

# Harbor Commission

## Regular Meeting Minutes

Tuesday, October 15, 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.

#### Roll Call:

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

### 2. Approval of Agenda

Motion by Silverman, second by Strong to approve the agenda as presented.

All in favor. Motion carried.

### 3. Approval of Minutes: September 17, 2013 Regular Meeting

Motion by Reineck, second by Sullivan to approve the September 17, 2013 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. Marina Reports

VandenBosch reviewed the Marina Reports, Black River Park Revenues and River Maintenance Fund.

Plans are to disable the gate at Black River Park for the winter season, leaving it open.

VandenBosch noted that the rain has helped the lake levels.

## **6. Black River Park Master Plan**

VandenBosch noted that the plan has been to Parks Commission and Planning Commission for review and comment. Minor changes were recommended. After review by the Harbor Commission, the next step is to recommend the plan to City Council.

Tony McGhee, Business Development Director and Kathy Burczak, Senior Landscape Artist, both from Abonmarche are here to review the draft Master Plan.

Burczak reviewed the progression of the plan since Abonmarche was tasked with improving vehicular traffic flow and determining the best place for a new fish cleaning station. Abonmarche proposes a small restroom in the same area. The entrance gate to the boat launch and flow of the boat launch parking area and launch site would remain the same with the addition of ADA (Americans with Disabilities Act) parking. Abonmarche also proposed a small restroom at the far end of the parking area for marina guests. The existing restroom would be made ADA compliant. Proposed additions to improve usability for guests include picnic areas, canoe and kayak launch improvements, pedestrian connectivity from the marina to all components of the area over impervious paving with minimized vehicular crossing and an ADA compliant pavilion.

The current dredge spoils site will eventually provide unpaid and ADA overflow parking and an unloading area near the new fish cleaning station; while this area will not be paved during the early phases of the project, there will be bituminous ADA access to the fish cleaning station in conjunction with the loading/unloading area.

There was discussion regarding the role the Black River Park Master Plan plays in the future development of that area and how it relates to the city's Master Plan. VandenBosch noted that this is separate from the Planning Commission's Master Plan and explained that a master plan does not lock anyone into anything, but it provides a vision or plan for potential future development.

Discussion ensued regarding the formerly proposed cul-de-sac on Dunkley. McGhee noted that the cul-de-sac became a roadblock and the currently proposed Dunkley Street access is designed, not to be convenient, but to provide secondary one-way access and to provide important access for fire safety.

There was discussion regarding the various options for access to the Black River launch site; means used to determine what percentage of vehicles stop at Pyle's Porthole compared to the ones who launch without stopping at Pyle's and the Dunkley loop.

There was discussion regarding impervious and pervious paving and the ratio of black and green spaces in the Master Plan. VandenBosch pointed out that at present grass pavers are still too expensive; perhaps during a later phase alternative paving options could be explored.

Motion by Stephens second by Strong to recommend the Black River Park Master Plan to City Council for approval.

All in favor. Motion carried.

## **7. Marina Facility Rental**

VandenBosch explained that information regarding marina facility rental was sent to the city attorney, who made some very minor changes. This policy would allow rental of north and south side marina facility buildings.

VandenBosch started work on a contract addendum with the marina manager; the marina manager would manage this for a percentage of the rental fee. Research needs to be done regarding the costs of cleanup and management. VandenBosch noted the city has had a number of requests to use the marina facility and have been told it is not for rent until we have a policy in place.

Policy presently only allows consuming or selling alcoholic beverages on public property by resolution of the City Council, according to VandenBosch. A recent resolution, focused more on festivals, allows certain public areas to have wine tastings or beer tents; if it was desired to serve alcohol in the marina facilities that policy would have to be amended. There was discussion regarding the regulations of the liquor commission, which they only regulate in this type of situation if the alcohol is being sold. At this time VandenBosch recommends only allowing non-cash bars and that would only be allowed if there was an amendment to the City Council's recent resolution.

There was discussion regarding the paragraph indicating non-profit organizations and social groups. Silverman pointed out that there is no definition of a social group. VandenBosch indicated that the purpose of that designation was so a South Haven resident can rent the facilities for fifty percent (50%) off. Silverman suggested adding 501(c) 3 in front of the word non-profit. Silverman feels it is asking for trouble to use an undefined group. Silverman said you need to determine exactly what you are trying to accomplish. Stephens agreed that the present wording is not clear but confusing and that the wording should just clearly state the intent. Arnold likes the idea of a resident discount. VandenBosch suggested indicating that residents of the City of South Haven and 501(c) 3 non-profit groups can rent for fifty percent (50%) discount.

