

City Council

Regular Meeting Agenda

Tuesday, September 8, 2015
7:00 p.m., Council Chambers



1. Call to Order

2. Invocation – Moment of Silence

3. Roll Call

4. Approval of Agenda

5. Consent Agenda: Items A thru E (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 August 17, 2015.

B. Council will be asked to approve invoices totaling \$1,099,551.72 for the period ending September 7, 2015 to be approved and forwarded to the Clerk and Treasurer for payment.

C. Council will be requested to approve the proposal from Abonmarche for design and construction administration of the Black River Park Fishing Platform project in the amount of \$21,550.00.

D. Council will be requested to approve a proposal from Secant Technologies to upgrade the server in the amount of \$23,961.00.

E. Council will be asked to approve the following minutes:

- 1) July 9, 2015 Planning Commission minutes;
- 2) July 20, 2015 Zoning Board of Appeals minutes;
- 3) July 21, 2015 Harbor Commission minutes;
- 4) July 21, 2015 Liberty Hyde Bailey Museum minutes;
- 5) July 22, 2015 South Haven Housing Commission minutes;
- 6) July 27, 2015 Board of Public Utilities minutes;
- 7) August 4, 2015 Liberty Hyde Bailey Museum special board meeting 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.

OLD BUSINESS

6. Council will be asked to adopt an amendment to the ordinance regulating long grasses.

7. Council will be asked to consider the following actions regarding the operation of golf carts on city streets:

- a. Adopt of an ordinance to amend Chapter 82, Article II, Sections 82-26, 82-27, and 8-28 of the Code of Ordinances and adopt the Michigan Vehicle Code;
- b. Adopt of an ordinance to amend Chapter 82, Article III, Section 82-55 of the Code of Ordinances regulating parking of golf carts; and
- c. Adopt Resolution 2015-40, a resolution allowing the operation of golf carts on city streets.

NEW BUSINESS

8. Council will be asked to approve the following Special Events:

- a. Special Event Application 2015-27, the Mitten Made – Michigan Made Art & Craft Show, Last Dash Holiday Shopping on December 19, 2015 from 10:00 a.m. to 5:00 p.m. along Dyckman Avenue and Black River Street.
- b. Special Event Application 2015-28, Rhythm on the River to be held on July 23, 2016 from 9:00 a.m. to 11:00 p.m. at Riverfront Park.
- c. Special Event Application 2015-29, Zombie 5K Run/Stroll to be held on October 17, 2015 from 2:00 p.m. to 8:00 p.m. starting at Riverfront Park.
- d. Special Event Application 2015-30, Special Olympics and Law Enforcement Torch Run on September 16, 2015 from 10:00 a.m. to 12:00 p.m. at the corner of Eagle and Kalamazoo Streets.

9. Council will be asked to adopt Resolution 2015-42, a resolution setting the 2016 seasonal and transient slip rates for the South Haven Municipal Marinas.

10. Council will be asked to approve the Tour Boat License Agreement for the remainder of the 2015 season and the 2016 season.

11. 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.)

12. City Manager's Comments

- a. City Engineer will provide an update on the bascule bridge repairs.

13. Mayor and Councilperson's Comments

14. 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, August 17, 2015
7:00 p.m., Council Chambers



1. **Call to Order by Mayor Burr at 7:00 p.m.**
2. **Invocation – Deacon Craig Massey from Hope Reformed Church**
3. **Roll Call**

Present: Arnold, Fitzgibbon, Gruber, Klavins, Kozlik Wall, Patterson, and Burr
Absent: None.

4. **Approval of Agenda**

Moved by Fitzgibbon, seconded by Kozlik Wall, to approve the agenda.
Voted Yes: All. Motion carried.

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

Moved by Patterson, seconded by Fitzgibbon, to approve the consent agenda.

- A. Council will be requested to approve the regular City Council Minutes for August 3, 2015.
- B. Council will be requested to approve the Special Workshop City Council Minutes for August 3, 2015.
- C. Bills totaling \$2,029,301.03 for the period ending August 16, 2015 to be approved and forwarded to the Clerk and Treasurer for payment.
- D. Council will be asked to approve the scope of the repairs as drafted by Abonmarche for the South Haven Memorial Library's north wall.
- E. Council will be asked to approve the proposal to upgrade the City's Microsoft Exchange by Secant Technologies in the amount of \$16,034.50.
- F. Council will be asked to accept the four memorial bench donation requests on Monroe Boulevard and Riverfront Park as described in the agenda packet.
- G. Council will be asked to approve the following minutes:
 - 1) 06-08-2015 LDFA Minutes;
 - 2) 06-09-2015 Parks Commission Minutes; and
 - 3) 07-15-2015 Airport Authority Minutes.

A Roll Call Vote was taken:

Yeas: Fitzgibbon, Gruber, Klavins, Arnold, Kozlik Wall, Patterson, and Burr
Nays: None.

Motion carried.

OLD BUSINESS

6. Council will be asked to introduce an amendment to the ordinance regulating long grasses.

Background Information:

The City Council will be asked to consider a motion to introduce an ordinance amendment for section 30-92 through 30-94 of the city's Code of Ordinances to modify the regulation of grasses and weeds.

At the August 3, 2015, special meeting of the City Council, the Council discussed proposed revisions to the city's ordinance related to the regulation of long grass and weeds. The City Council members discussed their desire to modify the ordinance to accomplish greater compliance by private property owners. Further, the Council members discussed changes which would: A) increase the administrative fee associated with long grass regulation to \$150.00 plus the fees associated with mowing the private lot, B) increasing the enforcement threshold for long grasses from 6" to 9", C) expediting the enforcement process to require compliance within 5 business days from the receipt of the notice of abatement.

The city's staff has worked with the city's attorney to prepare the draft ordinance amendment presented in tonight's agenda. Based on the guidance offered from the City Council, the draft ordinance amendment should accomplish the City Council's goals for this amendment. In summary, the ordinance amendment will allow property owners to have longer grass than previously allowed. However, the ordinance amendment will require significantly higher enforcement fees and expedited enforcement of long grass and weeds on private property.

There are several items in the draft ordinance amendment the City Council should note. Those items include: A) the duties imposed in this section extend to the portions of the abutting public right-of-way that would become part of the property if the right-of-way were vacated, except for any roadway paved for vehicular traffic; B) for parcels that are 3 acres or greater in size, responsible parties need only to cut grass 20' from the property line on all sides to be in compliance; and C) the duty to cut grass under this article shall not apply to heavily forested area in which above-ground tree roots prevent grass from being cut with a lawnmower.

Please note; the proposed ordinance amendment is written to take effect on January 1, 2016. The changes in this ordinance will not affect the city's ongoing long grass and weeds enforcement for the remainder of the 2015 summer season.

Moved by Patterson, seconded by Gruber, to introduce an amendment to the ordinance regulating long grasses.

Voted Yes: All. Motion carried.

NEW BUSINESS

7. Council will be asked to approve the following Special Events:

- a. Special Event Application 2015-24, the Rotary Pancake Breakfast to be held on September 6, 2015 from 6:30 a.m. to 1:00 p.m. under the Huron Street pavilion.**

Background Information:

The Rotary Club of South Haven will be using the Huron Street pavilion to host a pancake breakfast on September 6, 2015 from 6:30 am to 1:00 pm. Rotary is requesting permission to reserve 12 parking spaces under the pavilion immediately following the close of the Farmer's Market on Saturday, September 5, 2015. These parking spaces would be available for public use following the pancake breakfast.

Moved by Fitzgibbon, seconded by Klavins, to approve Special Event Application 2015-24, the Rotary Pancake Breakfast to be held on September 6, 2015 from 6:30 a.m. to 1:00 p.m. under the Huron Street pavilion.

Voted Yes: All. Motion carried.

- b. Special Event Application 2015-25, the South Haven High School Homecoming Parade to be held on Friday, September 25, 2015 from 5:00 p.m. to 7:00 p.m. starting on Kalamazoo Street, down Phoenix and Hubbard Streets and ending at Ratcliffe Field on Michigan Avenue.**

Background Information:

The South Haven High School is requesting to hold their annual Homecoming Parade on Friday, September 25, 2015 from 5:00 pm to 7:00 pm. The parade will include the marching band, choir, floats, community groups and walking participants.

Moved by Arnold, seconded by Fitzgibbon, to approve Special Event Application 2015-25, the South Haven High School Homecoming Parade to be held on Friday, September 25, 2015 from 5:00 p.m. to 7:00 p.m. starting on Kalamazoo Street, down Phoenix and Hubbard Streets ending at Ratcliffe Field on Michigan Avenue.

Voted Yes: All. Motion carried.

- c. Special Event Application 2015-26, a fundraiser for AVN to be held in Stanley Johnston Park on August 29, 2015 from 1:00 p.m. to 6:00 p.m.**

Background Information:

Peggy Hunt would like to have a fundraiser for AVN, Avascular Necrosis, in Stanley Johnston Park on August 29th, 2015 from around 1:00 pm to 6:00 pm. This will be a family style event with acoustic music, yard games, guest speakers, barbeque, face painting, and more.

Peggy Hunt, organizer of the event, spoke to City Council about this event.

Moved by Patterson, seconded by Fitzgibbon, to approve Special Event Application 2015-26, a fundraiser for AVN to be held in Stanley Johnston Park on August 29, 2015 from 1:00 p.m. to 6:00 p.m.

Voted Yes: All. Motion carried.

- 8. Council will be asked to approve Resolution 2015-37, a resolution authorizing contracts with the low bidders for the Overton Environmental and Demolition Project.**

Background Information:

The attached resolution would authorize contracts with environmental and demolition contractors to demolish the Overton building.

The work was split into a number of contracts, which were bid separately:

| Overton Project Work | Bidder | Bid Amount |
|-----------------------------|---------------------------------|-------------------|
| Demolition | Eco Demolition | 267,000.00 |
| Asbestos Removal | Dore & Associates | 38,936.00 |
| Hazardous Drum Removal | Drug & Lab Disposal | 2,178.00 |
| Nonhazardous Drum Removal | Liquid Industrial Waste Service | 2,170.00 |
| Transformer Cleaning | Terra Contracting | 8,909.00 |

The total cost of the contracts is 319,193.56.

The source of funding is the Brownfield Local Site Remediation Revolving Fund, which has a balance of \$586,365.

If approved, environmental work would proceed in about two weeks. Demolition work would begin in mid-September, with demolition completion in mid-November. Final site restoration would be completed in December, with possible additional grass seeding in spring, 2016.

There is a dust control plan in place, which requires the contractor to direct a fine water spray on the source of demolition activities. The site will be left in a condition that will prevent dust from being generated. If high winds are evident, dust controls will be implemented.

Paul VandenBosch, Assistance City Manager and Brownfield Redevelopment Authority Secretary, spoke briefly to Council on this matter.

Moved by Patterson, seconded by Klavins, to approve Resolution 2015-37, a resolution authorizing contracts with the low bidders for the Overton Environmental and Demolition Project.

Voted Yes: All. Motion carried.

- 9. Council will be asked to approve Resolution 2015-38, a resolution approving an agreement with the Michigan Department of Natural Resources (MDNR) to receive a Land and Water Conservation Fund (LWCF) Development grant in the amount of \$78,100.**

Background Information:

The City Council will be asked to consider the approval of Resolution 2015-38, a resolution approving an agreement with the Michigan Department of Natural Resources (MDNR) to receive a Land and Water Conservation Fund (LWCF) Development grant in the amount of \$78,100.

This project is a new development of a 1.5-acre expansion of Black River Park that will increase the park's size and amenities to include a fishing access point, and will further increase access and accessibility to the Black River. As part of the project, the riverbank will be stabilized with a stonework installation and an incorporated fishing platform, which, with the addition of graded landscaping and a free parking lot with 9 spaces, will make this site a universally accessible fishing spot. The total project cost is \$156,200.

The LWCF program is a federal program administered by the United States Department of Interior's National Park Service (NPS) and implemented by the Michigan Department of Natural Resources (MDNR). It provides funds to the states for both state and local outdoor recreation projects. Final grant recommendations for this program are made by the MDNR Director and provided to the NPS for approval.

Moved by Fitzgibbon, seconded by Patterson, to approve Resolution 2015-38, a resolution approving an agreement with the Michigan Department of Natural Resources (MDNR) to receive a Land and Water Conservation Fund (LWCF) Development grant in the amount of \$78,100.

Voted Yes: All. Motion carried.

10. Council will be asked to consider the following actions regarding the operation of golf carts on city streets:

- a. A discussion of a proposed Resolution 2015-40, a resolution allowing the operation of golf carts on city streets;**
- b. An introduction of an ordinance to amend Chapter 82, Article II, Sections 82-26, 82-27, and 8-28 of the Code of Ordinances and adopt the Michigan Vehicle Code; and**
- c. An introduction of an ordinance to amend Chapter 82, Article III, Section 82-55 of the Code of Ordinances regulating parking of golf carts.**

Background Information:

The City Council will be asked to consider a series of approvals which would allow for the seasonal operation of golf carts on public streets.

On Friday, July 31, 2015, the city received a formal citizen's request for the city to permit the continued operation of private golf carts on city streets. The request was made after the citizen had completed the purchase of what was intended to be a "street legal" golf cart. The cart was reviewed, inspected, and approved by the South Haven Police Department. When the golf cart's owner attempted to secure registration for the cart from the Michigan Secretary of State's office, the owner was informed that the State of Michigan was no longer allowing privately owned golf carts to be registered for on street usage, but local units of government could grant the golf cart allowance.

The city's attorney has found that Section 657a of the Michigan Vehicle Code, MCL 257.1 et seq., ("MVC"), authorizes a city with a population of fewer than 30,000 to allow, by resolution, operation of golf carts on its streets.

This statute imposes restrictions on the operation of golf carts within a city, including the following:

- 1) Operators must be at least 16 years of age and have a valid driver's license.
- 2) Operators must comply with signal requirements set forth in MCL 257.648 (i.e. using hand signals to signal a turn, etc.).
- 3) Golf carts must be driven as close to the right side of the roadway as practicable, with a maximum speed limit is 15 mph.
- 4) Golf carts may not be operated from 1/2 hour before sunset to 1/2 hour after sunrise.
- 5) Golf carts may not be operated on pedestrian sidewalks or on state line trunk highways (except to cross highways).

Should the City Council wish to permit the usage of golf carts on local streets, a practical approach would be through the (i) adoption of the entire MVC by reference, enabling the city to (ii) authorize the operation of golf carts in the city by adopting a resolution. If the City Council does adopt a resolution authorizing the use of golf carts on its streets, the city may also wish to amend its parking regulations to require golf carts to be properly parked.

The city's attorney has prepared draft ordinances and a resolution for the City Council's consideration. The first ordinance would amend Chapter 82 of the City Code to adopt the MVC by reference, as well as to refine the city's previous adoption of the Uniform Traffic Code. The proposed DRAFT resolution would allow operation of the golf cars in accordance with the restrictions set forth in MCL 257.657a, but only during a seasonal period beginning April 15 and ending October 15 (as obvious weather conditions may make operation of the golf carts impractical and dangerous outside of this period). The resolution also includes a sunset provision, that the resolution will no longer be effective after one year, unless readopted by the City Council, allowing the city to easily discontinue the operation of golf carts. The second ordinance also amends Chapter 82 of the City Code, to make the city's parking regulations applicable to golf carts.

As noted in the city attorney's correspondence, the City of Ludington has recently adopted an ordinance which mirrors the language of the state statute allowing golf carts on city streets and contains a sunset provision. While Ludington has elected to authorize this use by ordinance, the attorney's recommendation is that the city adopt the MVC and then subsequently adopt a resolution allowing the operation of golf carts, as the language of MCL 257.657a implies that such action should be taken by resolution.

Tom Martin, Police Chief for the City of South Haven, spoke briefly on this matter to City Council.

Rob Keorkunian, of 815 E. Wells Street, South Haven, spoke to the Council on this matter.

Moved by Gruber, seconded by Fitzgibbon, to introduce an ordinance to amend Chapter 82, Article II, Sections, 82-26, 82-27, and 82-28 of the Code of Ordinances and adopt the Michigan Vehicle Code.

Voted Yes: All. Motion carried.

Moved by Fitzgibbon, seconded by Patterson, to introduce an ordinance to amend Chapter 82, Article III, Section 82-55 of the Code of Ordinances regulating parking of golf carts.

Voted Yes: All. Motion carried.

11. Council will be asked to approve Resolution 2015-39, a resolution supporting the Lake Michigan Trails Network.

Background Information:

The City Council will be asked to consider approval of Resolution 2015-39, a resolution of support for the Lake Michigan Trails Network.

The Lake Michigan Trails Network is a group that is working to promote Lake Michigan as a world-class recreational touring destination for biking, driving, hiking and paddling. One lake, four states, and a travel destination that connects people to adventure and exploration on multiple types of trail systems allowing continuous recreational travel around Lake Michigan, at or near the shore in the shoreline states of Michigan, Indiana, Illinois, and Wisconsin. Lake Michigan has over 1,600 miles of shoreline and over 22 million people live within a two-hour drive. Lake Michigan can have a very unique trail experience and have a significant economic impact.

The idea of a four-state, multi-modal trail emerged in 2012 at a conference in Saugatuck, Michigan. Conference participants envisioned expanding the original Lake Michigan Circle Tour scenic byway to include paddling, bicycling, and hiking trails to encourage people to play more and stay longer on our shores. A four-state planning group was formed – The Lake Michigan Trails Network. The network provides a mechanism for coordinated planning, marketing, and communication between state members. They conduct regular conference calls and an annual face-to-face meeting with the goal of implementing continuous recreational trails around Lake Michigan.

By signing the Resolution of Support, the City would become part of the Lake Michigan Trails Network and as a supporter, would be kept informed on progress.

Moved by Patterson, seconded by Klavins, to approve Resolution 2015-39, a resolution supporting the Lake Michigan Trails Network.

Voted Yes: All. Motion carried.

12. Council will be asked to approve Resolution 2015-41, a resolution authorizing a grant application for Black River Park fish cleaning station and committing local funds to match the grant award.

Background Information:

Staff is seeking City Council approval to submit a grant application for a Fish Cleaning Station at Black River Park. The proposed site is located on the gravel parking lot outside of the boat launch gate at Black River Park. The grant request is for \$244,163.97, which is 50% of the project cost of \$488,327.95.

The project description is as follows:

In order to support and improve shore based fishing access, South Haven will submit a 2015 Access to the Great Lakes Fishery grant application for 50% funding of a no-fee, modern, ADA fish cleaning station with ADA public restrooms, a paved drive up/drop off unloading drive with sidewalks, and handicap parking in Black River Park to facilitate cleaning for all ages and mobility levels of anglers.

The Black River Park Fund is the source for funding this improvement. It has a current balance of \$265,568, and this will increase by the time of grant award, if successful.

Moved by Fitzgibbon, seconded by Arnold, to approve Resolution 2015-41, a resolution authorizing a grant application for Black River Park fish cleaning station and committing local funds to match the grant award.

Voted All: Yes. Motion carried.

13. Council will be addressed by Enriqueta Turanzas on behalf of Valor Training Center to give a short presentation.

John Michael McCormack and his father, Greg McCormack, spoke to the Council regarding Valor Training Council.

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

No public comment at this time.

15. City Manager's Comments

Police Department will be having a field training exercise on August 20th at Lincoln Elementary School with multiple agencies. We want the public to know that this is a training exercise from 10:00 a.m. to approximately 4:00 p.m.

16. Mayor and Councilperson's Comments

Jeff Arnold – Please be aware of the training exercise at Lincoln School this week.

Suzie Fitzgibbon – No comment

Clark Gruber – No comment

Andy Klavins – No comment

Vickiy Kozlik Wall – No comment

Gail Patterson – No comment

Mayor Bob Burr – Would like to staff to give a report on the drawbridge at next meeting.

City of South Haven
Regular Meeting Council Minutes
City Hall, Council Chambers
7:00 p.m., Monday, August 17, 2015

17. Adjourn

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

Voted Yes: All. Motion carried. Meeting adjourned at 8:33 p.m.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "Kate Hosier".

Kate Hosier
Deputy City Clerk
City of South Haven

Approved by City Council: **DRAFT**

CITY OF SOUTH HAVEN**September 08, 2015**

| | PREPAID | CURRENT | TOTAL |
|----------------------------|----------------------|----------------------|------------------------|
| 101-GENERAL FUND | \$ 104,804.55 | \$ 45,946.19 | \$ 150,750.74 |
| 202-MAJOR STREET FUND | \$ 3,044.49 | \$ - | \$ 3,044.49 |
| 203-LOCAL STREET FUND | \$ - | \$ - | \$ - |
| 204-STREET FUND | \$ 542.92 | \$ 169,090.45 | \$ 169,633.37 |
| 226-GARBAGE/REFUSE FUND | \$ - | \$ 989.44 | \$ 989.44 |
| 250-DOWNTOWN DEVELOPMENT | \$ 3,442.36 | \$ 1,918.64 | \$ 5,361.00 |
| 251-LDFA #1 | \$ - | \$ - | \$ - |
| 252- LDFA #2 | \$ - | \$ - | \$ - |
| 253-LDFA #3 | \$ - | \$ - | \$ - |
| 260-BROWNFIELD AUTHORITY | \$ - | \$ 52,622.00 | \$ 52,622.00 |
| 265-NARCOTICS UNIT | \$ 48.77 | \$ 112.28 | \$ 161.05 |
| 266-POLICE TRAINING | \$ - | \$ 1,341.18 | \$ 1,341.18 |
| 296-RIVER MAINTENANCE | \$ - | \$ 1,500.00 | \$ 1,500.00 |
| 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 | \$ - | \$ 31,186.00 | \$ 31,186.00 |
| 402-CAPITAL PROJECTS #2 | \$ - | \$ - | \$ - |
| 466- PAVILION AND ICE RINK | \$ - | \$ - | \$ - |
| 545-BLACK RIVER PARK | \$ 272.63 | \$ 1,094.23 | \$ 1,366.86 |
| 577-BEACH FUND | \$ 80.02 | \$ 433.37 | \$ 513.39 |
| 582-ELECTRIC FUND | \$ 26,819.72 | \$ 14,125.80 | \$ 40,945.52 |
| 591-WATER FUND | \$ 5,170.22 | \$ 14,002.67 | \$ 19,172.89 |
| 592-SEWER FUND | \$ 12,941.82 | \$ 20,443.08 | \$ 33,384.90 |
| 594-MUNICIPAL MARINA | \$ 4,460.69 | \$ 2,058.27 | \$ 6,518.96 |
| 636-INFORMATION SERVICES | \$ 3,102.95 | \$ 1,922.43 | \$ 5,025.38 |
| 661-MOTOR POOL | \$ 63,060.00 | \$ 5,643.32 | \$ 68,703.32 |
| 677-SELF INSURANCE | \$ - | \$ - | \$ - |
| 703-TAX FUND | \$ 507,331.23 | \$ - | \$ 507,331.23 |
| 718-TRUST & AGENCY | \$ - | \$ - | \$ - |
| 750-EMPLOYEE WITHHOLDING | \$ - | \$ - | \$ - |
| TOTAL | \$ 735,122.37 | \$ 364,429.35 | \$ 1,099,551.72 |

| Check Date | Check | Vendor Name | Description | Amount |
|-------------------------|-------|--------------------------------|--|-----------------|
| Bank 1 FIFTH THIRD BANK | | | | |
| 08/21/2015 | 51921 | AIRGAS USA, LLC | CYLINDER RENTAL | 54.56 |
| 08/21/2015 | 51922 | ALICIA MCMAHON | DEPOSIT REFUND & SIDEWALK REPLACEMENT | 912.50 |
| 08/21/2015 | 51923 | BEAUCHAMP, DONNA | UB refund for account: 10970500 | 150.00 |
| 08/21/2015 | 51924 | BLOOMINGDALE COMMUNICATIONS | BCI BUSINESS INTERNET | 3,102.95 |
| 08/21/2015 | 51925 | A.D. BOS OFFICE COFFEE SERVICE | COFFEE & SUPPLIES | 40.09 |
| 08/21/2015 | 51926 | BRONSINK & BOS EQUIPMENT | SUPPLIES | 174.40 |
| 08/21/2015 | 51927 | CITY PLUMBING & HEATING CO | MAINTENANCE AGREEMENT | 1,982.00 |
| | | | MAINTENANCE AGREEMENT | 1,030.00 |
| | | | | <u>3,012.00</u> |
| 08/21/2015 | 51928 | COMPTON INC | HURON & KALAMAZOO ST. REPAIRS | 3,818.00 |
| 08/21/2015 | 51929 | CONSTRUCTION ASSOCIATES INC | BUILDING INSPECTIONS | 3,937.59 |
| 08/21/2015 | 51930 | COPS HEALTH TRUST | INSURANCE | 1,748.95 |
| 08/21/2015 | 51931 | DALE CLAYTON | TRAINING REIMBURSEMENT | 646.18 |
| 08/21/2015 | 51932 | DE BEST INC | LANDSCAPE DESIGN & IMPROVEMENTS-MARITIME | 3,442.36 |
| 08/21/2015 | 51933 | DELTA DENTAL OF MICHIGAN | INSURANCE | 5,201.12 |
| 08/21/2015 | 51934 | DESIGN BUILD CONCEPTS | UB refund for account: 15154600 | 82.51 |
| 08/21/2015 | 51935 | ELWOOD STAFFING | STAFFING SERVICES | 1,555.00 |
| 08/21/2015 | 51936 | FANN, ASHLEY A | UB refund for account: 10497014 | 130.53 |
| 08/21/2015 | 51937 | FROEHLICH'S INC. | FARMER'S MARKET REFUND | 195.00 |
| 08/21/2015 | 51938 | FRONTIER | TELEPHONE 616-040-1864-120202-5 | 29.20 |
| | | | TELEPHONE 269-637-060311-5 | 275.66 |
| | | | TELEPHONE 269-639-8034-092904-5 | 40.93 |
| | | | | <u>345.79</u> |
| 08/21/2015 | 51939 | GEMPLER'S | SUPPLIES | 59.00 |
| | | | SUPPLIES | 74.95 |
| | | | | <u>133.95</u> |
| 08/21/2015 | 51940 | HARRIS, AMY R | UB refund for account: 20571001 | 40.22 |
| 08/21/2015 | 51941 | HAYLETT, DAVID L | UB refund for account: 20420101 | 125.66 |
| 08/21/2015 | 51942 | HOME CITY ICE COMPANY, THE | ICE AT BLACK RIVER PARK | 42.50 |
| | | | ICE AT MARINA | 835.10 |
| | | | | <u>877.60</u> |
| 08/21/2015 | 51943 | KENNEDY INDUSTRIES INC | REPAIR FLYGT PUMP, 73RD STREET | 5,971.00 |
| 08/21/2015 | 51944 | LAKESHORE PAINT & ARTWORKS | STREET SUPPLIES | 3.55 |
| | | | PARK SUPPLIES | 84.05 |
| | | | PARK SUPPLIES | 62.50 |
| | | | PARK SUPPLIES | 82.04 |
| | | | PARK SUPPLIES | 55.90 |
| | | | STREET SUPPLIES | 10.65 |
| | | | PARK SUPPLIES | 62.50 |
| | | | STREET SUPPLIES | 820.00 |
| | | | | <u>1,181.19</u> |
| 08/21/2015 | 51945 | LINCOLN NATIONAL LIFE INS CO | INSURANCE | 3,092.40 |
| 08/21/2015 | 51946 | LUTTRELL, KATINA R | UB refund for account: 11185006 | 145.75 |
| 08/21/2015 | 51947 | MICHIGAN GAS UTILITIES | NATURAL GAS 4776012-9 | 166.06 |
| 08/21/2015 | 51948 | MICHIGAN TOWNSHIP SERVICES | ELECTRICAL INSPECTIONS | 1,325.25 |
| 08/21/2015 | 51949 | MIDWEST CIVIL ENGINEERS INC | ENGINEERING SERVICES- 2014 SIDWALK IMPRO | 2,942.50 |

| Check Date | Check | Vendor Name | Description | Amount |
|----------------------------|-------|----------------------------------|---------------------------------|------------------|
| 08/21/2015 | 51950 | POWER LINE SUPPLY CO | MAINTENANCE SUPPLIES | 106.68 |
| | | | MAINTENANCE SUPPLIES | 129.00 |
| | | | | <u>235.68</u> |
| 08/21/2015 | 51951 | QSP - SH MOBILE HOME PARK | UB refund for account: 10648300 | 69.58 |
| 08/21/2015 | 51952 | RIDGE AND KRAMER AUTO PARTS | MAINTENANCE SUPPLIES | 17.15 |
| 08/21/2015 | 51953 | ROBINSON, AMY C | UB refund for account: 10446016 | 70.17 |
| 08/21/2015 | 51954 | SMITH, JALYSSA M | UB refund for account: 10509009 | 110.95 |
| 08/21/2015 | 51955 | STANBRO, LISA J | UB refund for account: 20156007 | 64.90 |
| 08/21/2015 | 51956 | TERMINIX PROCESSING CENTER | EXTERMINATING SERVICE | 43.00 |
| 08/21/2015 | 51957 | UPS STORE #5080 | SHIPPING FEE | 25.84 |
| | | | SHIPPING FEE | 28.00 |
| | | | CREDIT MEMO | (12.99) |
| | | | CREDIT MEMO | (15.15) |
| | | | | <u>25.70</u> |
| 08/21/2015 | 51958 | VILLAGE MARKET | FUEL | 20.42 |
| 08/21/2015 | 51959 | WAGNER'S PLUMBING & HEATING | REPAIRS - SOUTH BEACH RESTROOM | 75.00 |
| 08/21/2015 | 51960 | WINGFOOT COMMERCIAL TIRE SYSTEMS | TIRES | 315.04 |
| 08/21/2015 | 51961 | WOLVERINE HARDWARE | MAINTENANCE SUPPLIES | 5.69 |
| | | | MAINTENANCE SUPPLIES | 39.99 |
| | | | MAINTENANCE SUPPLIES | 21.67 |
| | | | MAINTENANCE SUPPLIES | 52.99 |
| | | | MAINTENANCE SUPPLIES | 9.58 |
| | | | MAINTENANCE SUPPLIES | 29.94 |
| | | | MAINTENANCE SUPPLIES | 6.79 |
| | | | MAINTENANCE SUPPLIES | 42.98 |
| | | | MAINTENANCE SUPPLIES | 9.14 |
| | | | MAINTENANCE SUPPLIES | 21.99 |
| | | | MAINTENANCE SUPPLIES | 42.03 |
| | | | MAINTENANCE SUPPLIES | 2.99 |
| | | | MAINTENANCE SUPPLIES | 18.63 |
| | | | MAINTENANCE SUPPLIES | 2.49 |
| | | | | <u>306.90</u> |
| 08/21/2015 | 51962 | WOODHAMS, INC , DON | PARTS | 57.48 |
| | | | PARTS | 57.48 |
| | | | | <u>114.96</u> |
| 08/21/2015 | 51963 | WOOTEN, DORIS J | UB refund for account: 10524013 | 82.06 |
| 1 TOTALS: | | | | |
| Total of 43 Checks: | | | | 46,102.62 |
| Less 0 Void Checks: | | | | 0.00 |
| Total of 43 Disbursements: | | | | <u>46,102.62</u> |

