The Regular Meeting of the Grand Haven City Council was called to order at 7:30 p.m. by Mayor Bob Monetza at Central Park.

Present: Council Members Mike Dora, Ryan Cummins, Dennis Scott, Mike Fritz, and Mayor Bob Monetza.

Absent: None.

Others Present: City Manager Patrick McGinnis, Assistant to the City Manager Ashley Latsch, Public Works Director Derek Gajdos, Community Development Manager Jennifer Howland, Community Affairs Manager Char Seise, Public Works Executive Assistant Cheryl Davidson, Neighborhood Housing Services Manager Rhonda Kleyn, and Community Development Administrative Assistant Mary Ann Poel.

INVOCATION/PLEDGE OF ALLEGIANCE

Invocation was given by Deacon Lance Walters of St. Patrick- St. Anthony Parish, and was followed by the Pledge of Allegiance as led by Mayor Monetza.

APPOINTMENTS TO BOARDS & COMMISSIONS

20-222 Moved by Council Member Fritz, seconded by Council Member Cummins, to appoint Madigan Lautzenheiser, Student Representative, to the Human Relations Commission with a term ending June 30, 2021. This motion carried unanimously.

PRESENTATIONS

Mary Ann Poel and Cheryl Davidson were honored and thanked for 20 years of service at the City.

APPROVAL OF CONSENT AND REGULAR AGENDAS

20-223 Moved by Council Member Cummins, seconded by Council Member Fritz to approve the consent and regular agendas, as amended. This motion carried unanimously.
Council Member Dora requested that item C Regarding the Battle on the Boardwalk event on the Consent Agenda be moved to New Business.

CALL TO AUDIENCE

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

Lynette Keen, 13266 120th Avenue, stated that she has been proud to protest at Pronto Pup for the previous four Saturdays. She requested that City Council make a direct statement against the actions of owner Carl Nelson. She stated that having and reading a DEI statement was not enough, and that action should follow. She called on Council to do the right thing as representatives of Grand Haven.

CONSENT AGENDA

20-224 Moved by Council Member Dora, seconded by Council Member Fritz, to approve the Council Electronic Remote Meeting Minutes of the Regular Meetings and Special Work Session of July 20 and August 3. This motion carried unanimously.

20-225 Moved by Council Member Dora, seconded by Council Member Fritz, to approve the bills memo in the amount of $2,174,447.11. This motion carried unanimously. (Attachment A)

20-226 Moved by Council Member Dora, seconded by Council Member Fritz, to approve a $20,000 grant application submitted to the Grand Haven Area Community Foundation by Neighborhood Housing Services to supplant lost MSHDA Housing Education Program Funds and approve the acceptance of the funds. This motion carried unanimously.

Council Member Fritz remarked once more that the figure identified in the bill’s memo is largely tax revenue pass through.

Council Member Cummins asked Neighborhood Housing Services Coordinator Kleyn whether the formula for lost state revenue was expected to be a one-time thing or multi-year issue, or if we were being penalized for lost services due to COVID.

Kleyn explained that recent HUD alignment created a challenging environment for funding, stating that they expect the formula to be permanent.
NEW BUSINESS

20-227 Moved by Council Member Dora, seconded by Council Member Cummins, to approve a request to run limited Musical Fountain shows during the remainder of summer 2020. This motion carried unanimously.

Cawthon and Strayhorn presented the safe return plan for the Musical Fountain. Cawthon explained that acting in accordance with the executive order; they felt there were measures they could take to keep crowds under 100 people. These measures included no weekend shows, only Sunday through Thursday, no themed shows, and possibly the use of caution tape and barricades to block entryways to the stadium.

Strayhorn added that the stadium area is quite large and felt that individuals could easily comply with physical distancing requirements. He also said they were prepared to have volunteer’s onsite encouraging distancing and masks.

Council Member Cummins remarked that he thought they had good ideas to keep the public safe. He stated that he was willing to give it a shot with the understanding that the fountain crew has the ability to terminate the show at any point.

Council Member Dora thanked the committee for their work in preparing the plan. He inquired whether they would consider a smaller scale opening; one or two nights a week progressing as they are comfortable, stating that he would feel more comfortable with that approach.

Strayhorn said they would be happy to attempt limited shows to gauge their ability to control the environment.

Council Member Fritz shared Dora’s sentiment and added that it would be his hope they would not advertise the shows in advance at all to help limit crowds.

Strayhorn inquired whether they would need to come back for permission, if approved, to increase the amount of shows they could run. Council agreed that the committee could run two fountain shows per week between Sunday and Thursday with no prior advertising; the committee agreed come back to council to request any increase in show frequency.

20-228 Moved by Council Member Cummins, seconded by Council Member Fritz, to approve the Battle on the Boardwalk event, to be held, Friday, August 28 and Saturday, August 29, 2020, from 7:00 a.m. to 8:00 p.m., at Lynne Sherwood Waterfront Stadium and waive fees in the amount of $325, contingent upon approval from the Ottawa County Health
Department and compliance with Executive Orders then in place. This motion carried unanimously.

City Manager McGinnis noted that the event organizer had expressed that if the State had not moved into phase five by the event date, they would not be hosting the event at the stadium.

Mayor Monetza noted that he would have liked to see a COVID plan from the event organizers ahead of time.

Council Member Dora remarked that he had it removed from the consent agenda for similar concerns. He said he saw no way for crowd control in what was presented.

Council Member Fritz shared Dora’s sentiment stating that they should be presented a clear action plan for these types of events, especially at this time.

Council Member Cummins expressed that the existing motion requiring adherence to the current executive order adequately covers the concern over the event happening only in phase five, and therefore a new motion was not necessary.

**UNFINISHED BUSINESS**

**20-229** Moved by Council Member Cummins, seconded by Council Member Fritz, to approve a purchase agreement with Michigan Community Capital to sell 7.5 acres of City owned property on Comstock Street for $32,000 to locate 32 single family homes (16 of which will be affordable homes at 80% of the AMI), conceptually agreeing to access Brownfield Redevelopment tools to cover eligible infrastructure costs and setting utility connection fees at $500 per unit for water and $500 per unit for sewer. This motion carried unanimously.

Council Member Dora remarked that he had seen some communications regarding the project. He wondered what other opportunities there would be to communicate project details to residents.

City Manager McGinnis noted that he had received an inquiry from some neighbors and gave them the information they requested. He stated that the city would add project details to the website as well. McGinnis explained that the project would still need to go through planning, and a number of other board or commissions before proceeding, so there would be plenty of opportunity for public comment in the future.
20-230 Moved by Council Member Scott, seconded by Council Member Dora, to approve a final resolution to amend the City of Grand Haven Code of Ordinances by restating Section 17-2(d) regarding the placement of a dumpster on property owned or controlled by the City in the CB Central Business District. This motion carried unanimously. (Attachment B)

City Manager McGinnis noted that since the first reading, he had added language to the penalty for staff clean-up cost.

REPORTS BY CITY COUNCIL

Council Member Dora asked that people continue to wear their masks. He also noted that he also had seen bike repair stations in other communities and thought it would be a great project for the city manager’s office intern to investigate.

Council Member Cummins thanked staff for setting up the outdoor Council meeting. He commented that he watched the planning commission meeting and complemented them for their work. Cummins also inquired whether they could host a work session regarding contamination concerns on Harbor Island; he would like to know what types, the extent of the contamination that exists, and what remediation costs there might be.

Council Member Scott commented on the pickle ball court repairs, saying he has heard it is going well.

Council Member Fritz thanked all the boards and commissions for their hard work. He also referenced Cummins request for information on Harbor Island contamination saying that there are certainly contamination issues.

Mayor Monetza attended several board and commission meetings as well via zoom. He proceeded to thank staff for setting up the outdoor meeting. Monetza then commented on beach safety, reminding people to take the dangers of the water seriously. He concluded with a reminder for people to wear their masks so we could all get back to normal sooner.

REPORT BY CITY MANAGER

City Manager McGinnis thanked all the staff who assisted in setting up the outdoor meeting.
GENERAL BUSINESS/CALL TO AUDIENCE

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

Pete Walters, 1100 Taylor Avenue, confirmed they started repairs on the pickleball courts that same day. He expects the members will have successfully raised the funds to pay for all of the work within the next couple of weeks.

ADJOURNMENT

After hearing no further business, Mayor Monetza adjourned the meeting at 8:45 p.m.

Robert Monetza, Mayor

Ashley Larsen, Assistant to the City Manager
## Attachment A

### Regular City Council Meeting
August 17, 2020
Page 7

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**Total Authorized Bills:** $2,144,447.11

**Total Approved Bills:** $1,354,282.82

**Total VOIDS:** $499,064.89

**Total Budget:** $2,144,447.11

**Total VOIDS:** $499,064.89
Attachment B

ORDINANCE NO. 2020-07

AN ORDINANCE TO AMEND THE CITY OF GRAND HAVEN CODE OF ORDINANCES BY RESTATING SECTIONS 17-2(d) AND 17-7 REGARDING THE PLACEMENT OF A DUMPSTER ON PROPERTY OWNED OR CONTROLLED BY THE CITY IN THE CB CENTRAL BUSINESS DISTRICT AND PENALTIES.

THE CITY OF GRAND HAVEN, COUNTY OF OTTAWA, STATE OF MICHIGAN, ORDAINS:

Section 1. Amendment. Section 17-2(d) of Article I in Chapter 17 of the City of Grand Haven Code of Ordinances is amended in its entirety to read as follows:

(d) The other provisions of this section 17-2 notwithstanding, upon the location of a dumpster on property owned or controlled by the city in the CB Central Business District, the owner, proprietor or person in charge of each parcel located on the same block as the enclosure shall place all garbage, other solid waste, refuse and waste matter generated in the regular, routine operation of the residence, office or business operated on each parcel in the designated dumpster(s) on that block. Furthermore,

(1) The owner or occupant of a building may have one container, not exceeding one hundred (100) gallons in capacity, within a wholly enclosed and roofed area which container must be emptied into the city provided dumpster not less than once each day. Except for such a temporary storage container, no private dumpsters or trash receptacles of any kind shall be permitted on private property in the block surrounding that enclosure.

(2) The city shall, by contract with a private entity or otherwise, provide for the placement, emptying, maintenance, repair, replacement, construction, and improvement of any dumpster(s) and enclosure(s) in such a manner as is acceptable to the city.

(3) The rates, fees and charges for constructing, installing, placing, emptying, maintaining, repairing, replacing and improving such dumpster(s) or enclosure(s) shall be determined from time to time by resolution of the city council. They shall have such due dates as may also be established by resolution and may be separately billed or included in other city invoices as the city council may also approve by resolution. In the event that such rates, fees, and charges are not timely paid, they constitute a lien on the premises served which shall have the same
priority and may be collected in the same manner as a lien on property for ad valorem real property taxes.

(4) For purposes of this section, garbage, other solid waste, refuse and waste matter does not include any items or substances not used or consumed on the parcel located in the district or materials that are not a part of the routine operation of the residence, office or business located in the district and paying fees associated with the location and operation of collection containers. For example, building materials, furniture, appliances and large quantities of clutter generated when occupants move in or out are not permitted in the dumpsters or dumpster enclosures.

(5) Recyclable items shall be properly cleaned and collapsed to be placed in the dumpsters; no contaminated or uncollapsed boxes shall be placed in the dumpsters.

(6) Non-recyclable items shall not be placed in containers for recyclables. Any fines for violating this subsection shall be passed on to the offending party, or, if unknown, to all of the authorized users of the container in question.

(7) All garbage and other solid waste shall be placed in watertight, sealed bags and placed into the dumpsters.

(8) No materials whatsoever shall be placed outside of the dumpsters within the enclosures, or outside the enclosures.

(Code 1962, § 4-1001; Ord. No. 83-8, § 1(a), 5-16-83; Ord. No. 88-12, § 1, 10-31-88; Ord. No. 05-17, § 1, 12-5-05; Ord. No. 07-06, § 1, 11-5-07)

Section 2. Amendment. Section 17-7 of Article I in Chapter 17 of the City of Grand Haven Code of Ordinances is amended to state in its entirety as follows:

Sec. 17-7. Penalty.

(a) Unless a section in this chapter specifically provides otherwise, a first violation of any provision of this chapter, by any person, is a municipal civil infraction which shall, upon a determination of responsibility, be punishable by a fine of not less than fifty dollars ($50.00).

(b) Unless a section in this chapter specifically provides otherwise, a second violation of any provision of this chapter, by any person, is a municipal civil infraction which shall, upon a determination of responsibility, be punishable by a fine of not less than one hundred fifty dollars ($150.00).
(c) Unless a section in this chapter specifically provides otherwise, a third violation of any provision of this chapter, by any person, is a municipal civil infraction, which shall, upon a determination of responsibility, be punishable by a fine of not less than three hundred dollars ($300.00).

(d) In addition to a fine, a person determined to be responsible for a municipal civil infraction under this chapter shall be assessed the cost of prosecution of not less than nine dollars ($9.00) but not to exceed five hundred dollars ($500.00).

(e) In addition to a fine, a person determined to be responsible for a municipal civil infraction under this chapter shall be responsible to reimburse the city for actual documented costs of correcting the violation, including time, equipment, and materials, plus a fifteen percent (15%) administrative fee.

(f) The fourth and any subsequent violation of any provision of this chapter, by any person, is a misdemeanor which shall, upon conviction, be punishable in accordance with section 1-8 of this Code.

(g) In addition to the penalties provided by this section, the district court shall have equitable jurisdiction to enforce any judgment, writ, or order necessary to enforce any provision, the violation of which is a municipal civil infraction including, but not limited to, abatement of the violating condition or granting any injunctive relief.

1. **Effective Date.** This ordinance shall become effective 20 days after its adoption or upon its publication, whichever occurs later.

YEAS: Dora, Cummins, Scott, Fritz, and Monetza

NAYS: NONE

ABSTAIN: NONE

ABSENT: NONE

**CERTIFICATION**

I certify this true and complete copy of Ordinance No. 2020-07 adopted at a Regular Meeting of the Grand Haven City Council held on August 17, 2020.

[Signature]

Linda L. Browand, City Clerk

Introduced: August 3, 2020
Adopted: August 17, 2020
Published: September 1, 2020
Effective: September 6, 2020