

# City Council

## Regular Meeting Agenda

Monday, March 7, 2016  
7:00 p.m., Council Chambers



1. Call to Order
2. Invocation – Reverend Eric Jarvis, Pastor at First Assembly of God
3. Roll Call
4. Approval of Agenda

**5. Consent Agenda: Items A thru F (Roll Call Vote Required)**

(All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. Unless requested by a Council Member or a citizen, there will be no separate discussion on these items. If discussion is required regarding an item, that item will be removed from the Consent Agenda and considered separately.)

- A. Council will be requested to approve the City Council minutes for February 15, 2016.
- B. Council will be asked to approve invoices totaling \$3,009,022.21 for the period ending February 14, 2016 be approved and forwarded to the Clerk and Treasurer for payment.
- C. Council will be asked to consider approval of Resolution 2016-12, a resolution accepting the Michigan Natural Resources Waterways grant award in the amount of \$50,000 for preliminary engineering study for a head dock extension at the South Side Municipal Marina and wave attenuation.
- D. Council will be asked to consider approval of Resolution 2016-13, a resolution accepting the Michigan Natural Resources Waterways grant award in the amount of \$62,500 for roof improvements to the South Side Municipal Marina.
- E. Council will be asked to consider approval Resolution 2016-14, a resolution recognizing the South Haven Junior Youth League as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses.
- F. Council will be asked to approve the following minutes:
  - 1) October 21, 2015 Downtown Development Authority meeting minutes;
  - 2) December 2, 2015, Downtown Development Authority workshop meeting minutes;
  - 3) December 22, 2015 South Haven Area Recreation Authority meeting minutes; and
  - 4) January 16, 2016 Liberty Hyde Bailey Museum board minutes.

*If a member of the public wishes to address any of the following items listed on the agenda they will be given a chance to speak prior to Council discussing the item. They will be given up to 5 minutes to address their concerns.*

### NEW BUSINESS

6. Council will be asked to consider the appointment of Nick Fazio to the Harbor Commission for a partial term ending in 2018.

7. Council will be asked to consider a motion to approve a license agreement for 706 Center Street, an agreement allowing the continued use of the city's right-of-way.
8. Council will be asked to consider Resolution 2016-15, a resolution providing relief for qualified homeowners from paying special assessments for public water and sewer improvements.
9. Council will be asked to consider approval of a license agreement with VHF, Inc. to operate the North Beach Concession for a period of two (2) years.
10. Council will be asked to consider a motion set a public hearing, to occur on Monday, March 21, 2016, as part of the regular City Council meeting, to solicit input on the city's 2016 Michigan Natural Resources Trust Fund application.
11. Council will be asked to consider approval of Resolution 2016-16, a resolution setting a public hearing to consider an Industrial Facilities Tax Exemption Certificate for East Jordan Plastics, Inc. located at Stieve Drive.
12. Council will be asked to consider approval of Resolution 2016-17, a resolution of support for an effort by the South Haven Masonic Temple, seeking the passage of HB 5325/SB 732.
13. Council will be asked to consider Resolution 2016-18, a resolution appointing a Board of Review, establishing a rate of compensation and meeting schedule for tax year 2016.
14. Council will be asked to consider approval of Traffic Control Order 16-002, an oversized vehicle parking ban for portions of Monroe Blvd.
15. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda  
*(You will be given up to 5 minutes to address your concerns.)*
16. City Manager's Comments
17. Mayor and Councilperson's Comments
18. Adjourn

**RESPECTFULLY SUBMITTED,**



**Brian Dissette, City Manager**

South Haven City Hall is Barrier-free and the City of South Haven will provide the necessary reasonable auxiliary aids and services for persons with disabilities, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting to individuals with disabilities at the meeting upon seven (7) days notice to the South Haven City Clerk. Individuals with disabilities requiring services should contact the City Clerk by writing or calling South Haven City Hall at (269) 637-0750.

# City Council

## Regular Meeting Minutes

Monday, February 15, 2016  
7:00 p.m., Council Chambers



1. **Call to Order by Mayor Burr at 7:00 p.m.**
2. **Invocation – Father Rick Turner, Pastor at Holy Trinity Anglican Church**
3. **Roll Call**

Present: Jeff Arnold, Clark Gruber, Andy Klavins, Vickiy Kozlik Wall, Steve Schlack, Scott Smith, Bob Burr  
Absent: None.

4. **Approval of Agenda**

Moved by Arnold, seconded by Smith, to approve the agenda.  
Voted Yes: All. Motion carried.

5. **Consent Agenda: Items A thru E (Roll Call Vote Required)**

Moved by Kozlik Wall, seconded by Gruber to approve the Consent Agenda as follows:

- A. Council will be requested to approve the City Council Joint Workshop Minutes from January 27, 2016.
- B. Council will be requested to approve the City Council Regular minutes for February 1, 2016.
- C. Council will be requested to approve the City Council Special Closed Workshop minutes for February 1, 2016.
- D. Council will be asked to approve invoices totaling \$307,089.88 for the period ending February 14, 2016 be approved and forwarded to the Clerk and Treasurer for payment.
- E. Council will be asked to approve the following minutes:
  - 1) December 8, 2015 Parks Commission minutes;
  - 2) December 16, 2015 Housing Commission minutes;
  - 3) January 7, 2016 Planning Commission minutes; and
  - 4) January 19, 2016 Harbor Commission minutes;

A Roll Call Vote was taken:

Yeas: Arnold, Gruber, Klavins, Kozlik Wall, Schlack, Smith, Burr  
Nays: None.

Motion carried.

## NEW BUSINESS

- 6. Council will be asked to consider Resolution 2016-10, a resolution granting local government approval of a liquor license transfer from 561 Huron Street, Café Julia, to 527 Phoenix Street.**

*Background Information:*

The City Council will be asked to consider approval of Resolution 2016-10, a resolution granting local government approval of a liquor license transfer from 561 Huron Street, Café Julia, to 527 Phoenix Street.

The Class C liquor license transfer is requested by Mr. Jay Marcoux, on behalf of his businesses. Marcoux is the owner of both 561 Huron Street and 527 Phoenix Street. As noted in Marcoux's correspondence, he is working to develop a restaurant concept at 527 Phoenix Street, and the liquor license from his other business is desired for the new concept. The correspondence notes that the transfer process, involving the Michigan Liquor Control Commission (MLCC,) is likely to take time and Marcoux asks the City Council to consider action on the local approval.

Staff has reviewed the liquor license transfer request and has expressed no objections and/or concerns. Staff notes that the request is a transfer of an existing Class C liquor license, and does not add an additional license to the city.

Moved by Gruber, seconded by Klavins, to approve Resolution 2016-10, a resolution granting local government approval of a liquor license transfer from 561 Huron Street, Café Julia, to 527 Phoenix Street.

Voted Yes: All. Motion carried.

- 7. Council will be asked to consider a motion to approve a one year agreement with the Greater South Haven Area Chamber of Commerce for the management and oversight of the city's farmers' market operations.**

*Background Information:*

The City Council will be asked to consider renewal of the one year agreement with the Greater South Haven Area Chamber of Commerce, for the management and oversight of the city's farmers' market operations.

The agreement seeks to continue the arrangement which places management of the farmers' market, which operates from May 1<sup>st</sup> through October 31<sup>st</sup> on Saturdays and Wednesdays (June, July, and August only) at the Huron Street pavilion, into the Chamber of Commerce's staff's control. Under the agreement, the Chamber of Commerce will manage a website, promote the market, take applications, assign vending/parking/staging spaces to the vendors, ensure the market is open for the standard hours of operation, secure payments from vendors, provide customer service to vendors and the public, along with other duties. The agreement seeks to renew the payment terms from the previous year. The agreement provides the Chamber of Commerce with \$15,000 for its services. The agreement further provides that the city shall pay the Chamber of Commerce 50% of any vendor license fees in excess of a total of \$15,000 for the 2016 Farmers' Market season. Finally, the agreement provides an

allowance of up to \$1,500 in total marketing and promotion expenses. For the 2015 season, the city observed total cash flow of \$39,835 at the Farmers' Market, and was able to fund the market management agreement through market revenue.

For the past several months, the city's staff has been in negotiations with the Chamber of Commerce, with the intent of having the chamber's staff continue the management of the farmers' market. The Chamber of Commerce has added a full-time staff member, so the additional market duties could be absorbed by this staff member. This agreement allows for farm market customer service throughout the calendar year. Staff has found that similar management agreements are used for public farmers' markets in Midland, Petoskey, Sparta, Brighton, Howell, and Grand Haven.

Kathy Wagaman, Director of the Chamber of Commerce, spoke to Council on this issue and answered questions posed by the members.

Moved by Schlack, seconded by Kozlik Wall, to approve a one year agreement with the Greater South Haven Area Chamber of Commerce for the management and oversight of the city's farmers' market operations.

Voted Yes: All. Motion carried.

**8. Council will be asked to consider the following approvals:**

*Background Information:*

The City Council will be asked to consider the approval of updated operating agreement and alcohol service policy with the Liberty Hyde Bailey Museum (LHBM), located at 903 South Bailey. The agreement and policy will allow the LHBM to continue their operations and will also allow special events at the facility which may feature alcohol service. Additionally, the Council will be asked to consider approval of the 2016 special events at LHBM, which may feature alcohol service.

At the January 5, 2015 regular meeting of the City Council, the Council approved final action on a code amendment that repealed Chapter 58, Article II, Division 3 of the city's Code of Ordinances. When the amendment was approved, the LHBM was able to consolidate the governance of the museum.

Prior to approval, the city's staff and attorney actively worked with representatives from LHBM. During that time, it was noted that LHBM had two governing bodies. The LHBM was a public board which was created by ordinance that consisted of up to seven members appointed by the City Council. The LHBM also had a Memorial Fund, which was a private non-profit corporation. The non-profit was created for the purpose of promoting and improving the museum. Many of the LHBM board members were active in the non-profit, and the functions of the two bodies overlapped. For many months, staff and the attorney worked with LHBM to determine the most prudent way to address the museum's management structure. Staff recommended this approach, as it allowed for continued local control, but provides LHBM with greater flexibility (e.g., this approach allows LHBM to recruit members from the city and from outside of the city and adopt new bylaws which allow for greater fundraising opportunities.)

The ordinance amendment struck Chapter 58, Article II, Division 3 of the city's Code of Ordinances, which was the portion of the code that established the LHBM Board. The ordinance amendment allowed the city to establish a new governing structure at the LHBM, through an operating agreement with the LHBM non-profit.

For tonight's meeting, the Council is asked to consider renewal of the LHBM operating agreement. The LHBM Board is requesting the Council consider extending the agreement from a one-year agreement to a five-year agreement.

Please note; the ordinance amendment preserved the LHBM's status as a public park. However, the ordinance amendment made clear that the LHBM's oversight will be provided by the City Council, instead of the city's Parks Commission.

In addition to the LHBM operating agreement, the Council will be asked to consider renewal of the alcohol service policy. During the 2015 calendar year, the Council approved an alcohol service policy for LHBM, which allowed the facility to host events which featured alcohol service. As with the city's other alcohol service agreements, the facility must comply with a variety of regulations (e.g., the facility may not charge for the alcoholic beverages, the facility must request permission to host the events, the services must comply with all regulations from the Michigan Liquor Control Commission, the services must be limited to the confines of the facility area, the facility must provide liability insurance to the city, along with other regulations.)

The purpose of the alcohol service policy is to ensure the city and LHBM comply with the city's Code of Ordinances, section 54-105(a), which provides that no person shall consume or possess alcoholic beverages in a public place within the city, unless specifically permitted by resolution of the Council. The LHBM has provided an annual listing of planned events which include alcohol service. The Council will need to adopt an updated alcohol service agreement. Further, the Council will need to consider approval of the LHBM's listing of planned events which include alcohol service (please note, LHBM is requesting an increase in events from six events to ten events.)

- a. Council will be asked to consider a motion to approve the five year operating agreement and alcohol service policy with Liberty Hyde Bailey Museum, 903 South Bailey, to be effective from 2016 calendar year through 2021 calendar year.**

Moved by Klavins, seconded by Smith, to approve the five year operating agreement and alcohol service policy with Liberty Hyde Bailey Museum, 903 South Bailey, to be effective from 2016 calendar year through 2021 calendar year.

Voted Yes: All. Motion carried.

- b. Council will be asked to consider a motion to approve the annual alcohol service special events list from Liberty Hyde Bailey Museum for the 2016 calendar year.**

Moved by Smith, seconded by Arnold, to approve the annual alcohol service special events list from Liberty Hyde Bailey Museum for the 2016 calendar year.

Voted Yes: All. Motion carried.

**9. Council will be asked to approve the following events:**

- a. Special Event Application 2016-01 – Harborfest 2016 to be held on June 16-19, 2016 beginning at noon on June 16, 2016 at Riverfront Park.**

*Background Information:*

Harborfest is scheduled for June 16-19, 2016. This will be the 25<sup>th</sup> annual celebration of Harborfest. At this event there will be live music, food vendors, craft vendors, dragon boat races, entertainment on stage by marina and more.

The event application seems to mirror last year's application. The "beer garden" will again be on the grassy area as shown on the map included in the application (pending approval of temporary liquor license).

Moved by Arnold, seconded by Gruber, to approve Special Event Application 2016-01 – Harborfest 2016 to be held on June 16-19, 2016 beginning at noon on June 16, 2016 at Riverfront Park.

Voted Yes: All. Motion carried.

- b. Special Event Application 2016-03 – North Shore Elementary 5k/Field Day to be held on June 7, 2016 from 9:30 a.m. to 11:30 a.m. with the route planned for Baseline Road, Kentucky Avenue, and North Shore Drive.**

*Background Information:*

North Shore Elementary is asking to hold their 5K/Field Day once again. This event is to celebrate the end of the school year. The event will take place from 9:30 a.m. to 11:30 a.m. on June 7, 2016 and an alternate date of June 8, 2016. The 5K will follow the regular North Shore 5K route through the city. The students and staff will begin at the school and end at the school, like previous years.

Moved by Kozlik Wall, seconded by Klavins, to approve Special Event Application 2016-03, North Shore Elementary 5k/Field Day to be held on June 7, 2016 from 9:30 a.m. to 11:30 a.m. with the route planned for Baseline Road, Kentucky Avenue, and North Shore Drive.

Voted Yes: All. Motion carried.

**10. Council will be asked to consider Resolution 2016-11, a resolution appointing a Board of Review, establishing a rate of compensation and meeting schedule for tax year 2016.**

*Background Information:*

The Assessor's Office submits the proposed resolution appointing the board members, setting the board's compensation, and setting the meeting dates for tax year 2016.

Moved by Kozlik Wall, seconded by Smith, to approve Resolution 2016-11, a resolution appointing a Board of Review, establishing a rate of compensation and meeting schedule for tax year 2016.

Voted Yes: All. Motion carried.

#### **11. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda**

No comments.

#### **12. City Manager's Comments**

No comments.

#### **13. Mayor and Councilperson's Comments**

**Kozlik Wall** – IceBreaker Festival was fantastic. Many people in town for Valentine's Day supporting local businesses.

**Schlack** – Appreciates emails and correspondence from Ward 3 residents.

**Gruber** – Planning Commission workshop this week on Wednesday at 10 a.m. in Council Chambers.

**Arnold** – No comment.

**Smith** – Boy Scout Troop #188 survived winter camping last weekend. Appreciates comments from Ward 1 residents.

**Klavins** – Boys basketball is ranked fourth in the state.

**Burr** – Don't forget to support We Care's Island Sit on February 27, 2016 at the Phoenix street traffic island – it's a fundraiser for heating assistance.

#### **14. Adjourn**

Moved by Kozlik Wall, seconded by Klavins, to adjourn the meeting.

Voted Yes: All. Motion carried. Meeting adjourned at 7:22 p.m.

RESPECTFULLY SUBMITTED,



Kate Hosier  
Deputy City Clerk

Approved by City Council:

**CITY OF SOUTH HAVEN  
MARCH 7, 2016**

	PREPAID	CURRENT	TOTAL
101-GENERAL FUND	\$ 121,847.11	\$ 66,910.04	\$ 188,757.15
202-MAJOR STREET FUND	\$ -	\$ 7,073.57	\$ 7,073.57
203-LOCAL STREET FUND	\$ -	\$ -	\$ -
204-STREET FUND	\$ 347.98	\$ 11,689.26	\$ 12,037.24
226-GARBAGE/REFUSE FUND	\$ -	\$ -	\$ -
250-DOWNTOWN DEVELOPMENT	\$ 1,070.80	\$ 41,456.06	\$ 42,526.86
251-LDFA #1	\$ -	\$ -	\$ -
252- LDFA #2	\$ -	\$ -	\$ -
253-LDFA #3	\$ -	\$ -	\$ -
260-BROWNFIELD AUTHORITY	\$ -	\$ -	\$ -
265-NARCOTICS UNIT	\$ -	\$ 363.32	\$ 363.32
266-POLICE TRAINING	\$ -	\$ -	\$ -
296-RIVER MAINTENANCE	\$ -	\$ -	\$ -
363- CAPITAL BOND	\$ -	\$ -	\$ -
370- BUILDING AUTHORITY #2	\$ -	\$ -	\$ -
371-CAPITAL BOND DEBT SERV	\$ -	\$ -	\$ -
372-WATER PLANT FUND	\$ -	\$ -	\$ -
395-DDA DEBT SERVICE	\$ -	\$ -	\$ -
396- DDA DISTRICT #2	\$ -	\$ -	\$ -
401-CAPITAL PROJECTS	\$ -	\$ -	\$ -
402-CAPITAL PROJECTS #2	\$ -	\$ -	\$ -
466- PAVILION AND ICE RINK	\$ -	\$ -	\$ -
545-BLACK RIVER PARK	\$ 44.87	\$ 686.51	\$ 731.38
577-BEACH FUND	\$ 123.02	\$ 4,904.79	\$ 5,027.81
582-ELECTRIC FUND	\$ 812,559.07	\$ 32,947.73	\$ 845,506.80
591-WATER FUND	\$ 12,800.30	\$ 59,836.51	\$ 72,636.81
592-SEWER FUND	\$ 10,700.43	\$ 119,104.23	\$ 129,804.66
594-MUNICIPAL MARINA	\$ 951.73	\$ 1,634.52	\$ 2,586.25
636-INFORMATION SERVICES	\$ -	\$ 13,921.41	\$ 13,921.41
661-MOTOR POOL	\$ 11,392.07	\$ 4,920.96	\$ 16,313.03
677-SELF INSURANCE	\$ -	\$ -	\$ -
703-TAX FUND	\$ 1,671,735.92	\$ -	\$ 1,671,735.92
718-TRUST & AGENCY	\$ -	\$ -	\$ -
750-EMPLOYEE WITHHOLDING	\$ -	\$ -	\$ -
<b>TOTAL</b>	<b>\$ 2,643,573.30</b>	<b>\$ 365,448.91</b>	<b>\$ 3,009,022.21</b>

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK						
03/07/2016	1	53678	000014	ABONMARCHE CONSULTANTS INC	MAIN PUMP STATION CONSOLIDATION	16,222.50
					SAW GRANT ASSET MANAGEMENT PLANS	20,852.76
					KALAMAZOO STREET ASSISTANCE	3,072.50
					BLACK RIVER STREET SEWER	6,099.50
					ENGINEERING ASSISTANCE	8,217.56
					PETERSON RAVINE MANHOLE REHABILITATION	1,451.14
					NORTH SHORE DRIVE	20,012.73
					INDIAN GROVE LIFT STATION & MONROE BOULE	15,357.50
					MAIN PUMP STATION CONSOLIDATION	38,207.43
					BLACK RIVER PARK - RBEG PARKING LOT	500.00
					NORTHSIDE MARINA EROSION CONTROL PROJECT	1,500.00
						<u>131,493.62</u>
03/07/2016	1	53679	000050	ALEXANDER CHEMICAL CORP	CHEMICALS	4,292.29
					CHEMICALS	1,705.50
						<u>5,997.79</u>
03/07/2016	1	53680	000065	ALLIED MECHANICAL SERVICES INC	REPAIRS	795.51
03/07/2016	1	53681	003073	ALS GROUP USA, CORP	CHEMICAL ANALYSIS	740.00
03/07/2016	1	53682	000073	ALTA CONSTRUCTION EQUIPMENT	PARTS	633.22
03/07/2016	1	53683	003074	APX INC	ENERGY OPTIMIZATION SERVICES	119.28
03/07/2016	1	53684	000161	ASPLUNDH TREE EXPERT CO	SPRAYING	3,699.60
					SPRAYING	4,932.80
					SPRAYING	3,699.60
					SPRAYING	3,699.60
						<u>16,031.60</u>
03/07/2016	1	53685	000177	AUTO-WARES GROUP	REPAIR/MAINT SUPPLIES- ACCT #23300720	75.13
					REPAIR/MAINT SUPPLIES- ACCT #23300720	23.16
					REPAIR/MAINT SUPPLIES- ACCT #23300720	3.62
					REPAIR/MAINT SUPPLIES- ACCT #23300720	187.95
					REPAIR/MAINT SUPPLIES- ACCT #23300720	187.95
					REPAIR/MAINT SUPPLIES- ACCT #23300720	12.29
					REPAIR/MAINT SUPPLIES- ACCT #23300720	24.94
					REPAIR/MAINT SUPPLIES- ACCT #23300720	69.49
						<u>584.53</u>
03/07/2016	1	53686	000229	BEAVER RESEARCH COMPANY	SUPPLIES	1,362.50
03/07/2016	1	53687	000337	BRONSINK & BOS EQUIPMENT	SUPPLIES	395.88
					SUPPLIES	63.20
						<u>459.08</u>
03/07/2016	1	53688	000346	BRUSH ENTERPRISES	REPAIRS	193.38
03/07/2016	1	53689	000418	CDW GOVERNMENT INC	KEYBOARD	69.08
03/07/2016	1	53690	000471	CITY PLUMBING & HEATING CO	PREVENTIVE MAINTENANCE - DPW	373.00
03/07/2016	1	53691	000498	COMCAST	INTERNET SERVICE 01720 188884-01-4	59.70
03/07/2016	1	53692	000505	COMPTON INC	ADJUST MANHOLE AND REPLACE SIDEWALK - BL	1,660.00
					REPLACE CONCRETE - PHOENIX & BLUE STAR	8,056.00
					REPAIR MANHOLE - NORTH SHORE & CHICAGO	11,980.00
					REPLACE SIDEWALK - MICHIGAN & ELKENBURG	3,832.09



Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
03/07/2016	1	53710	001248	KENNEDY INDUSTRIES INC	FLYGT GRINDER PUMP	2,515.00
03/07/2016	1	53711	001262	KIMBALL-MIDWEST	SUPPLIES	53.94
03/07/2016	1	53712	003368	LAKELAND ASPHALT CORP	COLD PATCH	4,550.91
03/07/2016	1	53713	UB REFUND	MCFADDEN, VOYD D	UB refund for account: 10536007	39.27
03/07/2016	1	53714	001544	MENARDS	MAINTENANCE SUPPLIES	33.41
					MAINTENANCE SUPPLIES	56.96
					MAINTENANCE SUPPLIES	55.65
					MAINTENANCE SUPPLIES	83.37
					MAINTENANCE SUPPLIES	98.05
						<u>327.44</u>
03/07/2016	1	53715	001590	MICHIGAN CAT	PARTS	79.88
					PARTS	79.88
					PARTS	131.78
					PARTS	141.06
						<u>432.60</u>
03/07/2016	1	53716	003153	ROBERT MILLER JR	CONSULTATION CONTRACT - FEBRUARY	1,300.00
03/07/2016	1	53717	001766	MUZZALL GRAPHICS	1099'S & 1096'S	30.88
					ENVELOPES	564.30
					ENVELOPES	1,519.88
						<u>2,115.06</u>
03/07/2016	1	53718	UB REFUND	ODEN, TONI M	UB refund for account: 30213016	256.80
03/07/2016	1	53719	001913	OUDBIER INSTRUMENT CO	RELOADED RADIO & PLANT LAPTOP FOR COVERT	504.00
03/07/2016	1	53720	001965	PEERLESS MIDWEST INC	CHECK OUT VFD FAULTING & MOTOR WIRING	460.00
03/07/2016	1	53721	001998	PK CONTRACTING INC	PAVEMENT MARKINGS	1,481.05
					PAVEMENT MARKINGS	4,893.00
					PAVEMENT MARKINGS	6,690.24
					PAVEMENT MARKINGS	34,514.92
						<u>47,579.21</u>
03/07/2016	1	53722	002020	POWER LINE SUPPLY CO	MAINTENANCE SUPPLIES	261.92
					MAINTENANCE SUPPLIES	179.52
					MAINTENANCE SUPPLIES	61.21
					MAINTENANCE SUPPLIES	376.48
						<u>879.13</u>
03/07/2016	1	53723	002155	RIDGE AND KRAMER AUTO PARTS	MAINTENANCE SUPPLIES	3.94
					MAINTENANCE SUPPLIES	91.07
					MAINTENANCE SUPPLIES	135.79
						<u>230.80</u>
03/07/2016	1	53724	002267	SECANT TECHNOLOGIES	EXACQ EVIP-01 LICENSES	282.00
					CONFIGURE & MOUNT AIR-LAP-1042 AP'S	514.75
					INSTALL NEW SWITCH & UPS - DPW	5,712.13
					INSTALL NEW SWITCH & UPS - CITY HALL	6,985.07
						<u>13,493.95</u>
03/07/2016	1	53725	002268	SECURALARM SYSTEMS INC	REPAIR DPW ENTRANCE DOOR	165.00

03/02/2016 11:46 AM  
User: MARGUE  
DB: South Haven

CHECK REGISTER FOR CITY OF SOUTH HAVEN  
CHECK DATE FROM 03/07/2016 - 03/07/2016

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Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
					SYSTEM INSTALLATION #2 - WATER FILTRATIO	4,991.00
						<u>5,156.00</u>
03/07/2016	1	53726	002284	SHANTY CREEK RESORTS	LODGING FOR MRWA TRAINING-WILL SWAN	379.62
03/07/2016	1	53727	002385	SOUTH HAVEN AIRPORT AUTHORITY	QUARTERLY CONTRIBUTION	10,805.43
03/07/2016	1	53728	002386	SOUTH HAVEN AREA CHAMBER	FARMERS' MARKET MANAGEMENT	7,500.00
03/07/2016	1	53729	002388	SOUTH HAVEN AREA RECREATION	ANNUAL CONTRIBUTION FOR FY 2016	8,806.00
03/07/2016	1	53730	003132	SOUTH HAVEN HEALTH SYSTEM	PHYSICALS	578.64
03/07/2016	1	53731	002478	STAPLES ADVANTAGE	SUPPLIES	481.51
					SUPPLIES	343.61
					CREDIT MEMO	(242.49)
						<u>582.63</u>
03/07/2016	1	53732	003331	STATE OF MICHIGAN- MDOT	SIGNAL ENERGY	383.33
03/07/2016	1	53733	003351	TECHXTEND	CCLEANER NTKW ED ANNUAL RENEWAL	169.80
03/07/2016	1	53734	002644	TRACE ANALYTICAL LAB INC	CHEMICAL ANALYSIS	365.00
					CHEMICAL ANALYSIS	134.00
						<u>499.00</u>
03/07/2016	1	53735	003348	TRANSOFT SOLUTIONS, INC.	ANNUAL MAP SUBSCRIPTION RENEWAL	430.00
03/07/2016	1	53736	002665	TRECORE	TREE WORK	18,562.00
03/07/2016	1	53737	002754	VAN BUREN COUNTY REGISTER	RECORDING OF DOCUMENTS	62.40
03/07/2016	1	53738	003220	WINGFOOT COMMERCIAL TIRE SYSTEMS	TIRES	449.68

1 TOTALS:

Total of 61 Disbursements:

365,448.91

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK						
02/16/2016	1	103 (E)	000087	AMERICAN ELECTRIC POWER	ELECTRIC USAGE	796,116.34
02/16/2016	1	53592	000059	ALLEGAN COUNTY TREASURER	PROPERTY TAX COLLECTIONS	1,558.92
02/16/2016	1	53593	001329	LAKE MICHIGAN COLLEGE	DNR PILT PAYMENT	306.20
02/16/2016	1	53594	002395	SOUTH HAVEN COMMUNITY HOSPITAL	PROPERTY TAX COLLECTIONS	10,033.96
					DNR PILT PAYMENT	56.48
					PROPERTY TAX COLLECTIONS	(800.00)
						<u>9,290.44</u>
02/16/2016	1	53595	002410	SOUTH HAVEN MEMORIAL LIBRARY	DNR PILT PAYMENT	101.17
02/16/2016	1	53596	002415	SOUTH HAVEN PUBLIC SCHOOLS	DNR PILT PAYMENT	823.25
02/16/2016	1	53597	002417	SOUTH HAVEN SENIOR SERVICES	PROPERTY TAX COLLECTION	7,589.82
					PROPERTY TAX COLLECTION	42.73
					PROPERTY TAX COLLECTION	(605.22)
						<u>7,027.33</u>
02/16/2016	1	53598	002752	VAN BUREN COUNTY DRAIN	NORTH PHOENIX & PETERSON DRAIN SPEC. ASS	13,028.48
02/16/2016	1	53599	002757	VAN BUREN COUNTY TREASURER	PROPERTY TAX COLLECTION	79,281.98
					DNR PILT PAYMENT	1,230.02
					PROPERTY TAX COLLECTION	(6,557.80)
						<u>73,954.20</u>
02/16/2016	1	53600	002758	VAN BUREN INTERMEDIATE	PROPERTY TAX COLLECTION	508,654.37
					PROPERTY TAX COLLECTION	375.38
					DNR PILT PAYMENT	1,024.37
						<u>510,054.12</u>
02/19/2016	1	53601	000059	ALLEGAN COUNTY TREASURER	PROPERTY TAX COLLECTIONS	1,825.47
02/19/2016	1	53602	000233	BEL-AIRE HEATING & AIR	FURNACE REPAIR - LIBERTY HYDE BAILEY MUS	701.32
02/19/2016	1	53603	000453	CHIEF SUPPLY CORP	BATTERY STICKS	107.65
02/19/2016	1	53604	UB REFUND	CITY OF SOUTH HAVEN	UB REFUND 41116508-APPLY TO DEL. PERSONA	182.75
02/19/2016	1	53605	003378	CULLIGAN WATER OF ALLEGAN	BOTTLED WATER	60.00
02/19/2016	1	53606	000624	DELTA DENTAL OF MICHIGAN	INSURANCE	4,898.92
02/19/2016	1	53607	000843	FRONTIER	TELEPHONE 269-637-3251-010165-5	92.03
					TELEPHONE 269-637-5493-070711-5	129.09
					TELEPHONE 616-040-1864-120202-5	29.22
					TELEPHONE 269-637-5084-060311-5	276.50
					TELEPHONE 269-639-8034-092904-5	41.04
						<u>567.88</u>
02/19/2016	1	53608	003441	GOODWILL INDUSTRIES	ELECTRIC REBATE YR 1	1,820.54
02/19/2016	1	53609	003361	LYDA HAGEN MCINTOSH	ELECTRIC REBATE YR 2	302.70
02/19/2016	1	53610	003187	RODERICK HATHAWAY	CLOTHING REIMBURSEMENT	155.16
02/19/2016	1	53611	001107	HULL LIFT TRUCK INC	PARTS	858.10
02/19/2016	1	53612	003362	ROBERT JASTRZEMBSKI	ELECTRIC REBATE YR 2	387.36
02/19/2016	1	53613	001405	LINCOLN NATIONAL LIFE INS CO	INSURANCE	3,002.78
02/19/2016	1	53614	MISC	MARK WINZENREAD	REFUND FOR OVERPAYMENT ON NS 9	200.00
02/19/2016	1	53615	001544	MENARDS	MAINTENANCE SUPPLIES	5.97
					MAINTENANCE SUPPLIES	31.87
					MAINTENANCE SUPPLIES	42.13
					MAINTENANCE SUPPLIES	16.49

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
					MAINTENANCE SUPPLIES	45.94
					MAINTENANCE SUPPLIES	51.92
					MAINTENANCE SUPPLIES	63.55
					MAINTENANCE SUPPLIES	1.00
					MAINTENANCE SUPPLIES	42.00
					MAINTENANCE SUPPLIES	136.45
					MAINTENANCE SUPPLIES	53.93
						<u>491.25</u>
02/19/2016	1	53616	001607	MICHIGAN ELECTRIC COOPERATIVE	ENERGY OPTIMIZATION IMPLEMENTATION	8,733.88
02/19/2016	1	53617	001747	MRWA	ANNUAL MANAGEMENT & TECHNICAL CONFERENCE	260.00
02/19/2016	1	53618	002033	PRI MAR PETROLEUM INC	CARS WASHED	47.50
02/19/2016	1	53619	002184	ROD'S PRINTS & PROMOTIONS	SHIRTS WITH EMB LOGO	177.00
02/19/2016	1	53620	002395	SOUTH HAVEN COMMUNITY HOSPITAL	PROPERTY TAX COLLECTIONS	34,104.21
					PROPERTY TAX COLLECTIONS	574.08
						<u>34,678.29</u>
02/19/2016	1	53621	002410	SOUTH HAVEN MEMORIAL LIBRARY	PROPERTY TAX COLLECTION	471.59
02/19/2016	1	53622	002415	SOUTH HAVEN PUBLIC SCHOOLS	PROPERTY TAX COLLECTION	15,215.04
02/19/2016	1	53623	002417	SOUTH HAVEN SENIOR SERVICES	PROPERTY TAX COLLECTION	25,799.43
					PROPERTY TAX COLLECTION	434.30
						<u>26,233.73</u>
02/19/2016	1	53624	002441	SOUTHWESTERN MICHIGAN DUST	BRINE	750.00
02/19/2016	1	53625	002589	TERMINIX PROCESSING CENTER	EXTERMINATING SERVICE	45.00
02/19/2016	1	53626	MISC	TONY VILLANUEVA	REFUND FOR OVERPAYMENT ON BRP SLIP 43	50.00
02/19/2016	1	53627	002752	VAN BUREN COUNTY DRAIN	NORTH PHOENIX & PETERSON DRAIN SPEC. ASS	13,082.28
02/19/2016	1	53628	002757	VAN BUREN COUNTY TREASURER	PROPERTY TAX COLLECTION	284,979.53
					PROPERTY TAX COLLECTION	4,706.30
						<u>289,685.83</u>
02/19/2016	1	53629	002758	VAN BUREN INTERMEDIATE	PROPERTY TAX COLLECTION	618,467.97
					PROPERTY TAX COLLECTION	10,410.92
						<u>628,878.89</u>
02/19/2016	1	53630	002792	VERIZON WIRELESS	CELL PHONES 542074882-00001	69.12
02/19/2016	1	53631	002815	VREDEVELD HAEFNER LLC	PROGRESS ON PROCEDURES - ICE RINK OPERAT	625.80
02/19/2016	1	53632	002949	WOLVERINE HARDWARE	MAINTENANCE SUPPLIES	11.12
					MAINTENANCE SUPPLIES	67.76
						<u>78.88</u>
02/19/2016	1	53633	002953	WOODHAMS, INC , DON	REPAIRS	129.00
					INSTALLED REMOTE STARTER SYSTEM	483.21
					REPAIRS	33.16
					REPAIRS	181.95
					REPAIRS	588.15
					REPAIRS	1,048.40
					MIRROR ASY	181.44
					CREDIT MEMO	(181.44)
						<u>2,463.87</u>
02/19/2016	1	53634	MISC	AMERICAN TRANSPARENCY	OVERPAYMENT OF FOIA REQUEST	34.61
02/19/2016	1	53635	UB REFUND	CARRIGAN, SCOTT A	UB refund for account: 31440001	85.36

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
02/19/2016	1	53636	UB REFUND	ENDERS, STEVE S	UB refund for account: 30636100	387.98
02/19/2016	1	53637	UB REFUND	GENDRON, ASHLEY C	UB refund for account: 10465017	235.96
02/19/2016	1	53638	UB REFUND	JONES, ROBERT L	UB refund for account: 20945002	67.45
02/19/2016	1	53639	MISC	MENARD INC	Win Tax Refund 80-53-869-025-01	7,037.97
02/19/2016	1	53640	MISC	MENARD INC	Sum Tax Refund 80-53-869-025-01	37,546.15
02/19/2016	1	53641	UB REFUND	ORBON, DAVID A	UB refund for account: 11359012	4.82
02/19/2016	1	53642	MISC	SOUTH HAVEN COMMUNITY HOSPITAL	Win Tax Refund 80-53-620-003-00	1,021.56
02/19/2016	1	53643	UB REFUND	STURGIS BANK & TRUST	UB refund for account: 30272004	108.65
02/19/2016	1	53644	MISC	VAN DYKE DOUGLAS S	Win Tax Refund 80-53-885-011-60	100.00
02/26/2016	1	53645	000065	ALLIED MECHANICAL SERVICES INC	REPAIRS ANNUAL HVAC MAINTENANCE CONTRACT	1,439.00 1,140.00
						<u>2,579.00</u>
02/26/2016	1	53646	000303	MERLE BOES INC	OIL	1,594.36
02/26/2016	1	53647	000422	CENTER MASS, INC	NATIONAL PATROL RIFLE CONFERENCE REGISTR	249.00
02/26/2016	1	53648	003213	DALE CLAYTON	MILEAGE & MEAL REIMBURSEMENT	72.85
02/26/2016	1	53649	003180	COPS HEALTH TRUST	INSURANCE	1,896.27
02/26/2016	1	53650	000637	DICKINSON WRIGHT	LEGAL SERVICES LEGAL SERVICES LEGAL SERVICES LEGAL SERVICES LEGAL SERVICES LEGAL SERVICES	9,082.00 228.00 15,605.13 665.00 171.00 15,677.80
						<u>41,428.93</u>
02/26/2016	1	53651	000648	BRIAN DISSETTE	MILEAGE REIMBURSEMENT	62.64
02/26/2016	1	53652	000843	FRONTIER	TELEPHONE 616-040-3325-112972-5 TELEPHONE 269-637-8578-032095-5 TELEPHONE 269-639-3050-082313-5 TELEPHONE 269-637-3376-081214-5 TELEPHONE 269-637-2877-050814-5 TELEPHONE 269-637-9127-080204-5 TELEPHONE 616-001-2946-100103-5 TELEPHONE 02/19/16	58.44 52.72 638.07 55.02 64.72 83.83 74.16 26.28
						<u>1,053.24</u>
02/26/2016	1	53653	000847	FUEL MANAGEMENT SYSTEM	FUEL	2,787.18
02/26/2016	1	53654	003198	HOFFMAN BOOTS	BOOTS	332.00
02/26/2016	1	53655	001435	LULL, DEBORAH	KHRMA ANNUAL MEMBERSHIP REIMBURSEMENT	85.00
02/26/2016	1	53656	001610	MICHIGAN GAS UTILITIES	NATURAL GAS 0505867762-00001 NATURAL GAS 0507157586-00001 NATURAL GAS 0507529033-00001 NATURAL GAS 0507828563-00001 NATURAL GAS 0506188358-00001 NATURAL GAS 0502496428-00001 NATURAL GAS 0504596108-00001 NATURAL GAS 0507642127-00002 NATURAL GAS 0506115327-00001 NATURAL GAS 0504219751-00001 NATURAL GAS 0503531418-00001 NATURAL GAS 0503915863-00001 NATURAL GAS 0506689471-00001 NATURAL GAS 0507642127-00001 NATURAL GAS 0507140986-00001	1,310.94 3,300.58 2,989.41 289.91 882.32 44.87 63.27 283.53 145.11 107.20 228.36 295.56 15.14 198.69 1,413.27
						<u>11,568.16</u>

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
02/26/2016	1	53657	001675	MIDWEST CIVIL ENGINEERS INC	TOPOGRAPHICAL SURVEY - CENTER & FRUIT ST	315.00
					TOPOGRAPHICAL SURVEY - DUNKLEY & DYCKMAN	445.00
					DESIGN CONSTRUCTION PLANS - COOK STREET	385.00
						<u>1,145.00</u>
02/26/2016	1	53658	003410	OTTAWA COUNTY	REGISTRATION FOR TRAINING	60.00
02/26/2016	1	53659	001948	PAT'S PRONTO PRINT	INCIDENT CARDS	45.85
02/26/2016	1	53660	001985	CONNIE PHILLIPS-THOMPSON	MILEAGE REIMBURSEMENT	48.30
02/26/2016	1	53661	UB REFUND	QSP - SH MOBILE HOME PARK	UB refund for account: 10659013	198.80
02/26/2016	1	53662	002206	RYAN RUMLER	MEALS REIMBURSEMENT	64.82
02/26/2016	1	53663	002447	LINDA SPEARS	ALTERATIONS	60.00
02/26/2016	1	53664	002502	STATE OF MICHIGAN-DEQ	EXAM FEE-ROBERT OWENS	70.00
02/26/2016	1	53665	UB REFUND	THE LOFTS	UB refund for account: 31047600	22.75
02/26/2016	1	53666	002698	U S BUSINESS SYSTEMS INC	CONTRACT COVERAGE 01/01 - 03/31/16	109.50
02/26/2016	1	53667	003327	UNITED HEALTHCARE INSURANCE CO	HEALTH INSURANCE PREMIUMS	58,657.15
02/26/2016	1	53668	002721	UPLINK SECURITY LLC	MONTHLY SERVICE FEES	7.45
02/26/2016	1	53669	002728	USA BLUE BOOK	LAB SUPPLIES	262.42
					LAB SUPPLIES	70.36
					LAB SUPPLIES	457.32
					LAB SUPPLIES	330.16
					LAB SUPPLIES	62.95
					GLOVES	78.05
						<u>1,261.26</u>
02/26/2016	1	53670	002792	VERIZON WIRELESS	CELL PHONES 486573081-00002	38.01
					CELL PHONES 486573081-00001	771.83
					CELL PHONES 742053338-00001	449.24
					CELL PHONES 886568152-00001	510.30
						<u>1,769.38</u>
02/26/2016	1	53671	002799	VILLAGE MARKET	FUEL	18.17
02/26/2016	1	53672	UB REFUND	WIOSKOWSKI, DAWN	UB refund for account: 13521000	90.23
02/26/2016	1	53673	000468	CITY OF SOUTH HAVEN-PETTY CASH	PETTY CASH	718.18
02/26/2016	1	53674	000872	GEMPLER'S	BOOTS	211.90
03/01/2016	1	53675	000043	AIRGAS USA, LLC	CYLINDER RENTAL	47.89
03/01/2016	1	53676	001544	MENARDS	MAINTENANCE SUPPLIES	12.97
					MAINTENANCE SUPPLIES	127.73
					MAINTENANCE SUPPLIES	4.97
					MAINTENANCE SUPPLIES	189.99
						<u>335.66</u>
03/01/2016	1	53677	002502	STATE OF MICHIGAN-DEQ	F-1 EXAM FEE-RICARDO GARCIA	70.00

1 TOTALS:

Total of 87 Disbursements:

2,624,720.46

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK						
02/12/2016	1	53581	000200	H. BARBER & SONS, INC	SUPPLIES	5,863.51
02/12/2016	1	53582	MISC	BREEN THOMAS E	Win Tax Refund 80-53-611-030-01	489.39
02/12/2016	1	53583	MISC	CLIPPER HOMES LLC	Win Tax Refund 80-53-852-004-40	722.90
02/12/2016	1	53584	UB REFUND	ISENBERG, ALLAN	UB refund for account: 41796001	20.96
02/12/2016	1	53585	MISC	JAMES SMITH	REFUND OF DEPOSIT FOR BRP 48	200.00
02/12/2016	1	53586	MISC	NIFFENEGGER KATRINA A	Win Tax Refund 80-53-870-055-00	638.71
02/12/2016	1	53587	UB REFUND	PLEASANT VIEW MHP-SOUTH HAVEN	UB refund for account: 20629005	469.73
02/12/2016	1	53588	MISC	RANDALL MARK W & DIANA O & OTHERS	Win Tax Refund 80-53-712-002-00	1,548.23
02/12/2016	1	53589	002391	SOUTH HAVEN CHARTER TWSP	REIMBURSE TWP PORTION OF ORDINANCE FINES	8,107.25
02/12/2016	1	53590	002513	STEEL CENTER SUPPLY CO	MAINTENANCE SUPPLIES	41.90
					MAINTENANCE SUPPLIES	201.03
					MAINTENANCE SUPPLIES	427.03
						<u>669.96</u>
02/12/2016	1	53591	UB REFUND	SWARN, AUDRELIA A	UB refund for account: 30459711	<u>122.20</u>
1 TOTALS:						
Total of 11 Disbursements:						18,852.84



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499  
Telephone (269) 637-0700 • Fax (269) 637-5319

March 1, 2016

TO: City Council  
Brian Dissette, City Manager

FR: Kate Hosier, Harbormaster

RE: South Side Marina Dock Extension Engineering  
MDNR Waterways Harbor Preliminary Engineering

## **Background Information:**

In September 2014, the Harbor Commission approved a capital improvement plan which prioritized marina and boat launch improvements, and identified potential grant funding sources. City Council approved the submittal of grant applications for those projects on March 16, 2015 to the Michigan Department of Natural Resources (MDNR). The MDNR has agreed to assist in the cost of a preliminary engineering feasibility study to determine the design and cost estimates for a head dock extension to the west of the South Side Marina as well as to address wave attenuation.

As part of the agreement, the city receive \$50,000 from the MDNR and match the grant in the amount of \$50,000 for a total estimated project cost of \$100,000.

## **Recommendation:**

City Council should approve Resolution 2016-12, a resolution accepting the Michigan Natural Resources Waterways grant award in the amount of \$50,000 for roof improvements to the South Side Municipal Marina.

## **Support:**

Resolution 2016-12  
Engineering Study Agreement  
Project Description

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2016-12

A RESOLUTION APPROVING A GRANT AGREEMENT WITH THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES FOR SOUTH SIDE MARINA DOCK EXTENSION ENGINEERING

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on March 7, 2016 at 7:00 p.m. local time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_.

WHEREAS, funds have become available to the Michigan Department of Natural Resources (MDNR) to provide grants to local units of government for recreational improvements; and,

WHEREAS, the City of South Haven is an important center of recreational boating activity and serves as a refuge point for shallow-draft recreational vessels; and

WHEREAS, the City has solicited the aid and assistance of the MDNR in conducting a preliminary engineering and feasibility study of a head dock extension to the west at the South Haven South Side Marina; and

WHEREAS, the MDNR has agreed to participate in the cost of a preliminary engineering and feasibility study to determine the design and cost estimate for these improvements.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of South Haven, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources, and the City does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate the sum of Fifty Thousand dollars (\$50,000), to match the grant authorized by the MDNR;
2. To maintain satisfactory financial accounts, documents, and records and to make them available to the MDNR for auditing at reasonable times;
3. To negotiate and enter into a contractual relationship with a registered professional engineer so licensed by the State of Michigan to provide for the completion of said preliminary engineering study in accordance with established engineering principles, which contractual relationship shall be subject to the approval of the MDNR;
4. To comply with any and all terms of the said Agreement, including all terms not specifically set forth in the foregoing portions of the Resolution.

RECORD OF VOTE:

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the March 7, 2016, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

\_\_\_\_\_  
Amanda Morgan, City Clerk

# AGREEMENT

## Engineering Study

**THIS AGREEMENT**, made this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the CITY OF SOUTH HAVEN, VAN BUREN COUNTY, MICHIGAN, a municipal corporation, hereinafter referred to as the "City", and the MICHIGAN DEPARTMENT OF NATURAL RESOURCES, an agency of the State of Michigan, hereinafter referred to as the "Department."

**WHEREAS**, the City is an important center of recreational boating activity and serves as a refuge point for shallow-draft recreational vessels; and

**WHEREAS**, the City has solicited the aid and assistance of the Department in conducting a preliminary engineering and feasibility study of a head dock extension to the west at the South Haven South Side Marina; and

**WHEREAS**, the Department agreed to participate in the cost of a preliminary engineering and feasibility study to determine the design and cost estimate for these improvements.

**NOW, THEREFORE**, in consideration of the mutual promises and conditions contained herein, it is agreed as follows:

1. This Agreement shall be administered on behalf of the Department through its Parks and Recreation Division. All reports, documents, or actions required of the City by this Agreement shall be submitted to the Chief of the Parks and Recreation Division, P.O. Box 30257, Lansing, Michigan, 48909.

2. The Department agrees as follows:

a. To grant to the City a sum of money equal to fifty (50) percent of the total cost of a preliminary engineering and feasibility study to determine the design and cost of improvements required for the head dock extension. Said grant shall not in any event exceed Fifty Thousand dollars (\$50,000.00).

b. The monies herein granted shall be released as reimbursement according to the following:

Acceptance by the City of this Agreement, execution of an agreement between the City and a registered professional engineer as prescribed in paragraph 3b hereof, study completion and written Department approval, and receipt of payment reimbursement request.

c. As a condition precedent to any liability and/or responsibility of the Department under this Agreement, the City shall execute a contract or an agreement with a registered professional engineering firm so licensed by the State of Michigan for the conduct and completion of said preliminary engineering study, which contract or agreement shall be approved by the Department in writing.

3. The City agrees as follows:

a. To immediately appropriate the sum of Fifty Thousand dollars (\$50,000.00). This sum represents fifty (50) percent of the total cost of the preliminary engineering and feasibility study called for by

this Agreement. Any additional funds needed to complete this study, called for in this Agreement, shall be provided by the City.

b. To negotiate and enter into a contractual relationship with a registered professional engineer so licensed by the State of Michigan to provide for the completion of said preliminary engineering study in accordance with established engineering principles, which contractual relationship shall be subject to the approval of the Department.

c. To authorize no variances from said engineering contract nor any additional expenditures without obtaining prior written approval of the Department for each and every variance or additional expenditure.

d. To use all funds granted by the Department to this Agreement solely for the conduct and completion of the preliminary engineering study. The City shall maintain satisfactory financial accounts, documents, and records and shall make them available to the Department for auditing at reasonable times. Such accounts, documents, and records shall be retained by the City for a period of not less than three (3) years following completion of the study called for herein.

e. To designate and establish a competent and proper agency and/or individual to be responsible for the conduct and the completion of the said preliminary engineering study.

f. To hold and save the State of Michigan and the Department free from damages or any suits brought against the City due to the conduct of the study.

g. To certify to the best of its knowledge and belief that the City and any principal, agent, contractor, and subcontractor of the City:

(1) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any State or Federal agency.

(2) have not been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction, as defined in 45 CFR 1185; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property within a three-year period preceding this Agreement.

(3) are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses.

(4) have not had one or more public transactions (Federal, State, or local) terminated for cause or default within three years preceding this Agreement.

(5) will comply with all applicable requirements of all Federal and State laws, rules, executive orders, regulations, and policies governing this program.

4. It is expressly understood and agreed by and between the parties hereto that neither this Agreement, nor any section, paragraph, condition, clause, provision, or like portion hereof, shall in any way be construed so as to impose any obligation of any nature whatsoever, financial or otherwise, upon either the Department or the City as regards the construction of facilities which shall be considered in said preliminary engineering study.

**IN WITNESS WHEREOF**, the parties hereto have hereunto set their hands and seal the day and date first above written.

**WITNESSES:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**CITY OF SOUTH HAVEN**

By: \_\_\_\_\_

Title: \_\_\_\_\_

**MICHIGAN DEPARTMENT OF  
NATURAL RESOURCES**

By: \_\_\_\_\_

Ronald A. Olson, Chief  
Parks and Recreation Division

## **South Side Marina Dock Extension Engineering**

### **Project Scope**

Southside Marina is one of four municipal marinas in South Haven. It contains forty slips and, of the four municipal marinas, is the closest to Lake Michigan; approximately 0.5 miles. Southside Marina slips are heavily sought after because of their proximity on Black River to Lake Michigan. The marina is a transient boater marina facility which is part of the State of Michigan Harbor of Refuge program and participates in the State Reservation System. The growing enthusiasm by both residents and tourists to dock their boat in South Haven and enjoy the recreational activities, restaurants, or shopping available in the downtown area has raised the demand for more dock space during the peak season and for dockage of larger vessels than can be accommodated in existing marina slips. In response to these demands, the City of South Haven seeks to extend the South Side Marina head dock to the west to allow for more head dock mooring for transient vessels. The purpose of the dock extension is primarily for transient boat mooring however, the City occasionally hosts events such as the Queen's Cup and Tall Ship festivals, and the dock must be usable for these purposes, which includes space for public dinghies.

Additionally, the orientation and composition of the Black River channel walls coupled with summer storms or high winds cause marina users in the existing marina basin to experience motion of boats due to wave action in Lake Michigan. This motion can cause considerable damage because anytime there is a westerly wind it creates a surge down the channel. Frequently during wind weather, transient boats will request to move out of the South Side basin, especially when there is a west wind funneling winds and waves off the lake. The boats rock the worst along the riverside pier and least along the landside pier, which is why most boaters request to be docked on the landside pier. In an effort to address these issues, included in this project is a wave attenuation component that reduces wave action in the South Side Marina basin. Absorbing some of the force of the wave and re-directing it will decrease the impact on the docked boats and in turn, minimize damage and ease the minds of the boat owners utilizing South Side Marina. Climate forecasts predict storm events to increase in volume in the coming years. Preparing South Haven's municipal marinas for future intense weather events, on top of routine wave fluctuations and water surges, will extend the lifetime and decrease the vulnerability of the marina in the face of climate change.

Grant monies awarded for this project will be used to first perform a wave attenuation study to gain an understanding of the wave impacts at South Side Marina and other areas of the harbor. This will avoid reflecting waves and dissipating energy across the river, exacerbating wave issues to other property owners. Various wave attenuation components for the dock expansion will be considered in order to choose the most appropriate one for the conditions at South Side Marina.

This project will also include a public input process to assess the impact of a dock extension on users of the adjacent Riverfront Park, as well as general public concerns related to view, impacts to navigation in harbor, and aesthetics of the dock design and location.

The preliminary engineering and feasibility study hopes to help transition South Side Marina to a sustainable harbor, a goal that the DNR has for all Michigan State Waterways grant recipients. The marina remains strongly woven into the community fabric as one of the four municipal marinas in South Haven and the closest marina on the Black River to Lake Michigan. The adjacent park, Riverfront Park, is a place where people like to enjoy watching boats pass. The marina is ideally positioned geographically and the proposed preliminary engineering study will equip the City with the proper information to correctly structure the dock extension to help with wave attenuation.

### Estimated Costs

The estimated cost of this preliminary engineering and feasibility study will be \$100,000 with a 50% match by the City of South Haven. The wave attenuation study is anticipated to cost \$75,000 with the remaining \$25,000 for preliminary engineering.

### Estimated Construction Schedule

This project proposes a preliminary engineering study of the wave attenuation experienced at South Side Marina and adjacent effected areas. Included in this project is a public input process to assess the impact as well as the general public concerns related to view, navigation, and aesthetics of the dock extension. No large-scale construction is expected within the scope of this project. Future grant applications will address the development of the dock extension and wave attenuation component based on the results of this study.

Grant Application Submission	April 2015
Grant Awarded	Summer 2015
Public Input Process	Fall 2015/Spring 2016
Feasibility Study/Preliminary Engineering	Spring/Summer 2016
Grant Application Submission	Spring 2017
Grant Awarded	Summer 2017
Design	Fall 2017
Construction	Winter 2017/Spring 2018

### Needs Assessment

The demand for more dock space during the peak season and for dockage of larger vessels than can be accommodated in existing marina slips defines the need for this preliminary engineering project. In 2014, 887 transient boats passed through the South Side Marina all requesting dock space. The 40 existing slips cannot accommodate boats exceeding 50' which does not suffice for the Tall Ships that South Haven welcomes multiple times throughout the season. Additionally, damaging westerly winds send surges down the channel that send boaters away from the South Side basin because owners do not want to risk the chance of boat damage.

South Haven offers a variety of recreational resources not only to its local residents, but to the residents of the immediate surrounding area. South Haven has a year-round population of approximately 4,403<sup>1</sup> but during the summer months, South Haven's population swells when second-home owners and tourists flock to the city to take part in any number of the recreational opportunities offered. Around 50% of the residential parcels in the City are occupied seasonally and the City has approximately 2,400 seasonal residents within its limits. The project site is located less than one-half mile from South Haven's downtown area, and is within VanBuren County's Census Tract 103, which contains 1,732 persons per square mile. In addition, it will have a secondary user base of citizens from Van Buren County, which contains 76,258 people. This project will allow the city of South Haven to better serve both residents and tourists alike by expanding the docking options. The wave study proposed will help engineers appropriately design a wave attenuation component, improving safety and security of dock patrons.

Currently the daily slip rates vary from \$32.25-86.00 with increasing footage. Boats 60+ feet are \$1.75 per foot and temporary rates are available in two-hour increments. The 2012 City of South Haven municipal marina rates are outlined in Table 1.

Table 1.

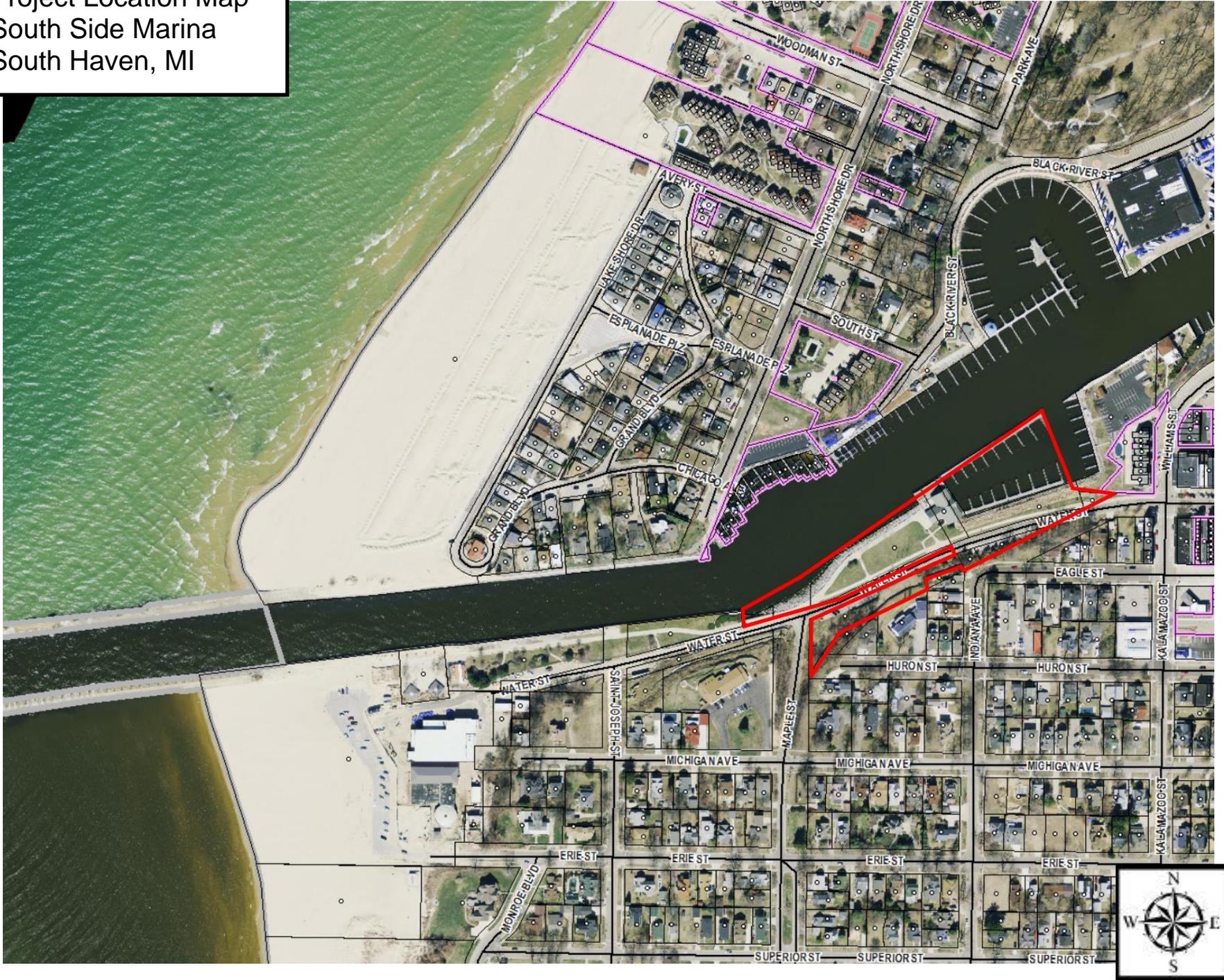
<b>2012 City of South Haven Rates</b>	
<b>South Haven Municipal Marinas Northside, Southside, and Museum Slips</b>	
<b>Boat Size</b>	<b>Daily Rate</b>
1-24 feet	\$32.25
25 feet	\$32.25
26 feet	\$32.25
27 feet	\$32.25
28 feet	\$32.25
29 feet	\$33.50
30 feet	\$36.00
31 feet	\$37.50
32 feet	\$39.00
33 feet	\$40.25
34 feet	\$41.00
35 feet	\$42.75
36 feet	\$44.25
37 feet	\$45.75
38 feet	\$47.25
39 feet	\$48.00
40 feet	\$51.25
41 feet	\$52.25
42 feet	\$53.75
43 feet	\$54.75
44 feet	\$56.25
45 feet	\$59.00
46 feet	\$59.50
47 feet	\$61.25
48 feet	\$62.75
49 feet	\$64.25
50 feet	\$72.00
51 feet	\$73.00
52 feet	\$74.00
53 feet	\$75.25
54 feet	\$76.50
55 feet	\$80.25
56 feet	\$82.00
57 feet	\$83.00
58 feet	\$84.50

59 feet	\$86.00
60 feet and over	\$1.75 per foot
<b>Temporary Rate:</b>	
\$7.25 up to 45 foot length	
\$12.00 over 45 foot length - two hours	
\$23.25 Black River Park All Slips	

South Side Marina  
101 Water Street  
South Haven, MI



Project Location Map  
South Side Marina  
South Haven, MI





# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499  
Telephone (269) 637-0700 • Fax (269) 637-5319

March 1, 2016

TO: City Council  
Brian Dissette, City Manager

FR: Kate Hosier, Harbormaster

RE: South Side Marina Building Renovation  
MDNR Waterways Harbor Infrastructure

## **Background Information:**

In September 2014, the Harbor Commission approved a capital improvement plan which prioritized marina and boat launch improvements, and identified potential grant funding sources. City Council approved the submittal of grant applications for those projects on March 16, 2015 to the Michigan Department of Natural Resources (MDNR). The MDNR has agreed to assist in the cost improvements to the South Side Marina building.

The South Side Marina building roof is 7,850 square feet and is showing signs of failure. Leaks are occurring which threaten the integrity of the structure. The estimated cost of this project is \$125,000, with the City of South Haven contributing a 50% project match of \$62,500 to the grant request of \$62,500.

## **Recommendation:**

City Council will be asked to consider approve Resolution 2016-13, a resolution accepting the Michigan Natural Resources Waterways grant award in the amount of \$62,500 for roof improvements to the South Side Municipal Marina.

## **Support:**

Resolution 2016-13  
Grant Agreement  
Grant Application

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2016-13

A RESOLUTION APPROVING A WATERWAYS GRANT AGREEMENT WITH THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES FOR SOUTH SIDE MARINA IMPROVEMENTS

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on March 7, 2016 at 7:00 p.m. local time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_.

WHEREAS, funds have become available to the Michigan Department of Natural Resources (MDNR) to provide grants to local units of government for recreational improvements; and,

WHEREAS, the City of South Haven is an important center of recreational boating activity and serves as a refuge point for shallow-draft recreational vessels; and

WHEREAS, the City has asked the MDNR to assist in the removal of existing roofing, plywood sheathing inspection, and installation of new ice and water shield and standing seam roofing at the South Haven South Side Marina.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of South Haven, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources, and the City does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate the sum of Sixty-two Thousand Five Hundred dollars (\$62,500.00), to match the Sixty-two Thousand Five Hundred dollars (\$62,500.00) State grant authorized by the MDNR;
2. To maintain satisfactory financial accounts, documents, and records and to make them available to the MDNR for auditing at reasonable times;
3. To construct the work and provide the funds, services, and materials as may be necessary to satisfy the terms of the Agreement;
4. To ensure that all premises, buildings, and equipment-related procedures comply with all applicable State and Federal regulations;
5. To establish and appoint the \_\_\_\_\_ to regulate the use of the facilities constructed under this Agreement to assure the use thereof by the public on equal and reasonable terms;

6. To enforce all State statutes and local ordinances pertaining to marine safety and to enforce statues of the State of Michigan within the confines of the City pertaining to the licensing of watercraft. Watercraft not fully complying with the laws of the State of Michigan relative to licensing shall not be permitted to sue the facility until full compliance with those laws has been made.
7. To comply with any and all terms of the said Agreement, including all terms not specifically set forth in the foregoing portions of the Resolution.

RECORD OF VOTE:

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on March 7, 2016, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

\_\_\_\_\_  
Amanda Morgan, City Clerk

## WATERWAYS GRANT AGREEMENT

### Harbors and Docks – Mooring Construction

**THIS WATERWAYS GRANT AGREEMENT** (the "Agreement") is made as of \_\_\_\_\_, 2016, between the City of South Haven, VAN BUREN COUNTY, MICHIGAN (the "City") and the MICHIGAN DEPARTMENT OF NATURAL RESOURCES, a principal department of the State of Michigan (the "Department").

**WHEREAS**, the City is an important center of recreational boating activity and serves as a refuge point for shallow-draft recreational vessels;

**WHEREAS**, the City has asked that the Department assist the City in the removal of existing roofing, plywood sheathing inspection, and installation of new ice and water shield and standing seam roofing at the South Haven South Side Marina (the facilities);

**WHEREAS**, the Department is willing to assist the City to construct the facilities, which are estimated to cost One Hundred Twenty-five Thousand dollars (\$125,000.00), with the Department agreeing to pay 50% of the estimated cost, and is not to exceed Sixty-two Thousand Five Hundred dollars (\$62,500.00).

**NOW, THEREFORE**, in consideration of the Agreement's mutual promises and undertakings, the parties agree as follows:

1. The Department shall:
  - (a) grant to the City a sum of money equal to 50% of the cost of construction of the facilities called for by the plans and specifications, including final engineering costs, but not to exceed Sixty-two Thousand Five Hundred dollars (\$62,500.00). The words "plans and specifications" shall mean the plans and specifications developed for the City for the facilities prepared by a consulting firm duly licensed to perform professional services within the State of Michigan (the "State").
  - (b) release State funds as reimbursement according to the following:

Acceptance by the City of this Agreement, written Department approval of final plans and specifications (bidding documents), receipt of all necessary permits, award of contract to a competent contractor (licensed in the State of Michigan) to accomplish the work called for by the plans and specifications following bidding procedures

acceptable to the Department and City, and receipt of payment reimbursement requests.

The final ten (10) percent shall be paid upon completion of work and receipt of progress payment requests from the contractor that are approved for payment by the designated project manager. The final ten (10) percent of State funds shall be paid upon completion of the project and 60 days after receipt of project cost documentation to the Department by the City or completion of an audit of the expenditures for the facilities by the Department, whichever occurs first.

(c) make the resources of the Department and the experience gained by the Department operating similar boating projects available to the City.

(d) provide for the routine inspection of the facilities, including all equipment and buildings.

2. The City shall:

(a) immediately appropriate the sum of Sixty-two Thousand Five Hundred dollars (\$62,500.00) for the project, which represents fifty (50) percent of the total cost of the project work called for by this Agreement. Any additional funds needed to complete this work, called for in this Agreement, shall be provided by the City.

(b) construct the facilities to the satisfaction of the Department, and to provide the funds, services, and materials necessary to satisfy this Agreement. There shall be no deviation from the plans and specifications without the express written consent of Chief of the Parks and Recreation Division. Proceeding with unauthorized changes shall result in excluding the work from State fund eligibility. Upon completion of the project, a final set of "as built" plans shall be submitted to the Department on a CD in an appropriate format.

(c) use all funds granted by the Department to this Agreement solely for the conduct and completion of the project work within three (3) years from the date of this Agreement. The City shall maintain satisfactory financial accounts, documents and records, and shall make them available to the Department for auditing at reasonable times. The City shall retain all accounts, documents, and records for the facilities for not less than three (3) years following completion of construction.

(d) permit Department review and approval of all professional services agreements, project contracts, bidding documents, specifications and final engineering drawing plans before being sent out to bid. The final engineering drawings shall provide, or conduct, soil

boring data for any projects below the waterline. The Department must approve all change orders before being initiated. The Department shall have a representative on the selection panel for all contracts.

(e) ensure that all premises, buildings, and equipment-related procedures comply with all applicable State and Federal regulations for employee and public safety and with all applicable construction codes. All facilities shall comply with the barrier free design requirements of the Utilization of Public Facilities by Physically Handicapped Act, MCL 125.1351 *et seq.* The City shall submit a written report to the Department annually in which any safety issues, identified through Department inspections, are listed and compliance procedures are outlined. If the Department determines the City has failed to correct any safety issues, the Department will have the necessary work completed and the City shall pay 105% of the cost of the work.

(f) construct the facilities authorized under this Agreement, and the land and water access ways to those facilities, only in accordance with the plans and specifications approved by the Department.

(g) certify to the best of its knowledge and belief that the City and any principal, agent, contractor, and subcontractor of the City:

(1) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any State or Federal agency.

(2) have not been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction, as defined in 45 CFR 1185; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property within a three-year period preceding this Agreement.

(3) are not presently indicted or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses.

(4) have not had one or more public transactions (Federal, State, or local) terminated for cause or default within three years preceding this Agreement.

(5) will comply with all applicable requirements of all Federal and State laws, rules, executive orders, regulations, and policies governing this program.

3. After the facilities are constructed, the City shall:

(a) establish or assign a competent and proper agency of the City to operate the facilities, to regulate the use of the facilities, and to provide for maintenance for the facilities to the satisfaction of the Department.

(b) provide to the Department for approval, a complete tariff schedule containing all charges to be assessed against watercraft utilizing the facilities and to provide any amendment to the schedule to the Department for approval before becoming effective. Any fee schedule adopted by the City shall provide for sufficient income to defray operating and maintenance expenses of the project exclusive of depreciation. The City shall not impose fees for the use of the facilities unless they have been specifically approved by the Department in writing. Any net revenues accruing from the operation of the facilities shall be separately accounted for and reserved in a restricted fund by the City for the future maintenance or expansion of the facility or, with the Department's approval, for the construction of other recreational boating facilities. The City shall request, no more than once annually, approval to vary from fee rates set by the Michigan State Waterways Commission.

(c) enforce all State statutes and local ordinances pertaining to marine safety, licensing of watercraft, and the dispensing of marine fuel within the City.

(d) furnish the Department, upon request, detailed statements covering the annual operation of the facilities, including boat traffic, income, and expenses for the 12 months ending December 31 of each year.

(e) hold the State of Michigan and the Department harmless from damages or any suits brought against the City due to construction, maintenance or operation of the facilities.

(f) maintain throughout the life of this Agreement suitable signs for both land and water approaches designating this project as having been constructed by the City and the Department. The size, color, and design of these signs shall be approved by the Department before being constructed.

(g) adopt the ordinances or resolutions as required to effectuate this Agreement. The City shall forward certified copies of all the ordinances and resolutions to the Department before their effective date.

(h) participate in the State Harbor Reservation System for the life of facilities.

(i) provide, upon the Department's request, one seasonal boat slip at no cost for Department-owned vessels.

4. Facility improvements are held in perpetuity. Perpetuity is defined as life of facilities. Life of facilities is defined as a minimum of 20 years from latest grant award. The City

may request release from grant obligations after 20 years from date of last executed grant agreement.

5. The City shall comply with all State and Federal statutes applicable to the facilities.

6. The City must submit all reports, documents, or actions required by this Agreement to the Chief of the Parks and Recreation Division, Department of Natural Resources, P.O. Box 30257, Lansing, Michigan 48909. The City must submit invoices for reimbursement within ninety (90) days of invoice date.

7. Nothing in this Agreement shall be in any way construed to impose any obligation of whatsoever nature, financial or otherwise, upon the Department for the operation or maintenance of any recreational boating facilities.

8. All of the facilities constructed pursuant to this Agreement, or pursuant to any amendments or extensions of this Agreement, shall be reserved in perpetuity by the City for the exclusive use and/or rental, on a daily basis, by the operations of transient recreational watercraft, unless otherwise authorized in writing by the Department.

9. Commercial operations of any type shall not be permitted to regularly use any of the facilities or to be located on the facilities without the prior written approval of both the City and the Department.

10. The facilities and the land and water access ways to the facilities shall be open to the public at all times on equal and reasonable terms, and that no individual shall be denied access to, or the use of, the facilities on the basis of race, color, religion, national origin, or ancestry contrary to the Elliott-Larsen Civil Rights Act, 1976 PA 453, MCL 37.2101 *et seq.* or the Persons with Disabilities Civil Rights Act 1976 PA 220, MCL 37.1101 *et seq.*, and any violation of this requirement shall be a material breach of contract, subject to penalties as provided in this Agreement.

In connection with this Agreement, the City shall:

(1) comply with the Elliott-Larsen Civil Rights Act, 1976 PA 453, MCL 37.2101 *et seq.*, the Persons with Disabilities Civil Rights Act, 1976 PA 220, MCL 37.1101 *et seq.*, and all other Federal, State and local fair employment practices and equal opportunity

laws and covenants that it shall not discriminate against any employee or applicant for employment, to be employed in the performance of this Agreement, with respect to his or her hire, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment, because of his or her race, religion, color, national origin, age, sex, height, weight, marital status, or physical or mental disability that is unrelated to the individual's ability to perform the duties of a particular job or position. The City agrees to include this covenant, not to discriminate in employment, in every subcontract entered into for the performance of this grant agreement. A breach of this covenant is a material breach of this Agreement.

(2) send, or its collective bargaining representative shall send, to each labor union representative of workers with which he/she has a collective bargaining agreement or other contract or understanding, a notice advising the labor union or workers' representative its commitments under this Agreement.

11. The City represents that it possesses good and clear title to all lands involved in this project, and that it will defend any suit brought against either party which involves title, ownership, or specific rights, including appurtenant riparian rights of any lands connected with or affected by this project.

12. The facilities constructed under this Agreement shall not be wholly or partially conveyed, either in fee or otherwise, or leased for a term of years or for any other period, nor shall there be any whole or partial transfer of the title, ownership, or right of maintenance or control by the City without the Department's prior written approval.

13. Any failure by the City to abide by any of the conditions, promises, or undertakings contained in this Agreement shall constitute a material breach of this Agreement. A material breach of this Agreement could result in an "ineligibility" status with all Department-administered grant programs until the breach is corrected. Further, a material breach of this Agreement by the City shall entitle the Department to the following options:

(a) To purchase the facilities and the right of access over City property to the facilities at the existing value of the facilities, less any financial contribution made by the Department. The value of the facilities shall be determined by three competent appraisers; one to be selected by the City, one to be selected by the Department, and the third to be selected by the first two appraisers. The Department and the City shall equally share the total fees of these

appraisers, including expenses. The appraisal shall be limited to the value of the facilities for the construction, repair, or rehabilitation in which the facilities are located. No value shall be assigned to the right of access to the facilities over City property. The Department shall have ninety (90) days from the date of receipt of the appraisals within which to exercise its option. If the Department does not exercise the option within that period, the City shall pay to the Department a sum equal to the total financial contribution made by the Department towards the construction or maintenance of the facilities.

(b) To accept from the City a sum equal to the total financial contribution made by the Department for the construction or maintenance of the facilities.

14. This Agreement shall not be effective until the Michigan Legislature appropriates the State funds for the facilities and the State Administrative Board approves their release.

15. The Department's rights under this Agreement shall continue in perpetuity.

16. Failure of either party to insist on the strict performance of this Agreement shall not constitute waiver of any breach of the Agreement.

17. This Agreement represents the entire agreement between the parties and supersedes all proposals or other prior agreements, oral or written, and all other communications between the parties.

18. No amendment to the Agreement shall be binding upon the parties unless it is in writing and signed by a duly authorized representative of both parties.

**IN WITNESS WHEREOF**, the parties execute this Agreement by the signatures of their duly authorized representatives.

**WITNESSES:**

\_\_\_\_\_

\_\_\_\_\_

**CITY OF SOUTH HAVEN**

By: \_\_\_\_\_

Title: \_\_\_\_\_

**MICHIGAN DEPARTMENT OF  
NATURAL RESOURCES**

By: \_\_\_\_\_

Ronald A. Olson, Chief  
Parks and Recreation Division

\_\_\_\_\_

\_\_\_\_\_



# WATERWAYS GRANT PROGRAM APPLICATION

This information is required by Authority of 1947 PA 320.

**GRANT APPLICATIONS MUST BE RECEIVED BY PROGRAM MANAGER BY 5 PM EST, APRIL 1**

Applicant Name (Local Government) City of South Haven		Name of Contact Person/Title Paul VandenBosch/Harbormaster	
Address 539 Phoenix Street		Address 539 Phoenix Street	
City, State, ZIP South Haven, MI 49090		City, State, ZIP South Haven, MI 49090	
Federal Employer Identification Number (FEIN) (REQUIRED) 38-6004594		E-mail Address pvandenbosch@south-haven.com	
<b>NOTE:</b> FEIN Number of municipality identified as Applicant Name ( <i>Local Government</i> ) above <b>MUST</b> be provided to receive grant funds.			
Applicant Telephone ( 269 ) 637-0700	Applicant FAX ( 269 ) 637-5319	Contact Person Telephone ( 269 ) 637-0775	Contact Person FAX ( 269 ) 637-5319
PROJECT LOCATION <input type="checkbox"/> County <input type="checkbox"/> Township <input checked="" type="checkbox"/> City <input type="checkbox"/> Village		County Van Buren	State Senate District 21
			State House of Representative District 066
<b>TYPE OF PROJECT</b> <input checked="" type="checkbox"/> Harbor  <input type="checkbox"/> Boating Access Site (must contain or propose a ramp, maneuver area, and parking to be grant eligible)		<b>TYPE OF GRANT</b> <input type="checkbox"/> Preliminary Engineering Study <input checked="" type="checkbox"/> Infrastructure Improvements* (i.e., construction projects) *Preliminary engineering has been completed by a licensed design professional	
<b>PROJECT TITLE</b> South Side Marina Building Renovation			
<b>DESCRIPTION OF PROJECT</b> Attach a description of the overall project (including scope items, estimated costs, estimated construction schedule, and digital site photos) and a needs assessment. Note, for harbor projects, attach the last 3 years of harbor traffic (harbor logs), and last 3 years of harbor financial summaries. In addition, you must provide a 5 Year Harbor Recreation Plan to the Natural Resources Trust Fund.			
<b>BUDGET SUMMARY</b>			
A. Estimated Project Cost (B + C):		\$ 125,000	
B. Requested Grant Amount		\$ 62,500	
C. Applicant's Matching Funds:		\$ 62,500	

As Designated Representative of above-named Applicant, I hereby agree to implement this project according to the materials provided with this application and to abide by the provisions of the Waterways Grant program, including compliance with all applicable Federal and State laws and regulations.

Brian Dissette, City Manager

Printed Name and Title of Applicant's Designated Representative \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

**APPLICATION WITH ATTACHED PROJECT DESCRIPTION MUST BE RECEIVED BY PROGRAM MANAGER BY 5 PM EST, APRIL 1.**

Applications should be mailed to:

PAUL PETERSEN  
PARKS AND RECREATION DIVISION  
MICHIGAN DEPARTMENT OF NATURAL RESOURCES  
PO BOX 30257  
LANSING MI 48909

Overnight or Express Mail Address:

PAUL PETERSEN  
PARKS AND RECREATION DIVISION  
MICHIGAN DEPARTMENT OF NATURAL RESOURCES  
525 WEST ALLEGAN  
LANSING MI 48933

**FOR DNR USE ONLY**

Facility No.: \_\_\_\_\_  Compliance Review

Comments

\_\_\_\_\_  
Program Manager (please print) Signature Date

## South Side Marina Building Renovation

### DESCRIPTION OF PROJECT

Attach a description of the overall project (including scope items, estimated costs, estimated construction schedule, and digital site photos) and a needs assessment.

Note, for harbor projects, attach the last **3 years of harbor traffic** (harbor logs), and last **3 years of harbor financial summaries**. In addition, you must provide a **5 Year Harbor Recreation Plan** to the Natural Resources Trust Fund.

### Description of Project and Scope

Southside Marina is one of four municipal marinas in South Haven and is closest to the pier heads and Lake Michigan. It contains forty slips and, of the four municipal marinas, is the closest to Lake Michigan; approximately 0.5 miles. Southside Marina slips are heavily sought after due to their proximity to Lake Michigan and its short two block walk to South Haven's vibrant downtown. The marina is a transient boater marina facility and is part of the State of Michigan Harbor of Refuge program. The facility fully participates in the State Reservation System. The growing enthusiasm by both residents and tourists to dock their boat in South Haven and enjoy the recreational activities, restaurants, or shopping available in the downtown area has raised the demand for boating facilities on the Black River. The Southside Marina building has served for 25 years as a marina office, boater lounge, laundry and restroom/shower facility.

Currently, the 7,850 square foot roof of the South Side Marina building is showing signs of failure. Leaks are occurring which threaten the integrity of the structure. The City of South Haven feels it must replace the structure soon to protect its investment in the waterfront and provide healthy, safe, and sound facilities to the public. After reviewing its options, the City feels that a standing seam roof would provide the best alternative for replacement and provide the best cost benefit option as well as lessen environmental impact of the building on the surrounding waterway. Climate forecasts predict storm events to increase in volume in the coming years and the durability of the metal roof will extend the lifetime of the marina building and decrease the vulnerability of the marina in the face of climate change. An additional component to consider is the environmental impact of the ceramic-coated minerals and slag granules of an asphalt roof washing into the water stream.

The process will follow this general order:

- Remove existing asphalt shingles, including roofing felt underneath and dripline flashing
- Inspect plywood sheathing for any damage and replace as needed
- Install new ice and water shield membrane over entire roof
- Install underlayment felt over ice and water shield
- Install new standing seam roofing including all flashing and drip edge material

Necessary safety precautions and standard construction practices will be put in place to protect the public during project.

### Estimated Costs

The estimated cost of this project is \$125,000, with the City of South Haven contributing a 50% project match of \$62,500 to the grant request of \$125,000.

### Estimated Construction Schedule

Grant Agreement signed and returned to DNR	March 2016
Send Professional Services Agreement for Design Work to DNR for Review (2 months)	March 2016
Submit Design, Specifications, Bidding Documents, Final Engineering Drawings to DNR for Review (2 months)	May 2016
Submit Permit Applications as required, send copies to DNR	May 2016
Bidding	July 2016
Submit bid summary and recommendation of Award to DNR for review and approval	August 2016
Award contract	October 2016
Construction	October 2016 – November 2016
Install signage identifying use of Waterways Funds	December 2016
Send final engineer approval of construction work to DNR	January 2017
Submit As Built plans to DNR	January 2017

### Photos

Please see enclosed photos

### Needs Assessment

Increased demand for boat space and dockage of larger vessels at the Southside Marina is leading to higher demand on the South Side Marina building facility. The City is in the process of making alterations to the dock area of the facility to allow for the docking of a tour boat that will conduct several tours a day on Lake Michigan, placing further demands on the facility. The project site is located very near (less than ½ mile) from the City's bustling downtown area, and also the entrance to Lake Michigan, and serves a population of both local residents and visitors.

The proximity of South Haven, Michigan has made it a convenient location for tourists accessing Lake Michigan from both Detroit and Chicago, particularly those interested in a variety of recreational activities. South Haven boasts numerous parks, many along the Black River which provides easy access to Lake Michigan.

The park's primary service area and target population includes permanent and seasonal residents and visitors to the City of South Haven. The City currently contains a permanent resident population of 4,403, according to the 2010 US Census. The project site is located less than one-half mile from South Haven's downtown area, and is within Van Buren County's Census Tract 103, which contains 1,732 persons per square mile. In addition, it has a secondary user base of citizens from Van Buren County, which contains 76,258 people, as well as other nearby areas. People throughout southwest Michigan come to South Haven for the numerous recreational opportunities the community provides. Seasonal residents as well as tourists contribute significantly to the use of the City of South Haven's recreational amenities. Around 50% of the residential parcels in the City are occupied seasonally and the City has approximately 2,400 seasonal residents within its limits.

As part of the Harbor Recreation Plan developed by the South Haven Harbor Commission, Section B. 1 addresses the need to ensure municipal Marina facilities provide a quality experience to users as well as be upgraded and expanded to accommodate the high usage the facilities receive.

The Marina facility currently has a 25-year-old asphalt shingle roof that is showing signs of failure. Leaks are visible in the decking and the outer shingle layer of the roof has eroded. Roof leaks can cause a number of problems, beyond the unsightly visual. Leaks allow mildew and mold to grow, which can cause allergic reactions and asthma attacks. Mold has been linked to upper respiratory problems such as wheezing and coughing in otherwise healthy people. As this is a public marina, the City has an obligation to provide a safe environment to its patrons. Leaks can also create a fire hazard should water come into contact with electrical wiring, further endangering the public. In order to protect the City's investment in its public recreational offerings, which generate much needed tourism dollars to the area, a new roof is essential.

The replacement choice, a standing seam roof, has a longer lifespan of 50-70 years, is more durable, and offers insulating properties that an asphalt roof does not. With the additional insulating value, cooling loads would be reduced for the facility which would not only ease City budgets, but also provide less energy demands on the environment.

The deterioration of an asphalt roof has environmental consequences that increase over time, as well. As asphalt shingles age and fail, they release the top layer of the shingles, which are made up of ceramic-coated minerals and slag granules. Asphalt roofs are composed of thousands of pounds of this gritty material, which is washed off during storms and enters the water stream. As storm intensity is projected to increase due to climate change further granule runoff will occur, causing thousands of pounds of granules to be washed directly into the adjacent waterways if the roof is not replaced. South Haven's marinas are already plagued with dredging problems, and asphalt roof granules contain material that can be hazardous to the environment, creating sediment that doesn't simply add to the amount of material that must be dredged, but could also release chemicals into the water and become harmful to the aquatic environment.

A standing seam/metal roof would not only stand up to damage from storms, it would also cause no environmental impact due to particle release. The improved roof structure can be integral in the

transition of the South Side Marina to a sustainable harbor, a goal that the DNR has for all Michigan State Waterways grant recipients. It would also allow South Haven to participate in the Michigan Clean Marina Program, a program that promotes environmentally sound marina and boating practices to reduce pollution, enhance fish and wildlife habitat and protect Great Lakes water quality. The City of South Haven enthusiastically supports this mission and wants to be proactive in its support in all its recreational opportunities, as stated in their recreation plan under Natural Environment preservation – encourage all marinas to achieve clean marina status (recreation plan amendment D. 3).

Another factor to consider is that the current aged and failing roof of the marina building is an eyesore and makes the South Side Marina look much less welcoming to tourists. South Haven's marinas are popular, well used, and an essential element to the City's annual income. However, other cities are vying for boaters and the tourism dollars they bring to communities. If the choice is between a marina with a failing boater services building and perfectly functional and safe facilities in the next town over, boaters will pass South Haven by.

**FINANCIAL SUMMARY OF HARBOR OPERATIONS**

FOR 2012 South Side Marina -- South Haven  
(HARBOR NAME – COMMUNITY NAME)

RECEIPTS:

Gasoline, Diesel, Oils	\$ _____
Dockage: Transient Slips	<u>183,126.76</u>
Seasonal Slips	<u>321,099.45</u>
Mooring Buoy Fees	_____
Sewage Pump-Out Fees	_____
<b>OTHER RECEIPTS (Examples: Pay Phone, Ice, Beverages, Unclaimed key deposits, Boat Launch Fees if integral to the Harbor Operation, Interest):</b>	
Other ( <u>State Dredging Fund + Grants</u> )	\$ <u>4,194.36</u>
Other ( <u>Interest Income + Market Value Adjustment</u> )	<u>12,450.51</u>
Other ( <u>Sales + Misc. Operating Revenue</u> )	<u>8,791.72</u>
<b>TOTAL RECEIPTS</b>	<b>\$ <u>529,662.80</u></b>

DISBURSEMENTS:

Cost of Fuels and Oils	\$ _____
Salaries, Wages, Fringes	<u>58,683.83</u>
Administrative Charges	<u>51,353.00</u>
Bond retirement	_____
<b>OTHER DISBURSEMENTS (Examples: Utility Bills, Telephone Bills, Sewer Fees, Cost of Ice and Beverages, Contracted Maintenance Services, Maintenance Supplies, Credit Card Fees, Advertising, Insurance's):</b>	
Other ( <u>Building Lease</u> )	<u>100,830.00</u>
Other ( <u>Utilities</u> )	<u>30,572.51</u>
Other ( <u>Payment In Lieu of Taxes</u> )	<u>26,350.00</u>
Other ( <u>Credit Card Fees</u> )	<u>12,018.66</u>
Other ( <u>Professional Consulting/Contracting</u> )	<u>70,544.44</u>
Other ( <u>Other Expenses</u> )	<u>169,428.19</u>
<b>TOTAL DISBURSEMENTS</b>	<b>\$ <u>519,780.63</u></b>

**NET INCOME: (LOSS)** \$ 9,882.12

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HARBOR FUND BALANCE FROM PREVIOUS YEAR'S REPORT \$ 2,026,742.38

PLUS (MINUS) CURRENT NET INCOME (LOSS) \$ 9,882.12

NEW HARBOR FUND BALANCE AS OF 2012 \$ 2,036,624.50  
(Date)

**FINANCIAL SUMMARY OF HARBOR OPERATIONS**

FOR 2014 South Side Marina -- South Haven  
(HARBOR NAME – COMMUNITY NAME)

RECEIPTS:

Gasoline, Diesel, Oils	\$ _____
Dockage: Transient Slips	<u>157,293.52</u>
Seasonal Slips	<u>389,428.85</u>
Mooring Buoy Fees	_____
Sewage Pump-Out Fees	_____
<b>OTHER RECEIPTS (Examples: Pay Phone, Ice, Beverages, Unclaimed key deposits, Boat Launch Fees if integral to the Harbor Operation, Interest):</b>	
Other ( <u>State Dredging Fund + Grants</u> )	\$ <u>52,918.82</u>
Other ( <u>Interest Income + Market Value Adjustment</u> )	<u>5,995.29</u>
Other ( <u>Sales + Misc. Operating Revenue</u> )	<u>3,685.95</u>
<b>TOTAL RECEIPTS</b>	<b>\$ <u>597,331.85</u></b>

DISBURSEMENTS:

Cost of Fuels and Oils	\$ <u>106.73</u>
Salaries, Wages, Fringes	<u>97,279.42</u>
Administrative Charges	<u>25,000.00</u>
Bond retirement	_____
<b>OTHER DISBURSEMENTS (Examples: Utility Bills, Telephone Bills, Sewer Fees, Cost of Ice and Beverages, Contracted Maintenance Services, Maintenance Supplies, Credit Card Fees, Advertising, Insurance's):</b>	
Other ( <u>Building Lease</u> )	<u>70,581.00</u>
Other ( <u>Utilities</u> )	<u>39,283.62</u>
Other ( <u>Payment In Lieu of Taxes</u> )	<u>26,350.08</u>
Other ( <u>Credit Card Fees</u> )	<u>13,014.61</u>
Other ( <u>Professional Consulting/Contracting</u> )	<u>211,598.05</u>
Other ( <u>Other Expenses</u> )	<u>198,826.57</u>
<b>TOTAL DISBURSEMENTS</b>	<b>\$ <u>682,040.08</u></b>

**NET INCOME: (LOSS)** \$ (84,708.23)

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HARBOR FUND BALANCE FROM PREVIOUS YEAR'S REPORT \$ 2,475,738.18

PLUS (MINUS) CURRENT NET INCOME (LOSS) \$ (93,645.07)

NEW HARBOR FUND BALANCE AS OF 2014 \$ 2,391,029.95  
(Date)

**FINANCIAL SUMMARY OF HARBOR OPERATIONS**

FOR 2013 South Side Marina -- South Haven  
(HARBOR NAME – COMMUNITY NAME)

RECEIPTS:

Gasoline, Diesel, Oils	\$ _____
Dockage: Transient Slips	<u>91,937.19</u>
Seasonal Slips	<u>350,051.19</u>
Mooring Buoy Fees	_____
Sewage Pump-Out Fees	_____

OTHER RECEIPTS (Examples: Pay Phone, Ice, Beverages, Unclaimed key deposits, Boat Launch Fees if integral to the Harbor Operation, Interest):

Other ( <u>State Dredging Fund + Grants</u> )	\$ <u>1,032,905.18</u>
Other ( <u>Interest Income + Market Value Adjustment</u> )	<u>11,240.32</u>
Other ( <u>Sales + Misc. Operating Revenue</u> )	<u>6,877.00</u>
<b>TOTAL RECEIPTS</b>	<b>\$ <u>1,493,010.88</u></b>

DISBURSEMENTS:

Cost of Fuels and Oils	\$ _____
Salaries, Wages, Fringes	<u>33,837.84</u>
Administrative Charges	<u>51,353.00</u>
Bond retirement	_____

OTHER DISBURSEMENTS (Examples: Utility Bills, Telephone Bills, Sewer Fees, Cost of Ice and Beverages, Contracted Maintenance Services, Maintenance Supplies, Credit Card Fees, Advertising, Insurance's):

Other ( <u>Building Lease</u> )	<u>100,830.00</u>
Other ( <u>Utilities</u> )	<u>44,330.15</u>
Other ( <u>Payment In Lieu of Taxes</u> )	<u>26,350.00</u>
Other ( <u>Credit Card Fees</u> )	<u>10,155.57</u>
Other ( <u>Professional Consulting/Contracting</u> )	<u>600,786.71</u>
Other ( <u>Other Expenses</u> )	<u>186,233.93</u>
<b>TOTAL DISBURSEMENTS</b>	<b>\$ <u>1,053,877.20</u></b>

**NET INCOME: (LOSS)** **\$ 439,133.68**

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HARBOR FUND BALANCE FROM PREVIOUS YEAR'S REPORT \$ 2,036,624.50

PLUS (MINUS) CURRENT NET INCOME (LOSS) \$ 439,133.68

NEW HARBOR FUND BALANCE AS OF 2013 \$ 2,475,738.18  
(Date)



Michigan Department of Natural Resources  
Parks and Recreation

# HARBOR LOG

HARBOR OF <b>SOUTH SIDE MARINA, SOUTH HAVEN</b>
INCLUSIVE DATES  <b>APRIL 2014 THRU OCTOBER 2014</b>

	BOAT CLASS (SIZE)	NUMBER OF BOATS	NUMBER OF PERSONS	NUMBER OF BOAT DAYS	TOTAL BOATS	TOTAL PERSONS	TOTAL BOAT DAYS
<b>POWER BOATS</b>	LESS THAN <b>20'</b>	7		16			
	<b>20'</b> BUT LESS THAN <b>30'</b>	191		348			
	<b>30'</b> BUT LESS THAN <b>40'</b>	224		399			
	<b>40'</b> BUT LESS THAN <b>50'</b>	189		337			
	<b>50'</b> AND OVER	10		22			

<b>SAIL BOATS</b>	LESS THAN <b>20'</b>	3		3			
	<b>20'</b> BUT LESS THAN <b>30'</b>	58		86			
	<b>30'</b> BUT LESS THAN <b>40'</b>	152		248			
	<b>40'</b> BUT LESS THAN <b>50'</b>	50		73			
	<b>50'</b> AND OVER	3		7			



Michigan Department of Natural Resources  
Parks and Recreation

# HARBOR LOG

HARBOR OF <b>SOUTH SIDE MARINA, SOUTH HAVEN</b>
INCLUSIVE DATES  <b>APRIL 2013 THRU OCTOBER 2013</b>

	BOAT CLASS (SIZE)	NUMBER OF BOATS	NUMBER OF PERSONS	NUMBER OF BOAT DAYS	TOTAL BOATS	TOTAL PERSONS	TOTAL BOAT DAYS
<b>POWER BOATS</b>	LESS THAN <b>20'</b>						
	<b>20'</b> BUT LESS THAN <b>30'</b>	242		576	259		540
	<b>30'</b> BUT LESS THAN <b>40'</b>	236		545	236		545
	<b>40'</b> BUT LESS THAN <b>50'</b>	193		331	193		331
	<b>50'</b> AND OVER	160		371	155		371

<b>SAIL BOATS</b>	LESS THAN <b>20'</b>						
	<b>20'</b> BUT LESS THAN <b>30'</b>						
	<b>30'</b> BUT LESS THAN <b>40'</b>						
	<b>40'</b> BUT LESS THAN <b>50'</b>						
	<b>50'</b> AND OVER	2		32	2		32





## **Consent Agenda Item E**

### South Haven Junior Youth League Resolution

#### Background Information:

The South Haven Junior Youth League (JYL) is requesting the City Council's support for a State of Michigan Charitable Gaming License.

JYL is a local non-profit organization which provides youth baseball and softball leagues. JYL is seeking a State of Michigan Charitable Gaming License, which will allow the organization to host local fundraising activities. In order to secure the license, the City Council must first offer a resolution of support. Upon approval of the local unit of government, the State of Michigan will then consider the charitable gaming license.

#### Recommendation:

The City Council should consider approval of Resolution 2016-14, a resolution of support for the State of Michigan Charitable Gaming License for the South Haven Junior Youth League.

#### Support Material:

Resolution 2016-14



Charitable Gaming Division  
 Box 30023, Lansing, MI 48909  
 OVERNIGHT DELIVERY:  
 101 E. Hillsdale, Lansing MI 48933  
 (517) 335-5780  
 www.michigan.gov/cg

**LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES**  
 (Required by MCL.432.103(K)(ii))

At a \_\_\_\_\_ meeting of the \_\_\_\_\_  
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by \_\_\_\_\_ on \_\_\_\_\_  
DATE

at \_\_\_\_\_ a.m./p.m. the following resolution was offered:  
TIME

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

that the request from South Haven Junior Youth League of South Haven,  
NAME OF ORGANIZATION CITY

county of Van Buren, asking that they be recognized as a  
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining charitable

gaming licenses, be considered for \_\_\_\_\_.  
APPROVAL/DISAPPROVAL

**APPROVAL**

**DISAPPROVAL**

Yeas: \_\_\_\_\_

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Absent: \_\_\_\_\_

I hereby certify that the foregoing is a true and complete copy of a resolution offered and

adopted by the \_\_\_\_\_ at a \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on \_\_\_\_\_  
DATE

SIGNED: \_\_\_\_\_  
TOWNSHIP, CITY, OR VILLAGE CLERK

PRINTED NAME AND TITLE

ADDRESS

COMPLETION: Required.  
 PENALTY: Possible denial of application.

# Downtown Development Authority

## Regular Meeting Minutes

Wednesday, October 21, 2015  
Noon, Council Chambers



City of South Haven

### 1. Call to Order by Olson at noon

### 2. Roll Call

Present: Braun (12:07 p.m.), Burr, Frederick, Marcoux, Maxwell, Olson  
Absent: Newton, Whiteford

### 3. Approval of Agenda

Motion by Burr, second by Marcoux to approve the October 7, 2015 regular meeting agenda as presented.

All in favor. Motion carried.

### 4. Approval of Minutes – May 20, 2015 Workshop Minutes July 15, 2015 Regular Meeting Minutes August 12, 2015 Regular Meeting Minutes

Motion by Marcoux, second by Frederick, to approve the May 20, 2015 Workshop Minutes, the July 15, 2015 Regular Meeting Minutes and the August 12, 2015 Regular Meeting Minutes.

All in favor. Motion carried.

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

None at this time.

### 6. DDA will be asked to consider approval of the Water Street Improvement Plan.

Davidson noted that there are factors affecting the DDA budget and it is difficult to report where the DDA is financially at this time. Factors include outstanding invoices for various projects such as the Baar's building demolition and Michigan Street repaving; cost estimates for a restroom building at the Baar's site; and a grant opportunity. Michigan Energy Office has announced a grant opportunity for upgrading existing municipal lighting to LED. The Broadway Avenue lighting would be a good project for this grant. Davidson proposed that a

workshop be held in the near future to inform the DDA Board about all projects, look at cost estimates and prioritize.

Davidson explained that the Water Street project is conceptual. This concept has been to the Parks Commission, and will go to Harbor Commission and then to City Council. Davidson asked for approval of the conceptual plan. The Board may be asked to approve a component of the plan in the future, based on budget and priority.

Davidson introduced Pat Cornelisse, Cornelisse Design, who reviewed the overall plan noting that the city asked what could be done to improve the hill side of Water Street. Cornelisse described that it was a difficult project as part of the process is about maintenance. About every three years the hillside will need to be pruned or managed in some way.

Cornelisse then reviewed several details including sidewalks, stairs, some turf, curb lines, a neater edge and the hillsides (remove dead stuff, invasive species, do not remove stumps so they help hold the hill in place, privet hedge and retain native species and items that will be useful) working her way from the water treatment plant on the west, eastward to Kalamazoo Street.

Discussion ensued regarding the steps from the Keeper's House property down to Water Street being wood, which would be replaced with concrete steps. Cornelisse noted the proposed addition of some handicap accessible picnic tables.

Cornelisse explained the use of dune grass and turf in the area below the American Legion, highlighting the WPA wall, perhaps some up-lighting, maybe a historical plaque including the WPA wall and the nearby area where there used to be a rail line. Cornelisse proposed cleaning up the wooded areas, trimming the trees up higher so the view can be seen.

Near Maple Street, Cornelisse recommended cleaning out the embankment, noting that it is too steep to mow, doing some rearranging and filling and clean up the stuff that has grown there over the years; replace the dilapidated rail fence and surround it with low plants so kids cannot get at the fence easily to jump over. Cornelisse noted that any walls added to this area would reflect the stacked stone walls that are already there.

In the next section, near the dumpster, the embankment is slipping, so Cornelisse recommends extending the existing stacked stone wall.

Access to and from Indiana and Eagle Streets down to Water Street could be done again with concrete instead of wood because concrete will not degrade. Cornelisse recommended starting over in this area, noting the topped pine trees and general unattractiveness of this section. Access was described as a series of steps and platforms. "Add some sidewalk and short retaining walls followed by eight (8) foot high retaining walls and steps down to a large landing. The dumpster will be hidden along with some electrical utilities in a continuation of the existing wall structures."

Cornelisse noted that there were citizens at the Parks Commission meeting who requested that the city not have any seating areas at the top or bottom so people cannot hang out there to smoke. Cornelisse said you need more input to address whether you have platforms or landings and whether the city wants to encourage the hanging out or not.

Shores had asked if there could be some landscaping done near their building that reflects the landscaping in the downtown. Cornelisse indicated how that would look on one of the concept drawings.

Regarding cost, Cornelisse said this entire piece should be somewhere around six hundred thousand dollars (\$600,000) but you cannot predict because it will depend on when you bid.

In response to questions, Cornelisse explained that in the case of residents along Water Street approaching us we have been able to accommodate their needs.

Burr explained some of the intricacies of the land ownership issues in the area. Cornelisse noted the residents have some concerns about views and there are compromises that can be made. There needs to be talk regarding the location of the dumpster, although there does not seem to be any real solutions or alternate locations.

Burr asked if there was a price on the concrete stairs and Cornelisse noted that embankment access is around \$200,000, but that is without soil borings which could reveal issues we are unaware of.

Marcoux asked about mowing, assuming we proceed with this and do it, whether the maintenance budget has been looked at. Cornelisse said her plan does not add a lot of grass mowing, but the maintenance program every three years or so will be an ongoing number and we didn't put a number to that. You could choose a block a year, and then next year do the next block; that rotation could be what will keep it in line. Cornelisse would have preferred to use dune grass in more areas, noting that most mowers do not like to do steep mowing, but the soil is not appropriate and sand would have to be brought in, so she stuck with more mowed areas.

Davidson noted that the DDA board is just being asked for approval of a concept.

Motion by Marcoux to approve the proposed Water Street plan/conceptual drawing, pending final approval once we understand the budget. Second by Braun.

All in favor. Motion carried.

**7. DDA will be given an update about the following projects:**

**A. Grant opportunity for lighting improvements on Broadway Avenue**

Tony McGhee, representing Abonmarche, explained various things that were considered, noting these would be the same lights as you have downtown but with LED bulbs. These would include directional boring for underground. The lights themselves would be a total of \$415,000. This project would not replace all sidewalks, but the sections affected would be replaced. The grant is \$50,000 which would put the funding for the balance of the project on the City, Downtown Development Authority (DDA) and Board of Public Works (BPU).

Davidson explained this request is for approval for submitting the grant application, which is due November 2. McGhee noted that a few weeks later we would know if the city got it. Burr noted the majority of this project would be funded by the Electric Fund. McGhee noted that

about half of the cost would be Electric. After a question from Marcoux, McGhee noted that the city would have one and one-half (1.5) years to spend the money.

#### **B. Baars building demo and cost estimate for restroom building**

McGhee related that the Baars building demolition was done without too many extras and the contractor did a good job keeping things in order and neat around the site. Additional asbestos was discovered during the demolition, so the extra asbestos abatement was another \$22,298.00. McGhee noted that the contractor stuck with his \$20,000 overage estimate and ate the balance. Discussion ensued regarding where the additional asbestos was located.

McGhee showed a concept drawing of the parking plan which Davidson noted was Option 2 that the board approved at the last meeting. At current market it is about \$125,000 just for replicating the Huron Street restroom. There is about \$300,000 for a 2,500 square foot addition for skate office/storage. With the parking lot the total would be \$575,000 which would include sealing and coating the existing parking lot to retain a uniform appearance. This is top drawer cost so there are things that could be changed.

Discussion ensued regarding whether more parking could be gained if the building were smaller which McGhee said had been reviewed and with all concerned it would not gain more than one more space. If the building size were reduced, there would just be more green space.

McGhee talked about bringing some budget ideas at the next meeting, including bidding the Black River Parking lot with this one to give the board a lot of flexibility in how you can budget this. Burr asked if the parking lot could be done soon with the building added later. Discussion ensued regarding getting skaters safely to and from the rink and a new skate rental building and the number of net gain of parking spaces. I has been suggested in the past to close off the north entrance into Huron St parking lot. If so, skaters would not have to cross in front of traffic.

#### **8. General Comments**

There were none.

#### **9. Adjourn**

Motion by Marcoux, second by Frederick to adjourn at 12:53 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

# Downtown Development Authority

## Workshop Minutes

Wednesday, December 2, 2015  
Noon, City North Side Marina



City of South Haven

**MISSION STATEMENT:** The Downtown Development Authority (DDA) is to be a leader in helping to fulfill the City of South Haven Municipal Plan; through planning, funding, and development of projects within the DDA District which promote, encourage and contribute to the overall economic growth and development of the community.

**Present:** Braun (12:20 p.m.), Frederick, Marcoux, Maxwell, Newton, Olson

**Absent:** Burr, Whiteford

Also present: Wendy Hochstedler, Finance Director; Larry Halberstadt, City Engineer; Fred Becht, Dairy Queen Owner; Ryan Storr, Dairy Queen Manager

### 1. DDA will be asked to review projects, cost estimates, and prioritize future projects.

Davidson explained the spreadsheets in the packet and the updated spreadsheet with estimates. The working list from the plan has check marks to indicate completed projects.

In response to a question regarding funding for Black River Park Parking project, Davidson explained that the city is now looking at doing the Phase II part of the project which would be funded by another city fund so the DDA's commitment does not change. The result would be a total of thirty-two (32) plus four (4) handicapped with a total of thirty-six (36) parking spaces.

Marcoux asked if the Old Harbor Inn settlement money has been applied to develop more parking to which Hochstedler responded that she has had no direction from the city manager of where to put those funds. Marcoux said he was told by the city manager that the settlement would be used to increase the parking at the ~~Baar's~~ *Black River* site.

Davidson noted that the Huron Street Parking (where the old Baar's building was) will provide twenty-six (26) spaces, just the construction of the parking lot, leaving space for a future restroom. Marcoux inquired whether it will be big enough for the ice rink storage and office. Davidson said she was told to count on approximately two hundred dollars (\$200) per square foot per space. Hochstedler said it depends on how much space you want to have for the ice rink portion. Marcoux said he distinctly remembers asking the Abonmarche representative whether there was enough space for both restroom and ice rink facility, and the representative saying yes. Newton said she wondered how Abonmarche could say that without knowing what was needed for the ice rink. Maxwell wondered what it could be used for outside of the winter months. Davidson noted that the ice rink office and rental facility has been expanded this year at the ice rink manager's expense, spending eleven thousand

dollars (\$11,000) to do so. Currently, the ice rink office has 527 sq. ft. behind the Visitor's Bureau plus approx. 800 sq. ft. additional space in Knytych's building. If someone would buy and tear down Knytych's building, the ice rink operation would lose a large amount of space.

Discussion moved to the Broadway Street improvement project and Davidson noted that there were strict elements for the grant for Broadway Street Improvement and the city only met one (1) of the four (4) in the grant application.

Center Street Improvements. Davidson noted that Halberstadt provided figures and the city needs hefty grants for both Center Street and Broadway improvements. Halberstadt noted half of the cost of the Broadway improvement is for the lighting and that is included in the estimate; that amount does not include Wi-Fi improvements. Marcoux inquired what the Wi-Fi improvements would be which Halberstadt noted would be to expand the coverage area, which is spotty on most of Broadway. Discussion ensued regarding where the signal can be accessed on a good day.

Water Street Improvements. Halberstadt noted that is for one stairway with a small landing level deck on which the city has received negative feedback. Exactly what will be proposed is not finalized.

Davidson noted the last amendment to the plan was for the South Beach Building Project, one element of which is the splash pad. Abonmarche is working on cost estimates for this now because the city wants to go for a Trust Fund Grant and possibly DDA can help fund this. The City will also seek donations. Marcoux asked if those potential donors included naming rights to which Davidson responded that she did not know but the theme proposed will be related to the Friends Good Will tall ship. Marcoux commented it could be a good way to keep kids out of the lake when there are red flags and added that the Community Foundation is looking for a notable kids' project that they could have their name on.

Olson asked about getting some budget figures. Hochstedler referred to the DDA Financial sheet in the packet. A projected sixteen thousand (\$16,000) of two hundred twenty-eight thousand dollars (\$228,000) is planned for this year. One of the items included in the budget is one hundred fifty thousand dollars (\$150,000) for the Water Street project, which Hochstedler does not think will make the cut, so that money may be able to go for the other projects. Olson said we have two hundred twenty-eight thousand dollars (\$228,000) going forward and Hochstedler reiterated that the one hundred fifty thousand dollars (\$150,000) may get moved there if it is not spent on Water Street.

Davidson asked whether the board thinks we are on the right track or if there is something the board would rather see the DDA focus on for the future. Marcoux asked about the Capital projects category and what projects are included in there. Black River Parking, per Halberstadt. Hochstedler said the majority of that is under Capital Projects; Revenue Expenditure Report with the detail and Hochstedler thinks there is more included in the budget. Hochstedler noted there are twenty-thousand dollars (\$20,000) of hazard elimination which is mostly sidewalk work and we capitalize that, so some of that is in there.

The \$75,000 upgrade to the Broadway light is the cost to the city to upgrade to the black poles and mast arms instead of the MDOT standard poles and wires.

Marcoux asked if the figure in the report is what is spent on the ice rink every year to which Davidson responded that yes, it is a very expensive operation. In response to questions, Davidson pointed out that the income from the ice rink is Spencer's; the city does not have income from the ice rink. Marcoux asked about the employee costs shown, which Hochstedler explained are not to pay Spencer or his employees but what the city pays city employees to do the set up and tear down of the ice rink. Olson asked whether Spencer carries his own insurance and Davidson confirmed that he does.

Newton commented we need to spend two hundred thirty thousand dollars (\$230,000). Olson asked whether the DDA should stay with the plans we have or change the priorities. Frederick said the board should stay with the plans we have. Davidson commented that parking and street repair were often mentioned as priorities in the past.

Streets within the DDA are in pretty good shape, according to Halberstadt. Outside the DDA, for the last two or three years, the City has been working with Abonmarche on completing sewer studies because of heavy rainwater issues. Halberstadt projected that about thirty million dollars (\$30,000,000) worth of improvements have been identified between the plant and the sewers; when it comes time to do the sewers, the streets and water will be improved as needed. Tentatively next year there will be a lot of discussions about how the City is going to fund these projects. Halberstadt said the City is lined up to get some state revolving funding for some of the work and traditional bonding. The total scope by next fall is to start on Monroe Boulevard all the way to Aylworth, unless it is broken into two projects. On the heels of that, about a year later, winter of 2016 and 2017, the road commission is going to be rehabbing the bridge on Blue Star Highway over the Black River due to it being in poor condition. Baseline, North Shore and Dyckman will be used as the detour. The next year we plan to work on North Shore Drive due to condition, probably with the project being split into two (2) phases.

Olson threw out the idea to have the DDA fund the demolition of Hale's to make it more marketable. Discussion ensued regarding the liens exceeding any cost people are willing to pay.

Olson asked whether an approval is needed of the direction DDA is on to which Davidson replied that discussion is the intent. Newton said the dollars may spend themselves as the DDA keeps rolling in on the plan; it is a great plan. Marcoux noted the stairway is in there. Halberstadt said he thought DDA talked about going ahead with the restroom and leaving the space for the rink facility. Olson said the board talked about, as well, doing the building all at one time to be more cost effective. Davidson interjected we do not have a floor plan for all uses. The City needs to see if it would allow adequate room for efficient ice rink rental, office, etc. Marcoux stated that he is just talking about trying to figure out how to spend the money; more parking - parking should probably be at the top of the list. Marcoux remembers the Black River Park and a trolley being discussed; that needs to be a priority. Marcoux asked, "If we threw in one hundred thousand bucks (\$100,000); how many more spots could we buy?" Davidson said we have an area which we have a grant for and the city is looking at adding more, which they are calling Phase 1A. Newton said, "For one hundred twelve thousand seven hundred dollars (\$112,700) we are getting Phase One, you could theoretically add on to that but we have no guarantee that people will use that. We can do our best to direct people there." Marcoux said people will use it if you advertise it. Newton pointed out that would involve breaking habits of people who have come here for a long time; maybe we should see after the grant and see how it's used. Marcoux stated, "We are

going to end up with people doing overflow parking even though it's not paved or striped." Olson pointed out if it is done all at one time it will be cheaper than doing it in two phases. Marcoux noted that the last five (5) years has been "build it and they will come", like the trails, and this last year it boomeranged on us. We had more upset people because they couldn't find a parking space.

Davidson mentioned other alternatives to expand the proposed Huron Street parking lot addition. Discussion ensued about who owns the Stepping Stones building. Frederick and Newton asked about the lot the old Baptist church is on and how many parking spaces could be made there, to which Halberstadt responded possibly twenty (20). Frederick also expressed concern about the corner by the bridge and adding more traffic there with the addition of the Black River Park parking lot, which generated some discussion. Olson suggested leasing the parking lot of the Save-A-Lot, even for the next season if it is not sold, because she has observed it is not used. Discussion ensued regarding ownership of the Save-A-Lot building and leasing the lot could mean some income for the owner.

Frederick asked what "Building Improvements" entails to which Davidson responded it includes working with business owners to improve facades, but is on hold at the moment as MSHDA is reorganizing. Newton suggested a list to work from that would be just for the DDA's use.

A question about Trash Removal prompted Davidson to note that includes research and planning concerning how trash removal can be improved i.e. is there a way to reduce the number of dumpsters you see; maybe do trash compactors instead; maybe work with Reliable or someone who is an expert to come up with a plan.

Olson asked when the last amendment change was which Davidson noted was December 2013.

## **2. Board Member Comments**

There were none.

Discussion ensued regarding the rental registration ordinance and various aspects of it.

Adjourned 1:30 p.m.

RESPECTFULLY SUBMITTED,

Marsha Ransom  
Recording Secretary

**South Haven Area Recreation Authority (SHARA)  
Special Meeting**

**Tuesday, December 22, 2015  
3:00 p.m., South Haven Charter Township Hall**

**MINUTES**

**1. Call to Order**

Meeting Opened at 3:00 p.m.

**2. Roll Call**

Members Present: Mr. Ross Stein, Mr. Dennis Fitzgibbon, Dr. Robert Herrera

Absent: Mr. Dana Getman, Mr. Mark McClendon

Guests: Mr. Brian Dissette, City Manager, City of South Haven  
Mr. Tony McGhee, Abonmarche

**3. Approval of Meeting Minutes:**

**November 24, 2015 Board Meeting: Motion by Herrera, seconded by Fitzgibbon to approve the minutes as presented. All in favor, motion carried.**

**4. Approval of Agenda:**

**Motion by Fitzgibbon, seconded by Herrera to approve the agenda of the December 23, 2015 meeting. All in favor, motion carried.**

**5. Interested Citizens in the Audience Will Be Heard on Items Not on the Agenda:**

**6. Approval of the SHARA Finance Reports:**

- a) The board discussed the SHARA Finance Report, noting the SHARA account now has a balance of \$120,966.45.

**Motion by Herrera, seconded by Fitzgibbon to approve the SHARA finance report. All in favor, motion carried.**

- b) The board was updated on the SHARP account, which now has a balance of \$33,627.14.
- c) The board discussed the SHARA budget amendment, noting the SHARA budget needs to be adjusted to ensure all expenses were budgeted.

**Motion by Fitzgibbon, seconded by Herrera to approve the SHARA budget adjustment report. All in favor, motion carried.**

- d) The board discussed the SHARA budget proposal for the FY 2016, Dissette

noted that no action was needed for the proposed budget file.

**7. SHARA Board was asked to consider approval of professional services agreement, with PRISM Consulting, in the amount of \$1,650, for an environmental study at the 14<sup>th</sup> Avenue site.**

The board was provided an update on the planning and review efforts, led by Abonmarche Engineering, for the property at 14<sup>th</sup> Avenue being considered for acquisition. McGhee presented a recommendation to engage PRISM Consulting for a phase one environmental study, in the amount of \$1,650. McGhee noted that he had secured several quotes for the work, and PRISM was the low cost provider. The board discussed the need for the environmental study, with Dissette noting that PRISM had done several studies for the city, with no problems. Fitzgibbon noted the phase one study would be used to determine if additional testing is needed for the site.

**Motion by Fitzgibbon, seconded by Herrera to approve the professional services agreement, with PRISM Consulting, in the amount of \$1,650, for an environmental study at the 14<sup>th</sup> Avenue site. All in favor, motion carried.**

**8. SHARA Board was asked to consider approval of Resolution 2015-04, an authorizing resolution for setting the meeting dates for 2016.**

The board was asked to consider approval of Resolution 2015-04, an authorizing resolution for setting the SHARA board meeting dates for the 2016 calendar year.

**Motion by Herrera, seconded by Fitzgibbon to approve Resolution 2015-04, an authorizing resolution for setting the meeting dates for 2016. All in favor, motion carried.**

**9. Staff member comments:**

No comments.

**10. Board member comments:**

Fitzgibbon requested more information on the planned improvements at the SHPS owned soccer fields.

Stein indicated that he was pleased with the projects being worked on, and encouraged the board and non-members to keep the projects progressing in the 2016 calendar year. Stein further wished the board and attendees a merry Christmas.

**11. Adjourn**

**Motion by Herrera, seconded by Fitzgibbon to adjourn the meeting. All in favor, motion carried. The meeting was adjourned at 3:30 p.m.**

Respectfully submitted by,

Brian Dissette  
City Manager, City of South Haven

## LIBERTY HYDE BAILEY MUSEUM MEMORIAL FUND, INC. "FOUNDATION"

January 20<sup>th</sup> 2016 Board of Trustees Meeting Minutes 6:15 P.M. McNeil Event Room

Board Members Present: Anne Long, Melanie Gleiss, Robin Reva, Todd Robbins & John Stempien (via Skype- unable to maintain connection)

Board Members Absent: Cindy McAlear (Excused), Joan Hiddema (Excused), Bill Lundy (Excused)

City Council Representative Present: Vickiy Kozlik Wall

Director Present: Michael Fiedorowicz

### **Call to Order**

Meeting called to order at 6:19 by Anne Long

**Bailey Moment of Inspiration** excerpt from Holy Earth (Anne) "The Earth is Good"

Next Meeting Volunteer: Robin Reva

### **Approval of Minutes** (November & December Meetings)

Anne asked if there was any discussion concerning the minutes of the last Board meeting.

It was moved by Anne to accept the LHBM Board minutes from the (last meeting date) meeting.

Motion seconded by Todd Robbins.

Motion Carried.

### **TREASURER'S REPORT – JOAN HIDDEMA**

Submitted Profit and Loss Statement

Some discussion of the Memorial Brick Program and having application form on website.

### **DIRECTOR'S REPORT – MICHAEL FIEDOROWICZ**

#### **MANAGEMENT:**

On January 19 the furnace was out. I came into the main part of the museum (heated by the furnace, unlike the Woodshed, which is baseboard heat) and noticed it was cold, 45°. So I worked from home.

Cindy McAlear has transferred the membership records to the museum office, as she has retired as the membership chair. I am doing the entry of new memberships. In the future I will have the older (pre-2014) membership data reconciled with that in Past Perfect, so that no information is lost, including the prospective member/donor list that Cindy has collected. For 2015 the records at the museum are up to date, we worked on that over the past year. Having long-term (the past five years) historical records can be helpful in seeking donations or encouraging members to 'bumpup' their membership level.

I really appreciate the tremendous work Cindy has done on membership and the Annual Letter Campaign! I will do everything possible to keep the momentum going. Her work was vitally important to the museum.

#### **Grants and Development**

We received the grant from the Save Michigan History project. We will get \$800 for putting our documents on our website so that the public can easily find them. This grant is for documents only, not artifacts. This will include an upgrade to Past Perfect linking our records to our website. Because this

includes changes to our website I am making it part of a larger project, funded by the S.H. Community Foundation, to make a digital gallery experience for young visitors in which they can find more information on our exhibition using a tablet computer. The pages for the young visitors may not appear on the Internet, only on the tablet computer in the building...

### Collections and Exhibitions

The information about the museum has been sent to the American Alliance of Museums and to our Museum Assessment Program (MAP) reviewer. Our visit with our reviewer, Jennifer White, is Monday, March 14 and Tuesday the 15th. She will tour the buildings, meeting with us and visit South Haven places. I would like to ask that we move our board meeting to Monday, March 14 so that the board can meet with Ms. White as part of the program. She will be departing Tuesday afternoon. I hope everyone can attend.

**Motion to move our Board Meeting to Monday March 14 at 6:15 and to host a potluck and welcome Ms. White by Anne Long and seconded by Todd. Motion passed.**

Dr. Fenske and I met regarding garden markers for plants for next year. He is making a list of flowers in need of markers. He has written descriptions and comments about some vegetables for placards. We are planning permanent signs, fade resistant and mounted on stakes, like the one's currently in use. We've narrowed our choices and I will determine the most economical and best quality signs to buy depending on size, number and quality.

### Marketing, Public Relations and Advocacy

I will share our new general information brochure at the meeting. It was shipped to Michigan Welcome Centers in December. It uses the new logo. I will be ordering new letterhead and cards with the logo in the coming months. It will also be incorporated into the newsletter and website

### Education and Lectures programs

### Comments

### Committee Reports

- A. Development- Anne  
Discussion of the landscape changes of the woods, removing dead ash and working with Heather Catania of Wild Ones to develop a plan.
- B. Curatorial- Anne and John  
Focus on the summer exhibit "Fruits of our Labors" discussion
- C. Marketing- Todd  
Trying to define Mission statement of the Marketing Committee-  
**Anne made a motion to accept the recommendation of the marketing committee for the logo & the name "The Bailey Museum" for marketing pamphlets, name recognition & museum identity. Seconded by Robin. Motion passed**
- D. Annual Appeal- Mike  
Up over \$1000.00 from last year. Most donations in the amounts of \$50-100.00

E. Arts and Antiques- Robin

Did better than last year with less open hours. No official follow-up meeting scheduled at this time. Will try the event again in the summer when the numbers are better. People participating as vendors charged 10% commission. Will be increased in the future. Gift shop was busy as well.

## CONTINUING BUSINESS

A. David Fenske's Master Gardener Position

**Vickiy made a Motion to create a paid Gardener in Residence position to be reviewed annually. Seconded by Anne. Motion passed.**

B. Vice Chair Position

**Vickiy made the motion that Todd Robbins be named Vice Chair. Seconded by Robin. Motion passed.**

## NEW BUSINESS

A. Meeting with the City – Anne Long, Joan Hiddema, Brian Dissette, Deb Lull & Kate Hosier

1. Operating Agreement Five year approval needed  
Michael Director- 50 weeks at 28 hours/week  
Change to Intern positions & volunteer positions need to be posted on the city website
2. Alcohol Service Agreement 7-10 Events Approval Needed –  
City requesting 2 additional liquor events – rental events.

**Anne made Motion to accept the amended operating agreement for 5 years, and extend the number of events using the AI service agreement to 7-10 events. Seconded by Melanie. Motion passed.**

C. Mission and Vision Statement

Both need updating and John Stempien will do some word smithing to create a new mission and vision statement with others input. Please email him input.

D. Committee Organization Chart IX.

Discussion about consolidating the organizational chart and rebuild- working group of Mike, Anne, Todd , and Vickiy to meet at Café Julia Feb 11<sup>th</sup> at noon to work on chart.

FLOOR-no additional comments

Next board Meeting Wednesday February 17 at 6:15

### Adjournment

It was moved by Vickiy to adjourn. Seconded by Todd

Respectfully submitted

Melanie Gleiss acting LHBM Secretary



City of South Haven

BOARD AND COMMISSION APPLICATION

Name Nick FAZIO Phone [REDACTED]

Address [REDACTED] SOUTH HAVEN MI 49090  
Street City State Zip

E-Mail Address [REDACTED]

Resident of City? (Circle One)  Yes  No If Yes, how long: 7 yrs

Board or Commission Applying for: HARBOR COMMISSION

Qualifications: OPEN MIND

I believe I can benefit the City of South Haven by serving on a board and commission because:

I feel South Haven has a lot to offer its residents & guests & the lake & river drive most of our tourism.

Signature Nick Fazio Date 1/29/16

Return Application to:  
City of South Haven  
Attn: Clerk's Office  
539 Phoenix Street  
South Haven, MI 49090  
Fax: (269) 637-5319  
Phone: (269) 637-0750

For Office Use Only:	
Appointed	_____
Term Expires	_____
Letter Mailed	_____



## License Agreement Request 706 Center Street

City of South Haven

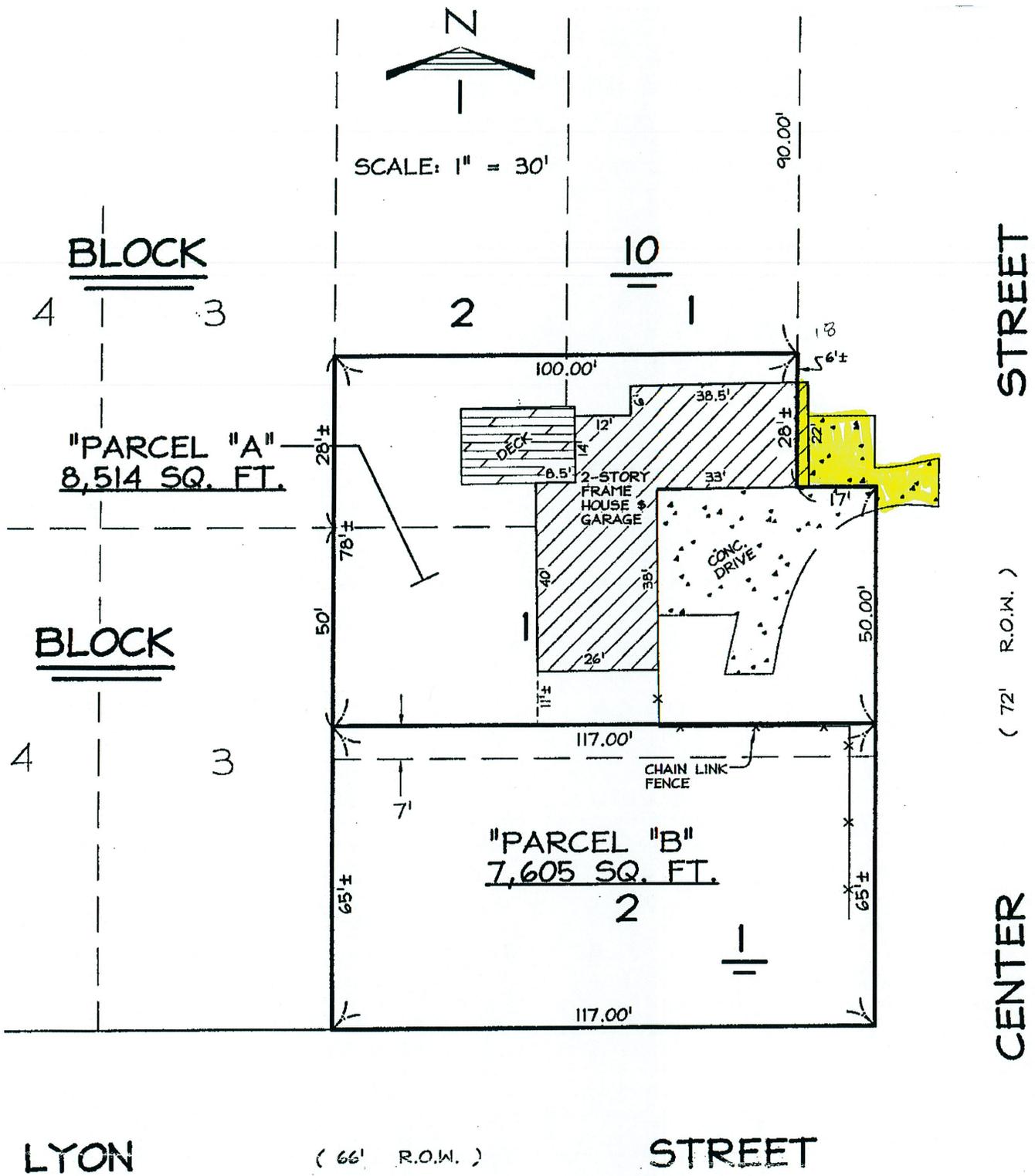
**Background Information:** Kevin Anderson owns real property located at 706 Center Street, South Haven, Michigan. The Andersons currently lease the property to residential tenants and now desire to sell the property. A portion of the home located on the property encroaches on a portion of the City-owned public right-of-way. The Andersons and their tenants have also used a portion of the City-owned public right-of-way for vehicular and pedestrian access to the home (see Exhibit B).

The Andersons would now like to have a license agreement with the city in order to continue to use those portions of the right-of-way as they have in the past and desire subsequent purchasers of the Anderson Property be permitted to continue to use those portions of the right-of-way as the Andersons and their tenants have in the past for access to the Anderson Property.

**Recommendation:** Staff recommends approval of the license agreement.

**Support Material:**

Draft license agreement  
Property survey



"SUBJECT TO SURVEY"

**MITCHELL SURVEYS, INC.**

404 Broadway  
 South Haven, Michigan 49090  
 Phone (616) 637 - 1107  
 Fax (616) 637 - 1907

Client KEVIN ANDERSON

Date 9-16-2002 Job No. 02-883 Sheet 1 of 2

Dwg. By FAM Dwg. Ck.        Desc. By        Desc. Ck.       

Being in the W 1/2 Section 10, T 1 S, R 17 W

SOUTH HAVEN Twp. VAN BUREN Co., Michigan

## LICENSE AGREEMENT

This License Agreement is made as of \_\_\_\_\_, 2016, between the City of South Haven, a Michigan municipal corporation, of 539 Phoenix Street, South Haven, MI 49090-1499 (the "City") and Kevin P. and Nanette S. Anderson, of 501 Green Street, Dowagiac, MI 49047 (the "Andersons").

### RECITALS

- A. The Andersons own real property located at 706 Center Street, South Haven, Michigan, legally described on the attached Exhibit A (the "Anderson Property"). The Andersons currently lease the Anderson Property to residential tenants and desire to sell the Anderson Property.
- B. A portion of the home located on the Anderson Property encroaches on a portion of the City-owned public right-of-way. The Andersons and their tenants have also used a portion of the City-owned public right-of-way for vehicular and pedestrian access to the home.
- C. The Andersons desire to continue to use those portions of the right-of-way as they have in the past for access to the Anderson Property and desire subsequent purchasers of the Anderson Property be permitted to continue to use those portions of the right-of-way as the Andersons and their tenants have in the past for access to the Anderson Property.
- D. The City is willing to permit the continued use of the right-of-way in accordance with the terms and conditions of this Agreement.

### TERMS AND CONDITIONS

In exchange for the consideration in and referred to by this Agreement, the parties agree as follows:

1. License. In exchange for the consideration in and referred to by this Agreement, the City grants to the Andersons a license for a portion of their house to encroach upon, and use for pedestrian and vehicular access to the home, approximately 17 feet of the Center Street right-of-way, an area legally described on the attached Exhibit B (the "Licensed Premises"). This license provides permission to use the Licensed Premises and does not convey any legal or equitable interest in the Licensed Premises.
2. Use. The Andersons shall not alter or improve the Licensed Premises without the City's prior written approval. The Andersons' use of the Licensed Premises shall be consistent with the Andersons' current use of the Licensed Premises. The Andersons shall maintain the Licensed Premises in good repair. The City shall have no duty to maintain, repair, replace or improve any portion of the Licensed Premises.
3. Indemnification.
  - A. The Andersons agree to save and hold the City, its officers, employees, and agents harmless from, and defend and indemnify the City, its officers, employees, and agents against, any and all claims or lawsuits seeking recovery for damage or injury, including death, and against any other legal proceeding instituted against them directly or indirectly, arising from the physical existence of the encroachment in the Licensed Premises or the Anderson's other use of the Licensed Premises, regardless of whether the Andersons are negligent. As to incidents occurring during the license term and any extensions thereof which would or do give rise to claims for damages, the Andersons' obligations under this paragraph shall survive the termination of this Agreement for a period of 3 years.
  - B. The provisions of this paragraph shall apply to any allegations that the City or its officers, employees, or agents were negligent in permitting the encroachment or the Andersons' other use of

the Licensed Premises, or failing to inspect such encroachment or other portion of the Licensed Premises.

4. Term.

A. The term of this License shall be for a period of 10 years and shall be automatically renewed for successive 10 year terms unless either party provides written notice of termination at least 60 days before the renewal date. However, both the original term and any extensions thereof shall be subject to the City's right of revocation stated below.

B. This license is terminable at the will of the City Council. However, prior to terminating the license, the City shall first give the Andersons written notice that it is considering such action and the date and time of the City Council meeting at which such action will initially be considered so that the Andersons may address the City Council.

5. Fee. The Andersons shall pay the City a License Fee of One and no/100 Dollars (\$1.00).

6. Assignment. The Andersons may assign this Agreement upon 14 days' written notice to the City, provided such assignment is in connection with the conveyance, transfer, or sale of the Anderson Property and the assignee expressly assumes full liability for the Andersons' obligations pursuant to this Agreement.

7. Termination. Following termination of this Agreement, within 30 days' of receiving a written notice from the City requesting removal and restoration, the Andersons shall remove the encroachment from the Licensed Premises and restore the Licensed Premises to a condition acceptable to the City, at no cost to the City.

8. Miscellaneous.

A. This Agreement shall be governed by and construed in accordance with the laws of the State of Michigan.

B. Any notices required hereunder shall be delivered personally, or by first-class mail to the Andersons or the City at the addresses listed above.

C. This Agreement shall be executed in recordable form and recorded with the Van Buren County Register of Deeds.

D. This Agreement shall be binding upon and inure to the benefit of the parties, their administrators, successors, and assigns.

The parties have signed this Agreement as of the date first above written.

CITY OF SOUTH HAVEN

STATE OF MICHIGAN  
COUNTY OF VAN BUREN

By: \_\_\_\_\_  
Robert Burr, Mayor

On \_\_\_\_\_, 2015, Robert Burr and Amanda Morgan, who are personally known to me as the Mayor and Clerk, respectively, signed this document in my presence on behalf of the City of South Haven.

By: \_\_\_\_\_  
Amanda Morgan, Clerk

\_\_\_\_\_  
\*  
Notary public, \_\_\_\_\_ County, MI  
Acting in \_\_\_\_\_ County, MI  
My commission expires: \_\_\_\_\_, 20\_\_

PROPERTY OWNERS

By: \_\_\_\_\_  
Kevin P. Anderson

By: \_\_\_\_\_  
Nanette S. Anderson

STATE OF MICHIGAN  
COUNTY OF VAN BUREN

On \_\_\_\_\_, 2016, Kevin P. Anderson and Nanette S. Anderson, who are either personally known to me or whose photo identification I reviewed, signed this document in my presence.

\_\_\_\_\_  
\*  
Notary public, \_\_\_\_\_ County, MI  
Acting in \_\_\_\_\_ County, MI  
My commission expires: \_\_\_\_\_, 20\_\_

Drafted and, when recorded, return to:  
Scott G. Smith  
Dickinson Wright PLLC  
200 Ottawa Ave., Ste 1000  
Grand Rapids, MI 49503  
(616) 458-1300

**Exempt from county and state real estate transfer tax as no interest in real property is conveyed pursuant to the this Agreement.**

DRAFT

**EXHIBIT A**

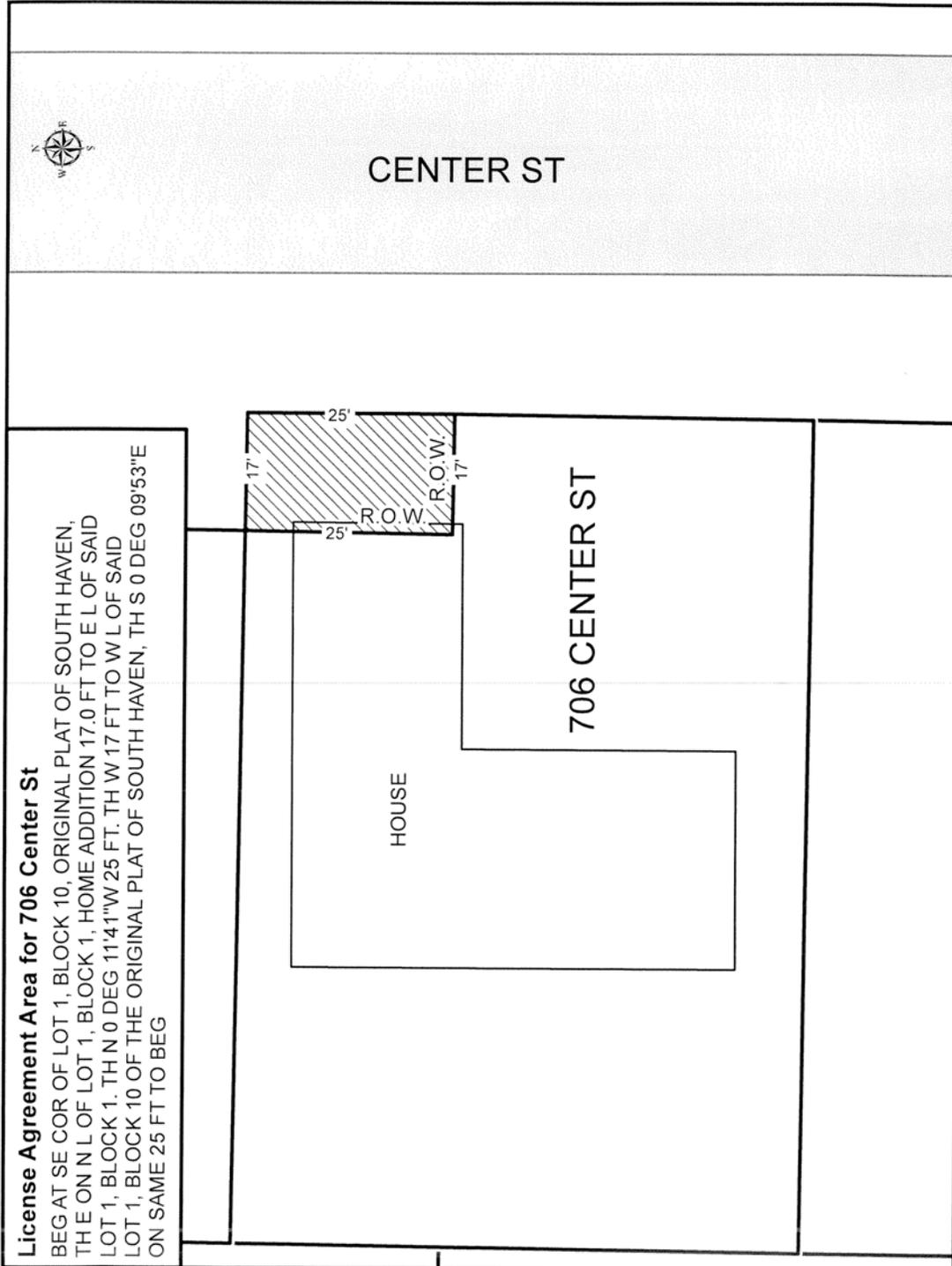
**ANDERSON PROPERTY LEGAL DESCRIPTION**

BEG AT SE COR OF LOT 1, BLOCK 10, ORIGINAL PLAT OF SOUTH HAVE, TH E ON N L OF LOT 1, BLOCK 1, HOME ADDITION 17.0 FT TO E L OF SAID LOT 1, BLOCK 1, TH S 0 DEG 14'50"E ON SAME 50.0 FT, TH W 116.94 FT TO W L OF SAID LOT 1, BLOCK 1, TH N 0 DEG 11'41"W ON SAME AND W L OF LOT 2, BLOCK 10 ORIGINAL PLAT OF SOUTH HAVEN 75.0 FT, TH S 89 DEG 44'03"E 99.95 FT TO E L OF LOT 1, BLOCK 10, TH S 0 DEG 09'53"E ON SAME 25 FT TO BEG. \*\*\* SPLIT ON 26 JUNE 2007 FROM 80-53-010-001-60 FOR 2008.

DRAFT

**EXHIBIT B**

**LICENSED PREMISES LEGAL DESCRIPTION**



GRAPIDS 57671-1 366214v1



## Agenda Item #8

### Special Assessment District Poverty Exemptions

#### Background Information:

The City Council will be asked to consider Resolution 2016-15, a resolution adopting the 2016 special assessment installment poverty exemption guidelines.

The City Council will be asked to consider the 2016 special assessment poverty exemption guidelines for approval and adoption. Should the guidelines be approved, the special assessment poverty exemption guidelines will be used by the Assessing Department when considering relief requests at the annual Board of Review meetings.

As part of the Kalamazoo Street Reconstruction Project, Phase 2, the City Council approved a variety of action items, including the approval of a special assessment district (SAD) for the properties adjacent to the construction. As part of the SAD approval, the City Council expressed interest in providing a poverty exemption program, similar to the long established property tax poverty exemption program, for properties included in a SAD.

Several years ago, at a meeting of the City Council, there was debate over the proposed Federal Poverty Guidelines and whether or not they should be adopted. Ultimately the City Council opted not to adopt the guidelines, stating that the proposed levels were set too low, and should be adjusted to a more acceptable level.

In an effort to create a more acceptable local level for the poverty guidelines, staff modified the asset standards to reflect the asset eligibility limitation to not exceed \$5,000 (as opposed to the original \$2,000). Further, the guidelines were modified to reflect that an individual's primary motor vehicle would not be included in the asset calculation. The final adjustment that staff made to the proposed guidelines was to increase the poverty threshold maximum income level by \$5,000 per unit of family. Ultimately the adjustments made by staff were accepted by the City Council and the guidelines were approved and adopted. These modified guidelines have been used since 2009.

For tonight's meeting, the City Council will be asked to approve and adopt the special assessment poverty guidelines. Staff has mirrored the levels set forth in the 2009 property tax poverty exemption guidelines, in an effort to continue the levels offered in the prior years. The proposed 2016 special assessment poverty guidelines, if adopted, will be less restrictive than the Federal poverty guidelines, but appear to be locally acceptable.

#### Recommendation:

The City Council should consider adoption of Resolution 2016-15, a resolution adopting the 2016 special assessment installment poverty exemption guidelines.

**Support Material:**

Assessing Department Correspondence

2016 Special Assessment Poverty Exemption Filing Requirements

Resolution 2016-15; Special Assessment Poverty Exemption Guidelines



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499  
Telephone (269) 637-0700 • Fax (269) 637-5319

## **MEMORANDUM**

DATE: February 26, 2016

TO: Brian Dissette, City Manager

FROM: Connie Phillips-Thompson, Deputy Assessor

SUBJECT: Resolution to Update Special Assessments Poverty Exemption Guidelines for 2016

The Special Assessment Installment Poverty Exemption Resolution and Guidelines are to provide relief for qualified homeowners who are truly in need from the payment of special assessment installments relating to certain public water and sewer improvements.

## CITY OF SOUTH HAVEN

### SPECIAL ASSESSMENT INSTALLMENT POVERTY EXEMPTION GUIDELINES (Pursuant to the General Property Tax Act, 1893 PA 206, as amended, MCL 211.1 *et seq.*)

Adopted by the South Haven City Council on March 7, 2016

#### FILING REQUIREMENTS

In order to file and qualify for a special assessment installment poverty exemption the claimant must do *all* of the following, and meet *each* of the following requirements, annually:

1. Own and occupy the *homestead* property for which the exemption is requested.
2. File a claim with the assessor or board of review after January 1 but before the day prior to the last day of the board of review on a form provided by the assessor. (Note: The filing of the form constitutes an appearance before the board of review for the purpose of preserving the right to appeal to the Michigan Tax Tribunal.)
3. Report divestment of assets on the required application form.
4. Sign a sworn, notarized statement on the application form swearing that the information provided in the application is true and accurate.
5. Provide federal and state income tax returns, and property tax credit returns, for all persons residing in the homestead. These returns may be those filed in the current or immediately preceding year.
6. Provide a valid driver license or other form of identification if requested by the assessor or board of review.
7. Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is being requested if required by the assessor or board of review.
8. Meet the poverty income standards as set in the attached schedule and schedule below.
9. Meet the asset standards set by the South Haven City Council.
10. Meet any other standards which may be set from time to time by resolution of the South Haven City Council.

## ASSET STANDARDS

### Asset Eligibility Limitation

In order to meet the requirement for assets, the total current fair market cash value of the claimant's household assets cannot exceed \$5,000.

### Divestment of Assets

Divestment means a transfer of a resource. Transfer of a resource means giving up all or partial ownership in (or rights to) a resource. Examples include, but are not limited to, selling an asset, giving an asset away, refusing an inheritance, giving up the right to receive income, and other similar divestment actions.

If an applicant for a special assessment installment poverty exemption has divested any assets during the period of 36 months preceding the date of the application, then such divestment shall be considered in the determination of eligibility.

### Definition of Assets (Non-Inclusive)

Assets include, but are not limited to, the cash value of savings accounts and shares, certificates of deposit, investments such as stocks, bonds, mutual funds, deferred compensation accounts, equity in real estate other than the homestead for which the exemption is claimed, motor vehicles (primary vehicle will not be included in the asset calculation), jewelry, coins and other collectables, precious metals, and other similar possessions which are not essential to the subsistence or health and wellbeing of the claimant. Gifts, lump-sum inheritances, dividends, interest, rental proceeds, royalties, and other receipts received in the form of a gift, or as a result of asset divestment, shall be considered an asset if received on a one-time lump-sum basis and shall be included in the determination of asset eligibility.

## INCOME STANDARDS

The following are current poverty threshold income standards as set by the City Council.

In order to meet the requirements of the income standards, the claimant's annual gross household income cannot exceed the amounts stated below. Qualification under these income standards, provided the claimant is qualified in all other respects, indicates that the claimant should reasonably be expected to pay any special assessment levied on the property.

### Tax Year 2016 Poverty Threshold — Maximum Household Income

Size of Family Unit	Poverty Guidelines
1	\$15,000
2	\$20,000
3	\$25,000
4	\$30,000
5	\$35,000
6	\$40,000
7	\$45,000
8	\$50,000
For each additional person, add	\$ 5,000

Ordinary income includes the following:

1. Money wages and salaries before any deductions.
2. Net receipts from non-farm self-employment. These receipts are from a person's own business, professional enterprise, or partnership, after deductions for business expenses.
3. Net receipts from farm self-employment. These are receipts from a farm which one operates as an owner, renter, or share cropper, after deductions for farm operating expenses.
4. Regular payments from Social Security, Railroad Retirement, unemployment compensation, strike benefits from union funds, workers compensation, veteran payments, and public assistance.
5. Alimony, child support, and military family allotments or other regular support from an absent family member or someone not living in the household.
6. Private pensions, government employee pensions (including military retirement pay), and regular insurance or annuity payments.
7. College or university scholarships, grants, fellowships, and assistantships.

8. Dividends, interest, net rental income, net royalties, periodic receipts from estates or trust, and net gambling or lottery winnings.

Ordinary income does *not include* the following, except as provided in No. 6 below:

1. Money received from the sale of property, such as stocks, bonds, a house, or a car, unless the claimant is in the business of selling such property.
2. Withdrawals of bank deposits and borrowed money.
3. Income tax refunds and one-time insurance payments.
4. Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.
5. Federal non-cash benefit programs such as Medicare, Medicaid, food stamps, and school lunches.
6. Gift and lump-sum inheritances are not considered as *ordinary income*; however, dividends, interest, rental proceeds, royalties, inheritances, and other similar receipts received on a period basis, which may be in the form of a gift or other form, including receipts resulting from divestment of assets, and which may have the appearance of income, shall be considered as *unearned income* and shall be included in the determination of income eligibility.

## PRIOR SPECIAL ASSESSMENTS INSTALLMENTS AND UTILITY BILLS

All prior special assessment installment and City utility bills for the homestead property for which the exemption is claimed shall be current and fully paid as an additional condition of eligibility for a special assessment installment poverty exemption.

## MICHIGAN HOMESTEAD CREDIT

Any refunds received or due to be received from a Michigan Homestead Property Tax Credit Claim (MI-1040CR) shall be reported by the applicant and taken into account in regard to the granting of any special assessment installment poverty exemption.

## DEFINITION OF HOMESTEAD

"Homestead" means that portion of a dwelling or unit in a multiple-unit dwelling which is subject to ad-valorem taxes and is owned and occupied as a principal residence by an owner of the dwelling or unit. Homestead also includes all of an owner's unoccupied property classified as residential which is adjoining or contiguous to the dwelling subject to ad-valorem taxes and which is owned and occupied as a principal residence by the owner. Contiguity is not broken by a road right-of-way. Homestead also includes any portion of a principal residence of an owner which is rented to another as a residence as long as that portion of the principal residence which is rented or leased is less than 50 percent of the total square footage of living space in that principal residence. Homestead also includes a life care facility registered under the living care disclosure act, Act 440 of the Public Acts of 1976, being sections 554.801 to 554.844 of Michigan Compiled Laws. Homestead also includes property owned by a cooperative housing corporation and occupied as a principal residence by tenant stockholders.

## REVENUE BOND ACT

In accordance with the Revenue Bond Act, 1933 PA 94, as amended, 141.101 *et seq.*, the special assessment installment poverty exemption shall not provide relief from water bills, sewer bills, electric bills or bills for any other public utility service provided through the use of a public improvement.

## PAYMENT FROM UTILITY FUND

Whenever an exemption is granted under this policy, the City will cover the cost of such exemption through a payment from the utility fund. Any exemption granted under this policy shall not affect the amount of any special assessment levied against a property owner in the City.

## APPEAL

A property owner may appeal the March Board of review's decision on a special assessment installment poverty exemption to the Michigan Tribunal by July 31. An appeal of a July or December Board of Review special assessment installment poverty exemption decision may be made to the Michigan Tax Tribunal within 30 days of the decision. Appeals are to be made in writing to the Michigan Tax Tribunal, P. O. Box 30232, Lansing MI 48909.

CITY OF SOUTH HAVEN  
APPLICATION FOR SPECIAL ASSESSMENT INSTALLMENT POVERTY EXEMPTION

The Board of Review is allowed to take action on Special Assessment Installment Poverty Exemption Applications during the March Board of Review appeal hearings, or during the July Board of Review, (the Tuesday following the third Monday in July), or during the December Board of Review, (the Tuesday following the second Monday in December.)

I, \_\_\_\_\_, being the owner and principal resident of the homestead property listed and described below hereby apply for special assessment installment payment relief pursuant to the provisions of MCL 211.7u of the General Property Tax Act.

Special Assessment Code No. \_\_\_\_\_ Property Description \_\_\_\_\_  
\_\_\_\_\_ Property Address \_\_\_\_\_  
\_\_\_\_\_ Applicant telephone No. \_\_\_\_\_  
\_\_\_\_\_ Marital Status \_\_\_\_\_

Name of Spouse, if Applicable \_\_\_\_\_

Total number of household members \_\_\_\_\_

Name and relationship to you of each and every member of your household

Have you applied for Homestead Special Assessment Credit \_\_\_\_\_ Refund Amount \_\_\_\_\_  
(If so, attach a copy of MI-1040CR)

PROPERTY INFORMATION

Is your home paid for If not, name of lender \_\_\_\_\_ Balance owed \_\_\_\_\_

How long have you lived at this residence?

Do you own, or are you buying or have an interest in, any other real property?

Property Address	Owner	Assessed Value	Amount and Date of Taxes Paid
_____	_____	_____	_____

Income received from other real property

EMPLOYMENT INFORMATION

Name and Address of Employer of Head of Household

How long employed there \_\_\_\_\_ Job Title \_\_\_\_\_

HOUSEHOLD INCOME INFORMATION

List all household income from all sources for each member of the household

<u>Household Member</u>	<u>Source of Income</u>	<u>Amount of Periodic or Annual Income</u>
-------------------------	-------------------------	--------------------------------------------

Attach a copy of your most-recent state and federal income tax return forms.

HOUSEHOLD ASSET INFORMATION Savings and Investments

Name of Institution or Investment      Amount of Deposit or Value      Name of Owner of Investment

Divestment of Assets

Provide the names and/or descriptions of any assets, and the current value of those assets, which you have transferred to any other persons, firms, or organizations, and the names of such persons, firms, or organizations to whom the assets were transferred, within the past 36 months.

Motor Vehicles in the Household

<u>Make</u>	<u>Year</u>	<u>Owned by</u>	<u>Used for</u>	<u>Paid off or Balance Owed</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Life Insurance

Insured Person                      Insurance Company                      Face Amount                      Cash Value                      Beneficiary  
\_\_\_\_\_

Other Household Assets

List and describe and state the value of all other assets which are not listed above which are owned or controlled by you or any member of your household. (Such as, but not limited to, jewelry, coins, precious metals, collectibles, antiques not used as household furnishings, and other similar possessions which are not essential to your subsistence, health, or wellbeing.)

AUTHORIZATION FOR VERIFICATION

I, \_\_\_\_\_, as an Applicant to the City of South for a Special Assessment Installment Poverty Exemption, hereby authorize, by my signature below, the City of South Haven to contact any person, firm, or organization which I have identified in this Application in order to verify the information I have provided herein. Additionally, I authorize any person, firm, or organization so contacted to provide any such information to the city of South Haven as requested. I am aware that any willful inaccuracies, misstatements, or misrepresentation made by me in this application may constitute perjury, which under the law is a felony violation punishable by fine or imprisonment.

NOTICE TO APPLICANT: Do not sign this application except in the presence of the City of South Haven Assessor or Deputy Assessor, or Board of Review member.

STATE OF MICHIGAN

COUNTY OF VAN BUREN

The undersigned hereby swears that the statements made and information provided in the foregoing Application are true and that he/she has no other income, assets, or property other than that disclosed herein.

Signature of Applicant(s): \_\_\_\_\_ Date \_\_\_\_\_

Witness: \_\_\_\_\_  
Assessor or Deputy Assessor Date \_\_\_\_\_

: \_\_\_\_\_  
Board of Review Member Date \_\_\_\_\_

-----  
BOARD OF REVIEW DISPOSITION

Date of Board of Review Determination

Exemption Denied \_\_\_\_\_ Exemption Approved \_\_\_\_\_

Reason for Determination: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Board Member Signatures: \_\_\_\_\_

Witness: \_\_\_\_\_  
Assessor or Deputy Assessor

An official, written notice of determination shall be issued to the claimant. The notice shall inform the claimant of the right to appeal the Board of Review determination to the Michigan Tax Tribunal.

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2016-15

A RESOLUTION ADOPTING POVERTY LEVEL INCOME STANDARDS FOR THE SPECIAL  
ASSESSMENT POVERTY EXEMPTION GUIDELINES  
FOR TAX YEAR 2016

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on March 7, 2016 at 7:00 p.m. local time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_.

WHEREAS, in accordance with the provisions of the General Property Tax Act, 1893 PA 206, as amended, in an effort to expand upon the City's current poverty exemption program, City staff and the City's legal counsel have drafted guidelines to provide an exemption for a qualified homeowner from the payment of special assessment installments relating to certain public water and sewer improvements; and

WHEREAS, said guidelines include state required poverty level income standards and requirements; and

WHEREAS, the South Haven City Council has given due consideration to the proposed Special Assessment Installment Poverty Exemption Guidelines and believes that they will provide additional relief to those families and citizens whom are truly in need.

BE IT THEREFORE RESOLVED, that, the Special Assessment Installment Poverty Exemption Guidelines, along with the corresponding application, for Tax Year 2016 is hereby adopted.

BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded; and

BE IT FURTHER RESOLVED, that this resolution shall take effect upon passage by the City Council.

RECORD OF VOTE:

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

---

Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the 7th day of March, 2016 at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq.*).

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Amanda Morgan, City Clerk



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499  
Telephone (269) 637-0700 • Fax (269) 637-5319

March 1, 2016

TO: City Council  
Brian Dissette, City Manager

FR: Kate Hosier, Assistant City Manager

RE: North Beach Concession Agreement

## **Background Information:**

Requests for Proposals for the North Beach Concession operation were sent out in October 2015. The only bid received was from VHF, Inc. VHF, Inc. has operated the South Beach Concession, with success, for the last two years under a subcontract with the previous concessionaire.

The terms of the license agreement for the North Beach Concession are highlighted below:

- To operate the concession from May 1 through September 30 for a period of two years
- An annual fee in the amount of \$5,000 to be paid to the city each year (the second year will be the annual fee plus 2%).
- The licensee will clean, maintain, and close the restrooms every day.
- The city will open the restrooms every morning by 7:00 a.m.
- The licensee will sell ice cream, soft drinks, snacks, food, non-alcoholic beverages, souvenirs, and beach items.
- The licensee will have exclusive vending rights along Lakeshore Drive.

Please note; staff has recommended a two year term for the license due to the pending reconstruction of the North Beach Park and Lakeshore Drive. We believe that the two year agreement will help ensure that we have no conflicts with the vendor during the planned reconstruction work.

## **Recommendation:**

The City Council should consider and approve the license agreement, as presented, for the North Beach Concession with VHF, Inc.

## **Support:**

License Agreement

## NORTH BEACH CONCESSION LICENSE AGREEMENT

This North Beach Concession License Agreement (the "Agreement") is made as of \_\_\_\_\_, 2016, between the City of South Haven, a Michigan municipal corporation the principal business address of which is 539 Phoenix Street, South Haven, MI 49090 (the "City"), and VHF Inc., a Michigan corporation of 2940 125<sup>th</sup> Avenue, Allegan, MI 49010 (the "Licensee") (City and Licensee together referred to as the "Parties).

### RECITALS

**A.** The City owns the property and structure commonly referred to as the North Beach concession structure (the "Concession") and the area to the West of the concession structure (together with the Concession, the "Concession Area"), generally depicted on the attached Exhibit A.

**B.** The City wishes to grant Licensee a license to operate a concession business from the Concession Area under the terms of this Agreement during the period of time every year that runs from May 1 through September 30 (the "Concession Season").

### TERMS AND CONDITIONS

In exchange for the consideration in and referred to by this Agreement, the parties agree as follows:

**1. License.** The City licenses to Licensee use of the Concession Area, including the Concession and the area to the West of the Concession, as shown on the attached Exhibit A for the sale of food and sale or rental of other items as provided below.

**2. Term and Termination.** This Agreement shall be in effect for two consecutive Concession Seasons. The term of this Agreement shall commence upon the date of this Agreement and end on December 31, 2017. This Agreement may be terminated by either party for breach pursuant to Section 9. Upon the termination of this Agreement, Licensee shall, unless the City otherwise consents by resolution of the City Council, without cost to the City, restore the Concession and Concession Area to the condition it was in prior to the date of this Agreement. This Agreement may be renewed for another two year period.

**3. License Fee.**

**(a)** In addition to its other obligations under this Agreement, Licensee shall pay to the City an annual fee (the "Annual License Fee") in an amount of \$ 5,000.00 for the first year of this Agreement and the Annual Fee plus 2% thereof for the second year.

**(b)** Payment of the Annual License Fee shall be made to the City by Licensee as follows:

**i.** On August 1, 2016 Licensee shall pay in full to the City the Annual License Fee due for the first year of this Agreement.

**ii.** On August 1, 2017 Licensee shall pay in full to the City the Annual License Fee plus 2% for the second year of this Agreement.

**4. Property Rights.** This Agreement does not grant or convey to Licensee any rights, title, or interest in any fixtures, structures, equipment or furnishings, provided by the City, comprising the Concession or within the Concession Area. The City shall be allowed access to the Concession upon 24 hours' notice to Licensee, and Licensee shall ensure that the City is provided a key to the Concession. Licensee shall provide the City with the name, address, and telephone number of a contact residing within 15 minutes of the Concession who will be available to respond to issues and emergencies regarding the Concession. Licensee shall be permitted to furnish the Concession with equipment and furnishings necessary to conduct its operation. Licensee shall not block any walkway adjacent to or within the Concession Area. At

the end of the term of this Agreement, Licensee shall remove all equipment and furnishings furnished by Licensee.

**5. Requirements.** In addition to the payment of the license fee by Licensee, this Agreement shall include the following requirements:

**(a) Restrooms.**

i. Licensee shall provide an attendant in uniform to regularly clean, inspect and supply any and all restrooms in the Concession (the "Restrooms"). Unless Licensee and the City Manager or City Manager's designee agree upon another schedule, the Restrooms shall be inspected, cleaned and supplied every day during the Concession Season on weekdays at 7:00 a.m., noon, 2:30 p.m., 5:00 p.m., 7:30 p.m. and 9:00 and the weekend and holiday schedule shall be the same except that between the hours of 12:00 p.m. and 4:00 p.m. such inspection, cleaning and supplying shall occur hourly. Cleaning shall include the removal of trash and the emptying of trash receptacles as needed; the sweeping and mopping of the floors as necessary to keep them free of sand, dust and grime; the cleaning and sanitizing of all toilets, sinks, mirrors and counter surfaces; and the re-stocking of all restroom supplies. Licensee may use reasonable discretion to reduce cleaning times on days characterized by inclement weather or where beach conditions otherwise result in fewer users of the restroom facilities. Licensee shall maintain a cleaning log near the cash register at the Concession which shall document all such cleaning. During cleaning and inspection the attendant shall note any restroom fixtures or items that are malfunctioning or otherwise in a state of disrepair as well as any vandalism and immediately report such items or vandalism to the City. The City shall respond with reasonable promptness when notified and shall provide a contact number to Licensee for use outside of normal City business hours. The attendant's uniform shall be required to include a tee-shirt or polo shirt and shoes. The City's logo shall not be used on the uniform or other clothing of any employee of Licensee without the City's prior written approval.

ii. The City shall open the Restrooms by 7:00 a.m. and the Licensee shall clean the Restrooms prior to close and close the Restrooms no earlier than 9:00 p.m. on a daily basis during the Concession Season.

iii. The City shall supply Licensee who, in turn, shall supply the Restrooms with restroom supplies including bathroom paper, soap and towels, and shall provide its attendant with cleaning supplies.

**(b) Building Repairs and Maintenance.**

i. Licensee may, with the City Manager's prior consent, install onto or within the Concession trade fixtures that might be used in a concession operation that would not be building fixtures. Licensee shall, unless otherwise agreed in writing, remove such trade fixtures upon termination of this Agreement. Licensee shall restore the premises following removal of any trade fixtures by repairing any alterations or damages to the premises caused by the installation or use of the trade fixtures. The Licensee is responsible for obtaining and maintain a food service license and for any modifications to the building required to obtain a food service license.

ii. Licensee shall during the term of this Agreement and at its sole cost and expense, keep the Concession and the Concession Area in as good condition and repair as existed at the commencement date of this Agreement, reasonable wear and tear excepted. However, the City shall be responsible for maintaining the walls, floors, roof, windows, doors, plumbing, mechanical system and electrical system of the Concession. Licensee shall not modify the exterior or interior of the Concession without the City's prior written approval. Unless the Parties agree in writing at the time of the City's approval of any modifications, all modifications shall become the property of the City at the termination of this Agreement. The Licensee shall be responsible for applying for a sign permit for any exterior signs. All signage must receive the City's prior written approval and shall comply with zoning regulations on

signage. Licensee shall be responsible for any making, defacing, improper use of building systems, or other damage to the Concession and the Concession Area caused by Licensee's employees or agents.

**(c) Property Maintenance.** Licensee shall provide a private covered 2 yard dumpster for the Concession. The dumpster shall be emptied by Licensee as often as is necessary to ensure its closure and shall be cleaned and sanitized by Licensee as often as is necessary to minimize odor. Licensee shall clean the beach of all trash, including paper, cans, bottles, and other refuse, within 50 feet of the Concession Area.

**(d) Hours of Operation.**

i. Licensee shall operate the concessions business at least between the hours of noon and 5:00 p.m. every day between Memorial Day through Labor Day. Subject to the other terms of this Agreement, Licensee may begin operating prior to Memorial Day and may operate after Labor Day each year. To the extent the Concession needs to be winterized, the Parties shall communicate to determine when winterization should be undertaken in order to coordinate the ending of operations for the year and begin operations the following year. The City shall winterize the Concession, including the plumbing and mechanical systems. Licensee shall winterize Licensee's equipment and furnishings in the Concession.

ii. Licensee may close the Concession at times on days when the temperature, wind conditions, undertows or rip currents, or other beach conditions make use of the beach and water hazardous or reduce the number of patrons at the beach.

iii. Licensee may have longer hours of operation, but Licensee generally shall not operate before 7:00 a.m. or after 11:00 p.m. However, on nights when the City presents a public fireworks display visible from North Beach, the Concession may remain open until 1:00 a.m.

**(e) Merchandise.**

i. Licensee must sell ice cream, soft drinks, snacks, and food. Licensee shall have the right to sell non-alcoholic beverages, food items, souvenirs, including but not limited to, tee-shirts, beach chairs, beach towels, coolers, hammocks, sun glasses, sun tan lotion, sun visors, beach tote bags, beach games, fishing equipment and bait. Licensee may offer items for rent for use on the beach (and, for fishing equipment, on the piers), including but not limited to volleyball and other sports equipment, fishing equipment, beach chairs, beach umbrellas and beach games.

ii. Licensee shall not sell, distribute, lend, rent, or otherwise disseminate alcoholic beverages or liquor, cigarettes or other tobacco products, sexually explicit or sexually oriented materials or items, fireworks, firearms, or flotation devices (except those with U.S. Coast Guard approval).

iii. Licensee shall provide no less than 4 picnic tables for public use within the Concession Area during the Concession Season.

**(f) Beach Vending.** Licensee shall not engage in nor license anyone else to engage in the sale or solicitation of any product or service on the beach or the piers, with the exception of those sales that occur within the Concession Area and along Lakeshore Drive.

**(g) Utilities.** Licensee shall pay for electric utility services provided to the Concession during the term of this Agreement and shall maintain any grease traps and to comply with all ordinances regulating the use of the City's water and sanitary sewer systems. The City will pay water and sewer for the building.

**(h) Parking.** The City shall designate the first, non-handicap parking space south of the Concession for the exclusive use by the Licensee. The City shall issue to Licensee four (4) beach parking

stickers entitling Licensee and Licensee's employees and agents to use parking space in the triangle-shaped parking lot centered at the convergence of Lakeshore Drive, Esplanade, and Esplanade Plaza. Licensee and Licensee's employees and agents are prohibited from occupying any parking space on the west side of Lakeshore Drive. The City shall designate the space East of the building to be a 15-minute loading zone only.

**6. Insurance.** Licensee shall carry General Liability Insurance as required by the City liability insurance carrier in the amount of \$1,000,000.00 and list the City (defined for purposes of this section to include the City's officers and employees) as an additional insured and certificate holder. Licensee shall provide the City a copy of a certificate of insurance showing the insurance to be fully in effect and stating that the insurance may not be terminated or modified without providing the City at least 30 days prior written notice. Upon request, Licensee shall provide the City a copy of the complete policy, including all endorsements. The policy shall provide coverage for all occurrences during the term of this Agreement.

**7. Indemnification.** Licensee shall hold the City (defined for purposes of this section to include the City's officers and employees) harmless from, indemnify it for and defend it (with legal counsel reasonably acceptable to the City) against any demands, claims or causes of action arising from the negligent acts or wrongdoing of Licensee or Licensee's members, employees or agents in the operation or use of the Concession and the Concession Area, except to the extent such loss is caused solely by the negligence or wrongdoing of the City.

**8. Compliance with Laws.** Licensee shall operate in accordance with generally accepted operating practices and maintain compliance with applicable laws, rules, regulations, ordinances, orders, permits, and licenses required by any governmental agency of competent jurisdiction. In addition, Licensee shall obtain and maintain all required permits, licenses, and other approvals.

## **9. Breach and Remedy.**

**(a)** If a party fails to comply with any of the terms and conditions of this Agreement, a written notice of failure to comply stating the specific breach shall be delivered to the allegedly breaching party. The recipient of any such written notice shall have 3 days to take any corrective actions required to cure the breach so as to be in compliance with this license. In the event it is impossible to remedy the breach within 3 days due to inclement weather, fire or other act of God, the recipient of a written notice shall be given a reasonable time to comply with the terms and conditions of this license. During the 3 day cure period the notice recipient shall inform the notice sending party in writing of the actions taken to remedy the breach.

**(b)** The City Manager may, upon a reasonable belief that a breach of this Agreement has occurred and has not been corrected after 10 days' written notice, suspend the license granted by this Agreement, effective immediately.

**(c)** In addition or in the alternative to terminating this Agreement, if the notice-recipient fails to take reasonable steps to remedy the breach within 10 days of receiving notice of the same, the notice-sending party may perform the notice recipient's obligations so as to remedy the breach and recover from the notice-recipient all of the costs, including, without limitation, costs paid to those providing services or materials and its own wages if performing the work itself.

**(d)** To the extent not prohibited by law, the prevailing party in any action brought pursuant to or to enforce any provision of this Agreement shall, in addition to any other remedies, be entitled to recover its actual costs, including, without limitation, its actual reasonable attorney fees, filing fees, expert fees and other expenses incurred to bring, maintain or defend any such action from its first accrual or first notice thereof through any appellate and collection proceedings. A party is a prevailing party if it improves its position from any offer made by the other party prior to filing the lawsuit. This provision shall not alter or affect any remedies under applicable court rules governing sanctions for rejected offers of judgment or case evaluation awards.

**10. Assignment Prohibited.** Licensee may not assign this Agreement or its rights, privileges, duties or obligations.

**11. Interpretation.** This is the entire agreement between the parties as to its subject matter. This Agreement shall supersede and void any existing lease or other agreement between the parties. This agreement may not be modified except in writing signed by the Parties (in the case of the City, such modification shall require City Council approval). Its interpretation shall not be affected by any course of dealing. The captions are for convenience and form no part of this Agreement, but the recitals are an integral part of this Agreement. This Agreement shall be construed as if it were mutually drafted.

**12. Miscellaneous.**

(a) Any notices shall be made in writing to the addresses first written above or such other addresses as indicated by notice and shall be made by personal delivery or by postage prepaid United States first-class mail and shall be deemed completed when actually received or, if by first-class mail, three business days after mailing.

(b) The waiver of or failure to enforce any part of this Agreement shall not prevent its subsequent enforcement. To be effective any waiver must be in writing signed by the waiving party.

(c) The Request for Proposal Information Packet, Proposal Response form, and documents submitted by the Licensee with the Proposal Response Form are included in this agreement by reference and are attached as Exhibit B.

**13. Binding Effect.** This Agreement shall be binding upon the parties to this Agreement as well as their successors, heirs, executors, administrators, personal representatives, and permitted assigns.

The Parties have signed this Agreement as of the date first above written.

CITY OF SOUTH HAVEN

[LICENSEE]

By: \_\_\_\_\_  
Robert Burr, Mayor

By: \_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Amanda Morgan, Clerk

By: \_\_\_\_\_  
\_\_\_\_\_

EXHIBIT A  
DEPICTION OF CONCESSION AREA

# North Beach Concession Area



EXHIBIT B

PROPOSAL INFORMATION SHEET AND PROPOSAL RESPONSE DOCUMENTS

City of South Haven  
North Beach Concession  
Proposal Response Form

Name of person or firm submitting proposal:

Corporate Entity or Person: VHF Inc.

Person authorized to sign on behalf of firm: Kenneth L Van Horn Jr.

Role or office in firm: Vice President

Address: 2122 25th St

City, State, Zip: Allegan MI 49010

Phone: 267-217-0140

email: lil Kennys pizza @ gmail . com

LICENSE FEE PROPOSAL

I hereby propose to pay the City of South Haven the following amount per year for an annual license fee to operate a beach concession at North Beach according to the provisions of the attached license agreement:

\$ 5,000.00 Annual License Fee

I have attached a narrative and a copy of the firm's food service license as described in the Proposal Information Packet. I will accept the terms of the license agreement if selected.

*With Changes*

Signed: 

Name: Ken Van Horn Jr.

Title: VP

Date: 11-17-15

See Proposal Information Sheet for Submittal Requirements.  
Deadline is 2 p.m., November 18, 2015 at South Haven City Hall.

## VHF Inc North Beach Concession Proposal

### Names and Qualifications

Kenneth L VanHorn Jr 24 years of concession experience, Serv Safe Food Certified

Kelly M VanHorn 18 years of concession experience

Kenneth L VanHorn Sr 30 years of concession experience

Roxann VanHorn 30 years of concession experience, Serv Safe Food Certified

Ronda VanHorn 10 years of concession experience

VHF has been in the concession business for twenty four years. We are a family run business and we take great pride in the services that we offer. In the past twenty four years we have had the opportunity to operate, our five fully health licensed units at a variety of venues which include festivals, fairs, 4<sup>th</sup> of July celebrations, and large concert events. Our many years of experience have given us the knowledge to handle any size crowd and various types of foods.

We have managed similar food operations to the North Beach Concession such as, Delta Plex Arena and Conference Center, our five concession trailers that get operated at various events in Michigan, and South Beach Concession for the past seven years.

To run the North Beach Concession Ken VanHorn Jr will be the general manager, this includes placing orders and overseeing everyday operations. Our staff will include shift managers and general employees. This will ensure the concession stand will be operated smoothly and to its fullest potential.

The items that may be sold at the concession stand are as follows but not limited to.

- Ice Cream and frozen treats
- Hot Dogs/Brats
- Soft Pretzels
- Bosco Sticks
- Shaved Ice
- Popcorn/chips/candy
- Soft Drinks

- Fresh Squeezed Lemonade
- Bottled Water/Sports Drinks
- French Fries
- Chicken Strips
- Burgers
- T-Shirts
- Beach Toys
- Beach Item Rentals (Chairs, Umbrellas, etc.)

#### Trade References

Saree Miller Allegan County Fair Manager

P.O. Box 10

Allegan, MI 49010

(269)673-6501

Lindsey Wells Food and Beverage Manager Delta Plex Arena and Conference Center

2500 Turner Ave. N.W.

Grand Rapids, MI 49544

(616)364-9000

Larry Woods Owner/Manager Allegan Antiques Market

2030 Blueberry Dr. N.W.

Grand Rapids, MI 49504

(616)735-3333

In addition VHF requests to have some of the terms in the License Agreement revised.

- For the city to work with us on the opening of the restrooms daily, by either changing the opening time or City Staff aiding in the opening of the restrooms. The restrooms will be cleaned at closing so the facilities will be ready at the start of the day.

- Exclusive rights for all food and beverage sales for the entire north beach.
- One parking space to be reserved behind the concession building for deliveries and management parking.
- Permission to place additional concession stands on the North Beach for Independence Day Celebration.

Thank You for your consideration

Submitted By;

VHF Inc.

2122 25<sup>th</sup> St.

Allegan, MI 49010

(269)217-0140

LICENSE NO. SST0303000200

STATE of MICHIGAN  
LICENSE



EXPIRES: 4/30/2016

ISSUED BY THE MICHIGAN DEPARTMENT OF AGRICULTURE TO OPERATE A FOOD SERVICE ESTABLISHMENT UNDER THE PROVISIONS OF THE MICHIGAN FOOD LAW BEING ACT 92 OF THE PUBLIC ACTS OF 2000.

2122 25TH STREET ALLEGAN 49010

THIS LICENSE IS NOT TRANSFERABLE AS TO PERSON OR PLACE. NOTIFY THE LOCAL HEALTH DEPARTMENT PRIOR TO CHANGE OF OWNERSHIP. (SECTION 4123)  
RESTRICTIONS OR CONDITIONS :

IS GRANTED TO: VHF INC

VHF CONCESSIONS LLC ALMOND KING SMOOTHIE  
2940 125TH AVE  
ALLEGAN, MI 49010

DIRECT INQUIRIES TO: ALLEGAN COUNTY HEALTH DEPT 0303

OPERATOR COPY FAILURE TO POST IN A CONSPICUOUS PLACE IS A MISDEMEANOR SECTION [4119] FI-210 (1/2)

LICENSE NO. SST0303037423

STATE of MICHIGAN  
LICENSE



EXPIRES: 4/30/2016

ISSUED BY THE MICHIGAN DEPARTMENT OF AGRICULTURE TO OPERATE A FOOD SERVICE ESTABLISHMENT UNDER THE PROVISIONS OF THE MICHIGAN FOOD LAW BEING ACT 92 OF THE PUBLIC ACTS OF 2000.

2122 25TH ST ALLEGAN 49010

THIS LICENSE IS NOT TRANSFERABLE AS TO PERSON OR PLACE. NOTIFY THE LOCAL HEALTH DEPARTMENT PRIOR TO CHANGE OF OWNERSHIP. (SECTION 4123)  
RESTRICTIONS OR CONDITIONS :

IS GRANTED TO: VHF INC

VHF CONCESSIONS LLC ALMOND KING II  
2940 125TH AVE  
ALLEGAN, MI 49010

DIRECT INQUIRIES TO: ALLEGAN COUNTY HEALTH DEPT 0303

OPERATOR COPY FAILURE TO POST IN A CONSPICUOUS PLACE IS A MISDEMEANOR SECTION [4119] FI-210

2 of our 5 Health licenses that we already have

EXHIBIT C  
EXCLUSIVE VENDING AREA

# North Beach Exclusive Vending Area



## Legend

 Exclusive Vending Area



Lake Michigan

Concessions & Restrooms

Beach Volleyball Courts

Playground

Historic Monroe Park Circle

Ellen Avery Park

North Pier

Black River

Water St

Lake Shore Dr

Promenade

Kalamazoo Ave

Walk D

Walk E

Walk F

Grand Blvd

Chicago Ave



## Agenda Item #10

### Schedule Public Hearing; Splash Pad Grant Submission

#### Background Information:

City Council will be asked to set a public hearing, to occur on Monday, March 21, 2016, as part of the regular City Council meeting, to solicit input on the city's 2016 Michigan Natural Resources Trust Fund (MNRTF) application.

For the past several years, the city's elected and appointed officials have been interested in developing a splash pad to be built at Riverfront Park. The proposed development is part of the community's adopted recreation plan. In 2013, a study was done to evaluate potential locations for the splash pad. That study determined that the riverfront area would best serve the public, due to its proximity to the beach, available parking, restrooms, a picnic shelter and concessions. This project would also help renovate the 26-year-old park by removing a parking area which is located very close to pedestrian traffic, and replacing it with a non-vehicular section of park. The project has been designed to dovetail into other future improvements planned for the park, around the restroom and concession area.

In December 2014, initial design concepts were done and presented to the public. In late December 2015, revised designs were presented to the Parks Commission to solicit input. A final preliminary design was presented to the Parks Commission at its February 9, 2016 meeting which was well received. One comment made by the Parks Commission was a request to add a shade structure over the seating area. The design has been adapted to allow for a shade structure to be added either now or on the future.

The overall design was inspired by the *Friends Good Will* historical sailing vessel. The design also uses blue colored concrete to mimic the water theme and other colors to reflect the steering wheel of a ship. The design of the splash pad will include several water features that offer participants various levels of wetness. The features will be grouped in three different zones on the pad, to provide some separation between various age groups. Each of the zones is controlled by activators in each of the zones to enable the equipment, which conserves water usage. Retaining/seat walls will be used to address differences in slope at the site and provide seating. Six total picnic tables, two being ADA, will be placed on the western portion of the pad. A sloped, accessible concrete walkway will connect the pad to the adjacent street parking and sidewalk.

The splash pad is planned to have capacity for around 100 children, which creates a suitably-sized project for the community and recreation budget. Placing the pad at this location also removes vehicles from the existing pedestrian pathway and creates a safer recreation spot for young children and families. Finally, trash and recycling containers will be present near the picnic tables. Native plantings will add stabilization and act as a buffer to street parking.

The project is being designed to fit within a \$568,506 local budget with \$300,000 coming from the MNRTF and the balance from local sources.

**Recommendation:**

The City Council should consider a motion set a public hearing, to occur on Monday, March 21, 2016, as part of the regular City Council meeting, to solicit input on the city's 2016 Michigan Natural Resources Trust Fund (MNRTF) application.

**Support Material:**

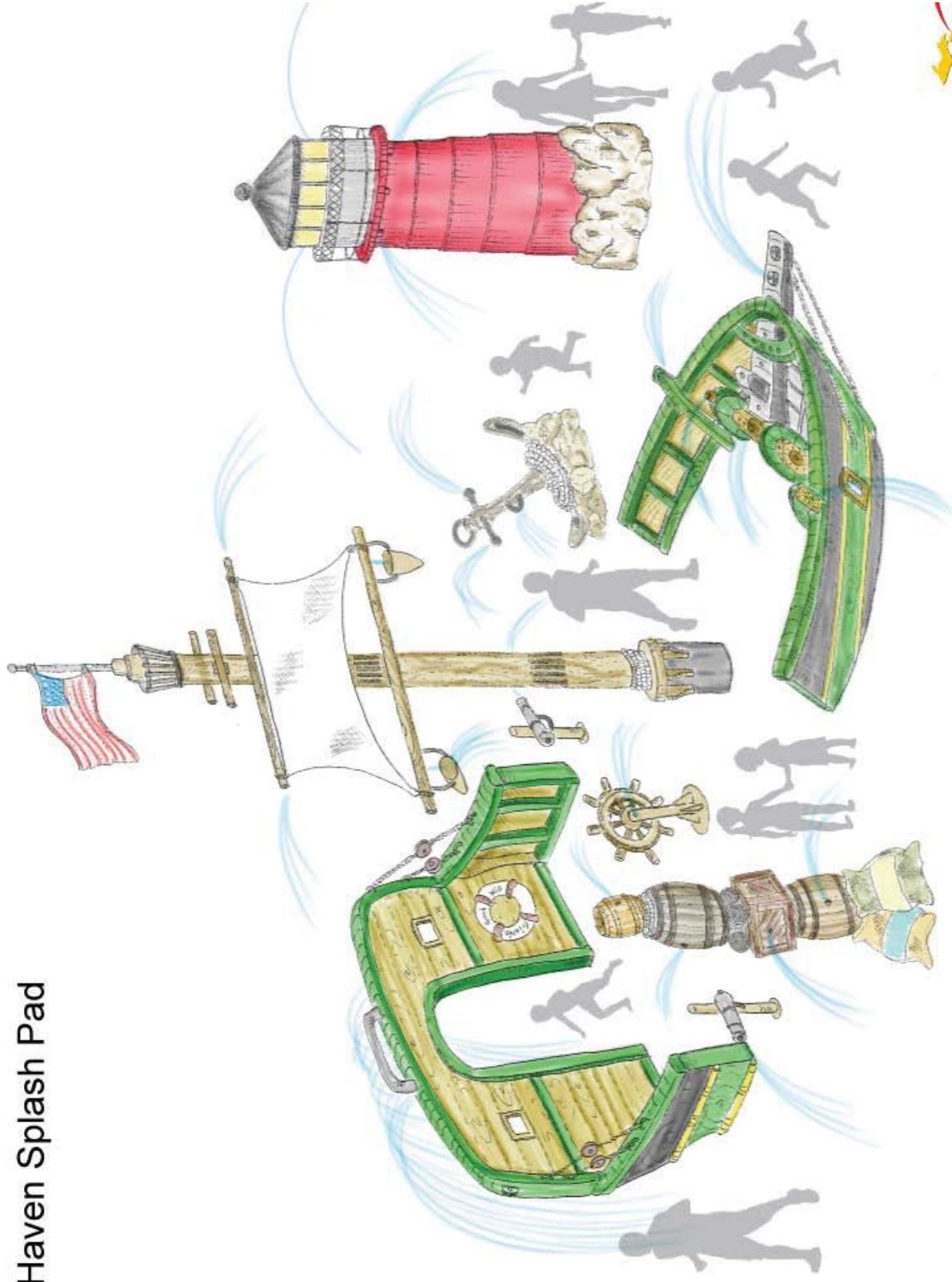
Attachment A: Preliminary Site Plan  
Attachment B: South Beach/Riverfront Park Conceptual Plan  
Attachment C: Preliminary Budget



# Attachment A



# South Haven Splash Pad



Conceptual design only and is subject to possible changes

South Haven Splash Pad

Superior Play

12-3-2013





# Attachment B





# Attachment C



**City of South Haven  
2016 Michigan Natural Resources Trust Fund Project  
Splash Pad Budget**

Line Item	Estimated Cost
Standard Splash Pad Components	\$ 86,255.00
Custom Splash Pad Components	\$ 40,000.00
Mechanical Equipment	\$ 34,810.00
Freight	\$ 7,385.00
Standard Concrete	\$ 21,802.00
Blue Splash Pad Concrete	\$ 45,258.00
Ships Wheel Concrete	\$ 20,009.00
Concrete Seating/Retaining Wall	\$ 19,495.00
Rain Water Diverter System	\$ 10,000.00
Splash Pad Installation	\$ 134,061.00
Ornamental Perimeter Fence	\$ 17,280.00
Picnic Tables (6)	\$ 17,600.00
Trash Receptacles (2)	\$ 2,800.00
Site Preparation and Landscaping	\$ 17,000.00
<b>Subtotal:</b>	<b>\$ 473,755.00</b>
Contingency (5%)	\$ 23,688.00
Professional and Permitting Fees:	\$ 71,063.00
<b>Total:</b>	<b>\$ 568,506.00</b>



## Agenda Item #11

### East Jordan Plastic IFT Public Hearing

#### Background Information:

The City Council will be asked to consider approval of Resolution 2016-16, a resolution setting a public hearing to consider an Industrial Facilities Tax Exemption Certificate for East Jordan Plastics, Inc., located at 1600 Stieve Drive.

The company has filed an application for an Industrial Facilities Tax Exemption Certificate for personal property additions at their 1600 Stieve Drive location. The tax exemption requests total \$1,100,000, which relates to the construction of an addition to their Stieve Drive facility. The addition is intended to provide space needed to segregate the recycling operation for the injection molding operation. The company plans to create three new jobs, and retain eight existing jobs, at their facility at 1600 Stieve Drive.

East Jordan Plastics, Inc. purchased the former Noble International building on Stieve Drive on December 30, 2008. More recently, the company purchased the second former Noble International building on Veterans Blvd. The company performs plastic recycling operations, along with shipping/receiving, at their South Haven locations. In addition to recycling, the company performs onsite manufacturing of horticultural containers and other products into new plastic containers.

East Jordan Plastics, Inc. owns several facilities, all of which are located in the State of Michigan, and employs approximately 250 salaried and hourly employees, with up to 38 employees working in the South Haven community. The business focuses on the manufacturing of various plastic products for the horticulture industry.

The estimated total value of the Industrial Facilities Tax Exemption Certificate for East Jordan Plastics, Inc., is \$150,400 over the 12 year life of agreement. The tax exemption does include a “claw-back” provision, which allows the City of South Haven to seek the abated tax amount if the terms of the abatement are not met by the business.

A public hearing will be held on March 21, 2016 prior to final approval of the request.

#### Recommendation:

The City Council should consider approval of Resolution 2016-16, a resolution setting a public hearing to consider an Industrial Facilities Tax Exemption Certificate for East Jordan Plastics, Inc., located at 1600 Stieve Drive.

#### Support Material:

Resolution 2016-16

Staff report: East Jordan Plastics IFT

[East Jordan Plastics, Inc. Product Guide](#)

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION 2016-16

A RESOLUTION SETTING A PUBLIC HEARING DATE  
FOR CONSIDERATION OF AN APPLICATION FOR AN  
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE REQUESTED BY  
EAST JORDAN PLASTICS, INC

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on March 7, 2016 at 7:00 p.m. local time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_.

WHEREAS, on February 3, 2016, the City of South Haven received an application from East Jordan Plastics, Inc., PO Box 575, East Jordan, MI 49727 for issuance of an Industrial Facilities Exemption Certificate pursuant to Act 198, Public Acts of 1974, as amended, the Plant Rehabilitation and Industrial Development Districts Act, for an industrial development project located at 1600 Stieve Drive; and

WHEREAS, an Industrial Development District, known as Industrial Development District No. 94-01, within which the project is located has previously been established by the City of South Haven; and

WHEREAS, the City is required to schedule, provide notice of, and conduct a public hearing for consideration of the application:

BE IT THEREFORE RESOLVED, that a public hearing for consideration of the application for an Industrial Development Exemption Certificate submitted by East Jordan Plastics, Inc. on February 3, 2016, shall be conducted by the City Council on March 21, 2016 during the regular City Council meeting which begins at 7:00 p.m. local time in the City Council Chambers at 539 Phoenix Street in the City of South Haven; and

BE IT FURTHER RESOLVED, that proper notice of the public hearing shall be issued; and

BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded; and

BE IT FURTHER RESOLVED, that this resolution shall take effect upon passage by the City Council.

RECORD OF VOTE:

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the 7<sup>th</sup> day of March, 2016, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

\_\_\_\_\_  
Amanda Morgan, City Clerk



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499  
Telephone (269) 637-0700 • Fax (269) 637-5319

## **MEMORANDUM**

**DATE:** February 29, 2016

**TO:** Brian Dissette, City Manager

**FROM:** Connie Phillips-Thompson, Deputy Assessor

**SUBJECT:** Resolution to Set a Public Hearing for an Industrial Facilities Tax Exemption Application for East Jordan Plastics, Inc located at 1600 Stieve Drive

East Jordan Plastics, Inc located at 1600 Stieve Drive has filed an application for an Industrial Facilities Tax Exemption Certificate on February 3, 2016 with a location of 1600 Stieve Drive. The application listed the estimated cost of new construction of real property at \$1,100,000.

East Jordan Plastics, Inc. expects to retain 8 jobs and create 3 new jobs at this facility as a result of this project.

The estimated 12 year tax savings is \$150,400.



## Agenda Item #12

### Masonic Temple Resolution of Support

#### Background Information:

The City Council will be asked to consider Resolution 2016-17, a resolution of support for an effort by the South Haven Masonic Temple to seek the passage of Michigan House Bill 5325 and Michigan Senate Bill 732.

The South Haven Masonic Temple is requesting the City Council's support for the Michigan Masons' efforts to see passage of Michigan House bill 5325 and Michigan Senate Bill 732. The bills seek to provide property tax relief to Masonic Temples.

The request comes from the local non-profit organization, which has been located in South Haven since 1864. Should the bills be signed into law, the estimated annual impact on the city's tax revenue is approximately \$8,070.00.

#### Recommendation:

The City Council should consider a motion to approve Resolution 2016-15, a resolution of support for an effort by the South Haven Masonic Temple to seek passage of Michigan House Bill 5325 and Michigan Senate Bill 732.

#### Support Material:

Masonic Temple Correspondence  
Resolution 2016-17



To: Brian Dissette, City Manager  
 Bob Burr, Mayor  
 Steve Schlack, 3rd Ward Alderman  
 Andy Klavins, 3rd Ward Alderman

RE: South Haven Masonic Temple and HB 5325/ SB 732

Honorable Sirs:

I am writing to you today on behalf of Star of the Lake Lodge #158 F & A.M. and the South Haven Masonic Building Association. The Grand Lodge of the State of Michigan has recently lobbied to introduce HB 5325 and SB 732. Many of the Michigan Masonic Lodges do not have a commercial rental property such as South Haven's Masonic Lodge does, so this Bill is even more important to them. However, as a local philanthropic organization, this Bill would be a great benefit to the Masons of South Haven.

As a past City Alderman, I do understand the importance of the City collecting property taxes to provide services. However, I have also seen year after year where any request for grants, such as the Downtown Development Grants for facade work are passed over for the South Haven Lodge in favor of what I would call a "standard" downtown commercial business, even though the Lodge resides in the CBD/DDA boundaries. The fact is that the building is over 100 years old now and the building is going to require some costly maintenance in the near future that will be entirely out-of-pocket as any requests for relief and assistance through our local government are unavailable.

While I would not expect the Lodge to be completely absolved from a property tax burden as set forth in HB 5325/ SB 732 due to its commercial rental space, I would expect some relief if HB 5325/ SB 732 passes. This relief would go a long way to providing necessary funds for maintenance work. This past year, not including utilities, the Lodge's property tax burden was wholly 57% of its annual operating revenue. The organization started in 1864 with Liberty Hyde Bailey and has had Lodge buildings in South Haven's downtown ever since. First, where the Art Center now stands, second where the vacant lot north of the Library is and third, since 1914, its current location on Center. So, the organization has been paying City utilities since utilities were available in South Haven. One owner for over 150 years! With the dramatic increases in utilities over the last decade, this too has had a big financial impact. Also, the Lodge has been paying a Garbage Tax for years from which it derives no benefit.

Even though property values have risen in South Haven's downtown and the Lodge's value continues to increase according to the assessor, higher property values are of no value to the Lodge. The Lodge building is not an investment for future gain through sale. Its future value is solely to provide for the building of men's character and for philanthropic work.

We at Star of the Lake Lodge #158 F&AM and the South Haven Masonic Building Association hereby do humbly request, that the South Haven City Council consider supporting HB 5325 and SB 732 by Official Resolution and ask that our Ward Representatives make the appropriate motions in support thereof and if approved by Council, to forward the Resolution to South Haven's County and State Representatives.

I have taken the liberty of including Van Buren County Commissioner, District One, Mike Henry on this communication as there are several other Masonic Lodges in Van Buren County that will benefit from this Legislation.

Lodge No.	City/County	Address
Paw Paw-Lawton No. 25	Paw Paw/Van Buren	234 E Michigan Ave (49079)
Rising Sun No. 119	Lawrence/Van Buren	110 W St Joseph St (49064)
Star of the Lake No. 158	South Haven/Van Buren	321 Center St (49090)
Bloomington-Hudson No. 221	Bloomington/Van Buren	104 E Spring St (49026)
Mattawan No. 268	Mattawan/Van Buren	25347 Front Ave (49071)



Thank you for your time and attention.

Kindest Regards,

*Tim Stegeman*

Past Master, Star of the Lake Lodge #158 F&AM

<http://www.starofthelake.com/>

cc'd Mike Henry, Van Buren County Commissioner

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2016-17

A RESOLUTION IN SUPPORT OF SOUTH HAVEN MASONIC TEMPLE AND HB 5325

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on March 7, 2016 at 7:00 p.m. local time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_.

WHEREAS, Star of the Lake Lodge #158 Free & Accepted Masons is recognized as a philanthropic organization; and

WHEREAS, Star of the Lake Lodge #158 Free & Accepted Masons has demonstrated an ongoing commitment to the advancement and improvement of men in the community; and

WHEREAS, Star of the Lake Lodge #158 Free & Accepted Masons is truly an outstanding local organization dedicated to the highest standards of professionalism; and

WHEREAS, Star of the Lake Lodge #158 Free & Accepted Masons gives a great benefit to the community parents and youth with its annual Child Identification Program; and

WHEREAS, Star of the Lake Lodge #158 Free & Accepted Masons has been an active member of the community for more than one hundred fifty years; and

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of South Haven, does hereby support the Star of the Lake Lodge #158 Free & Accepted Masons of South Haven and their effort to seek passage of Michigan House Bill 5325 and Michigan Senate Bill 732.

RECORD OF VOTE:

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on the March 7, 2016, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

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Amanda Morgan, City Clerk



# City of South Haven

City Hall • 539 Phoenix Street • South Haven, Michigan 49090-1499  
Telephone (269) 637-0700 • Fax (269) 637-5319

## MEMORANDUM

DATE: March 3, 2016

TO: Brian Dissette, South Haven City Manager

FROM: Connie Phillips-Thompson, South Haven City Deputy Assessor

SUBJECT: Resolution to Appoint Board of Review, Rate of Compensation, and Meeting Schedule for 2016

Joan Hoyt resigned her appointment to the Board of Review due to family health issues. Mark Reece has agreed to be appointed to the Board of Review, therefore the Assessor's Office would like to re-submit the attached resolution appointing the board members, setting the board's compensation, and setting the meeting dates for tax year 2016.

CITY OF SOUTH HAVEN  
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2016-18

A RESOLUTION APPOINTING A BOARD OF REVIEW  
AND ESTABLISHING A RATE OF COMPENSATION  
AND A MEETING SCHEDULE FOR TAX YEAR 2016

Minutes of a regular meeting of the City Council of the City of South Haven, Van Buren and Allegan Counties, Michigan, held in the City Hall, 539 Phoenix Street, South Haven, Michigan 49090 on March 7, 2016 at 7:00 p.m. local time.

PRESENT: \_\_\_\_\_

ABSENT: \_\_\_\_\_

The following preamble and resolution was offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_.

WHEREAS, the South Haven City Charter and state property tax law require the appointment and operation of a Board of Review for the purpose of hearing and deciding property tax appeals at a duly appointed time and place annually; and

WHEREAS, the City of South Haven by ordinance requires that appointments, compensation, and meetings of the Board of Review shall be provided for by resolution annually for the current tax year:

WHEREAS, Public Act of 143 of 2006 allows the appointment of not more than two alternate members for the same term as the regular members of the Board of Review, who may be called to perform the duties of a regular member of the board of review as needed,

BE IT THEREFORE RESOLVED, that for tax year 2016 there is hereby established a City of South Haven Board of Review of regular members and an alternate member which shall elect from its own membership a chairperson and an alternate,

BE IT FURTHER RESOLVED, that the following City of South Haven residents are hereby appointed as regular or alternate members to the 2016 City of South Haven Board of Review:

<u>Name</u>	<u>Address</u>
1. Eugene Ladewski	325 North Shore Drive
2. Mark Reece	960 Hazel Street
3. Joan Roth	729 South Haven Place
4. Elaine Shumaker	313 Erie Street

BE IT FURTHER RESOLVED, that each member and alternate member of the 2016 Board of Review shall be compensated at a rate of \$100.00 per day for each day the member sits in session for hearing of appeals; and,

BE IT FURTHER RESOLVED, the regular schedule for 2016 Board of Review meetings and appeal hearings, to be conducted at the South Haven City Hall, shall be as follows:

- |                       |                                                                                                                |
|-----------------------|----------------------------------------------------------------------------------------------------------------|
| <u>First Meeting</u>  | Tuesday, March 8. 3:30 p.m. for board organization and review of assessment roll. (No hearing of appeals)      |
| <u>Second Meeting</u> | Tuesday, March 15. 9:00 a.m. – 12:00 noon and 1:30 p.m. – 4:30 p.m., hearing of appeals.                       |
| <u>Third Meeting</u>  | Friday, March 18. 3:00 p.m. – 9:00 p.m., hearing of appeals.                                                   |
| <u>Fourth Meeting</u> | Thursday, March 24. 9:00 a.m. – 12:00 noon hearing of final appeals and board finalization of assessment roll. |
| <u>Fifth Meeting</u>  | Thursday, July 21. 10:00 a.m.                                                                                  |
| <u>Sixth Meeting</u>  | Thursday, December 15. 10:00 a.m.                                                                              |

Additional meetings may be scheduled by the Board Chairperson, as deemed necessary, for the hearing of appeals and/or deliberating and rendering board decisions; and

BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby repealed; and

BE IT FURTHER RESOLVED, that this resolution shall take effect upon passage by the City Council.

RECORD OF VOTE:

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Robert Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on March 7, 2016, at which meeting a quorum was present, and that this resolution was ordered to take immediate effect. Public notice of said meeting was given pursuant to and in compliance with the Open Meetings Act, Act No. 167 of the Public Acts of Michigan 1976 (MCL 15.261 *et seq*).

\_\_\_\_\_  
Amanda Morgan, City Clerk



# City of South Haven

## Department of Public Works

DPW Building • 1199 8<sup>th</sup> Ave • South Haven, Michigan 49090  
Telephone (269) 637-0737 • Fax (269) 637-4778

### MEMORANDUM

To: Brian Dissette, City Manager  
Natalie Thompson, Acting Chief of Police

From: Larry Halberstadt, PE, City Engineer

Date: March 7, 2016

RE: Monroe Boulevard, Oversize Vehicle Parking

### Background Information

Monroe Boulevard is located south of the Black River along the east shoreline of Lake Michigan. This roadway is a popular destination for access to and viewing of the lake. The high bluff above the lake provides an ideal viewing location. On street parallel parking is permitted along the westerly curb line. The parking spaces are striped and are approximately 22 feet long by 8 feet wide in accordance with standard engineering guidelines.

Over the years, the City has been contacted by a variety of citizens who have expressed concerns about oversize vehicles parking in these spaces. Oversize vehicles either take up more than a single parking space or create visual obstructions for pedestrians crossing the street to reach the beach.

Attached to this memorandum is Traffic Control Order 16-002. If Council chooses to adopt this TCO, vehicles more than 8 feet wide or 20 feet long would be prohibited from parking along Monroe Boulevard from Chestnut Street to Erie Street. Upon adoption of the memorandum, the Street department would be instructed to erect appropriate street signage. It is likely that 5-10 signs will be needed and they will be erected along the west side of Monroe Blvd. Staff will make every effort to keep the size and location of these signs reasonable. However, the signs themselves may present a visual obstruction that currently does not exist.

### Recommendation

City Council should review and adopt Traffic Control Order 16-002 at their March 7, 2016 regular meeting.

**ORDINANCE # 1021**  
**TRAFFIC CONTROL ORDER**  
**CITY OF SOUTH HAVEN**

ORDER NO. 16-002

DATE OF FILING: March 7, 2016

In accordance with Section 82-26 of the Code of Ordinances of the City of South Haven, same being the Uniform Traffic Code for Cities, Townships and Villages of Michigan; and in the interest of Public Safety and Convenience, we have made an investigation of traffic conditions on Monroe Boulevard between Chestnut Street and Erie Street, and as a result of said investigation do hereby direct that:

Vehicles exceeding a width of eight (8) feet or a length of twenty (20) feet are prohibited from parking in the parallel parking spaces located along the west side of Monroe Boulevard and that parked vehicles shall utilize one striped space each. This prohibition will also apply to vehicles towing trailers of any type if the width or length of the towing vehicle and trailer combined exceeds the dimensions indicated.

All previous traffic control orders and/or parts of resolutions are, to the extent of any conflict with this traffic control order, rescinded.

This order shall expire 90 days from the date of filing except upon its approval by the City Council, it shall not so expire.



Larry Halberstadt, PE, City Engineer

March 7, 2016

Date of Filing with City Clerk

-----  
Received for filing (date)

by: -----  
City Clerk

Approved by City Council: -----  
(date)

by: -----  
Mayor

# Traffic Control Order 16-002

## **Monroe Blvd between Chestnut Street and Erie Street**

Vehicles exceeding a width of eight (8) feet or a length of twenty (20) feet are prohibited from parking in the parallel parking spaces located along the west side of Monroe Boulevard and that parked vehicles shall utilize one striped space each.



**Legend**

 TCO 16-002