09/02/2015 11:52 AM
User: MARGUE
DB: South Haven

CHECK REGISTER FOR CITY OF SOUTH HAVEN
CHECK DATE FROM 08/22/2015 - 08/27/2015

Page: 1/1

| Check Date | Check | Vendor Name | Description | Amount |
|---------------------------|-------|--------------------------------|---------------------------|-------------------|
| Bank 1 FIFTH THIRD BANK | | | | |
| 08/25/2015 | 51964 | LAKE MICHIGAN COLLEGE | PROPERTY TAX COLLECTIONS | 112.21 |
| | | | PROPERTY TAX COLLECTIONS | 29,850.71 |
| | | | | <u>29,962.92</u> |
| 08/25/2015 | 51965 | SOUTH HAVEN MEMORIAL LIBRARY | PROPERTY TAX COLLECTION | 37.08 |
| | | | PROPERTY TAX COLLECTION | 9,863.68 |
| | | | | <u>9,900.76</u> |
| 08/25/2015 | 51966 | SOUTH HAVEN PUBLIC SCHOOLS | PROPERTY TAX COLLECTION | 301.68 |
| | | | PROPERTY TAX COLLECTION | 291,797.13 |
| | | | | <u>292,098.81</u> |
| 08/25/2015 | 51967 | UNITED HEALTHCARE INSURANCE CO | HEALTH INSURANCE PREMIUMS | 60,837.35 |
| 08/25/2015 | 51968 | VAN BUREN COUNTY TREASURER | PROPERTY TAX COLLECTION | 281.05 |
| | | | PROPERTY TAX COLLECTION | 175,087.69 |
| | | | | <u>175,368.74</u> |
| 1 TOTALS: | | | | |
| Total of 5 Checks: | | | | 568,168.58 |
| Less 0 Void Checks: | | | | 0.00 |
| Total of 5 Disbursements: | | | | <u>568,168.58</u> |

| Check Date | Check | Vendor Name | Description | Amount |
|-------------------------|-------|-------------------------------------|---|--|
| Bank 1 FIFTH THIRD BANK | | | | |
| 08/28/2015 | 51969 | ABONMARCHE CONSULTANTS INC | INDIAN GROVE LIFT STATION & MONROE BLVD MAIN PUMP STATION CONSOLIDATION | 1,842.50 922.50 <u>2,765.00</u> |
| 08/28/2015 | 51970 | ALLIED MECHANICAL SERVICES INC | REPAIRS | 1,337.14 |
| 08/28/2015 | 51971 | APPLIED IMAGING | MONTHLY CONTRACT 08/08 - 09/07/15 | 30.90 |
| 08/28/2015 | 51972 | BBC DISTRIBUTING | SUPPLIES SUPPLIES SUPPLIES SUPPLIES | 69.88 388.76 658.60 304.01 <u>1,421.25</u> |
| 08/28/2015 | 51973 | BEAVER RESEARCH COMPANY | SUPPLIES | 12.30 |
| 08/28/2015 | 51974 | BIOCLEAN TEAM INC | BIOHAZARD CLEANING SERVICES | 345.00 |
| 08/28/2015 | 51975 | BRUSH ENTERPRISES | REPAIRS | 3,647.61 |
| 08/28/2015 | 51976 | C.C. JOHNSON & MALHOTRA PC | WWTP IPP PROGRAM | 1,109.99 |
| 08/28/2015 | 51977 | CDW GOVERNMENT INC | PHONE WALL MOUNTS | 58.14 |
| 08/28/2015 | 51978 | COMPTON INC | 24TH AVE WATER SERVICE WORK | 2,320.00 |
| 08/28/2015 | 51979 | WILLIAM CONKLIN | MILEAGE REIMBURSEMENT | 39.33 |
| 08/28/2015 | 51980 | CULLIGAN WATER OF ALLEGAN | BOTTLED WATER | 49.00 |
| 08/28/2015 | 51981 | DALE CLAYTON | MILEAGE REIMBURSEMENT | 69.00 |
| 08/28/2015 | 51982 | ELWOOD STAFFING | STAFFING SERVICES | 1,225.35 |
| 08/28/2015 | 51983 | FRONTIER | TELEPHONE 616-040-3325-112972-5 TELEPHONE 269-637-8578-032095-5 TELEPHONE 269-637-2877-050814-5 | 58.39 60.00 59.69 <u>178.08</u> |
| 08/28/2015 | 51984 | FUEL MANAGEMENT SYSTEM | FUEL | 4,909.89 |
| 08/28/2015 | 51985 | GARMENT DISTRICT DBA JIM AND TONI'S | LAUNDRY & CLEANING SERVICES | 60.00 |
| 08/28/2015 | 51986 | GRP ENGINEERING INC | CORE CITY SEC PHASE 3 ENGINEERING SERVICES- LOVEJOY CORE CITY SEC PHASE 4 | 3,631.90 2,000.00 370.00 <u>6,001.90</u> |
| 08/28/2015 | 51987 | HAHN, RAE | UB refund for account: 15120000 | 105.51 |
| 08/28/2015 | 51988 | HOLLIS, KRISTEN M | UB refund for account: 10505018 | 111.24 |
| 08/28/2015 | 51989 | J & L ORCHARD SUPPLY LLC | SUPPLIES | 144.63 |
| 08/28/2015 | 51990 | JOHN'S STEREO INC | TONER | 107.99 |
| 08/28/2015 | 51991 | KENYETTA C. GRANT | REFUND ELECTRIC DEPOSIT | 50.00 |
| 08/28/2015 | 51992 | KERLEY, EMILY L | UB refund for account: 41674504 | 220.00 |
| 08/28/2015 | 51993 | KERLEY, EMILY L | UB refund for account: 41675503 | 100.00 |
| 08/28/2015 | 51994 | LAWN BOYS INC | LAWNCARE & IRRIGATION WORK | 1,832.47 |
| 08/28/2015 | 51995 | LITTLE, RODNEY L | UB refund for account: 13504900 | 76.54 |
| 08/28/2015 | 51996 | LUCAS, DANNY L | UB refund for account: 20163006 | 274.96 |
| 08/28/2015 | 51997 | LUNA TECH 3D | MUNICIPAL MARINA MARKETING MARINA DISTRICT-HARBOR WALK MARKETING | 1,000.00 400.00 <u>1,400.00</u> |
| 08/28/2015 | 51998 | MICHIGAN GAS UTILITIES | NATURAL GAS 4778754-4 NATURAL GAS 4716366-2 | 37.25 973.13 |

| Check Date | Check | Vendor Name | Description | Amount |
|------------|-------|------------------------------|--|-----------------|
| | | | NATURAL GAS 4713051-3 | 46.96 |
| | | | NATURAL GAS 4999209-2 | 7.24 |
| | | | NATURAL GAS 4717977-5 | 37.25 |
| | | | NATURAL GAS 5110094-9 | 56.86 |
| | | | NATURAL GAS 4709495-8 | 758.96 |
| | | | NATURAL GAS 4714392-0 | 106.26 |
| | | | NATURAL GAS 4716744-0 | 52.01 |
| | | | NATURAL GAS 4709428-9 | 40.32 |
| | | | NATURAL GAS 5258805-0 | 80.20 |
| | | | NATURAL GAS 5290828-2 | 55.17 |
| | | | NATURAL GAS 5212286-8 | 17.98 |
| | | | | <u>2,269.59</u> |
| 08/28/2015 | 51999 | OFFICE DEPOT | TONER | 107.49 |
| 08/28/2015 | 52000 | ORLANDO BLANCO | SPRINKLER SYSTEM REPAIR DUE TO WATER MAI | 33.79 |
| 08/28/2015 | 52001 | POWER LINE SUPPLY CO | MAINTENANCE SUPPLIES | 69.30 |
| | | | MAINTENANCE SUPPLIES | 236.00 |
| | | | MAINTENANCE SUPPLIES | 37.91 |
| | | | MAINTENANCE SUPPLIES | 14.42 |
| | | | MAINTENANCE SUPPLIES | 882.94 |
| | | | | <u>1,240.57</u> |
| 08/28/2015 | 52002 | PREFERRED PLUMBING & HEATING | REPAIRS | 297.00 |
| 08/28/2015 | 52003 | PRI MAR PETROLEUM INC | CARS WASHED | 32.50 |
| 08/28/2015 | 52004 | RATHCO SAFETY SUPPLY INC | NO BEACH ACCESS SIGNS | 125.00 |
| | | | SUPPLIES | 60.00 |
| | | | PARKING SIGNS | 80.00 |
| | | | SIGNS | 365.00 |
| | | | | <u>630.00</u> |
| 08/28/2015 | 52005 | RIDGE AND KRAMER AUTO PARTS | MAINTENANCE SUPPLIES | 135.30 |
| | | | MAINTENANCE SUPPLIES | 5.30 |
| | | | CREDIT MEMO | (36.92) |
| | | | | <u>103.68</u> |
| 08/28/2015 | 52006 | SAND CASTLE INN | IRRIGATION SYSTEM REPAIRS | 503.56 |
| 08/28/2015 | 52007 | SOUTH HAVEN HEALTH SYSTEM | PHYSICALS | 178.64 |
| 08/28/2015 | 52008 | STAPLES ADVANTAGE | SUPPLIES | 1,081.75 |
| 08/28/2015 | 52009 | STATE OF MICHIGAN | SEX OFFENDER REGISTRATION FEE | 60.00 |
| 08/28/2015 | 52010 | STATE OF MICHIGAN-DEQ | EXAM FEE-ROBERT OWENS | 70.00 |
| 08/28/2015 | 52011 | THOMSON REUTERS - WEST | SUBSCRIPTION PRODUCT CHARGES | 112.50 |
| 08/28/2015 | 52012 | TRACTOR SUPPLY CREDIT PLAN | SUPPLIES ACCT#6035 3012 0321 1048 | 12.56 |
| 08/28/2015 | 52013 | TREECORE | TREE WORK | 15,512.50 |
| 08/28/2015 | 52014 | ULINE | SUPPLIES | 262.26 |
| 08/28/2015 | 52015 | UPLINK SECURITY LLC | MONTHLY SERVICE FEES | 7.45 |
| 08/28/2015 | 52016 | USA BLUE BOOK | LAB SUPPLIES | 1,003.97 |
| | | | LAB SUPPLIES | 60.90 |
| | | | | <u>1,064.87</u> |
| 08/28/2015 | 52017 | VERIZON WIRELESS | CELL PHONES 486573081-00002 | 38.01 |
| | | | CELL PHONES 742053338-00001 | 352.87 |
| | | | CELL PHONES 486573081-00001 | 675.75 |
| | | | CELL PHONES 886568152-00001 | 1,117.82 |
| | | | | <u>2,184.45</u> |

09/02/2015 11:51 AM
 User: MARGUE
 DB: South Haven

CHECK REGISTER FOR CITY OF SOUTH HAVEN
 CHECK DATE FROM 08/28/2015 - 08/28/2015

| Check Date | Check | Vendor Name | Description | Amount |
|----------------------------|-------|-----------------------------|--|-------------------|
| 08/28/2015 | 52018 | WESTERN MICHIGAN UNIVERSITY | COMMUNITY SURVEY CONTRACT | 6,635.50 |
| 08/28/2015 | 52019 | KEVIN WILDEY | CLOTHING ALLOWANCE | 48.77 |
| 08/28/2015 | 52020 | WOLVERINE HARDWARE | MAINTENANCE SUPPLIES | 91.90 |
| | | | MAINTENANCE SUPPLIES | 2.89 |
| | | | MAINTENANCE SUPPLIES | 22.48 |
| | | | MAINTENANCE SUPPLIES | 4.47 |
| | | | MAINTENANCE SUPPLIES | 3.99 |
| | | | MAINTENANCE SUPPLIES | 7.79 |
| | | | MAINTENANCE SUPPLIES | 7.07 |
| | | | MAINTENANCE SUPPLIES | 4.95 |
| | | | MAINTENANCE SUPPLIES | 4.29 |
| | | | MAINTENANCE SUPPLIES | 2.30 |
| | | | MAINTENANCE SUPPLIES | 18.60 |
| | | | MAINTENANCE SUPPLIES | 17.48 |
| | | | MAINTENANCE SUPPLIES | 16.58 |
| | | | MAINTENANCE SUPPLIES | 10.78 |
| | | | MAINTENANCE SUPPLIES | 17.98 |
| | | | MAINTENANCE SUPPLIES | 12.78 |
| | | | MAINTENANCE SUPPLIES | 8.79 |
| | | | MAINTENANCE SUPPLIES | 8.59 |
| | | | MAINTENANCE SUPPLIES | 7.00 |
| | | | MAINTENANCE SUPPLIES | 8.49 |
| | | | MAINTENANCE SUPPLIES | 9.99 |
| | | | MAINTENANCE SUPPLIES | 14.70 |
| | | | MAINTENANCE SUPPLIES | 21.49 |
| | | | MAINTENANCE SUPPLIES | 31.95 |
| | | | MAINTENANCE SUPPLIES | 15.70 |
| | | | MAINTENANCE SUPPLIES | 1.49 |
| | | | | <u>374.52</u> |
| 08/28/2015 | 52021 | WOODHAMS, INC , DON | 2 2016 FORD INTERCEPTOR UTILITY VEHICLES | <u>58,024.00</u> |
| 1 TOTALS: | | | | |
| Total of 53 Checks: | | | | 120,851.17 |
| Less 0 Void Checks: | | | | 0.00 |
| Total of 53 Disbursements: | | | | <u>120,851.17</u> |

| Check Date | Check | Vendor Name | Description | Amount |
|-------------------------|-------|--------------------------------|--|------------------|
| Bank 1 FIFTH THIRD BANK | | | | |
| 09/08/2015 | 52022 | ABONMARCHE CONSULTANTS INC | MAINTENANCE DREDGING PERMIT SERVICES | 1,500.00 |
| | | | BAARS BLDG DEMOLITION/RE-DEVELOPMENT | 558.75 |
| | | | DEMOLITION FOR OVERTON FACTORY PROJECT 1 | 1,496.25 |
| | | | DEMOLITION FOR OVERTON FACTORY PROJECT 1 | 1,302.00 |
| | | | LIBRARY FACILITY ASSESSMENT STUDY | 550.00 |
| | | | CITY HALL DOORWAYS | 674.25 |
| | | | BLACK RIVER PARK FISH CLEANING STATION | 750.00 |
| | | | | <u>6,831.25</u> |
| 09/08/2015 | 52023 | ABSHIRE, ROBIN | RE-POSITION BUOYS ON BEACHES | 186.00 |
| 09/08/2015 | 52024 | ALEXANDER CHEMICAL CORP | CHLORINE | 1,695.00 |
| | | | DEPOSIT REFUND | (1,000.00) |
| | | | | <u>695.00</u> |
| 09/08/2015 | 52025 | ALLIED MECHANICAL SERVICES INC | BFP TESTING & REPAIRS | 4,789.66 |
| 09/08/2015 | 52026 | ALS GROUP USA, CORP | CHEMICAL ANALYSIS | 740.00 |
| 09/08/2015 | 52027 | APPRAISALS PLUS GROUP, INC. | ASSESSING SERVICES | 3,605.00 |
| 09/08/2015 | 52028 | AUTO-WARES GROUP | REPAIR/MAINT SUPPLIES- ACCT #23300720 | 3.98 |
| | | | REPAIR/MAINT SUPPLIES- ACCT #23300720 | 17.06 |
| | | | | <u>21.04</u> |
| 09/08/2015 | 52029 | BBC DISTRIBUTING | MARINA SUPPLIES | 27.44 |
| | | | MARINA SUPPLIES | 21.98 |
| | | | MARINA SUPPLIES | 273.37 |
| | | | MARINA SUPPLIES | 291.16 |
| | | | | <u>613.95</u> |
| 09/08/2015 | 52030 | CENTRAL AUTO & EQUIP INC | TRUCK ACCESSORIES | 4,043.00 |
| | | | TRUCK ACCESSORIES | 3,293.00 |
| | | | | <u>7,336.00</u> |
| 09/08/2015 | 52031 | CITY OF SOUTH HAVEN | UB refund for account: 41053200 | 408.50 |
| 09/08/2015 | 52032 | CITY PLUMBING & HEATING CO | REPAIR WATER LEAK | 100.00 |
| | | | PREVENTIVE MAINTENANCE | 132.00 |
| | | | | <u>232.00</u> |
| 09/08/2015 | 52033 | COMCAST | INTERNET SERVICE 01720 188884-01-4 | 59.70 |
| 09/08/2015 | 52034 | COMPTON INC | BROCKWAY AVE PROJECT | 6,750.50 |
| | | | ERIE ST SIDEWALK | 6,274.00 |
| | | | | <u>13,024.50</u> |
| 09/08/2015 | 52035 | CONSUMERS CONCRETE CORP | QUIKRETE | 298.50 |
| 09/08/2015 | 52036 | CONSUMERS ENERGY | ELECTRIC 1000 1414 0337 | 83.69 |
| | | | ELECTRIC 1000 1414 0568 | 46.91 |
| | | | ELECTRIC 1000 1414 0840 | 39.09 |
| | | | | <u>169.69</u> |

| Check Date | Check | Vendor Name | Description | Amount |
|------------|-------|--------------------------------|---|-----------------|
| 09/08/2015 | 52037 | ADAM DE BOER | MEAL REIMBURSEMENT | 38.58 |
| 09/08/2015 | 52038 | EJ USA INC | SUPPLIES | 992.20 |
| | | | SUPPLIES | 33.00 |
| | | | SUPPLIES | 360.28 |
| | | | | <u>1,385.48</u> |
| 09/08/2015 | 52039 | ELECSYS INTERNATIONAL CORP | MONTHLY MAINTENANCE | 267.00 |
| 09/08/2015 | 52040 | ELWOOD STAFFING | STAFFING SERVICES | 1,166.60 |
| 09/08/2015 | 52041 | FRONTIER | TELEPHONE 616-001-2946-100103-5 | 74.10 |
| | | | TELEPHONE 616-040-6480-021893-5 | 26.26 |
| | | | TELEPHONE 269-637-9127-080204-5 | 83.50 |
| | | | TELEPHONE 269-637-0261-052112-5 | 153.30 |
| | | | TELEPHONE 269-639-2048-112509-5 | 46.47 |
| | | | TELEPHONE 269-639-9531-040500-5 | 110.51 |
| | | | TELEPHONE 269-637-3376-081214-5 | 54.87 |
| | | | TELEPHONE 231-189-0674-03599-5 | 2,344.40 |
| | | | TELEPHONE 269-637-4778-082302-5 | 46.56 |
| | | | TELEPHONE 269-637-7466-021392-5 | 506.38 |
| | | | TELEPHONE 616-001-7480-082802-5 | 70.17 |
| | | | TELEPHONE 269-637-1402-071613-5 | 112.35 |
| | | | TELEPHONE 269-637-1386-071613-5 | 58.63 |
| | | | TELEPHONE 269-639-1795-082214-5 | 64.67 |
| | | | TELEPHONE 269-637-3649-041905-5 | 49.46 |
| | | | TELEPHONE 269-637-7926-011395-5 | 35.07 |
| | | | | <u>3,836.70</u> |
| 09/08/2015 | 52042 | GEMPLER'S | SUPPLIES | 18.50 |
| 09/08/2015 | 52043 | HAMMERSMITH EQUIPMENT CO | GENERATOR | 999.00 |
| 09/08/2015 | 52044 | HATHAWAY, RODERICK | MEAL REIMBURSEMENT | 42.47 |
| 09/08/2015 | 52045 | HAWKES, MARILYN J | UB refund for account: 20016718 | 172.99 |
| 09/08/2015 | 52046 | HI TEC BUILDING SERVICES | JANITORIAL SERVICE | 4,141.07 |
| 09/08/2015 | 52047 | HUBBELL, ROTH & CLARK INC | SOUTH HAVEN WWTP O&M MANUAL & AMP WWTP & | 13,717.73 |
| 09/08/2015 | 52048 | INDIANA MICHIGAN POWER | COVERT ELECTRIC 040-008-013-1-8 | 26.72 |
| 09/08/2015 | 52049 | JOHN'S STEREO INC | LABELS & NOTEPAD | 16.98 |
| 09/08/2015 | 52050 | JOHNNY'S LAKESHORE JEWELRY | PLAQUES FOR PARK BENCHES | 59.00 |
| 09/08/2015 | 52051 | KALIN CONSTRUCTION CO, INC | DYCKMAN AVENUE RECONSTRUCTION | 147,346.50 |
| 09/08/2015 | 52052 | KENDALL ELECTRIC INC | SUPPLIES | 317.52 |
| 09/08/2015 | 52053 | KIRSCH, GERALD | MEAL REIMBURSEMENT | 112.28 |
| 09/08/2015 | 52054 | LAKEWOOD CONSTRUCTION CO., INC | PUBLIC SAFETY PROJECT-FINAL | 31,186.00 |
| 09/08/2015 | 52055 | LAWN BOYS INC | NOXIUS WEED MOWING PER CODE ENFORCEMENT LAWNCARE | 695.00 |
| | | | | <u>2,010.00</u> |
| | | | | 2,705.00 |
| 09/08/2015 | 52056 | LIFELOC TECHNOLOGIES INC | PORTABLE BREATH TESTER | 298.00 |
| 09/08/2015 | 52057 | MAGNET FORENSICS USA, INC | SOFTWARE ANNUAL MAINTENANCE | 550.00 |
| 09/08/2015 | 52058 | MELCHING INC. | DEMOLITION AT 125 ELKENBURG-FACTORY COND | 52,622.00 |
| 09/08/2015 | 52059 | MENARDS | MAINTENANCE SUPPLIES | 23.94 |
| | | | MAINTENANCE SUPPLIES | 141.41 |
| | | | MAINTENANCE SUPPLIES | 9.78 |
| | | | MAINTENANCE SUPPLIES | 4.97 |
| | | | MAINTENANCE SUPPLIES | 137.84 |
| | | | MAINTENANCE SUPPLIES | 53.72 |
| | | | MAINTENANCE SUPPLIES | 193.80 |
| | | | MAINTENANCE SUPPLIES | 146.69 |
| | | | MAINTENANCE SUPPLIES | 14.65 |

| Check Date | Check | Vendor Name | Description | Amount |
|------------|-------|------------------------------|--|---|
| | | | MAINTENANCE SUPPLIES | 332.24 |
| | | | MAINTENANCE SUPPLIES | 71.78 |
| | | | MAINTENANCE SUPPLIES | 91.71 |
| | | | MAINTENANCE SUPPLIES | 189.75 |
| | | | MAINTENANCE SUPPLIES | 17.88 |
| | | | MAINTENANCE SUPPLIES | 10.97 |
| | | | MAINTENANCE SUPPLIES | 44.08 |
| | | | MAINTENANCE SUPPLIES | 37.43 |
| | | | MAINTENANCE SUPPLIES | 269.99 |
| | | | MAINTENANCE SUPPLIES | 67.92 |
| | | | MAINTENANCE SUPPLIES | 490.00 |
| | | | MAINTENANCE SUPPLIES | 319.99 |
| | | | MAINTENANCE SUPPLIES | 249.00 |
| | | | MAINTENANCE SUPPLIES | 16.98 |
| | | | MAINTENANCE SUPPLIES | 138.50 |
| | | | MAINTENANCE SUPPLIES | 38.92 |
| | | | MAINTENANCE SUPPLIES | 12.49 |
| | | | MAINTENANCE SUPPLIES | 34.98 |
| | | | MAINTENANCE SUPPLIES | 169.00 |
| | | | MAINTENANCE SUPPLIES | 4.99 |
| | | | MAINTENANCE SUPPLIES | 319.99 |
| | | | MAINTENANCE SUPPLIES | 95.32 |
| | | | | <u>3,750.71</u> |
| 09/08/2015 | 52060 | MICHIANA SUPPLY INC | SUPPLIES | 67.00 |
| 09/08/2015 | 52061 | MUZZALL GRAPHICS | LASER REMINDER NOTICES ENVELOPES | 512.21 <u>1,832.61</u> |
| | | | | 2,344.82 |
| 09/08/2015 | 52062 | NORTH SHORE PEST CONTROL INC | PEST CONTROL PEST CONTROL PEST CONTROL PEST CONTROL PEST CONTROL PEST CONTROL PEST CONTROL | 50.00 50.00 50.00 50.00 30.00 50.00 <u>160.00</u> |
| | | | | 440.00 |
| 09/08/2015 | 52063 | PAT'S PRONTO PRINT | DEPOSIT STAMPS LIVE AMMO HAZARD POSTERS | 75.75 <u>120.00</u> |
| | | | | 195.75 |
| 09/08/2015 | 52064 | PEZZUTO, TONI J | UB refund for account: 21221002 | 407.20 |
| 09/08/2015 | 52065 | CONNIE PHILLIPS-THOMPSON | MILEAGE REIMBURSEMENT | 79.35 |
| 09/08/2015 | 52066 | PLUMBER'S PORTABLE TOILETS | RENTALS | 280.00 |
| 09/08/2015 | 52067 | POOLE, PHILLIP | FUEL REIMBURSEMENT | 13.50 |
| 09/08/2015 | 52068 | POWER LINE SUPPLY CO | MAINTENANCE SUPPLIES MAINTENANCE SUPPLIES MAINTENANCE SUPPLIES MAINTENANCE SUPPLIES MAINTENANCE SUPPLIES MAINTENANCE SUPPLIES MAINTENANCE SUPPLIES MAINTENANCE SUPPLIES MAINTENANCE SUPPLIES MAINTENANCE SUPPLIES | 158.00 148.40 1,053.68 201.00 147.56 136.01 117.63 139.38 <u>388.67</u> |

| Check Date | Check | Vendor Name | Description | Amount |
|------------|-------|-----------------------------------|-------------------------------------|---------------|
| | | | | 2,490.33 |
| 09/08/2015 | 52069 | PREIN & NEWHOF | LAND APPLICATION | 230.00 |
| 09/08/2015 | 52070 | RATHCO SAFETY SUPPLY INC | STOP AHEAD SIGNS | 150.00 |
| | | | DOG CLEAN UP REQUIRED SIGNS | 78.00 |
| | | | STREET SIGNS | 450.00 |
| | | | NO DOGS ALLOWED SIGNS | 52.00 |
| | | | | <u>730.00</u> |
| 09/08/2015 | 52071 | REPCOLITE PAINTS INC | SUPPLIES | 666.50 |
| 09/08/2015 | 52072 | REPUBLIC SERVICES #646 | DISPOSAL SERVICES 3-0646-1033150 | 989.44 |
| 09/08/2015 | 52073 | RIDGE AND KRAMER AUTO PARTS | MAINTENANCE SUPPLIES | 77.29 |
| | | | MAINTENANCE SUPPLIES | 34.03 |
| | | | | <u>111.32</u> |
| 09/08/2015 | 52074 | RJ THOMAS MFG CO INC | MEMORIAL BENCHES | 2,259.00 |
| 09/08/2015 | 52075 | ROME'S STANDARD SERVICE INC | TIRE REPAIR | 22.00 |
| 09/08/2015 | 52076 | SECANT TECHNOLOGIES | MONTHLY MANAGEMENT FEE | 4,171.50 |
| 09/08/2015 | 52077 | SECURALARM SYSTEMS INC | REPLACE KEYPAD-PROGRAM & TEST | 547.00 |
| 09/08/2015 | 52078 | SKIDMORE'S | ASPHALT REPAIRS | 18,539.90 |
| 09/08/2015 | 52079 | SMITH'S CONCRETE CUTTING | CONCRETE CUTTING | 1,986.04 |
| 09/08/2015 | 52080 | SOUTH HAVEN AIRPORT AUTHORITY | QUARTERLY CONTRIBUTION | 10,805.43 |
| 09/08/2015 | 52081 | SOUTH HAVEN COMMUNITY HOSPITAL | ER SERVICES | 244.00 |
| 09/08/2015 | 52082 | SOUTH HAVEN FAMILY CAMPGROUND | PROPANE | 42.00 |
| 09/08/2015 | 52083 | SPEARS, SHANNON N | UB refund for account: 20274003 | 830.00 |
| 09/08/2015 | 52084 | STAPLES ADVANTAGE | SUPPLIES | 332.97 |
| | | | SUPPLIES | 352.94 |
| | | | | <u>685.91</u> |
| 09/08/2015 | 52085 | SUMMIT SUPPLY CORP | 32 GAL DOME TOPS | 2,202.00 |
| 09/08/2015 | 52086 | THAYER INC | DPW SUPPLIES | 344.82 |
| | | | PARKS SUPPLIES | 330.21 |
| | | | PARKS SUPPLIES | 41.56 |
| | | | CREDIT MEMO | (232.98) |
| | | | | <u>483.61</u> |
| 09/08/2015 | 52087 | TRACTOR SUPPLY CREDIT PLAN | SUPPLIES ACCT#6035 3012 0321 1402 | 11.99 |
| | | | SUPPLIES ACCT#6035 3012 0321 1063 | 49.99 |
| | | | SUPPLIES ACCT#6035 3012 0321 1402 | 99.99 |
| | | | SUPPLIES ACCT#6035 3012 0321 5925 | 2.77 |
| | | | SUPPLIES ACCT#6035 3012 0321 5925 | 8.14 |
| | | | SUPPLIES ACCT#6035 3012 0321 5925 | 14.99 |
| | | | SUPPLIES ACCT#6035 3012 0321 5925 | 2.87 |
| | | | SUPPLIES ACCT#6035 3012 0321 5925 | 294.98 |
| | | | CREDIT MEMO | (114.44) |
| | | | | <u>371.28</u> |
| 09/08/2015 | 52088 | VAN BUREN CONSERVATION DISTRIC | HOUSEHOLD HAZARDOUS WASTE RECYCLING | 81.25 |
| 09/08/2015 | 52089 | WAGNER'S PLUMBING & HEATING | REPAIRS - NORTH BEACH RESTROOM | 504.05 |
| 09/08/2015 | 52090 | WATCON INC | SUPPLIES | 953.38 |
| 09/08/2015 | 52091 | WE CARE INC | FARM MARKET BAGS | 250.00 |
| 09/08/2015 | 52092 | WEST MICH TACTICAL OFFICER'S ASSN | WMTOA BASIC SNIPER COURSE | 350.00 |
| 09/08/2015 | 52093 | WEST MICHIGAN CRIMINAL JUSTICE | PROPERTY & EVIDENCE MANAGEMENT | 300.00 |
| 09/08/2015 | 52094 | WEST MICHIGAN CRIMINAL JUSTICE | MCOLES LAW ENFORCMENT DISTRIBUTION | 691.18 |

09/02/2015 11:53 AM
 User: MARGUE
 DB: South Haven

CHECK REGISTER FOR CITY OF SOUTH HAVEN
 CHECK DATE FROM 08/29/2015 - 09/08/2015

| Check Date | Check | Vendor Name | Description | Amount |
|----------------------------|-------|----------------------------------|----------------------|-------------------|
| 09/08/2015 | 52095 | WEST MICHIGAN DOCUMENT | SHREDDING SERVICE | 45.00 |
| 09/08/2015 | 52096 | WINGFOOT COMMERCIAL TIRE SYSTEMS | TIRES | 1,048.26 |
| | | | TIRES | 3,290.92 |
| | | | | <u>4,339.18</u> |
| 09/08/2015 | 52097 | WOLVERINE HARDWARE | MAINTENANCE SUPPLIES | 4.02 |
| | | | MAINTENANCE SUPPLIES | 2.06 |
| | | | MAINTENANCE SUPPLIES | 7.72 |
| | | | MAINTENANCE SUPPLIES | 13.09 |
| | | | MAINTENANCE SUPPLIES | 1.79 |
| | | | MAINTENANCE SUPPLIES | 9.70 |
| | | | MAINTENANCE SUPPLIES | 7.91 |
| | | | MAINTENANCE SUPPLIES | 11.68 |
| | | | MAINTENANCE SUPPLIES | 15.46 |
| | | | MAINTENANCE SUPPLIES | 2.51 |
| | | | MAINTENANCE SUPPLIES | 5.92 |
| | | | MAINTENANCE SUPPLIES | 164.29 |
| | | | MAINTENANCE SUPPLIES | 28.57 |
| | | | MAINTENANCE SUPPLIES | 4.31 |
| | | | MAINTENANCE SUPPLIES | 3.50 |
| | | | MAINTENANCE SUPPLIES | 12.58 |
| | | | MAINTENANCE SUPPLIES | 15.71 |
| | | | MAINTENANCE SUPPLIES | 2.69 |
| | | | MAINTENANCE SUPPLIES | 19.76 |
| | | | MAINTENANCE SUPPLIES | 10.23 |
| | | | MAINTENANCE SUPPLIES | 7.53 |
| | | | MAINTENANCE SUPPLIES | 7.19 |
| | | | MAINTENANCE SUPPLIES | 2.02 |
| | | | MAINTENANCE SUPPLIES | 3.72 |
| | | | MAINTENANCE SUPPLIES | 5.66 |
| | | | MAINTENANCE SUPPLIES | 23.19 |
| | | | | <u>392.81</u> |
| 09/08/2015 | 52098 | GARY WOZNIAK | OPERATOR TRAINING | 500.00 |
| 1 TOTALS: | | | | |
| Total of 77 Checks: | | | | 364,429.35 |
| Less 0 Void Checks: | | | | 0.00 |
| Total of 77 Disbursements: | | | | <u>364,429.35</u> |

August 25, 2015

TO: Brian Dissette

FR: Paul VandenBosch

RE: Black River Park - Fishing Platform Design, Bidding and Construction Services

Abonmarche Consultants have provided a proposal for design and construction administration of the Black River Park Fishing Platform project.

| | |
|--------------|--|
| 3,000 | Boundary and Topographic Survey |
| 5,500 | Preliminary Design |
| 4,000 | Preparation of Final Design Plans and Specifications |
| 2,350 | Permitting Services |
| 500 | Threatened and Endangered Species Review |
| 1,200 | Bidding Phase |
| <u>5,000</u> | Construction Administration |
| 21,550 | TOTAL |

This work will cover professional services required to design, bid and construct the project.

Staff Recommendation:

Approve the proposal from Abonmarche dated August 3, 2015 for the Black River Park - Fishing Platform and Bank Stabilization Project.

August 3, 2015

Mr. Paul VandenBosch
City of South Haven
539 Phoenix Street
South Haven, MI 49090-1499

Re: Black River Park – Fishing Platform and Bank Stabilization Project

Dear Mr. VandenBosch:

The City of South Haven has been awarded a grant from the Land and Water Conservation Fund of the Michigan Department of Natural Resources. The Grant allows the City to proceed with design and construction of a barrier-free fishing platform, bank stabilization, parking area and an accessible path on the Black River.

This proposal will include services required to meet the grant requirements and expectations including:

- SHPO Development Submission
- Environmental Screening Form
- Working with users to understand desires, concerns, etc.
- Conducting boundary and topographic surveys of the site as needed
- Site design for a barrier-free accessible path and fishing platform at Black River Park, including an accessible parking area and bank stabilization
- Permitting and other necessary approvals
- Creating cost estimates of the proposed construction
- Preparing final construction plans and bid specifications for City and DNR approval

It is expected that our services would commence quickly following your approval with field work commencing as soon as possible. We expect that the project schedule will proceed as follows:

Proposal Approved and Services Authorized
Kickoff Meeting
Conduct Field Surveys
Preliminary Design
Permitting
Final Design and Bidding
Project Construction

August 2015
August 2015
September 2015
September-October 2015
November 2015-January 2016
January-February 2016
April-June 2016

95 West Main Street
Benton Harbor, MI 49022
269.927.2295

361 First Street
Manistee, MI 49660
231.723.1198

503 Quaker Street
South Haven, MI 49090
269.637.1293

750 Lincoln Way East
South Bend, IN 46601
574.232.8700

3177 Willowcreek Road
Portage, IN 46368
219.850.4624

Our team will be managed by Christopher J. Cook, PE and supported by Corey A. Kandow, Kathy Burczak, ASLA, and Lisa M. VanBladeren. Our fees for this project total \$15,600. Breakdown of the services to be provided and associated fees are as follows:

Task 1 – Boundary and Topographic Survey

We will complete boundary and topographic surveys including long rod shots near the shoreline. An AutoCAD base sheet will be developed as part of these services for development of the site plan.

Our fee for these services is: \$3,000

Task 2 – Preliminary Design

Previously, sketches were prepared for the proposed project concept. After a kickoff meeting with the project team and users, we will refine the schematic layout including more detailed design of the parking lot, path and fishing platform. Our services will also include the necessary SHPO and Environmental Screening Form Submittals.

Our fee for these services is: \$5,500

Task 3 – Preparation of Final Design Plans and Specifications

The plan will include a CAD generated drawing and bid documents for the site improvements, a grading plan, details and specifications for the layout of all proposed facilities. A preliminary construction cost estimate will also be prepared to establish a budget for contract purposes.

Our fee for these services is: \$4,000

Task 4 – Permitting Services

We will address MDEQ and USACE permit requirements. We expect the project to meet minor project criteria for Part 301, Inland Lakes and Streams and a Nationwide Permit under the USACE. We expect the permit review process to take approximately 90-120 days after submittal.

Our fee for these services is: \$2,350

As part of the permitting process a Threatened and Endangered Species review and investigation may be requested. If so, then an additional \$500 will be required to address this issue.



Task 5 – Bidding Phase

Bidding Phase Services will include coordination of advertisement for bids, bid review and analysis, recommendation of award and preparing a contract between the City and the selected contractor.

Our fee for these services is: \$1,200

Task 6 – Construction Administration

We will provide periodic site visits to review progress of the construction in conformance with the contract documents. We will also review and approve shop drawings, pay requests, change orders, etc. After construction is complete we will conduct a final field visit and prepare necessary closeout documents.

Our fee for these services is: \$5,000

Thank you for the opportunity to submit this proposal to provide engineering services. If you have any questions or need clarification regarding this proposal, please do not hesitate to contact us. Please indicate your acceptance of this proposal by signing below and returning one copy for our file.

Sincerely,



Christopher J. Cook, PE
President/CEO

| | | |
|-----|----------------------|------------|
| Cc: | Timothy R. Drews, PE | Abonmarche |
| | Corey A. Kandow, PE | Abonmarche |
| | Lisa VanBladeren | Abonmarche |
| | Tony McGhee | Abonmarche |

Accepted By

Date



**SOUTH HAVEN POLICE DEPARTMENT
INTEROFFICE MEMORANDUM**

TO: CITY MANAGER DISSETTE
FROM: PHIL POOLE
SUBJECT: CCTV SERVER UPGRADE
DATE: 8/25/2015

The current CCTV ExacqVision server that resides at City Hall was designed to handle the recording of approximately 10 cameras with a retention period of 30 days. This server was designed to meet the needs of just that building. As we have begun moving forward with our plans to add additional cameras to strategic locations around the city, it is apparent that our current server isn't capable of the necessary bandwidth and storage needs to support the additional cameras.

The proposed server upgrade will increase our storage capacity from 4TB to 72TB. This extra storage space has been designed to handle the storage needs from the additional cameras that are planned to be installed over the next several years. The new server will also be capable of additional bandwidth and have the necessary processing power to handle that quantity of cameras.

Secant Technologies has submitted a quote of \$23,961 for the server upgrade. This quote includes the physical server, programming the server, and associated installation labor. The City has a close working relationship with Secant Technologies as they are our exclusive networking and CCTV vendor, thus additional quotes were not sought.



Secant Technologies

Computers, networking, and whatever else comes next.

6395 Technology Ave., Kalamazoo, MI 49009

Phone (269) 375-8996 Fax (269) 375-4222

QUOTE

150453

| | |
|------------------------|-----------------|
| Date | July 23, 2015 |
| Expiration Date | August 22, 2015 |
| Customer Number | CITY3456 |
| Account Representative | Brad Buiwitt |
| Prepared by | Robert Lankford |

To City of South Haven
539 Phoenix Street
South Haven, MI 49090

Thank you for the opportunity!

Phone: NA
Fax: NA

Camera Server

| QTY | Item Number | Description | Unit Price | Ext. Price |
|-----|-------------|---|-------------|-------------|
| 1 | L1-VS/AC | PHYSICAL INFRASTRUCTURE -VIDEO SERVLANCE PARTS AND LABOR | \$23,961.00 | \$23,961.00 |

CASH ACCOUNT CLIENTS: Pre-Payment is required to process your order.

CLIENTS WITH OPEN CREDIT ACCOUNT: a 50% deposit is required to place your project/order into our scheduling queue and/or authorize the ordering of equipment for subsequent billing.

"Applicable taxes will be applied at billing. The State of Michigan requires that tax be charged on the portion of labor related to installing physical equipment purchased as part of a project."

| | |
|--------------|--------------------|
| Subtotal | \$23,961.00 |
| Misc. | \$0.00 |
| Freight | \$0.00 |
| Total | \$23,961.00 |

Quote accepted by: _____

Date: _____

Please fax your signed acceptance back to 269-375-4222



Secant Technologies

Computers, networking, and whatever else comes next.

6395 Technology Ave., Kalamazoo, MI 49009

Phone (269) 375-8996 Fax (269) 375-4222

Description of Work

Camera server

QUOTE 150453

Revision Date

7/23/2015

Quote For:

Exacq server

- Trade in existing 4tb Exacq Server and upgrade to 72Tb Exacq Z Series server. Setup camera server to replace existing server with the same recording setup and cameras.

Client Responsibilities and Project Assumptions

- Client is to provide access to the facility during normal business hours (8 a.m. - 5 p.m., Mon. - Fri.)
- Client is to provide access to the systems being worked on and the network.
- Client and/or other contractor is to provide switch configuration, And switch ports if necessary, for the functionality of network video surveillance cameras.
- Client and/or other contractor is to provide the necessary network electronics necessary for the functionality of the network video surveillance cameras.
- Additional Circuits and Associated Elements; Electrical Contractor to be responsible for any required 120V AC circuits and associated conduit, building penetrations, boxes, surge suppression and grounding required for network video surveillance devices, if applicable, as well as backup power connections if applicable.
- Document Contradictions: If any contradiction between this document and the actual sales order exist, the intent of the sales order shall prevail.

Planning Commission

Regular Meeting Minutes Thursday, July 9, 2015 7:00 p.m., Council Chambers



City of South Haven

1. Call to Order by Paull at 7:00 p.m.

2. Roll Call

Present: Frost, Heinig, Peterson, Smith, Stimson, Wall, Webb, Paull
Absent: Miles

Motion by Wall, second by Peterson to excuse Miles.

All in favor. Motion carried.

Upon receiving a mixture of ayes and yeses, Paull explained that the city charter and commission charters had been explored and researched and the conclusion reached is that it is acceptable for the commission to use the ayes and nays as always. Yes and no responses are mandated only for City Council.

3. Approval of Agenda

Motion by Heinig, second by Wall to approve the agenda as presented.

All in favor. Motion carried.

4. Approval of Minutes – June 4, 2015

Motion by Wall, second by Stimson to approve the June 4, 2015 regular meeting minutes as written.

All in favor. Motion carried.

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

Charlene Klein, 24 Lakeshore Drive. Spoke about the potholes particularly around the horseshoe curve at the end of Lakeshore Drive and also reported “sand everywhere so you cannot see the numbers of the parking places”.

6. New Business – Public Hearings

- a. Special use request from Gary Barner, of Barner Farms, South Haven, to operate a seasonal farm market at 615 Phillips Street.

Motion by Smith, second by Wall to open the public hearing.

All in favor. Motion carried.

Gary Barner, 65245 C.R. 388. Raises vegetables and wants to sell them in town. Had success last year and hopes to improve this year with better access for the public.

Wall asked for confirmation that Family Dollar approved to which Anderson responded, "Yes, the owner of a property has to sign the application." Wall also inquired about insurance which Anderson noted had been addressed between the applicant and property owner.

Frost asked if Charlie Brown will be working the stand to which Barner responded that those details are still being worked out. Smith asked if the new location will be set up similar to last year and Barner responded that they will not have a permanent structure but a trailer with a canopy.

Jean Conlisk, 60 Lakeshore Drive. "How many days will the stand be open; which days; and will the applicant clean up the site every day when finished?" Barner stated the site will be cleaned up at the end of the day and that he is leaning toward being closed on Wednesday and Saturday so as not to compete with Farmer's Market. Barner noted that the stand will probably be open from 10:00 a.m. to 6:00 p.m.

Motion by Wall, second by Stimson to close the public hearing.

All in favor. Motion carried.

Motion by Wall, second by Frost to approve the special use permit for Gary Barner to operate a seasonal produce stand on Family Dollar property with the following conditions:

1. The setback for any tents or covers shall be at least 25 feet from the property line.
2. The area will be kept clear of all debris.
3. Trash bins shall be provided but will need to be removed after hours.
4. The stand shall be secured when not open for business.
5. Only one sandwich board sign is permitted on a property.

All in favor. Motion carried.

- b. Ellen Montenaro of Evanston, Illinois has requested a special use permit to create a second floor apartment at 319 Center Street. This property is in the Central Business District and will have retail uses on the main floor.

Motion by Heinig, second by Wall to open the public hearing for item 6b.

All in favor. Motion carried.

Anderson reviewed the details of the request in the absence of the applicants, noting that the applicants have purchased the building and plan to have retail on the first floor and a second floor residence. No off-street parking is required as they are requesting only one unit. This is a request that is supported by the Zoning Ordinance and by the Master Plan, with a goal that the planning commissioners encourage this type of development in the downtown to keep the downtown vibrant, especially in the off season.

Peterson commented that this seems cut and dried if the building inspector is okay with it. Anderson commented that the building official is still working on the site plan review, but the applicants have been consulting him throughout the planning process.

Motion by Smith, second by Wall to close the public hearing.

All in favor. Motion carried.

Motion by Heinig to approve the special use permit to have an apartment on the second floor of a retail business in the Central Business District with the condition that the building code for residential units is in compliance as determined by the city building official. Second by Wall.

All in favor. Motion carried.

- c. Public hearing on proposed amendments to the R1-C Zoning District regulations.

Anderson began by explaining that each year the City Council does goal setting. One of their 2015-2016 goals was to look at the regulations in the R1-C zoning district due in part to the significant number of complaints received from residents of the area. The Planning Commission Subcommittee started working on this in February of this year and drafted the text in the agenda. The draft amendments were brought to the full Planning Commission which wanted to wait until July when summer residents would be in town. The Planning Commission will be hearing comments tonight, sending them back to the subcommittee, but no decision will be made tonight.

Motion by Heinig, second by Wall to open the public hearing on proposed amendments to the R1-C Zoning District regulations.

All in favor. Motion carried.

Anderson noted over thirty-five (35) emails were received and forwarded to the commissioners; about fifteen (15) phone calls also in opposition were received and a few people came into the office. Anderson noted that generally all comments were in opposition.

Chair Paull noted that he read all of the correspondences and has been discussing this with Anderson over the last two weeks. Paull noted that some of the communication is rather confrontational. "This is not a debate over issues or decisions. The recommendations we have are what we are considering. What we need tonight is specific comments on the recommendations. The tone of some of the correspondence has been rather confrontational in nature. I am not going to tolerate that. We (the Planning Commission and City Council) are simply trying to do our job."

Eileen Kohler, 24 Grand Boulevard. Spoke about the Fire Marshall's concern with the challenges of fighting fires in this area; noted her concerns are greatly to do with fire safety; spoke about the 2001 assessments for water main and sewer which included two (2) new fire hydrants being added to the existing six (6) inch water service and noted the sites. Spoke about the fire on Labor Day 2007 when 18 Grand Boulevard caught fire; that firefighters tried all four of the hydrants, including the new ones, one in front of 31 Promenade and one at 92 Chicago; none worked. Firefighters had to stretch their hoses all the way to North Shore Drive to get water and time was wasted. Does not think the hydrants have ever been repaired. Suggested that an annual report to residents on the status of hydrants would be helpful; shared a map of the locations of all four (4) hydrants.

Wall requested, for the record, that the fire chief get a copy of that map and the comments made to which Anderson responded that she would be sure that was done.

David Beidermann, 98 Chicago Drive. Spoke to the length of time he has been coming to, working as a contractor and living full time in South Haven. Spoke about the first fire in the twenty (20) years he has lived here was the Rockeys' and most of this code is related to the fire department. Commented he is in favor of keeping the three (3) foot setbacks; that Monroe Park does not need eight (8) feet between properties. Spoke about sewer and water upgrades being talked about ever since he has been building here but nothing has been done.

Meredith Thompson Salinas, 92 Avery Street. Spoke about this property which dates back to the late 19th century; stated it has been in her family since 1934. Reviewed the history of upgrades done by the current owner, her father, Dan Thompson for which he used various local contractors and suppliers. Spoke about the inability for current and future owners to rebuild houses if the new recommendations are implemented. Requested that the commissioners not pass these amendments.

Michael Slonoff, 26 Lake Shore. Stated that he wanted to get a clarification of what he has read in the newspaper and conversations he has heard about a "grandfather" situation and if it did apply. Asked, "If the footprint were recreated only to replace what was there, would that be an option or would new ordinances apply?"

Chair Paull explained that under the current zoning there is a regulation giving the ability to rebuild according to current size and footprint. After a questions and comments Anderson noted that there is nothing in the ordinance about leaving one wall standing in order to rebuild on the current footprint.

Jack Fritzer, 24 ½ Grand Boulevard. Commented on the rebuild of his cottage fifteen (15) years ago, within the general footprint, which required a variance. Spoke about seeing

lawsuits, disputes and dissolved friendships over zoning issues. Thanked the commission for considering amendments but stated he feels the process started is maybe a little more draconian than necessary. Suggested having some residents work with the subcommittee to point out the positives and negatives. Does not think the three (3) foot setbacks or eight (8) foot setbacks are a good solution. Commented on the need for change in the Zoning Ordinance and change in the manner those regulations are adjudicated.

Jean Koopsen, 86 Esplanade. Spoke about the age (100 years) and length of ownership (50 years) of their cottage in Monroe Park. Spoke of the need for an additional bathroom and not knowing with the zoning laws now where it could be added unless we go upstairs and it is a one story house. Commented that the cottage is for sale at the present time and that these issues are very vital to the sale.

Greg Brown, 85 Esplanade. Stated that he also owns 34 Lakeshore Drive; that he practiced law for twenty-eight (28) years and reviewed the proposed changes from that perspective. Cited various setbacks in the proposed amendments and why they cannot work; that none of the lot sizes even fit the proposed minimum width for anyone that wants to build or rebuild, which makes the lots unsaleable and unbuildable. Anyone with an old house wanting to rebuild is limited to a structure about the size of two sheets of plywood. Stated this proposal is an unconstitutional taking; that private property cannot be taken for public use; that if the city wants to make Monroe Park bigger the city will have to buy it. Asked three questions: "What is the reasonable governmental interest in this regulation? What is the specific public purpose for this regulation?" and "Is the commission willing to pay just compensation for the taking of our property?"

Carla Muller, 25 Promenade. Spoke about people who live in Monroe Park living there because they love the charm and everything about it. Noted that the charm is part of the problem. Muller lives on a lot that does not conform with many of the proposed changes to the zoning. Spoke about the committees' concerns such as runoff on neighbor's properties; fire safety and low water pressure. "Fire safety is a concern of the residents, as well." Stated she is not aware of anyone in Monroe Park having issues with runoff; rezoning will not fix most of the problems; increasing setbacks won't help because two thirds of the lots are nonconforming. Suggested restricting open flames; fire cracker use; testing fire hydrants; and researching any firefighting equipment that would make it possible to use the Black River to fight fire. Commented on the percentage of compliant and noncompliant houses and grandfathering.

Marie McKinley, 50 North Shore. Expressed her lack of understanding of how there can be adequate fairness with the adoption of this rule with the current three (3) foot setbacks. Stated she has observed so many extraordinary variances that have been allowed in the past and grossly large structures in the area that were surely built with the approval of the city. Stated these proposed amendments could cause people to lose their property value; the values of some of the old structures would be significantly reduced. Asked how there could be just compensation for this great loss. Presumes the committee will consider these things when these issues are discussed. Expressed her concern with how small houses on a small lot would lose seventy-five (75) percent of their value due to changes in the zoning ordinance.

Bill Masterson, 27 Grand Boulevard. Stated he is in opposition to what is proposed so far; is in agreement with everything his friends stated; is in agreement with Mr. Fritzer that the committee should engage the Monroe Park residents. Spoke about encroachment and lot setbacks. Commented their home could not be replaced with this proposal. "Fight what causes fires: open flames and fire crackers." Spoke about the city doing great fireworks but people doing private fireworks until 1:00 a.m. over the 4th.

Tom Erle, 37 North Shore Drive. Distributed handouts. Introduced his wife as Margaret. Stated that of the ninety-four (94) residences in Monroe Park about seventy (70) percent of the houses failed the proposed setbacks; twenty-two (22) of the homes were less than six (6) feet apart; others were six (6) to seven (7) feet apart. Stated one side of his home is too close and he has an impervious driveway which he spent six thousand (6,000) dollars on and is now told it is not a good driveway. Spoke about condos and apartment buildings that have just a wall between them for which the building code has different fire restrictions. Encouraged the Planning Commission to look at what is already in the building codes for fire protection. Spoke about protecting the residents and that monetary concerns are important to everybody he knows. "If I can't sell my place, it's going to cost me money. Agreed with having a group of residents work with the committee.

Everett MacIntyre, 55 Kalamazoo Street. Stated he purchased his property last August and had he seen this kind of change he probably would not have bought it. Spoke about buying the property for his family to enjoy for more than the next couple of generations. Spoke about the need for change as well as constraint around how places should be built and the sizes. Spoke about people not being able to build houses anywhere near the size they have today and indicated that removing grandfathering from the ordinance is a concern for many.

Paull noted that he is hearing some redundancy and his hope is that the seven people left on the list have some new comments.

Mike Connolly, 22 Lakeshore Drive. Stated he would like to give Carla his time as he would like to hear what she has to say.

Anderson noted that all must be heard before anyone is heard a second time.

Chris Rockey, 18 Grand Boulevard. Noted he is the one who had a fire in 2007. Stated he is a practicing structural engineer and architect. Spoke about the proposed forty-three (43) foot minimum lot width which excludes two-thirds of the existing lots. Asked how many existing structures on the remaining one-third of the lots are unbuildable. Stated that every single built structure in the neighborhood is not up to the proposed zoning; that by striking the restoration and repairs section if someone wants to rebuild they cannot. Explained that fire safety issues can be addressed in the building code and with modern firefighting techniques. Noted that while it is good to start the discussion it is hard when most of the lots and buildings are not compliant with the proposed amendments.

Wendy Schencaried, 84 Esplanade. Lives in a very old home that occupies the whole lot. Stated that without being grandfathered if her home was destroyed she would have an empty lot.

Jean Conlisk, 60 Lakeshore Drive. Stated this is an unrealistic proposed ordinance. Questioned whether each of you people are aware of Monroe Park, have seen it, have walked it. Commented, regarding impervious materials, that commissioners really need to go over and see the area. Commented that the area is over one hundred fifty (150) years old; firefighting equipment has gotten bigger and bigger and the city should provide a small truck and a pumper truck for this area.

Bill Provenzano. 83 Esplanade. Spoke about many of the cottages in Monroe Park nearing the end of their lives; cost of repairing falls on the current and future owners; he has no problem with the three (3) foot setbacks; his concern is that the opening salvo from this committee makes seventy (70) percent of our properties worthless and the committee is starting from that proposition.

Michael Beidermann. Owns homes at 88 Avery Street and 98 Avery Street; vacant lots at 63 and 65 North Shore Drive and another on the corner of Avery and North Shore Drive. Beidermann stated none of the lots he owns would conform to the proposed zoning, rather than having his property become useless or valueless he would like to sit on a committee and review the issues. Stated the two issues are houses that are overbuilt for lot sizes and inadequate distance between structures. Given property values and the desire for land in that neighborhood, he questions both of those items, based on supply and demand and based on economics. Noted that perhaps those are a matter of opinion; one person's cottage is another person's mansion. Suggested looking into the flame-spread rating of building materials; that there are many examples of urban areas we can cite and reference for life safety and combustibility issues.

Chair Paull thanked everyone; noted it is important that we hear the kinds of concerns being expressed. "Some of those concerns are not much different than what mine are. There is no intention of speeding towards a resolution of this particular topic; this will be months in coming." Spoke about the importance of hearing specific concerns and dealing directly with the people concerned. Stated he is fully aware, having been here for forty-five (45) years, that the Monroe Park area is unique. "When I moved here it was even 'uniquer' than it is now. It's always been a very proud thing for South Haven to say we have a neighborhood like Monroe Park." Spoke about the fact that there are some life safety and fire safety issues to deal with.

