

**CITY OF GRAND HAVEN  
GRAND HAVEN, MICHIGAN  
RESCHEDULED CITY COUNCIL MEETING  
MONDAY, MARCH 29, 2010**

The Rescheduled Meeting of the Grand Haven City Council was called to order at 7:32 p.m. by Mayor Roger A. Bergman in the Council Chambers of City Hall.

**Present:** Council Members Bob Monetza, Dennis Scott, Mike Fritz, and Mayor Roger A. Bergman.

**Absent:** Council Member Edward Nieuwenhuis, excused.

**Others Present:** City Manager Patrick McGinnis, City Clerk Linda L. Niotis, City Attorney Scott Smith, Facilities Manager Dan Vivian, Water Plant Manager Joe Vanderstel, Acting Public Works Director Julie Beaton, Finance Director James Bonamy, City Engineer Brian Vilmont, and Public Safety Sergeant Mike Ercole.

**INVOCATION/PLEDGE OF ALLEGIANCE**

The invocation was given by Mayor Roger Bergman and was followed by the Pledge of Allegiance as led by Mayor Bergman.

**APPROVAL OF CONSENT AND REGULAR AGENDAS**

**10-103** Moved by Council Member **Fritz**, seconded by Council Member **Monetza**, to adopt the consent and regular agendas, as presented. This motion carried unanimously.

**GENERAL BUSINESS/CALL TO AUDIENCE**

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

Mr. John Ringelberg, 204 N. Harbor, hoped that Council would consider an alternate location for the Rotary Club's interactive water feature, so that it would not create the loss of any more green space on the waterfront.

**CONSENT AGENDA**

**10-104** Moved by Council Member **Fritz**, seconded by Council Member **Scott**, to approve special work session and regular meeting minutes of March 15, 2010. This motion carried unanimously.

**10-105** Moved by Council Member **Fritz**, seconded by Council Member **Scott**, to approve the bills for the period, totaling \$446,657.93. This motion carried unanimously. (Attachment A)

**10-106** Moved by Council Member **Fritz**, seconded by Council Member **Scott**, to approve the Community Service Fund Letter Agreement with the Grand Haven Area Community Foundation to establish a temporary fund for the North Ottawa Fallen Heroes Memorial Fund and authorize the Mayor and City Clerk to execute this agreement. This motion carried unanimously.

**10-107** Moved by Council Member **Fritz**, seconded by Council Member **Scott**, to set Monday, May 3, 2010 as the date to hold a public hearing concerning the 2010-2011 Proposed Budget, including all documentation necessary to fulfill the requirements of a "Truth in Taxation" public hearing. This motion carried unanimously.

**10-108** Moved by Council Member **Fritz**, seconded by Council Member **Scott**, to approve the Zeeland Training Facility Use and Hold Harmless Agreement with Zeeland Fire-Rescue for the use of their training tower and authorize the Mayor and City Clerk to execute this agreement. This motion carried unanimously.

**10-109** Moved by Council Member **Fritz**, seconded by Council Member **Scott**, to accept the donation of \$1,000.00 from Fred Hohman to cover the lease of two (2) Harley-Davidson police motorcycles for the Department of Public Safety, approve the Motorcycle Lease Agreement with Sandy's Harley-Davidson Sport Center, Inc., Fremont, Michigan, and authorize the Mayor and City Clerk to execute this agreement. This motion carried unanimously.

Council Member Fritz expressed his appreciation to Mr. Hohman for his donation.

**10-110** Moved by Council Member **Fritz**, seconded by Council Member **Scott**, to accept the low bid and approve the Contractor Services Agreement with Perma Green, Inc., Holland, Michigan, in the amount of \$21,096.00 for 2010 fertilization and weed control services within the City and authorize the Mayor and City Clerk to execute this agreement. This motion carried unanimously.

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**10-111** Moved by Council Member **Fritz**, seconded by Council Member **Scott**, to proclaim April 30, 2010 as Arbor Day. This motion carried unanimously. (Attachment B)

**10-112** Moved by Council Member **Fritz**, seconded by Council Member **Scott**, to approve the Letter of Support for the proposed West Michigan Underwater Preserve. This motion carried unanimously. (Attachment C)

City Manager McGinnis explained that he researched the Act, which would allow for this underwater preserve. He checked with other communities and found that they had no problems with having underwater preserves. There were hyperbaric facilities in West Michigan and Ottawa County had a dive team, in the event that if the preserve becomes a new tourist attraction, there is medical infrastructure to support it.

**NEW BUSINESS**

**10-113** Moved by Council Member **Fritz**, seconded by Council Member **Monetza**, to approve a Grant Agreement with the State of Michigan Department of State to participate in the Qualified Voter File's Electronic Poll Book Laptop and Accessories Purchase, and authorize the Mayor and City Clerk to execute the necessary documents. This motion carried unanimously.

**10-114** Moved by Council Member **Scott**, seconded by Council Member **Monetza**, to approve Change Order No. 1 to the Construction Services Contract with GDK Construction in the amount of \$17,869.00 for the addition of building signage to the Chinook Pier Renovations project and authorize the Mayor and City Clerk to execute this change order. This motion carried unanimously.

City Manager McGinnis confirmed that the change order would be 100 percent covered by the grant.

**10-115** Moved by Council Member **Fritz**, seconded by Council Member **Scott**, to accept the low bid and approve the contractor services agreement with Mast Heating and Cooling, Zeeland, Michigan, in the amount of \$67,760.00 for the Chinook Pier HVAC equipment replacement and authorize the Mayor and City Clerk to execute this agreement. This motion carried unanimously.

Facilities Manager Vivian said that the difference in bid amounts was due mainly to labor costs.

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**10-116** Moved by Council Member **Scott**, seconded by Council Member **Monetza**, to approve the contractor services agreement and accept the extension of the 2009 bid proposal with Equity Marine Construction, Spring Lake, Michigan, in the amount of \$29,500.00 for scheduled services and \$2,950.00 for emergency services to maintain and clean the Northwest Ottawa Water System Lake Michigan North and South infiltration beds for 2010 and authorize the Mayor and City Clerk to execute this contract. This motion carried unanimously.

Water Plant Manager Vanderstel stated that there were ten drags scheduled for this year.

**10-117** Moved by Council Member **Fritz**, seconded by Council Member **Scott**, to approve an introductory resolution approving a ten-year lease agreement with Jim and Gail Brye of Beach Biz, Inc., dba Surf Shop, for Suite B1 at Chinook Pier. This motion carried unanimously.

City Manager McGinnis stated that payments for all of the tenants were spread over twelve months no matter how long each tenant was actually open. This agreement instituted a new provision that provided for the tenant's relocation, at the City's cost, in case the City found another tenant who requested the use of one full building.

**10-118** Moved by Council Member **Monetza**, seconded by Council Member **Scott**, to acknowledge the intent of the Rotary Club of Grand Haven to finance and construct a water feature near Grand Haven's waterfront between the current location of the Grand Haven Sailing Club and the municipal marina and to request feedback on design elements from the Main Street Downtown Development Authority, Planning Commission, Harbor Board, and Parks and Recreation Board. This motion carried unanimously.

Council discussed another possible location at Sherwood Forest (area located between Fifth Third Bank and Jumpin' Java). Council requested feedback from the various boards on the feature and location.

**10-119** Moved by Council Member **Monetza**, seconded by Council Member **Scott**, to appoint additional Economic Development Corporation (EDC) directors, approve a project area and project district area, and reject the formation of a Project Citizens District Council. This motion carried unanimously. (Attachment D)

City Attorney Smith reported that it appeared that Grand Landing was able to line-up financing for construction of a stand-alone hotel. This resolution was the fourth step of the fourteen-step process for the issuance of EDC bonds. There would be no risk to the EDC, no taxpayer funds pledged, and no moral support pledged. The EDC passed a resolution inducing the project and indicated they had the intent of issuing these bonds also set the project area (condo unit #1).

