

Harbor Commission

Regular Meeting Minutes

Tuesday, July 16, 2013
5:30 p.m., City Hall Council Chambers
South Haven City Hall



City of South Haven

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

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

2. Approval of Agenda

Motion by Stephens, second by Strong to approve the July 16, 2013 regular meeting agenda.

All in favor. Motion carried.

3. Approval of Minutes: June 18, 2013 Regular Meeting

VandenBosch suggested the board delay approval of the minutes until next month since he did not include them in the packet.

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 Marina Reports.

According to the data lake levels are at the high level of last year and predictions are that it will continue to rise.

6. Adventure Water Sports License Agreement

VandenBosch noted that there were three main areas of concern by Council; comparable insurance requirements with other boat rental companies, whether a guide should be used and requirements for providing services to the City. An informational packet put together by

VandenBosch indicates that in the area of insurance the two businesses are similar; they use the same agency, both have a \$1M water craft liability. VandenBosch sent the policies to the city's insurance carrier for review and there were three areas of concern (referred the board to page 19 of the agenda packet).

- 1.) The original insurance policy provided by LJ Agency Inc. did not list the City as an additional insured, after notification, LJ Agency sent a revised insurance policy that satisfied this requirement. The policy provided by Adventure Water Sports did not have the City listed as additional insured, but it is likely an easy fix.
- 2.) LJ Agency Inc. provides a guided excursion service while Adventure Water Sports does not. VandenBosch noted that the guide is not a city requirement.
- 3.) LJ Agency proposed to place, replace and remove buoys, as part of their proposal to the city. VandenBosch explained that LJ's personal water craft were not heavy enough to pull the buoys out, noting that the anchors can get dug in very deeply. While LJ staff does help with setting and moving the buoys if they are not dug in too deeply, the requirement for removing them at the end of the season has been removed from their license agreement with the city. VandenBosch noted that the city did not ask for any services from Adventure Water Sports and VandenBosch does not know of any services which the City might have a need of, except perhaps removal of the buoys at the end of the season. VandenBosch indicated that he is not sure that Adventure Water Sports' boat would even be heavy enough to do that job.

VandenBosch noted that his staff report indicates that the two businesses operate quite differently and there is a difference in the license fee because of the difference in level of service and location. City Council has requested that Harbor Commission review the license agreement and provide comments to City Council.

Strong inquired whether all of the insurance issues are taken care of, to which VandenBosch responded yes.

Strong commented that the ranger guide is not necessary. Anyone who takes a boat or jet ski has to have the training. Noted that people who rent kayaks are a worse problem than any of the personal water craft or boats.

Strong commented on the shared services, "if we (the city) needed something and we asked and the rental agency agreed to provide the service that would be great." But if there is no service needed, Strong has no problem with that.

Stephens questioned whether someone who is 16 years old and has no training can operate a jet ski. Fidelman and his staff explained the state requirements, noting that their staff is licensed to train potential water craft renters and issue a one-time temporary day permit for that rental only.

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Sullivan asked about the licensing agreement, whether anyone who launches personal water craft is required to have a licensing agreement; VandenBosch noted that commercial operation is the issue.

Strong asked what is needed, "a motion to approve the amended licensing agreement."

Fidelman stated that City Council has been keeping him from getting on the water; noted that he has been doing this for twenty-seven (27) years with a perfect safety record. Fidelman noted that he can launch legally anywhere but South Haven.

Motion by Stephens to approve the licensing agreement, second by Sullivan. All in favor. Motion carried.

7. General Comments

Strong noted that several times this summer dinghy docks could not be used for kayaks or canoes due to jet ski rentals to which VandenBosch responded that the jet skis are not supposed to be docked at the dinghy dock all day, however they are allowed to load and unload passengers.

Strong asked if there was a dinghy dock under the bridge. VandenBosch said "Yes, due to low water, the dinghy dock installation at Dyckman Bridge was delayed until Monday. The dinghy dock at Black River Park was blocked by dredging equipment for some time and was also installed on Monday."

Strong asked for numbers to call if the black pipe which is supposed to be submerged is not submerged. VandenBosch said he can be reached at 637-0775 or Gro America can be called at 616-855-0188.

Member and Staff Comments

Adjourn

Motion by Stephens, second by Strong to adjourn at 6:07 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary