

## Parks Commission

### Regular Meeting Minutes

Tuesday, October 11, 2016  
6:00 p.m., Council Chambers



City of South Haven

#### 1. Call to Order by Arnold at 6:00 p.m.

Due to the absence of both the Chair and Co-chair, Arnold volunteered to lead the meeting.

#### 2. Roll Call

Present: Bob McAlear, Chuck Moore, Wendi Onuki, Marilyn White, Jeff Arnold  
Absent: Warren Toneman, Patti Reinert

Also present: Kate Hosier, Assistant City Manager/Harbormaster

#### 3. Approval of Agenda

Motion by McAlear, second by Moore to approve the October 11, 2016 Parks Commission Regular Meeting Minutes as presented.

All in favor. Motion carried.

#### 4. Approval of Minutes for the Record

##### A. September 13, 2016 Regular Meeting Minutes

Motion by McAlear, second by White to approve the September 13, 2016 Regular Meeting Minutes as written.

All in favor. Motion carried.

#### 5. Public Comments and Inquiries Concerning Items not on the Agenda.

Michael McCarthy, South Haven Street, near the children's park. Spoke about his neighbors and his concerns regarding people avoiding the blue stairs and going over the dunes, including the environmental impact and safety issues. McCarthy noted that the section he is concerned about at one time had some vegetation on it, gnarly, rough trees and bushes,

and that may have inspired people to stay away, but it's been cleared and people are going down over the edge of the bluff and there is concern that the bluff is unstable, people could slip and fall. McCarthy asked if there is something that can be done and made some suggestions: 1.) signage; 2.) a small roped off fence along the edge; and 3.) growing more vegetation that would discourage the foot traffic.

Moore asked if the area in questions is north or south of the blue steps to which McCarthy responded that it is south of the blue stairs. McCarthy also noted he spoke with, met with and viewed the area with Mr. Hunter (Department of Public Works Director) and also has pictures of the area from Google maps in which five sets of tracks where people have been going down can be seen. McCarthy also noted he has seen people dragging coolers and other items down the bluff and that there are real good reasons to encourage people not to go down that way.

White asked if he knew if it was local people or tourists. McCarthy said he really doesn't know but wonders if it is people from away who may not be aware of the impact on the dunes because local people are generally aware of the dune erosion issues.

Moore said it sounds like there are issues that need to be addressed.

Halberstadt explained that the city took some surplus soil coming from the Canonie house and put it on the bluff to try to flatten out the slope. In the process of doing that the older vegetation was covered up or stripped from the hillside, which was then planted with a hill stabilization grass mix.

Moore observed that some posts with rope between might be an aesthetically attractive solution to discourage people from going down the bluffs.

Halberstadt explained that Agenda Item #9 is related to this issue; the city is considering having Edge Water Resources work with city staff, the Parks Commission and the public to determine some solutions for this city-owned property along the lakeshore from Erie Street to south of the blue stairs. Halberstadt observed that maybe there is a need for an additional staircase at some point along there.

Onuki asked if there was a sidewalk along there to which Halberstadt responded there is not. Moore noted there is a sidewalk along the east side of Monroe Boulevard. Halberstadt stated he believes there was some concern of a sidewalk there being too close to the edge of the bluff.

Arnold asked if this alleviates some of McCarthy's concerns to which McCarthy said that sounds very promising and enumerated some projects Edge Water has been involved with, including one in New York, noting that Edge Water looks to be a very good, reputable firm.

## REPORTS

### **6. Project Updates**

Halberstadt noted there are a couple of updates noting that the BMX Pump track is out for bids. Moore requested going through each item in order.

Halberstadt observed that Amy Cook, from Abonmarche, may have current information regarding the Black River Park Fishing Pier.

Cook noted that Abonmarche is doing the administration portion of the project but Prism Environmental is handling the sampling and will define remediation requirements. They will have some test wells to monitor the area.

Halberstadt promised more in depth discussion of the Cemetery project during Agenda Item #7.

Dyckman Beach Signs. Halberstadt noted he will be having a discussion with city staff to determine whether to just order all of the signs at one time, noting there could be a long-term cost savings.

Harborwalk Improvements. Virtually complete between North Shore and the North Marina.

Kid's Corner Play Structure. Waiting on a grant for a renovation.

North Beach Improvements. Noted a typo in the staff report. The correct time frame should indicate the project is planned to be done *before* Memorial Day

Optimist Tot Lot. Still on hold due to lack of funding.

Onuki suggested, since the Optimist Club is defunct, exploring the possibility of a sponsorship from Meijer's. Halberstadt, in response to a question from Moore, noted that the cost quote was obtained to help with cost planning. Halberstadt said he thinks the possibility of a sponsorship from Meijer is worth exploring and he will bring it up to Bill Hunter.

Discussion ensued regarding the cost with Halberstadt enumerating the various potential costs. Halberstadt believes it is a \$50,000 to \$60,000 project. Moore asked about doing it like the Kids' Corner Park, which he understands the community built. Halberstadt added that the Elkenberg Park project was a community build and worked out quite well. Representatives from the play structure company came to supervise and advise volunteers from the community.

South Beach restrooms and Splash Pad. On hold with waiting for grant awards. Onuki asked about when awards are announced which Halberstadt stated happens sometime in December.

Water Street Streetscape Improvements. Halberstadt stated there are a couple of concepts out there. In response to a question, Halberstadt explained that once Abonmarche develops the plans, staff will have a meeting and determine what is going to happen regarding a platform. Halberstadt said we will have to see what the landscape designer comes up with and how the plans can be implemented.

## NEW BUSINESS

**7. Commission will be requested to approve the Cemetery Improvement plan.**

Amy Cook, Abonmarche. Cook has been leading the team working on the design of this million and a half dollar project, which includes storm sewers; repairs and replacements to entrance walls off Bailey Street; new entrance signage at the entrances from Wells Street and Blue Star Highway; identifying some of the way-finding signage (a cemetery map and block markers) to aid folks in finding what they are looking for; improvements to cracked pavement in advance of replacement in future phases; identifying building improvements to increase the usage of the building by patrons. Cook noted that the current restroom is only accessible through the office and is not ADA compliant. In response to a question, Cook stated that the plans call for one new unisex restroom which will be universally accessible. Cook also noted that the plan will upgrade the heating and air conditioning systems, lighting, electrical and furniture to make records more easily accessible and improve storage. Major improvements to the Bailey Street entrance are planned which include rebuilding the existing walls, installing a stone veneer to extend the stone façade and improving the signage. Removing the current plantings and installing lower plants to make the entrance easier to find and removing and replacing retaining walls that are deteriorating are also included. Cook displayed a rendering of what the new entrance will look like.

Moore asked if this was Phase 1 to which Cook responded that it is and itemized the various costs for improvements in this plan. Cook added that any broken or leaking hydrants will be replaced.

Moore asked about limitations of the cemetery and Cook noted that that is not part of this plan.

Motion by Moore, second by White to approve the Cemetery Improvement Plan.

All carried.

**8. Commission will be requested to select & approve the playground equipment to be installed as part of the North Beach improvements project.**

Halberstadt noted that at the last meeting there was discussion about the boat themed playground equipment and staff was asked to bring more options to this meeting. Halberstadt explained that the first two options in the packet are the ones that were looked at last meeting and we have four other options to look at.

Discussion ensued regarding how the original two options were chosen; of concerns with obstructing the views of residents; future expansion of the play area; and the cost of the various play structures. In response to a question by McAlear, Halberstadt said staff would like some direction. McAlear asked what the implications of choosing one of the higher cost play structures would be on the project. Halberstadt responded that in the case of the choice of a higher cost option, the playground equipment would be removed from the grant and the city would have to use local funds for the financing of the playground equipment.

There were questions and comments regarding the height, appearance and color schemes available. Halberstadt noted there are several color schemes, which can be discussed at a later time.

Onuki pointed out that the Mobius custom one has the most things for kids to do but isn't necessarily the most attractive. Otherwise, Onuki likes the first ones that we saw last time. Halberstadt noted that of the two original concepts, losing the smokestack leaves something that does not look much like a boat, other than the prow piece. Moore stated that he likes the one with the smokestacks.

Motion by Moore, second by McAlear to support the option with the smoke stack.

All in favor. Motion carried.

**9. Commission will be requested to review & approve the proposal from Edge Water Resources for a South Haven Lakeshore Vision and Management Plan in the amount of \$25,000.**

Halberstadt noted that there have been a variety of different opinions about how we should be maintaining the Monroe bluff area, from Van Buren Street to the South Haven Street area. Staff has worked with Edge Water to prepare this proposal for your consideration. Edge Water would be helping the city put together a management plan.

McAlear questioned whether the commission would be approving a \$25,000 consulting fee to which Halberstadt responded, "We worked with them to get the cost down to \$25,000 from a higher original proposal."

Moore mentioned the need to address the bluff erosion. Halberstadt explained the rationale for working with a consulting firm.

Moore asked where Edge Water Resources are located to which Halberstadt responded that he believes they are from the St. Joseph/Benton Harbor area. McAlear reminded that the gentleman who spoke to us earlier noted they were a very reputable firm.

Motion by McAlear, second by Moore to approve the Edge Water Resources proposal for a South Haven Lakeshore Vision and Management Plan in the amount of \$25,000.

All in favor. Motion carried.

**10. Commission will be requested to approve the SoHa Surf Shop LLC South Beach license agreement.**

Kate Hosier noted there are two items before us. The first one is the agreement with Chris Campbell for South Beach; with the water so high this year there was not room for him at the Blue Stairs, so we moved him down closer to the parking lot. Campbell is asking and we are recommending another one year amendment allowing him to stay at the south end of the south beach parking lot; this is just a one year placement of him at that location.