Some parts of the construction, such as infrastructure, would extend beyond the footprint of the hotel. The two additional members to be appointed to the EDC would be on the board purely for this project.

### **REPORTS BY CITY COUNCIL**

Council Member Fritz noted that the new brick pavers crossing Harbor Avenue looked terrible and hoped that they were not permanent. City Manager McGinnis agreed and said he would contact the project manager. Council Member Fritz also thanked Council Member Monetza for his work with the Science Olympiad again this year. Grand Haven, after placing first in the region, would be attending the state competition.

Council Member Monetza reported that he was a judge at the recent Science Olympiad. It was a wonderful opportunity to work with area youth. He encouraged the community to get involved with the program or, at least, be aware of it.

Mayor Bergman commended Council Member Monetza for his many years of service with the Science Olympiad and hoped that others in the community would seek opportunities to work with the area's young people.

### **REPORT BY CITY MANAGER**

The alternate design of Chinook Pier presented at the last council meeting was discussed. Construction bids came in low enough that this new rendering could be constructed within the original planned cost. Council agreed to keep the original design and use the money saved toward street repair.

### **REPORT BY CITY ATTORNEY**

A law firm out of Wyandotte, some time ago, filed a class action against the State of Michigan, which challenged unfunded mandates for stormwater permitting and handling. Potential parties named in the class action included many municipalities, including Grand Haven. Due to the number of parties involved, Mr. Smith recommended that Grand Haven stay named. Council agreed to remain as a named party in the class action.

**REPORT BY CITY ENGINEER**

No report.

**GENERAL BUSINESS/CALL TO AUDIENCE**

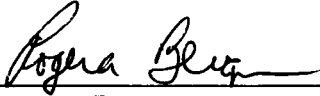
Mayor Bergman made a call to the audience, allowing audience members to address Council on any issue. There was no response.

**EXECUTIVE SESSION**

Council went into executive session during the preceding work session, since work session business had been completed ahead of schedule.

**ADJOURNMENT**


After hearing no further business, Mayor Bergman adjourned the meeting at 8:23 p.m.

  
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Roger A. Bergman, Mayor

  
\_\_\_\_\_  
Linda L. Niotis, City Clerk

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**Attachment A**

To: Patrick McGinnis, City Manager  
 From: James Bonamy, Finance Director   
 Date: March 25, 2010  
 RE: Bills From Payables Warrant

| FUND                          | 3/18/10<br>WARRANT  | 3/23/10<br>WARRANT  | 03/25/10<br>WARRANT | TOTALS              |
|-------------------------------|---------------------|---------------------|---------------------|---------------------|
| General Fund                  | \$12,908.46         | \$54,757.18         | \$17,893.65         | \$85,559.29         |
| Major Street Fund             | \$8,962.12          | \$1,677.90          | \$0.00              | \$10,640.02         |
| Local Street Fund             | \$0.00              | \$1,677.90          | \$0.00              | \$1,677.90          |
| Land Acquisition Fund         | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Main St Dist Dev              | \$300.00            | \$1,000.00          | \$0.00              | \$1,300.00          |
| Econ. Dev. Corp. Fund         | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Brownfield Redevelopment Fund | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Hokins Boat Storage TIF       | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Downtown TIF                  | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| GLTIF Spec Rev Fund           | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| UTGO Inf Spec Rev Fund        | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Housing Fund                  | \$960.81            | \$204.69            | \$19,095.00         | \$20,260.50         |
| Assessment Bond Fund          | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Operating Debt Fund           | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Brownfield TIF Debt           | \$8,997.60          | \$0.00              | \$0.00              | \$8,997.60          |
| Downtown TIF Debt             | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| GLTIF Debt Serv Fund          | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| UTGO Inf Debt Fund            | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Building Auth Debt Fund       | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Public Improvements Fund      | \$43,031.44         | \$7,134.65          | \$0.00              | \$50,166.09         |
| Fire Truck Replacement Fund   | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Brownfield TIF Const          | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Downtown TIF Const.           | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| G/L TIF Construction Fund     | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| UTGO Inf Construction Fund    | \$0.00              | \$4,730.00          | \$0.00              | \$4,730.00          |
| Building Auth. Fund           | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Airpark Fund                  | \$0.00              | \$155.37            | \$0.00              | \$155.37            |
| Chinook Pier Rental Fund      | \$6,174.75          | \$0.00              | \$0.00              | \$6,174.75          |
| Harbor Transit Fund           | \$1,179.87          | \$3,085.58          | \$0.00              | \$4,265.45          |
| City Sewer Fund               | \$1,091.79          | \$1,766.17          | \$0.00              | \$2,857.96          |
| City Water Fund               | \$28,459.07         | \$129.77            | \$0.00              | \$28,588.84         |
| City Marina Fund              | \$10.00             | \$225.97            | \$0.00              | \$235.97            |
| Motorpool Fund                | \$0.00              | \$2,739.13          | \$0.00              | \$2,739.13          |
| Self Insurance Fund           | \$46,316.00         | \$0.00              | \$0.00              | \$46,316.00         |
| Health Benefit Fund           | \$0.00              | \$3,692.61          | \$0.00              | \$3,692.61          |
| Trust & Agency Fund           | \$650.50            | \$0.00              | \$0.00              | \$650.50            |
| Tax Collection Fund           | \$0.00              | \$3,628.18          | \$14,451.04         | \$18,079.22         |
| Cemetery Fund                 | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Retirement Health Fund        | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Payroll Fund                  | \$3,269.24          | \$0.00              | \$104,144.80        | \$107,414.04        |
| Sewer Authority Operations    | \$7,085.62          | \$4,005.95          | \$4,715.01          | \$15,806.58         |
| Sewer Authority Debt A        | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| S. Auth. Plant Modification   | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| S. Auth Eagle Ottawa          | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| N.O. Water Plant Fund         | \$67.56             | \$26,282.55         | \$0.00              | \$26,350.11         |
| Water Plant Debt              | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
| Water Replacement             | \$0.00              | \$0.00              | \$0.00              | \$0.00              |
|                               | <b>\$169,464.83</b> | <b>\$116,893.60</b> | <b>\$160,299.50</b> | <b>\$446,657.93</b> |

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

\$446,657.93 Total Approved Bills  
 \$175,501.87 Minus eligible bills for release without prior approval: Payroll,  
 Retirement, Insurance, Health Benefit, and Tax Collection Funds  
 \$271,156.06 Net Bills

Attachment B

**MAYORIAL PROCLAMATION**

Celebrating National Arbor Day

WHEREAS, in the middle 1800's the idea was promoted to plant trees in an effort to beautify the countryside; and,

WHEREAS, the first Arbor Day celebration was held on April 10, 1872 through the efforts of J. Sterling Morton, a newspaper publisher, who realized that trees would enrich the soil and maintain its moisture level; and,

WHEREAS, other states recognized the value of tree planting and joined the efforts to observe Arbor Day; and,

WHEREAS, the National Arbor Day Foundation provides more than 8 million trees planting throughout America each year; and,

WHEREAS, The City of Grand Haven eagerly participates in this program, enhancing our parks and beautifying our City,

NOW THEREFORE BE IT RESOLVED, that I, Roger A. Bergman, Mayor of the City of Grand Haven, hereby proclaim April 30, 2010 as ARBOR DAY and urge all citizens to join me in recognizing the importance of preserving our environment for ourselves and our posterity.



  
Roger A. Bergman, Mayor

Attachment C



# City of Grand Haven

Letter of Support  
For the Proposed West Michigan Underwater Preserve

March 29, 2010

Gary Passon, Co-Chair  
West Michigan Underwater Preserve (Proposed)  
15143 Bayberry Ct.  
Spring Lake, MI 49456

Dear Mr. Passon,

The Grand Haven City Council supports your application to make West Michigan Underwater Preserve a part of the Michigan Underwater Preserve system. This system was established in Michigan to create underwater preserves and to protect our historic shipwrecks, which are vital to our cultural heritage. The waters off the western side of Lake Michigan are no different.

In the proposed preserve area extending from the Southwest Michigan Underwater Preserve at Port Sheldon to the north boundary of the Ludington State Park, there are at least 12 known shipwrecks. These wrecks need the attention and protection of the Michigan Underwater Preserve system.

Sincerely,

A handwritten signature in cursive script that reads "Roger A. Bergman".

Roger A. Bergman  
Mayor

**Attachment D**

**CITY COUNCIL  
CITY OF GRAND HAVEN  
Ottawa County, Michigan**

Council member **Monetza**, supported by Council member **Fritz**, moved the adoption of the following resolution:

**RESOLUTION NO. 10-119**

**A RESOLUTION APPOINTING ADDITIONAL EDC DIRECTORS; APPROVING  
PROJECT AREA; PROJECT DISTRICT AREA AND CONSIDERING THE  
FORMATION OF A PROJECT CITIZEN'S DISTRICT COUNCIL  
(530 A-Way, LLC Project)**

WHEREAS, pursuant to Act 338, Public Acts of Michigan, 1974, as amended (the "Act"), The Economic Development Corporation of the City of Grand Haven (the "Issuer") designated a Project Area with regard to the 530 A-Way, LLC Project (the "Project") and made recommendations regarding the determination of a Project District Area and the formation of a Project Citizens District Council and forwarded said designation and recommendations to this body; and

WHEREAS, the Act does not require the formation of a Project Citizens District Council if the territory surrounding the designated Project Area will not be significantly affected by the Project; and

WHEREAS, the Issuer has notified this City Council of its intention to commence preparation of a project plan for the Project located in the City; and

WHEREAS, Section 4 of the Act requires that there shall be appointed two (2) additional directors to the Board of the Issuer who shall be representative of the neighborhood residents and business interest likely to be affected by the proposed Project.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Project Area as designated by the Issuer is hereby approved, as described on Exhibit A attached hereto.
2. That a Project District Area is hereby established, the boundaries of which are coterminous with the boundaries of the Project Area, as described on Exhibit A attached hereto.
3. That a Project Citizens District Council shall not be formed.
4. That the following two (2) persons are hereby appointed as additional directors to the Board of the Issuer to serve only for the Project and until such time as the Project is either abandoned or, if undertaken, is completed, at which time the term of their appointment shall terminate:

Kennard Creason of 333 Jackson, Grand Haven, 49417

Brook Bisonet of 219 N 7<sup>th</sup> Street, Suite 2, Grand Haven, 49417

YEAS: Council member(s) Scott, Fritz, Monetza and Bergman

NAYS: Council member(s) NONE

ABSTAIN: Council member(s) NONE

ABSENT: Council member(s) Nieuwenhuis


**RESOLUTION DECLARED ADOPTED.**

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**CERTIFICATION**

As its duly appointed Clerk, I certify that this is a true and complete copy of a resolution adopted by the City Council of the City of Grand Haven, Ottawa County, Michigan, at a regular meeting held on March 29, 2010.

Date: March 29, 2010

  
Linda L. Niotis, City Clerk

**EXHIBIT A**

**Legal Description of Project District Area**

Unit 1 of the Grand Landing Site Condominium (Condominium Subdivision Plan No. 510), Section 21, Town 8 North, Range 16 West, City of Grand Haven, Ottawa County, Michigan.