

**CITY OF GRAND HAVEN  
GRAND HAVEN, MICHIGAN  
REGULAR CITY COUNCIL MEETING  
MONDAY, SEPTEMBER 18, 2023**

The Regular Meeting of the Grand Haven City Council was called to order at 7:30 p.m. by Mayor Catherine M. McNally in the Council Chambers of City Hall, 519 Washington Ave.

**Present:** Council Members Mike Fritz, Karen Lowe, Kevin McLaughlin, Mayor Pro-tem Ryan Cummins, and Mayor Catherine McNally.

**Absent:**

**Others Present:** City Manager Ashley Latsch, City Clerk Maria Boersma, City Attorney Ron Bultje, Assistant City Manager Tim Price, Department of Public Works Director Derek Gajdos, and City Planner Brian Urquhart.

**INVOCATION/PLEDGE OF ALLEGIANCE**

Reverend Emmett Brown, Trinity Reformed Church of Grand Haven.

**APPOINTMENTS TO BOARDS & COMMISSIONS**

**APPROVAL OF CONSENT AND REGULAR AGENDAS**

**23-238** Council Member **Lowe** moved, seconded by Council Member **McLaughlin** to approve the agendas as presented.

Roll Call Vote:

**This motion carried unanimously.**

**FIRST CALL TO AUDIENCE**

**Randy Boreson, GHT:** Commented on the Board of Light and Power Charter Proposal.

**Jim Hagen, 400 Lake:** Commented on the re-roofing project for the RV Terrell building and solar projects in the city.

**Cecil Bradshaw, 31 Sherman Ave:** Commented on the Board of Light and Power Charter Proposal.

**Sarah Schwartz, 202 S 7th St:** Commented on the Board of Light and Power Whistleblower Resolution and the Charter Proposal.

**Dave Walters, General Manager of the Board of Light and Power:** Commented on the Board of Light and Power Whistleblower Resolution and his own whistleblower allegations against the Board of Light and Power.

**Mack Davis:** Thanked Mayor McNally for her service.

**Todd Crum, 415 Sandpiper:** Commented on the Board of Light and Power Whistleblower Resolution.

**Mike Westbrook, Chairman of the Board of Light and Power:** Commented on the Board of Light and Power Whistleblower resolution.

**Jeffrey Miller, 1120 S Harbor Dr:** Commented on the Board of Light and Power Whistleblower Resolution.

**Gerri McCaleb, West Olive:** Commented on the Board of Light and Power Whistleblower Resolution.

#### **CONSENT AGENDA**

**23-239** Approve the council special work session minutes, regular meeting minutes, and closed session minutes of August 21, 2023; special council meeting minutes of August 30, 2023; and special work session meeting minutes, regular meeting minutes and closed session meeting minutes of September 5, 2023.

**23-240** Approve the bills memo in the amount of \$4,301,004.55.

**Attachment A**

Council Member **McLaughlin** moved, seconded by Mayor Pro-tem **Cummins** to approve the Consent Agenda.

Roll Call Vote:

**This motion carried unanimously.**

#### **NEW BUSINESS**

**23-241** Mayor Pro-tem **Cummins** moved, seconded by Council Member **McLaughlin** to approve a resolution to award the low bid contract with Diekever's Roofing Inc. of Grand Rapids Michigan, in the not-to-exceed amount of \$339,046.00 for the replacement of the roof of the RV Terrill Building located at 1120 Jackson Street and authorize the Mayor and the City Clerk to execute the necessary documents.

Roll Call Vote:

**This motion carried unanimously.**

23-242 Council Member McLaughlin moved, seconded by Council Member Lowe to approve a resolution to seek an independent investigation into whistleblower allegations concerning the Board of Light and Power.

**Attachment B**

Roll Call Vote:

Ayes: McLaughlin, Lowe, Cummins.

Nays: Fritz, McNally.

**This motion carried.**

#### **UNFINISHED BUSINESS**

23-243 Council Member Fritz moved, seconded by Mayor Pro-tem Cummins to approve a final resolution to amend the zoning map, rezoning 626 Columbus Ave. (parcel #70-03-21-353-002) from Old Town (OT) to Neighborhood Mixed-Use (NMU) and within the Centertown Overlay District.

**Attachment C**

Roll Call Vote:

**This motion carried unanimously.**

#### **REPORT BY CITY COUNCIL**

Mayor Pro-tem Cummins thanked Attorney General Dana Nessel for her visit to Grand Haven, city staff for their work on the Boards & Commissions Open House, and Clerk Boersma for her advocacy of the Early Voting Agreement. Mayor Pro-tem Cummins shared that he emailed the Ottawa County Board of Commissioners with concerns over budget cuts to the Health Department.

Council Member Lowe thanked Clerk Boersma. Council Member shared what an honor it was to carry the banner with Council Member Fritz during the Hispanic Heritage Fiesta Parade.

Council Member Fritz shared a similar sentiment as Council Member Lowe in regards to carrying the banner during the Hispanic Heritage Fiesta. Council Member Fritz thanked Clerk Boersma. Council Member Fritz expressed his disappointment in the amount the City Attorney is being used, and wished Council would have more trust in city staff to conduct business.

Mayor McNally thanked city staff for organizing the Boards and Commissions Open House. Mayor McNally also shared her gratitude to all of the volunteers to the Boards and Commissions and their donation of time and talent. Mayor McNally thanked Clerk Boersma.

## CITY CLERK REPORT

City Clerk Maria Boersma gave an update on the Early Voting Agreement between the local municipalities and the Ottawa County Clerk's Office.

## CALL TO AUDIENCE SECOND OPPORTUNITY

**Cecil Bradshaw, 31 Sherman Ave:** Commented on Board of Light and Power Whistleblower Resolution.

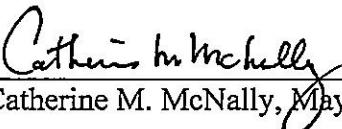
**Dave Walters, Board of Light and Power General Manager:** Commented on Board of Light and Power Whistleblower Resolution.

**Jim Hagen, 400 Lake:** Commented on Board of Light and Power Whistleblower Resolution.

**Gerri McCaleb, West Olive:** Commented on Board of Light and Power Whistleblower Resolution.

## ADJOURNMENT

After hearing no further business, Mayor McNally adjourned the meeting at 9:17 p.m.

  
\_\_\_\_\_  
Catherine M. McNally, Mayor

  
\_\_\_\_\_  
Maria Boersma, City Clerk

Attachment A

To: Ashley Latsch, City Manager  
 From: Emily Greene, Finance Director  
 CM Date: 09.18.23  
 RE: Bills From Payables Warrant

OLD FUND NUMBER	NEW FUND NUMBER	FUND NAME	ACH		ACH		CREDIT CARD		VOIDS	TOTALS
			WARRANT 09.08.23	WARRANT 09.08.23	WARRANT 09.13.23	WARRANT 09.13.23	WARRANT 09.12.23	WARRANT 09.12.23		
101		General Fund	\$78,829.52	\$0.00	\$66,583.89	\$40,097.75	\$11,331.44	\$40,305.06	\$156,517.54	
202		Major Street Fund	\$15,061.06	\$0.00	\$10,523.51	\$16.49	\$80.00	\$953.16	\$24,727.90	
203		Local Street Fund	\$3,793.31	\$0.00	\$24.22	\$16.48	\$0.00	\$0.00	\$3,834.01	
225		Land Acquisition Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
236	248	Main St Dist Dev	\$951.08	\$0.00	\$0.00	\$0.00	\$279.73	\$0.00	\$1,230.81	
251	244	Econ. Dev. Corp. Fund	\$59.76	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$59.76	
252	243	Brownfield Redevelopment Fund	\$0.00	\$0.00	\$0.00	\$5,369.45	\$0.00	\$0.00	\$5,369.45	
252	243	BRA Peerless Flats EGLE Loan	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
253	242	Brid LSRRF TIF	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
254	245	Downtown TIF	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
255	246	GLTIF Spec Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
256	272	UTGO Inf Spec Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
257	273	LTGO Bond Rev Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
258	274	2015 UTGO Bond Rev	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
275	535	Housing Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
276		LightHouse Maintenance Fund	\$0.00	\$0.00	\$0.00	\$3,475.20	\$0.00	\$0.00	\$3,475.20	
278		Community Land Trust	\$0.00	\$0.00	\$0.00	\$0.00	\$20.00	\$0.00	\$20.00	
310		Assessment Bond Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
351		Operating Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
352		Brownfield TIF Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
353	394	Downtown TIF Debt	\$0.00	\$0.00	\$0.00	\$415,982.85	\$0.00	\$0.00	\$415,982.85	
355		GLTIF Debt Serv Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
356	372	UTGO Inf Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
357	373	LTGO Debt	\$0.00	\$0.00	\$0.00	\$44,500.00	\$0.00	\$0.00	\$44,500.00	
358	374	2015 UTGO Bond Debt Fund	\$0.00	\$0.00	\$0.00	\$90,000.00	\$0.00	\$0.00	\$90,000.00	
360	384	2020 LTGO Bond - Warber Drain	\$0.00	\$0.00	\$0.00	\$9,488.75	\$0.00	\$0.00	\$9,488.75	
369		Building Auth Debt Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
401		Public Improvements Fund	\$11,396.92	\$0.00	\$0.00	\$40,180.99	\$0.00	\$0.00	\$51,577.91	
402		Fire Truck Replacement Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
403		Brownfield TIF Const	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
404		Downtown TIF Const.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
410		Harbor Island	\$0.00	\$0.00	\$0.00	\$44,411.84	\$394.14	\$0.00	\$44,805.98	
455		G/L TIF Construction Fund	\$0.00	\$0.00	\$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	\$0.00	\$0.00	
457		LTGO Bond Construction Fund	\$0.00	\$0.00	\$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	\$0.00	\$0.00	
469		Building Auth. Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
508		North Ottawa Rec Authority	\$0.00	\$0.00	\$0.00	\$1,362.37	\$0.00	\$0.00	\$1,362.37	
581		Airport Fund	\$967.83	\$0.00	\$1,106.48	\$435.70	\$0.00	\$967.83	\$1,542.18	
582	572	Chinook Pier Rental Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
590		City Sewer Fund	\$2,243.26	\$0.00	\$1,083.60	\$43.10	\$16.91	\$1,823.40	\$1,563.47	
591		City Water Fund	\$5,961.38	\$0.00	\$104,718.75	\$365.94	\$369.99	\$184.31	\$111,231.75	
594		City Marina Fund	\$4,788.65	\$0.00	\$5,262.87	\$0.00	\$54.30	\$3,828.70	\$6,277.12	
597		City Boat Launch Fund	\$0.00	\$0.00	\$160.00	\$0.00	\$0.00	\$0.00	\$160.00	
661		Motorpool Fund	\$10,647.47	\$0.00	\$1,628.47	\$22,529.49	\$37.94	\$0.00	\$34,843.37	
677		Self Insurance Fund	\$0.00	\$0.00	\$53,672.00	\$0.00	\$0.00	\$0.00	\$53,672.00	
678		OPEB/Retiree Benefits Fund	\$0.00	\$0.00	\$36,800.59	\$0.00	\$0.00	\$0.00	\$36,800.59	
679		Health Benefit Fund	\$0.00	\$0.00	\$91.80	\$0.00	\$0.00	\$0.00	\$91.80	
701		Trust & Agency Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
703		Tax Collection Fund	\$2,679,110.68	\$125,245.87	\$39,522.39	\$0.00	\$0.00	\$0.00	\$2,844,278.92	
711	151	Cemetery Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
750	704	Payroll Fund	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
800	509	Sewer Authority Operations	\$138,673.54	\$0.00	\$18,237.14	\$1,437.01	\$18.00	\$17,189.38	\$141,176.31	
800	509	Sewer Authority SL Force Mn	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
800	509	Sewer Authority Plant Mod	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
800	509	GH/SL SA-2013 Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
800	509	GH/SL SA-SLPS/Force Main Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
800	509	GH/SL SA-Local Lift Station Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
800	509	GH/SL SA-2018 Plant Debt	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
810	510	NOWS Operating	\$61,300.88	\$0.00	\$59,306.35	\$620.21	\$0.00	\$58,726.39	\$62,501.05	
810	510	NOWS Plant Debt	\$121,403.16	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$121,403.16	
810	510	NOWS Replacement	\$32,512.30	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$32,512.30	

\$3,167,700.78 \$125,245.87 \$399,102.06 \$718,969.25 \$13,964.82 \$123,978.23 \$4,301,004.55

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

Total Approved Bills  
 Minus eligible bills for release without prior approval: Including Utility, Retirement, Insurance, Health Benefit, and Tax Collection Funds

**Attachment B**

**CITY OF GRAND HAVEN  
COUNTY OF OTTAWA  
STATE OF MICHIGAN**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION TO SEEK AN INDEPENDENT INVESTIGATION  
INTO WHISTLEBLOWER ALLEGATIONS CONCERNING  
THE BOARD OF LIGHT AND POWER**

Council Member \_\_\_\_\_ offered the following resolution and moved for its adoption, seconded by Council Member \_\_\_\_\_:

**RECITALS**

WHEREAS, the Grand Haven City Charter (“Charter”) designates the city's electric utility facilities and services as a department of the city government;

WHEREAS, the Charter states, subject to the general direction of the City Council, the Board of Light and Power (the “BLP”) shall have charge of the city's electric services, and shall organize and conduct the affairs of the city's systems for the generation, purchase, and distribution of electric light and power in a manner consistent with the best practices therefore;

WHEREAS, the Charter states that upon the city attorney's recommendation, or upon its own initiative, the City Council may provide for an assistant to the city attorney and may retain special legal counsel to handle any matter in which the city has an interest, or to assist the city attorney.

WHEREAS, a BLP employee, through their attorney, has come forward as a whistleblower (the “whistleblower”) to the city attorney, alleging misconduct by the BLP including, but not limited to, the following:

- i. After receiving a Freedom of Information Act (“FOIA”) request, the BLP coordinated an attempt to delete e-mail records related to the request;
- ii. The BLP considered and decided to pursue the permanent deletion of documents and e-mail records to avoid disclosure per FOIA;
- iii. The BLP has repeated false and misleading statements to its employees regarding a proposed Charter amendment;
- iv. The BLP has at least attempted to avoid compliance with the requirements of the Open Meetings Act;
- v. The BLP has pressured employees to sign a letter, to contribute funds, and to distribute door signs, all opposed to the proposed Charter amendment;

WHEREAS, the city attorney has received evidence from the whistleblower to at least tentatively support these claims; and

Draft Date  
09/14/2023

WHEREAS, the City Council has been advised by the city attorney that recent BLP presentations and mailings regarding a proposed Charter amendment may have included illegal statements under the Michigan Election Law.

NOW, THEREFORE, BE IT RESOLVED that:

1. If true, the allegations against the BLP may be violations of criminal and civil laws. The City has an interest in these allegations being thoroughly and independently investigated.
2. The City Council wishes to retain special legal counsel and directs the City Manager to recommend an independent attorney, excluding the city attorney, to conduct an investigation into all whistleblower allegations and possible violations of Michigan Election Law by the BLP. The independent attorney need not be an attorney with the firm of Dickinson Wright PLLC.
3. The city attorney shall notify the Michigan Attorney General of all whistleblower allegations and suspected violations of Michigan Election Law.
4. The whistleblower shall receive all protections afforded to them by law and shall not be retaliated against in any way.
5. All resolutions and parts of resolutions in conflict herewith are, to the extent of such conflict, repealed.

YEAS: Council Members: \_\_\_\_\_

NAYS: Council Members: \_\_\_\_\_

ABSTAIN: Council Members: \_\_\_\_\_

ABSENT: Council Members: \_\_\_\_\_

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023

**CITY OF GRAND HAVEN**

BY: \_\_\_\_\_  
Catherine McNally, Mayor

BY: \_\_\_\_\_  
Maria Boersma, City Clerk

**Attachment C**

**CITY COUNCIL  
CITY OF GRAND HAVEN  
OTTAWA COUNTY, MICHIGAN**

Councilmember \_\_\_\_\_, supported by Councilmember \_\_\_\_\_, moved  
the adoption of the following Ordinance:

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE ZONING MAP**

**THE CITY OF GRAND HAVEN ORDAINS:**

**Section 1.** Amendment to Zoning District Map of the City of Grand Haven. The Zoning District Map approved January 4, 2021 is hereby amended by rezoning 626 Columbus Ave. (parcel #70-03-21-353-002) from OT, Old Town District to NMU, Neighborhood Mixed Use District and within the Centertown Overlay District.

**Section 2.** Effective Date. This Ordinance shall take effect twenty (20) days after its adoption or upon its publication in a newspaper of general circulation in the City, whichever occurs later.

**YEAS:** Councilmember(s) \_\_\_\_\_

**NAYS:** Councilmember(s) \_\_\_\_\_

**ABSTAIN:** Councilmember(s) \_\_\_\_\_

**ABSENT:** Councilmember(s) \_\_\_\_\_

**APPROVED:** \_\_\_\_\_, 2023

I certify that this ordinance was adopted at a meeting of the Grand Haven City Council held on \_\_\_\_\_, 2023.

Maria Boersma, City Clerk

Introduced: \_\_\_\_\_

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_

Effective: \_\_\_\_\_