McAlear commented that he would think Campbell doesn't have anywhere else to be. Hosier said, "Exactly. And Campbell had also asked about moving the water lane due to it being a long walk from that south location to the water lane."

Moore said we (Parks Commission) never voted on having anything left over night on the beach. Hosier pointed out the amendment that gives him permission for the rack and there is nothing in the agreement prohibiting him from leaving the rack on the beach. "As far as the inventory, that is his liability if he leaves his equipment there."

McAlear shared his thought that having the rack there is an asset; it shows there are things to do at the beach and having the rack keeps things looking neat. Moore asked if there is a limitation how much space he can use. Hosier explained that in addition to his rack Campbell needs another 11 feet to maneuver the kayaks on and off the rack.

Moore questioned having one business having access to the beach and asked, "Are there other people wanting to be there?" Hosier pointed out that anyone can bring their kayak to the non-motorized lane here and launch. "The city allows Campbell to be there but he has to having general liability insurance; operate in a reasonable manner; not give out kayaks on red flag days, etc. This helps us to control what is happening. We are trying to limit access to one access point per beach and due to the South Beach concession being located nearby; when Campbell moved to the new location he was required not to sell food or anything that would infringe upon the concession stand."

In response to questions from Moore about the request to move the access lane, there was discussion about people taking the path of least resistance despite Campbell's instructing them to carry their kayak to the designated non-motorized lane. It was also noted that it is quite a long distance from the kayak rental site to the non-motorized lane, meaning people are carrying large, awkward items down a beach that is crowded with beachgoers, which seems somewhat risky. Halberstadt noted that moving the lane is as simple as placing a couple of buoys in the water to mark where the access point is and agreed that it isn't as safe to have the access point far away.

Motion by McAlear, second by White to approve the SoHa operation as requested.

Ayes: McAlear, Onuki, White, Arnold

Nays: Moore.

Motion carried.

**11. Commission will be requested to approve the SoHa Surf Shop LLC Black River Park license agreement.**

Hosier noted this was a one year trial period and will have to go before Harbor Commission. From all intents and purposes it seems like it was well received; the new kayak launch is very nice. In response to a question, Hosier confirmed it is a handicap accessible launch. According to Hosier, Campbell has asked for a five year agreement, which is fairly standard. People can bring their own watercraft; Kayak Kayak has dropped kayaks off but businesses cannot do a hand-to-hand transaction on city property unless licensed, Hosier explained. McAlear says it is a nice thing, a great vehicle to get into the water. Hosier stated Black River Park is a really nice transition area; there is parking available outside the parking lot.

Moore asked what the advantage is to having one person to monopolize the industry. Hosier said city's policy only permits entities to do business on city property if they have the city as a co-insured, but others can drop off kayaks that have been paid for over the phone.

Hosier, in response to question from Moore, is requesting approval of a five year contract to renew from his current one year contract. Arnold pointed out that there is a section that describes ways to break the contract.

Moore asked, "Why not do three years?" McAlear responded that if either party can cancel in a year, you could make it for 100 years or 10 years and it doesn't matter.

Halberstadt suggested they review the termination language in the agreement and read, "The license granted pursuant to this Agreement is terminable at the will of either the City Council or the Licensee. The City Manager may, upon a reasonable belief that a breach of this Agreement has occurred suspend the license granted by this Agreement, effective immediately,"

McAlear clarified, "The license agreement is terminable by either party for any or no reason." Arnold noted it is a kind of security to the vendor. Hosier said the city typically does a one year trial and then renewal for five years.

Arnold pointed out that Campbell is very good to work with; a good businessman. McAlear commented that the SoHa logo is becoming quite international.

Hosier noted that SoHa has interest in locating on the north beach but there is also another group interested so we may open that for proposals.

Motion by McAlear, second by White to recommend that City Council approve the amendment to the license agreement with SoHa Surf Shop, owned by Chris Campbell, dated January 4, 2016. Second by White.

All in favor. Motion carried.

- 12. DPW Director Comments - Moore:** *Spoke about his concern that the kayak rental is storing the kayaks on racks on the beach, while the agreement was for the kayaks to be removed each night. Hunter will review the agreement and look into it.* In the original agreement and subsequent amendments SoHa was allowed to keep their racks at the beach for the season but were required to take down their tents each night. See Sections 5(e) and 5(f). The City Staff allowed them to keep their boats on the rack with the understanding that any theft or vandalism would be his liability and not the city's.

It was noted that this has already been addressed. Moore noted this agreement was amended at some point and it did not come before the Parks Commission. Arnold said he remembers this coming to City Council, thinks it was for the rack. Hosier said it was also for signage which is covered by our sign ordinance. Arnold remembers voting for it at City Council.

## **12. Commissioner Comments**

Moore: Southwest Michigan Land Conservancy is hosting an open house this weekend at the Black River Preserve. There will be a canoe/kayak event.

**13. Adjourn**

Motion by White, second by McAlear to adjourn at 8:15 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary