

Harbor Commission

Regular Meeting Minutes

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



City of South Haven

1. Call to Order by Arnold at 5:30 p.m.

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

Absent: Reineck

Also present: John Marple, Marina Manager

2. Approval of Agenda

Motion by Silverman, second by Sullivan to approve the October 20, 2015 regular meeting agenda as presented.

All in favor. Motion carried.

3. Approval of Minutes: August 18, 2015 Regular Meeting

Motion by Stephens, second by Stegeman to approve the August 18, 2015 regular meeting 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. Financial Report

VandenBosch reviewed the Financial Report, noting the increase due to slight increase in transient slip fees and the state's policy of charging by slip length.

6. Capital Improvement Plan

VandenBosch explained this plan as an attempt to be strategic in planning but the state also requires such a plan to apply for grants with the waterways.

VandenBosch informed the board regarding a number of small projects listed under Major Projects, noting that the electric pedestal project is almost complete, with the addition of two more pedestals than originally planned, including one for the charter boat. VandenBosch also noted that twice there were no bids for the original project, which was small, and now we have packaged together several more items.

VandenBosch reviewed details of several of the listed projects including the Northside Steel Dock Rehab, which will include some bumpers and pavement repairs; the Maritime Commercial Umbrella, which will put a covering over the deck using a large umbrella like you might see at a hotel and installing security cameras at all of the marinas. VandenBosch also noted that an improvement is being planned at the Maritime Marina which involves closing in a covered deck to make a lounge for the boaters.

Regarding grants, VandenBosch informed that the city is applying for grants for the Southside Roof and the Southside Dock Extension Engineering, as well as a grant for a cruise ship feasibility study. VandenBosch also proposed moving up the Southside Dock Extension Engineering and the Cruise Ship Feasibility Study.

After a question by Stephens about the need for security cameras when security cameras have not been included in our plan, VandenBosch explained that there have been complaints of break-ins and people sleeping on the boats and some issues with theft and vandalism on boats in both the Northside and Maritime Marinas.

Marple noted that it has been vicious, not so much theft as vandalism. Marple said the ones we have caught have been young folks coming back from the bars. Marple said we had a rash of problems and the Police Department stationed a police officer in the area and the issue seemed to disappear. Marple indicated that the boaters would really like to have a security system in place. Discussion ensued regarding who will monitor the cameras, which VandenBosch said will be connected to the Police Department, who have a number of cameras they already monitor. Silverman noted that is after the fact, which VandenBosch agreed with and which Marple stated that once the offenders learn the cameras are there, and the word gets out on the street that the city is not tolerating inappropriate behavior, the cameras serve as a deterrent.

Stegeman asked if VandenBosch were ever able to talk to someone about getting the buoy information up in the harbor. VandenBosch apologized and said no, that he hadn't realized he was to pursue that. Asked for details, Stegeman explained that the Steelheaders would like to put up a sign at the ramps which would inform boaters how to access the buoy information on-line. Secondly, much like the signs on the water plant that show the temperature, the Steelheaders would like to place similar message boards on the north and west sides of the Southside Municipal Marina and display the conditions, namely, wind direction and wave height. There would not be a need to log in then to retrieve the information. Stegeman also noted that the South Haven buoy is very close to the Cook Plant buoy as far as the number of hits and this is only the second year for the South Haven buoy.

VandenBosch asked that any motion be in the form of a recommendation to City Council because Council has to approve this for the Waterways grant application.

Motion by Stegeman to recommend to City Council the approval of the Five Year Capital Improvement Plan with four additions: 1.) Southside Electric Pedestals 2.) enclosure of a porch to create a Maritime Boater Lounge 3.) Southside Dock Extension Engineering and 4.) Cruise Ship Feasibility Study. Second by Pyle.

After discussion, it was suggested that the NOAA display on the Southside marina be added to the Capital Improvement Plan with a \$10,000 figure as a place holder.

Silverman asked if this recommendation is for proceeding with grant applications as opposed to supporting specific capital improvements to which VandenBosch responded that with approval staff would start working on the grant applications; staff would also then start on the projects listed in the Five Year Capital Improvement Plan.

Stephens had questions regarding the plans for the Maritime Boater Lounge which VandenBosch explained as an enclosed porch. Stephens also asked about the umbrella which VandenBosch explained as a steel structure that would cover part of the deck.

Arnold called the question.

Ayes: Pyle, Stegeman, Stephens, Sullivan, Arnold

Nays: Silverman

Motion carried.

7. Marina Contracts

VandenBosch explained that these two (2) contracts were written by the city attorney with the addition of the ability to put a lift in some slips that are affected by the surge.

Seasonal Marina Contract as always

Seasonal Marina Contract with Lift

Resolution naming the City Manager or his designee, in this case, the Marina Manager, the ability to sign these contracts.

Lift contracts

VandenBosch reviewed the various aspects of the contracts, highlighting some of the important details and stated that he is looking for a recommendation to City Council to approve these contracts.

Stegeman remembered the awnings downtown being a license agreement and asked if that is the same thing that is being proposed for the lift agreement. VandenBosch said this is similar but it is actually an addition to the existing Marina Contract. Discussion ensued regarding the cost of the lift being paid for by the lessee of the slip. Stegeman recalled when

he was Commodore of the Yacht Club and said if a member was permitted to install a lift, there were various things to consider including the type of lift, whether there is sufficient electric to run the lift, the aesthetics of the lift and insurance.

VandenBosch noted that the insurance part is addressed in Paragraph 9.

Sullivan commented that at his marina there are a couple of lifts and we have had a request to put an awning over one and some of the other boaters' views would be compromised to which VandenBosch responded that there is a certain amount of discretion at staff level to approve or disapprove a lift.

Pyle asked about whether information about leaving trailers in Black River Park is included in the contract. After discussion VandenBosch, said he will reread the agreement and add it if it is not in there, he will be sure it is added, noting it has to be included.

Silverman pointed out that with regard to the slip agreement, look at Paragraphs 3.c. and 3.d.; the provisions are contradictory. Silverman suggested that to alleviate that contradiction, sub-paragraph 3.c. should be omitted. VandenBosch noted that the problem with that is when it is a serious breach that needs to be dealt with immediately Sub-Paragraph 3.c. allows the City Manager to deal with it immediately. Silverman took issue with the language "reasonable belief" included in 3.c. After discussion, it was suggested that the last paragraph of 3.d. be removed and placed at the end of 3.c. to make 3.c. deal with incidents with cause and 3.d. deal with situations without cause.

Stegeman suggested making that a motion with the caveat that this be reviewed. Silverman suggested taking out the last sentence of paragraph 3.d. and you no longer have the conflict. Further discussion ensued.

Silverman noted that Paragraph 5 says it is a non-exclusive license and questioned whether the license is granted for a specific slip to which VandenBosch noted the license is granted to a specific person for a specific boat.

Stegeman pointed out that if someone installs a lift, then leaves for a week on vacation, the marina cannot rent the slip out. VandenBosch said from the financial perspective, we generate much more income from renting to a seasonal boater than a transient. Stegeman expressed his opinion that in that case the lifts should be limited to those slips most affected by wave action. Discussion ensued regarding that point.

Silverman said from his perspective the first contract needs to be corrected and he needs additional time to review the second contract. Silverman noted that those slips have had to be abandoned due to the surge; if that can be resolved by installing the lift, it gives us a seasonal renter that might otherwise occupy a slip with no lift'; the slip will be a substantial investment so it guarantees that the owner of the lift will occupy the slip for the foreseeable future. The worst that could happen is the owner could abandon the slip and fail to remove the lift; the ownership would revert to the city who could then decide whether to leave the lift or remove

it. Silverman said as long as the city maintains control over the license as to what type and size; whether additional pilings need to be installed and being sure additional pilings do not affect the width of the slip, he does not see why a less usable slip could not be made more usable. VandenBosch noted that all of the slips toward the lake have lifts in them so we are just expanding what is already there.

Marple said we have an individual who has been in a slip for three years and we have had a number of issues with his boat over time. Marple thinks if we are making the lift contracts specific to the steel wall slips, he thinks we should go ahead because there is a source of income. "That area is very much under-used; take an eight (8) foot slip multiplied by \$40,000 and by eight (8) slips; you get the idea. I think that over a span of two (2) to three (3) years we could fill those slips up. They are in the surge but have the best views in town. If we can allow for it, we should."

Marple also noted that notices for the deposits have already been sent out; he would like to move this issue forward so this opportunity can be offered to one very interested individual. "We have plenty of electric. Pilings might need to be addressed properly, that would be the expense of the person who wants the license to add a lift to that slip; the lift has to meet code, be installed properly and inspected." Marple has no problem with specifying this particular area and treating this as a test. Even if it doesn't work out, Marple believes we should attempt to provide a viable method of generating income where historically we have not been able to do so. Currently, Marple pointed out that about \$2000 is being generated annually for the slips in that area by allowing people to put their jet-skis or small watercraft there.

VandenBosch would like a motion which would permit him to take these contracts to the attorneys for review and then take the contracts directly to City Council.

Motion by Silverman to recommend the two draft contracts to City Council subject to review and finalization by the City Attorney. Second by Stephens.

All in favor. Motion carried.

Member and Staff Comments

Sullivan asked if any soundings have been done on the river or turning basin to which VandenBosch responded, "We have not done any soundings."

Sullivan asked about dredging and whether the budget has any money requested for a spoils site. VandenBosch noted that the spoils site is not in the proposed budget, explaining that staff is still in conversation with Ross Stein, the South Haven Township Supervisor. VandenBosch advised that could be done by budget amendment; noting it is somewhat of a strategic number. Discussed ensued regarding funding for the purchase of a spoils site. VandenBosch pointed the board to page sixteen (16) which has some additional information regarding the extent of costs for dredging.

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Adjourn

Motion by Stegeman, second by Sullivan to adjourn at 6:27 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary