

Harbor Commission

Regular Meeting Minutes

Tuesday, January 20, 2015, 5:30 p.m.
Council Chambers, South Haven City Hall



City of South Haven

1. Call to Order

Present: Stegeman, Stephens, Sullivan, Arnold
Absent: Pyle, Reineck, Silverman

2. Approval of Agenda

Motion by Stegeman, second by Sullivan to approve the January 20, 2015 Harbor Commission Agenda as presented.

All in favor. Motion carried.

3. Approval of Minutes: December 16, 2014 Regular Meeting

Motion by Stegeman, second by Sullivan to approve the December 16, 2014 Regular Harbor Commission Minutes as written.

All in favor. Motion carried.

4. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

None at this time.

5. Marina Reports

VandenBosch reviewed the reports through December 31, 2014.

6. 2015 Meeting Schedule

VandenBosch noted that setting a meeting schedule is a requirement of the Open Meetings Act.

January 20
February 17
March 17

April 21
May 19
June 16
July 21
August 18
September 15
October 20
November 17
December 15

Motion by Stephens, second by Sullivan to approve the 2015 Harbor Commission Meeting Schedule as noted above.

Stegeman wondered, as the Harbor Commission is a recommending body to City Council, whether there is a need to meet if there is no pressing business. Arnold noted the board has canceled meetings in the past for lack of new business, citing October 2014.

All in favor. Motion carried.

7. North Beach Paddle Lane

VandenBosch explained that the city manager requested that the Harbor Commission review the proposed addition of a paddle lane to the North Beach. The City has been applying for a grant for North Beach improvements, and one way to achieve a higher ranking would be to participate in the state initiative for a stopping point for paddle craft.

Motion by Stegeman that the Harbor Commission is supportive of a non-motorized water craft lane for the North Beach. Second by Stephens.

Sullivan asked if there have been any incidents reported regarding the use of kayaks at the South Beach. VandenBosch noted he is not aware that there have been any serious incidents at the South Beach.

Sullivan asked who would enforce the watercraft use at the North Beach and whether the city ever considered using life guards. VandenBosch noted that the city used to have life guards and the advice we have been given by legal council is that by providing that service, any failure by the lifeguard can be used against the City in any legal action. Therefore the recommendation from legal counsel has been not to have lifeguards. VandenBosch noted a lifeguard program has been discussed several times but we have not restarted the lifeguard program. Sullivan asked about someone less than a lifeguard. VandenBosch noted that our Parks crews are there to clean, not for oversight of beach activities. Arnold noted that with the beach parking program and the flag system there are South Haven Area Emergency Services people on the beach periodically.

Stephens asked whether there have been issues with the lane on the South Beach. VandenBosch responded, "If you are asking about issues when the police are called in . . . " Stephens interjected, "No, I am asking regarding whether there have been issues with the

South Beach lane with jet skis.” VandenBosch said that he has seen some kayaks in the swimming area, but has not heard of any issues. Stegemen pointed out that this request is for a non-motorized lane. VandenBosch noted that boats are not allowed in the swimming area, but swimmers are not restricted in the watercraft lane area. VandenBosch also noted this activity is overseen by the Sheriff’s Marine Patrol.

Stephens stated that her opinion is that anything the city can do to attract kayakers is a good thing and noted that concept was brought up by John (Marple, Marina Manager) at our last meeting. “From a marketing perspective, this is a good idea,” according to Stephens.

Arnold called the vote.

All in favor. Motion carried.

8. Black River Park Marina Management Proposal

VandenBosch noted that Black River Park was not included when the city did the contract with John Marple, Marina Manager. John focused on the marinas. The city has two (2) seasonal city employees; they focus on the gate but also do maintenance; take payments in assistance to the Marina Manager; keep the fish cleaning station going and sell tokens and passes. The Parks Department cleans the restrooms and does the mowing and landscaping. That is how we are doing it now and it’s working fairly well though we have had some complaints regarding cleanliness of the restrooms. VandenBosch explained that Black River Park is a little different in the use of the restrooms than park restrooms. At the Marinas, the restrooms are cleaned in the morning, then again after the main rush at about 11 a.m. Parks is not able to do the “before and after the main rush” type of thing at Black River Park and people come through there at all times of day.

VandenBosch pointed out that this amendment is on Page 49 of the agenda packet. VandenBosch included the old contract in the packet for informational purposes. VandenBosch noted that the amendment assigns additional duties to HAPA as noted below:

1. HAPA shall ensure that the Black River Park Boat Launch and Celery Pond Creek Fishing Area restroom(s) are maintained in a clean and sanitary condition as set forth in paragraph 11 below. HAPA shall provide general maintenance for the Black River Park Boat Launch as set forth in Paragraph 7 above and shall brush the docks and sidewalks daily. HAPA shall also ensure that the Black River Park Boat Launch fish cleaning station is maintained in a clean and sanitary condition, including but not limited to regularly cleaning the fish cleaning station, checking for proper operation, removing fish when the station is overloaded, and any other tasks necessary to maintain a clean and sanitary condition. HAPA shall also coordinate with electrical and other contractors for repairs and maintenance to the Black River Park Boat Launch. HAPA shall check the gates and parking terminal for proper operation daily, replace broken gate boards, and contact and coordinate with an electrical contractor, or the parking terminal contractor, if the gate or pay terminal is not working properly.

2. The City shall pay HAPA an additional \$6,000 per year paid in the same manner as other compensation under the 2012 Agreement.

3. All other terms of the 2012 Agreement shall remain fully in effect

VandenBosch noted that the Marina staff are not city employees but the cost of labor for services provided by HAPA are paid by the city. The additional \$6,000 covers only the management. HAPA is already responsible for Marina Management.

This proposal does not include mowing, which would continue as a Parks Department service.

VandenBosch enumerated some of the goals connected with this amendment:

- Customer Service. HAPA has done a great job with customer service, reducing the need for the city to have someone in the Harbormaster position full time. VandenBosch stated he works as the Harbormaster but this is a small part of what he does.
- Cash Management. Black River Park is not on the Marina Computerized system; staff takes payments for transient and seasonal boaters and documents it in paper form, which then has to be put into the system. The auditor said those payments must be entered into the computer accounting system the same day that they are received. VandenBosch noted that city staff is not aware of any problems with losses related to cash management, but leaving cash overnight or longer is not the proper way to do it according to the auditors. The position that the launch workers have is going to change – that position is going to be a Marina worker, maybe at Black River Park, maybe North or South side. John says he'd be willing to hire current launch workers but their job will not be the same. John values the current launch workers as people that the boaters like to talk and communicate with; that's part of good service.
- Pay terminals. The gates are far more reliable than they used to be. VandenBosch expects them to work the way they are working and does not see a continued need for a gatekeeper who is at the gate half of the time and does maintenance half of the time. We have a busy launch and there will be times when we need a gate keeper during the busiest times, but not all season. The cost to staff the boat launch is not expensive; \$38,380 compared to launch revenues of \$58,000. VandenBosch explained, "We are making \$20,000 in profit over and above labor costs, but at the same time we have a level of service that is not really needed at the launch gate."

VandenBosch noted that he is interested in comments; if this change is to go through it has to go through City Council. "We may not save money with it but the hope is that it will result in better customer service and privatize the launch along with the marinas.

Motion by Stegemen, second by Sullivan that the Harbor Commission recommends approval of the management amendment as proposed by Paul VandenBosch, Harbormaster.

Discussion ensued regarding the use of the computer system at Black River Park; the possible use of a handheld credit card swiper and the logistics of employees meeting the boaters at the Black River Park Marina and doing the deposits at the marina daily. According to VandenBosch a daily deposit must be made and transactions have to be entered into the computer system each day.

Stephens asked if this stipulation will be part of the contractor agreement. VandenBosch said it is an audit finding that we are trying to resolve and part of the solution includes John Marple, Marina Manager (HAPA) having the supervision of the employees.

Sullivan commented that he thinks the Harbor Commission has been very happy with Marple's performance and questioned whether the two employees would be paid the same amount through this contract. VandenBosch said we have not discussed the rate of pay because of not wanting to limit Marple and noted that these are not high paying jobs so it will not be difficult to match their rate of pay. Sullivan asked for clarification that the pay gets passed on to the city and these employees may not be working as much at Black River Park but will have work. VandenBosch agreed, noting that other people may be sent to Black River Park to work and the two current employees will not be able to expect to spend all of their hours at Black River Park.

Arnold said the cleanliness of the restrooms was the only issue he was aware of and this change should remedy that. VandenBosch said he believes restroom cleanliness will be solved but he finds the goose excrement to be the biggest problem. General discussion ensued regarding the goose issue.

Stegeman said this is worth a try, noting that he is on the fence whether the Boat Launch is considered more of a parks than marina issue, suggested that this could be tried for a year or two and then if it does not work, back out of it. VandenBosch said he believes Marple has two (2) or three (3) years left and this amendment is attached to the original contract. Stegeman's concern is if there is a need for termination not having too many legal ramifications. Sullivan pointed out the original agreement allows termination for any or no reason at all. VandenBosch noted that as this amendment is written the amendment is just wrapped into the original contract.

Stegeman said we have two different things going on here; the marina for the larger boats and the river program (boat launch) is more of a parks idea. Stegeman would like to think of this amendment as a one or two year trial. VandenBosch said we are happy with the marina program as it is being run; it will probably take Marple time to work out how best to run Black River Park and optimize it. Sullivan noted the current contract ends in November 2017.

VandenBosch clarified that large scale property improvements are not under Marple's jurisdiction but that is still done through the city. There is a lot of coordination and staff is currently working on five (5) grants, three (3) of which affect this area. This amendment is just for the day to day management of the Black River Park Marina.

Stephens asked if the amendment cannot be written with an easy out in case we need to end this early. VandenBosch said that HAPA may terminate upon ninety (90) days written notice to the city. That is a pretty good out, according to VandenBosch.

Stegeman says the point is Marple has done a good job so far with marina management and if the increased scope of work related to the boat launch makes it impossible for him to continue to do that job as well, then we can remove the boat launch part of the contract without affecting the marina management. VandenBosch will take that issue to the city attorney for adding something to that effect before taking it to City Council.

Arnold called the vote.

All in favor. Motion carried.

9. Strategic Plan

VandenBosch noted that the Strategic Plan has been under review for quite some time. On page 65 is Section D which had been considered for deletion, subject to additional discussion and possible rewriting. VandenBosch said he hopes the Strategic Plan is in a form that can be approved, although we do not have a rewrite on Section D.

Motion by Stephens, second by Sullivan to approve the Harbor Commission Strategic Plan draft from Dec. 16, 2014.

Stegeman asked if we should delete that section. VandenBosch said he has no problem with it but there were questions about whether this is the Harbor Commission's role. Discussion was that section was put in the plan because of the proposed Celery Pond development and that it is no longer needed since that development is not going to happen.

Stegeman asked about dredging work space, identifying a piece of property. Noted that there are two types of dredging operations, the big ones with the pipes, and spot dredging. "We have some problems coming in the future with spot dredging; how do they get the spoils off the barge to sit and drain. We need to be working on this; fifty (50) years from now where is a barge going to sit? Where are they going to off-load the spoil? Where are they going to take it?"

VandenBosch noted we could add something under A. Safety and Navigation.

Motion by Stegeman, second by Stephens to add "Development of a plan that outlines future dredging, maintenance, work (where barge pulls up and offloads) and spoils area."

Discussion ensued regarding possible sites for off-loading dredge spoils. VandenBosch said the only way he thinks it will happen is to have access to the old city street garage property. Stegeman believes the Harbor Commission will have to designate an area and stick with it.

Stegeman also noted that we need a site for spoil disposal, and suggested adding “including purchase of permanent spoils site” at the end of the original motion and put under Dredging Needs of the Harbor.

Sullivan asked whether the Harbor Commission should continue to be concerned about Marine Services. Discussion ensued whether if current marina services go away, the city should have designated space for someone else or the city to provide those services. VandenBosch suggested “monitor marine services in the area and encourage their viability” under D1. Stephens asked how the Harbor Commission, as a recommending body, can do that. VandenBosch said it is beneficial to have that kind of recommendation in the Strategic Plan and pointed out that the statement that was removed was stronger in the city providing services and commented, “We don't want to compete with private services doing that.” Stegeman believes that if the city were to get into the fueling business, one of the two or both would probably stop selling fuel. “As a past commodore of the Yacht Club, I can tell you there isn't a lot of money to be made in selling fuel. You have the cost and maintenance of the pumps, and you have to have an attendant. When gas prices were high we were actually losing money.” Sullivan clarified that this allows the city to step in if we lose the marine services.

VandenBosch noted the following changes:

- Delete the “Harbor Study” paragraph on page 4
- Delete the “forward looking study” paragraph.
- Delete the “funding professional study” paragraph.
- Delete the “Needs Assessment” paragraph.
- Delete the “Process Needs to be Defined” paragraph.

Arnold called the vote on the following motion:

Motion by Stegeman, second by Stephens to add “Development of a plan that outlines future dredging, maintenance, work (where barge pulls up and offloads) and spoils area, including purchase of a permanent spoils site.”

All in favor. Motion carried.

10. Dredging Capital Improvement Plan

VandenBosch explained that these are not real numbers, but a “guesstimate” type plan. “The Revenue side is based on revenue from 2012, a high point in transfers to the River Maintenance Fund from the Marina Fund and Black River Park Fund. The “Other Revenue” line is the shortfall to cover the expenses listed below, based on our 2012 revenue.”

VandenBosch continued, “Based on past experience these numbers are about right, but probably will go up. The total estimated cost per year is \$90,000; we are short of revenue in the amount of \$63,000 per year.” VandenBosch stated he needs to add to the expenses about \$82,000 every five (5) years for dredging the turning basin and Friends Good Will

channel, adding, "This is probably a low estimate. Roughly \$100,000 more or less is what we need to be saving up each year to do the level of dredging we've see in the past."

Stephens asked where the dredge spoils will go to which VandenBosch responded that he hopes to get the Army Corps to do beach replenishment. Otherwise a private contractor would have to move it off-site. VandenBosch reminded of the potential of using the landfill site on Blue Star Highway.

Cost analysis could be done, according to VandenBosch, to determine whether having the contractor truck it away is more cost effective than doing beach replenishment.

Stephens noted that VandenBosch pointed out in the plan that this cost estimate does not include permitting and engineering expenses.

Stephens asked whether it is time to start discussion with watershed groups such as Two Rivers Coalition and the Conservation District to talk about preventing sedimentation. VandenBosch stated he is part of a state committee looking at the problems that harbors are facing, one of which is the Army Corps no longer doing the dredging of federal channels. VandenBosch is pushing for the state to take over what the Army Corps used to do. "The City of South Haven is looking at this before it is a problem; we have an idea what it is going to cost us. Many other harbors have not started to look at this," VandenBosch stated.

Stegeman commented that having a smaller harbor, in this case, is an advantage; "we don't have as much area to cover."

VandenBosch said staff is working with the Sustainable Harbors. "We are writing a grant to do look at feasibility of doing soundings using satellites, working with universities to find out if we can get soundings every spring, maybe even through the ice. We can have a heavy rain event and never know about shoaling until the first sailboat tries to get out."

Stegeman said maybe we need to recommend to City Council that they start putting some money toward this. VandenBosch asked about special assessments, noting that the city has one thousand (1,000) slips; a ten dollar assessment would bring in \$10,000 each year. That's an easy calculation, according to VandenBosch, who also commented that Silverman suggested six percent (6%) of Marina Fund revenue be transferred to the River Maintenance Fund. Sullivan stated six percent (6%) is what is in our Strategic Plan.

Stegeman talked about when he was on council and they first started talking about roads they wanted only a five (5) year millage. Staff and council decided to look at a twenty (20) year plan because it would get the folks on the side streets to vote in a twenty (20) year millage. "We did a lot of work, talking to people, and were able to get it done."

Stegeman thinks we can say, "It's not just the channel, but the slips themselves, that will be dredged." Stegeman thinks the majority of the slip holders would look at it as a type of insurance, the slip and the channel would be covered and they would be more willing to buy into it.

Stephens asked if the city can do private slips. VandenBosch explained that when you get a permit, you get permission to remove material; we already have to get permission from adjacent slip owners to dredge in their riparian area. VandenBosch noted that it takes different equipment to do the channel than to do slips, although that should not be a problem. Stephens asked about property rights to which VandenBosch responded that slip dredging would involve riparian rights, which is different than property rights. We would need permission from the property owner either way.

Stegeman said when he was Commodore of the Yacht Club the dredging permit had lapsed and he had to quickly get samples and the next day the river froze over. We spent about \$40,000 and it was done in conjunction with the city. Getting it all done in one package is always cheaper than doing it piecemeal. Stegeman said you can “sell” it as an insurance policy. Sullivan said there will be people who only need a foot deep so don’t want to pay. Stegeman agreed that the argument is always between power and sail.

VandenBosch asked if he should add this as a discussion item at the next meeting. Stegeman commented that you can present it and if it does not fly and problems come up later, then you can say, “Well, we tried to prevent this.” VandenBosch said someone can always find problems but it may be cheaper as one big contract.

Member and Staff Comments

Stegeman: Spoke about going to the Michigan Steelheaders and Salmon Fisherman’s President’s meeting in Lansing Saturday.

Stephens: Reminded about her interest in reviewing the boater surveys. VandenBosch will remind Marple.

Sullivan: Suggested bringing the Two Rivers Coalition person back to discuss prevention of sedimentation in the river. Stegemen noted that the city needs to get some local people in that group.

Adjourn

Motion by Sullivan, second by Stephens to adjourn at 7:05 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,
Marsha Ransom
Recording Secretary