Silverman suggested that at the end of paragraph 8.d.II where it states that a renter or a caterer be responsible for cleaning the facility after an event that it be changed to make the renter be responsible for the cleaning; if the renter wants to assign that to the caterer he can but the renter is ultimately responsible. In section 9 VandenBosch said management would like to be able to exclude any caterer that the city has problems with. There was agreement that the renter shall require the caterer to fully clean the facility.

The group discussed the marina manager being the one to designate parking for the rented facility during the busy season.

There were question about when the date restriction would be for the application to be turned in with the deposit. Final payment is due one week before the event, but there is no indication of how far ahead the deposit and application need to be turned in.

Discussion ensued regarding how far in advance cancellation notice needs to be made; a sliding scale based on lead time was discussed with several comments regarding the amount of the administration fee for cancellation.

VandenBosch would like to rewrite this policy based on today's suggestions and send it out to everyone by email for comment. Requested a motion to recommend to City Council subject to Harbor Commission review by email.

Motion by Silverman to approve the marina facility rental policy and recommend it to City Council subject to the changes we discussed;

- Revision of final paragraph of Section 2 to allow fifty percent (50%) discount for City of South Haven residents and any 501(c) 3 non-profit group.
- A change to Section 6 to allow cancellation without penalty if made sixty (60) days or more in advance.
- The reduction of the administration fee to \$100
- Paragraph 8. D. II. Eliminate word "caterer"
- Section 9. Fourth sentence. To provide that the renter shall require the caterer to clean the facility.
- Section 10. Second sentence. That the marina manager will designate where the attendees are to park during the remainder of the year

all of which will be included in a revised copy to be emailed to the Harbor Commission members for their final approval.

Second by Strong.

All in favor. Motion carried.

Sullivan suggested that a percentage of the rental fee would be better than a set administration fee. VandenBosch noted that can be considered when the review by email is done.

## **8. Dredging Update**

VandenBosch updated the Harbor Commission regarding soundings that came back at the end of the dredging project because we pay by the volume removed. Pre and post soundings

are taken and the difference is how the dredging contractor gets paid. There is a substantial amount of material in the federal channel which is an issue. Due to the federal shutdown VandenBosch has been unable to contact the Corps. VandenBosch plans to work with the dredging contractor to get some additional dredging done in some of the worst areas. The Dunkley Street area will be flattened out when the dredging contractor is finished, at which time that area will be capped with gravel. VandenBosch hopes the dredging project will be done by the end of the year.

VandenBosch informed the board that if they hear complaints of higher than normal levels, VandenBosch would like to know about it. Silverman said J & B Marine could probably tell you every high spot; they have been pulling boats out up the river.

VandenBosch noted that the lighthouse/pier heads area has been done; everything except the area near the Idler should be taken care of, but we do not have soundings from after the Army Corps did their dredging and probably won't until the federal government starts up again. Strong and Silverman agreed that the level is better this year than it was last year.

Stephens questioned page thirty-two (32) to which VandenBosch said that is related to the army corps project early on. If soundings indicate twelve feet (12') they will dredge it to fourteen feet (14').

### **Member and Staff Comments**

In response to Strong's request for an update on bridge repairs VandenBosch explained that due to circumstances no one is sure when the project will be rebid.

VandenBosch indicated that the Black River Park gate will be opened full time November 1, 2013 to March 30, 2014.

VandenBosch stated that the City is currently going through their annual audit, and he will add the marina audit to the next agenda if he gets that information in time.

Today is last day for marinas. Staff is in the process of winterizing; people are moving out.

Silverman asked what will be done with the furniture in the north side marina. VandenBosch said the outdoor furniture will be put in storage. Staff may buy or rent banquet tables.

Sullivan questioned whether anything proactive can be done for future dredging, particularly the sediment traps. VandenBosch agreed that sediment traps need to be addressed; that is something that can be contracted out in the winter.

Silverman would like to see a method of reducing or eliminating the surge that affects the South Side marina. There are a number of surge protection devices available now; suggests it be looked into. If we want to increase transient traffic, we have to deal with the one consistent complaint the users have which is the surges that affect that marina. Staff needs to put in place a process to evaluate the equipment that might prevent or reduce that surge.

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VandenBosch explained that a very expensive option, to cut an area out of the channel, make it wider and put rip rap along the side, is available. However there are other options using a fabric or material that might work.

### **Adjourn**

Motion by Strong, second by Stephens to adjourn at 6:52 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary