fund	\$19,779.80	\$0.00	\$0.00	\$0.00	\$19,779.80
703	Tax Collection Fund	\$11,565.32	\$0.00	\$439.45	\$0.00	\$12,004.77
711	Cemetery Fund	\$0.00	\$900.00	\$0.00	\$0.00	\$900.00
750	Payroll Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
800	Sewer Authority Operations	\$3,082.31	\$34,954.22	\$5,680.25	\$196.90	\$43,913.68
800	Sewer Authority SL Force Mn	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
800	Sewer Authority Plant Mod	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
800	GH/SL SA-2013 Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
800	GH/SL SA-SLPS/Force Main Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
800	GH/SL SA-Local Lift Station Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
800	GH/SL SA-2018 Plant Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
810	NOWS Operating	\$40,774.87	\$1,942.46	\$583.25	\$49.00	\$43,349.58
810	NOWS Plant Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
810	NOWS Replacement	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
		<b>\$260,580.81</b>	<b>\$112,391.04</b>	<b>\$98,089.28</b>	<b>\$13,833.07</b>	<b>\$484,894.20</b>

Tonight, City Council will be approving, subject to audit, bills for this period, totaling as follows:

\$484,894.20 Total Approved Bills

\$53,823.71 Minus eligible bills for release without prior approval: including Utility,

\$431,070.49 Retirement, Insurance, Health Benefit, and Tax Collection Funds