Motion by Wall, second by Stimson, to close the public hearing.

All in favor. Motion carried.

7. Other Business – Discussion of animal ordinance

Anderson explained that the Planning Commission has been asked to discuss the issue of animals running loose on the property of the owner. Some have voiced their opinion that animals should not be able to run loose in the yard of the property owner, but either have a fenced yard or have the animal on a leash at all times. Anderson stated the ordinance requires that animals be under the control of the owner when in the owner's yard. Anderson explained that the commissioners need to determine whether they want to reopen the animal control ordinance and make another amendment or leave it stand as it is.

Stimson said that we spent a lot of time on the dog ordinance before and to restrict it any more than that is not reasonable at this time.

Peterson agrees with Stimson.

Wall said emails have been received by council, sounds good in theory when we are locals living here. We have problems in the summertime with rentals; our dogs are not used to the neighbor's dogs; are not used to the commotion. Would like to reconsider that dogs be fenced in, on leashes or confined within invisible fences. We are opening the city up to major lawsuits. If dogs attack, we (the Planning Commission) said it would be okay. Wall wondered if something could be done where we have something in place for six months out of the year because of the way the wave of population is. Thinks it is wrong to turn a deaf ear to some of the concerns we hear. "Firecrackers make dogs go crazy and little people are at their level."

Paull said he lived through this past holiday with his fifty (50) pound dog. Noted that for ten (10) months out of the year nothing is going on and for two (2) months everybody and their aunt are walking past his property. Paull noted that he has his dog on a tether. "I am a responsible pet owner. I am not going to start imposing things on other pet owners. If you don't restrain your dog and be responsible, and it does something you will pay the consequences. It's unfortunate but living in a tourist town we have these circumstances; we need to live with them and work with them, not use rules and regulations and financial costs to try to control a limited problem. We've dealt with the ordinance; let it lie."

Frost agreed with Paull's comments. Stimson noted that the concerns at the last meeting were about people going to school and the people owning the dogs live here year round.

Wall stated it was her suggestion at council to bring the dog ordinance back to the Planning Commission with the caveat that Planning commissioners can agree or disagree and council will live with their decision. Wall felt the constituent in her ward and her own observation needed to be heard.

Smith asked if the language is solid enough that we can go after this person to which Anderson responded that if a dog is not under control the police should be called. The police are responding very quickly to dog complaints. Anytime you have your dog in your yard it has to be under control. Stimson said if a dog should be growling or scaring someone the police should be called. Webb argued that even a good dog might growl if you come to their territory. Paull asked whether the commission feels we can leave things as they are. Anderson stated that if your dog cannot be under your control then do not let it out.

8. Commissioner Comments

Wall: Spoke about the concerns from people in the dense little location [Monroe Park] for fireworks

Stimson: Asked whether it is the state law that regulates when we can have fireworks to which Wall responded that the state law is that fireworks can be used the day before, day of and the day after a holiday, with 1:00 a.m. to 6:00 a.m. being the time they cannot use

July 9, 2015
Planning Commission
Regular Meeting Minutes

fireworks. Wall also noted that she believes some people do not realize how much the water in South Haven enhances noise.

9. Adjourn

Motion by Heinig, second by Wall to adjourn at 8:21 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,
Marsha Ransom
Recording Secretary

Zoning Board of Appeals

Regular Meeting Minutes

Monday, July 20, 2015
7:00 p.m., City Hall Basement



City of South Haven

1. Call to Order by Vice Chair Paull at 7:00 p.m.

2. Roll Call

Present: Boyd, Bugge, Miller, Paull, Stegeman, Wheeler
Absent: Lewis

Motion by Bugge, second by Wheeler to excuse Lewis.

All in favor. Motion carried.

3. Approval of Agenda

Motion by Bugge, to approve the agenda, swapping the order of Items 6a. and 6b. in the absence of the applicant for item #6a.

Paull said the reversing of the order can be done administratively.

Motion by Bugge, second by Stegeman to approve the agenda as amended.

All in favor. Motion carried.

4. Approval of Minutes – June 20, 2015

Bugge pointed out that on page 4, the second paragraph from the bottom, the words “out of compliance” should be struck.

Motion by Bugge, second by Boyd to approve the June 20, 2015 regular meeting minutes as amended.

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. New Business – Public Hearings

- a. *A request from Alicia and Kevin McMahan of 226 Prospect Street to add a roof to a nonconforming front porch. The porch is 10 feet 4 inches from the front lot line where 25 feet is required. The parcel number for this property is 80-53-767-005-10. This is a variance from zoning ordinance section 1913.*

Motion by Miller, second by Wheeler to open the public hearing.

All in favor. Motion carried.

Alicia McMahan, 226 Prospect Street. Stated this request was submitted because their house is set very close to the road; was built in 1956; also sits on the ravine where Prospect intersects with Conger and Church Streets to give a point of reference. Noted that the house is very plain, flat across the front, yellow brick and the existing porch and steps are crumbling. Contractor suggested creating more of an entrance by having a roof (eyebrow) over the door to give better aesthetics to the house as well as protection for the person entering the front door.

Paull questioned whether the applicants are talking about roofing the entire porch to which McMahan responded that they were not requesting a large roof, just a three (3) foot dormer type of structure.

Bugge asked what will support the roof. McMahan explained that the contractor is going to put stone down and pillars that will go up to the roof structure to support the roof.

Anderson noted that this is nonconforming structure. Replacing the steps is considered maintenance as long as the porch and steps do not change in size from the existing porch and steps. The requested roof variance makes the house slightly more nonconforming but the applicants are not moving anything closer to the lot line.

Motion by Boyd, second by Stegeman to close the public hearing.

Wheeler asked if the applicant needed to state her name and address for the record, which was confirmed and the applicant affirmed that she was Alicia McMahan from 226 Prospect Street.

Bugge noted that the applicant's house is close to the property line; all others on the street are further back. The one next to 226 Prospect is about the same distance away; there is a vacant lot between those two houses. Averaging would result in about a ten (10) foot setback.

Anderson noted that is correct and no averaged setback can be less than ten (10) feet.

McMahan stated that someone has purchased the vacant lot and is planning to build on it after which Paull, the Chair, noted that the applicant needs to gain permission from him to speak now that the public hearing is closed.

Motion by Boyd to approve the roof structure to go over steps at 226 Prospect. Second by Stegeman.

Bugge would like to offer an amendment to the motion stating that it cannot be enclosed. Paull asked what Bugge means by enclosed. After discussion Paull asked if the motion can be worded to define the roof structure as open-sided.

Motion by Bugge to approve an open sided roof structure at 226 Prospect. Second by Wheeler.

Boyd opposed the motion to approve an open sided roof structure.

After discussion, Paull called for a vote on the amended motion.

Ayes: Wheeler, Bugge
Nays: Boyd, Miller, Paull

Motion failed.

Paull called for a vote on the original motion by Boyd, to approve the roof structure to go over steps at 226 Prospect, with a second by Stegeman.

Ayes: Boyd, Miller, Paull, Stegeman, Wheeler
Nays: Bugge

Motion carried.

b. Coastal Landscaping, Inc. of South Haven requests a variance to construct accessory structures and landscaping on a parcel without a principal structure as is required in zoning ordinance section 1708-6. The subject properties are located at 53, 55 and 57 North Shore Drive and at 97 and 99 Esplanade. Parcel numbers are:

*80-53-803-001-10
80-53-803-001-20
80-53-803-001-30
80-53-803-001-40*

Motion by Stegeman, second by Boyd to open the public hearing.

Motion carried.

Paull noted that the applicant is not present.

Anderson explained that this project is something the applicant has been working on for quite some time. First the applicant wondered how big of a house he would have to build to have a pool there. Then the applicant talked to the City Engineer about vacating Walkway A so he could take it over and combine all of the properties; that did not work out. The ordinance, Anderson noted, states that a property cannot have accessory structures without a primary or main structure. Anderson also noted that the applicant is looking at putting a gazebo with a kitchen, a pool and some other items including extensive landscaping.

One thing that bothers Anderson, the only thing, is that if the property would ever be sold (separate from the property on which the applicant's house sits) she would want the property cleared of all accessory structures or sold together with the lot upon which the house sits. Anderson noted that the Zoning Board has only made one exception to the accessory structure rule so far and that was the statue at St. Basil's so it is visible from the lake.

In response to a question, Anderson said the four (4) lots the applicant owns are big enough to put a house on. The Zoning Board of Appeals has to determine whether this is something that meets the standards and the ordinance.

Boyd asked if the applicant owned all four (4) lots to which Anderson responded that the applicant owns four lots on one side of Walkway A and also owns the single lot with his house on the other side of Walkway A. Every parcel has a separate tax ID. Anderson spoke to the assessor regarding combining the four (4) lots and the lot with the house on it, but a public walkway does not allow them to be combined into one parcel number.

Miller asked the definition of principal structure. Anderson said single family homes are the most common principal structure in this zone. That single family home would be the primary structure; anything else is a secondary structure or accessory structure, such as a shed or a pool.

Bugge stated that the walkway is an impediment to combining the lots.

Boyd asked how the tax assessor will be able to divvy up the improvements on each lot. Anderson said the four (4) lots will be combined, noting that if a single owner has more than one adjacent parcel and is going to improve any one of those parcels, they should combine them but the zoning ordinance considers them as one parcel if there is one owner. It was clarified that the house is on one parcel and only the other four will be combined.

Boyd asked if the applicant was expected to be here to which Anderson responded, "Yes, not the owner, because the owner is out of town, but she expected them to be represented by Coastal Landscaping, who submitted the applicant; they obviously forgot."

Miller said he feels this is a good use of the property. What we have here is a collective and arbitrary ordinance which is perfect for the Zoning Board of Appeals to review. It would be difficult to imagine a better use of the property in the light of the neighborhood and the property; it is a win-win as far Miller sees it.

Wheeler noted that on one hand he sees this as self-created and on the other hand the walkway is burdensome in developing the property.

Motion by Bugge, second by Boyd to close the public hearing.

All in favor. Motion carried.

Motion by Miller to move his comments to a motion.

Paull noted that there is uniqueness to this request, due to a strip of public land that is dividing this primary structure property from the rest of the applicant's properties. This is the only standard that actually applies to this request.

Bugge feels this is a unique situation; the uses are allowed but the walkway is an impediment to such development. Anderson's concerns are well taken regarding keeping the properties together or eliminating the accessory structures if the combined four (4) lots are sold.

Motion by Bugge to approve the variance provided that a revocable deed restriction approved by the city attorney be applied so parcels cannot be sold separately and that the accessory uses be removed from the non-primary parcel if sold separately from the property on which the applicant's house stands.

Stegeman asked about abandoning the walkway. Anderson explained that the applicants talked to the city engineer about vacating that so they can purchase it; the city engineer said there are utility right-of-ways underneath the walkways so the walkway cannot be vacated. Bugge noted that the walkways also provide firefighting access for some of those houses.

Stegeman seconded the motion as made by Miller.

Paull stated, "This is well reasoned but I am not sure, legally, that we are on very strong ground." Boyd thinks this is a shot across the bow. Bugge said this is not a street just a narrow strip. Paull noted, "We are trying to enforce a deed restriction and on shaky ground legally without the owner being here. You can pass the motion but we need to get an attorney's opinion."

Anderson said the motion could be approved conditionally. The applicant's attorney would have to write it up and our attorney would have to approve it.

Paull asked if it is all right to put that condition on it. Miller noted it is encumbering a deed. Stegeman stated that he does not quite buy into encumbering the deed. Wheeler asked, "It sounds good but is it necessary?" Paull asked, "Are we placing deed restrictions on five (5) parcels of land that legally we cannot do?" Paull reiterated that he wants an attorney to approve it.

Boyd asked Paull, "You are saying we can approve this conditionally on what the city attorney says? What Bugge said is cloudy." Bugge stated, "No, I am trying to connect the two sets of parcels, keeping them together."

Paull asked if everyone is essentially clear that we are approving this with deed restrictions that have to be approved by the city attorney.

A Roll call vote was taken:

Ayes: Bugge, Miller, Stegeman, Wheeler, Boyd, Paull
Nays: None

Motion carried.

Paull is somewhat uncomfortable that we are placing deed restrictions without the owner here.

Boyd wants it on record that attendance is highly encouraged by some representative of the applicant: "If I and my fellow citizens can be here the applicant had better be here." Bugge noted it is to their advantage.

Bugge pointed out that the applicant can choose not to use the variance and still use the lots for other things.

Anderson said you could amend your bylaws to say that the applicant or the applicant's representative must be here in order for the ZBA to act on a request; you can do that.

After discussion regarding when and how that amendment can be made the following motion was offered by Boyd:

Motion to amend the bylaws that the applicant or a representative of the applicant must be present for the Zoning Board of Appeals to take action on any request. Second by Stegeman.

Jean Conlisk, 60 Lakeshore Drive. "May I ask why you have said the applicant or his friend should be here? Shouldn't the property owner be required to attend"

Anderson said it was stated that a representative of the applicant or the applicant should be here. That representative can be an attorney, a contractor or another representative chosen by the applicant because the owner may be out of state.

Paull called for a vote on amending the bylaws.

All in favor. Motion carried.

7. Commissioner Comments

None at this time.

8. Adjourn

Motion by Boyd, second by Stegeman to adjourn at 7:48 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary

Harbor Commission

Regular Meeting Minutes

Tuesday, July 21, 2015, 5:30 p.m.
Council Chambers, South Haven City Hall



City of South Haven

1. Call to Order

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

Also present: John Marple, Marina Manager

2. Approval of Agenda

Motion by Pyle, second by Sullivan to approve the July 21, 2015 regular meeting agenda as presented.

All in favor. Motion carried.

3. Approval of Minutes: May 19, 2015 Regular Meeting

Motion by Sullivan, second by Pyle to approve the May 19, 2015 regular meeting minutes as written.

All in favor. Motion carried.

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

None at this time.

4a. Reports

VandenBosch reviewed the reports. Noted some record revenues and lean expenditures. Noted staff is still working on a dredge permit for the turning basin; need to find another location to put dredge spoils.

VandenBosch reviewed a handout that he distributed before the meeting, noting it is a snapshot of our grant application progress.

VandenBosch noted that three grant applications were denied and will probably be included in a new five-year plan.

Sullivan asked about \$20,000 that was to be transferred to the River Maintenance Fund. VandenBosch noted that the transfer is not included in the report because the report is intended to show expenses from business operations, to allow for a better understanding of the marina as a business. The transfer is being made to the River Maintenance Fund. Discussion ensued regarding Downtown Development Authority (DDA) transfer to the River Maintenance Fund.

5. Fish Cleaning Station Grant Application, Concept Plan

VandenBosch explained that we have a concept sketch for the Fish Cleaning Station grant application. The paving will be coordinated with the Downtown Development Authority (DDA) project to build a parking lot adjacent to this site. This sketch does not include the driveway improvements because that grant was denied; staff will continue to try to get funding for driveway improvements and expects to reapply for driveway funding in the future.

VandenBosch pointed out the fish cleaning station elevations included in the packet; the proposed fish cleaning station implements a different method of disposal of fish remains than the city has used before. The current type of fish cleaning station incorporates a grinder which grinds up the remains and sends them into the sewer system. This process is based on the Manistee example which includes storing fish remains in barrels in a cooler which will subsequently be hauled away and recycled into cat or pig food. Discussion ensued regarding the maintenance issues and downtime involved with the fish grinder.

Reineck said they had a presentation at Steelheaders last month by a speaker who is a professor from Michigan State University. The topic was commercial fish production; one of the comments the speaker made was about pelletized fish food, which he says is a high demand item. This would be a resource rather than a waste product to be disposed of. VandenBosch said we are currently looking for someone who will haul it away and they can have all of the fish remains they haul. Staff priced out paying someone to haul it away. If we have to send the fish remains to a landfill it will be about sixty-seven dollars (\$67) per month, assuming two (2) barrels a week. This is the worst case scenario. Perhaps eventually fish remains will be seen as a resource instead of a detriment and someone will haul it away for free.

VandenBosch noted this station includes water sprayers that come down from the roof, eight tables and two public restrooms.

Stephens commented that looking at the floor plan and comparing with the last plans we looked at, the previous plans did not include restrooms. VandenBosch said that the city is looking at handicap accessibility and adding restrooms to our facilities. The restrooms in the fish cleaning station can also be used by cyclists; people parking near there to go to the

downtown; it will be an asset to the Kal-Haven Trail being the first public flush toilets available to bicyclists coming into town.

Pyle related that with the current numbers of people showing up at our boat launches, one of the biggest complaints we get is about restrooms. VandenBosch asked if it is because there are too many people for the facilities or that people just do not like the facilities at the boat launch. No conclusion was reached in the ensuing discussion.

Pyle noted she is firmly in support of this fish cleaning station and asked if the station will be manned overnight to which VandenBosch responded that it should be opened at night. "The Manistee model has someone who volunteers and cuts the fish for a donation; the volunteer also periodically moves the barrels into the cooler and cleans things up. The city may try to do that or we may just have someone come in on a regular basis and move the fish into the cooler."

Stephens asked what the storm improvements are which are included on page fifteen (15) of this document. VandenBosch said that would be parking lot drainage, noting that the city is not planning to do this as pervious pavement, which is extremely expensive. VandenBosch also noted that there will have to be a culvert underneath the drive entrance and that is also part of "storm improvements." There will probably be a drain in the parking lot that will drain to the ditch, according to VandenBosch. We have had comments in favor of pervious pavement but it is very expensive. Stephens asked if this money comes from the Cash & Investments balance to which VandenBosch responded, "Yes and we may have to borrow some." VandenBosch also noted the estimates are intended to be high, perhaps ten (10) to twenty (20) percent high if construction costs do not rise too much.

VandenBosch noted that this grant request will be going to City Council either the first or second meeting in August. The application is due August 21, 2015 at the Great Lakes Fisheries Trust. VandenBosch stated that one action this board could take is to recommend this item to City Council.

Pyle asked if this is an open air concept to which VandenBosch responded "Yes, it is, but it can be locked. There is very little to damage and there is no way to clog up the fish grinder; it might be able to be a twenty-four (24)-hour operation." Arnold asked if restrooms would be locked in the off-season. VandenBosch said he does not think the fish station restrooms are heated so will have to be winterized and closed during the winter.

Stephens asked if somebody does make a motion, whether something about the re-use of the fish offal should be included. Pyle asked if VandenBosch had contacted Bob Filbrandt about whom he uses to which VandenBosch stated that he had not. Stephens said she likes Reinert's suggestion from the Michigan State person and thinks that should be pursued.

Motion by Reineck to accept the fish station plan as proposed and recommend it to City Council. Second by Pyle.

July 21, 2015
Harbor Commission
Regular Meeting Minutes

All in favor. Motion carried.

Member and Staff Comments

Stephens: Had a question about the cruise ship dock, as quoted in the newspaper. VandenBosch noted that the city received the Department of Environmental Quality (DEQ) permit this week and have started to talk about putting the electric pedestals in; that Chad Bard is still working on getting approvals from the coast guard for the tour boat. The city will not have the pedestals in for at least three (3) weeks because we have to bid it out. Stephens asked if the city is waiting for Chad's approval to which VandenBosch responded, "No, because those pedestals can be useful for many different events and reasons."

Pyle: Asked whether VandenBosch has a final update on where the bridge stands. VandenBosch said he has not heard anything more about raising of the lights or about the green-red lights. VandenBosch explained that the Coast Guard only allows the lights to be shown green when the bridge is in the full up position. However, we hardly ever open it completely vertical because it takes longer to get it from full vertical to the down position. With traffic backups the bridge tenders usually bring the bridge back down before the full upright position is achieved. The light always stays red due to that price and does not turn green. Because Coast Guard regulations require that, boaters often have questions about going through a red light, which is natural. VandenBosch noted there may be something the bridge operators can do to override that but VandenBosch does not know if the bridge tenders are doing that now.

Adjourn

Motion by Pyle, second by Stephens to adjourn at 6:03 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary

SOUTH HAVEN LIBERTY HYDE BAILEY MUSEUM, INC. "FOUNDATION"

Tuesday

July 21, 2015

7 P. M.

Board Members Present: Anne Long, Joan Hiddema, Robin Reva, Bill Lundy, Melanie Gleiss, Becky Linstrom, Todd Robbins, John Stempien, and Cindy McAlear

Board Members Absent: None

City Council Representative Absent: Clark Gruber (Excused)

Interim Director Present: Michael Fiedorowicz

Honorary Trustee Present: David Fenske

Anne Long, Chair, called the meeting to order at 7:05 P. M. Anne asked for a motion to accept the minutes from the June 16, 2015 LHBM Board meeting.

It was moved by Joan Hiddema to accept the June 16, 2015 board meeting minutes. Seconded by Robin Reva. Motion Carried.

TREASURER'S REPORT – JOAN HIDDEMA

CHECKING ACCOUNT BALANCE: \$21,690.91

MCNEIL ENDOWMENT \$13,101.16

SOUTH HAVEN FOUNDATION: \$5,000.00

DIRECTOR'S REPORT – MICHAEL FIEDOROWICZ

MANAGEMENT:

Michael asked to remove from the table, the new Policy Regarding Museum Keys to help manage keys and access to the building.

It was moved by Joan Hiddema to accept the new Policy Regarding Museum Keys. Seconded by Bill Lundy. Motion Carried.

Mike has applied for the American Alliance of Museums Museum Assessment program (MAP). The program, for those accepted, get \$4,000 worth of consulting services for Organizational Review, Collections Stewardship or Community Engagement. He applied for the Collections Management program as it would be a good set-up to apply for the National Endowment for the Humanities program for preservation. The preservation program could provide funding for storage, furniture, materials, etc.

We had 1,060 visitors in June. Our numbers were greatly bolstered by the table we have at the Farmers' Market, which Anne Long is attending to distribute information about the museum and sell books. Her efforts are generating revenue too.

EDUCATION AND PROGRAMS:

The July Bailey's Budding Naturalists has 23 out of 30 places filled. Many parents have reacted positively to the program. The Voices of the Land workshop and the lecture with Brian Hayes went well. The workshop had 14 attendees.

SUNDAY SOCIAL

The first Social of the year, June 28, was very well attended with 82 adults and 31 children. The Social featured kids' projects from the Bailey's Budding Naturalists. The band Whiskey Before breakfast performed. Another Sunday Social is planned for July 26. Pam Chappell will perform and it will be for the kids' in the BBN to see their projects on display.

HOUSE CONCERT PRODUCED BY FOUNDRY HALL

Lotte Resek called Mike about doing a joint event with Foundry Hall. We will host a "House Concert" by Ben Cosgrove, a pianist, on Tuesday, August 11 at 7:30 P.M. in the McNeill Woodshed Gallery. Tickets are \$10 and LHBM will get a portion of the proceeds.

PUBLIC RELATIONS AND ADVOCACY

Burkert Kark came to the museum and took a photo of Derek and Mike with Mr. Bailey's hoe and interviewed them for The Holy Earth Exhibition. She ran John Linstrom's release on July 12. The Bailey Bulletin was mailed last Wednesday and Mike has received many positive comments about it.

GRANTS

Mike announced that we did not receive our request from Walmart. We did receive notice that we are getting a \$200 grant from the Youth Advisory Committee of the South Haven Community Foundation to provide funding for the Bailey's Budding Naturalists. We have also been awarded a \$500 grant from the South Haven Community Foundation for a tablet computer with interactive links for children so they can further explore the Bailey story while visiting the gallery. Mike will create a digital scavenger hunt as well.

Mike is also working on a letter to the Community Foundation with some suggestions for their grant process. Mike intends to feel-out his fellow organization directors to get their angle on it and perhaps offer his letter as the basis for a joint letter to the foundation. He is eager to make this a positive interaction.

COLLECTIONS AND EXHIBITION

We had 38 people at the opening reception of “The Holy Earth Centennial”, including Marilyn Arnott, past president. We had a visit from the Buchanan Herb Society on July 15. Nine of their members got a tour of the galleries with Derek Nightingale.

NEW BUSINESS

MASTER GARDENER REPORT AND RECOMMENDATIONS – DAVID FENSKE

Anne Long thanked David for all the work he has done to make the beautiful gardens on the LHBM grounds. She mentioned how many compliments we have received from our members and guests that have been to the museum.

1. David reported that he is in contact with Huntree Nursery for their thoughts on the area where the Delphiniums are. He has not received a design yet so he has planted some Canna bulbs in this area for now and will try to have a plan to change this area in the fall or next spring.
2. The Dianthus (Pinks) plants are not doing well and require full sun to grow well. It was suggested that maybe they should be planted in pots so they can be moved to a full sun area and see if they will do better.
3. David mentioned that he has been physically helped intermittently by Steve Small and a city employee.
4. David was asked by a member to find a sunny spot next year to establish a spiritual children’s garden. It was discussed by the board but we do not have space or someone to take care of the suggested garden.
5. David led a discussion on planting a *Metasequoia glyptostroboides* (Dawn Redwood) on the museum grounds for LHB’s birthday next year. It is a fast growing deciduous Conifer with needle-like leaves that turn bronze in the fall. Its origin is prehistoric from China. It is very hardy, disease resistant and has a beautiful trunk. They grow 4-5 ft. per year with heights of 80-100 ft. David feels that a good location for the tree would be on the NW grass patch next to the driveway. An 8 ft. young tree is about \$300.

It was moved by Joan Hiddema for the museum to purchase a 12 ft. *Metasequoia glyptostroboide* from Huntree Nursery. Seconded by Robin Reva. Motion passed

6. David also met with Ron Dotson regarding the lawn this fall and the space behind the barn. He had no objection to clearing this weedy area but was resistant to cutting the 6-7 second growth or volunteer walnut trees. He also reported that currently the mosquitos and weeds are in control.
7. The apple trees have cedar fungus disease. David would like to send an apple from one of the trees to Michigan State University for them to tell David how he can treat the trees. This might cost \$25.
8. Mason Bees are living in their homes and are doing quite well.
9. David suggested that we put a sign on the barn letting members and guests know that it was once Leo Schabbel’s Blacksmith Shop. The board agreed that this was a good idea.

10. Joan Hiddema suggested that we contact the city to have our LHBM grounds surveyed and for them to come out and tell us how many different types of trees we have on the property.

MEDITATIVE GARDENS

A discussion was held on having a Meditative or Reflection Garden on the LHBM grounds. Once or twice a week someone from the hospital will come over to walk the grounds to get away from problems they might be having with someone in the hospital. It was suggested that we might have benches, a mulch trail, metal signs to identify trees, statues, and some type of water area in this garden. It was decided that we needed to work the city to clear and develop this area. A committee was formed with its members being: Joan Hiddema, Anne Long, Robin Reva and Melanie Gleiss.

LIBERTY HYDE BAILEY INTERPRETIVE PATH AT NORTH SHORE ELEMENTARY

A discussion on how we can expand and improve the LHB Outdoor Learning Center was held. Anne Long and Joan Hiddema will contact Superintendent Herrera about what was discussed.

CONTINUING BUSINESS

SWOT

The board will be meeting with Evie Kirkwood July 27, 9-4 at LMC room 141. Please send your responses to Mike as soon as possible to the questions that Evie asked us to answer before Monday's session. We will also be ordering lunch for \$10 each while we are at LMC.

AD HOC COMMITTEE FOR THE RENTAL POLICY

We have a rough draft of a policy for renting the museum. You must be a member of LHBM to rent the facility and the charge will be \$750 with a deposit fee of \$250, which is refundable if there is no damage or extra clean up required. The Rental Policy was tabled until the August Board meeting.

MEETING WITH BPW AND ABONMARCHE (July 20)

Anne Long and Bill Lundy met with Roger Huff about handicap ramps and being ADA compliant. Irrigation of the grounds, insulation of the building and controlling the temperature upstairs in the museum were discussed. Abonmarche is drawing up new plans for LHBM. We hope to have them in a couple of weeks. Anne Long and Joan Hiddema also plan to meet with the city.

FLOOR

1. Joan Hiddema reminded everyone about the, Thursday, August 6 at 4 P.M., event out at Fennvalley Winery with Todd Robbins. We get a tour on the "Grape Train" with Todd as our guide and a dinner for \$45. Please get your reservations in to Mike.
2. Robin Reva reminded Anne that they need to choose a date to go to Chicago to Graphic Conservation for the workshop on remediation of mold in books. Robin also announced that if

we should need any small banners for different events, she would be willing to make them up for us.

3. Bill Lundy announced that he has received the part that we needed for the dishwasher and hoped to install it on Wednesday.

It was moved by Joan Hiddema to adjourn.

8:50 P.M.

Cordially submitted by,

Cindy McAlear, Secretary

SOUTH HAVEN HOUSING COMMISSION
Regular Meeting
Warren Senior Community Center
540 Williams Street, South Haven, Michigan 49090
July 22, 2015

CALL TO ORDER: The Regular Meeting of the South Haven Housing Commission was called to order at 5:07 p.m. by Chairperson Eugene Ladewski at the South Haven Housing Commission Warren Senior Community Center, 540 Williams Street, South Haven, Michigan.

ROLL CALL: Present: Chairperson Eugene Ladewski, Chairperson Sandra Seroke, Commissioner Teresa Mahone-Jordan, Resident Commissioner Tom Thomson, Commissioner Letitia Wilkins and City Council Representative Gail Patterson. Absent: None. Also present: Executive Director and Secretary Charles Fullar.

INVOCATION: City Council Representative Gail Patterson delivered the invocation.

PUBLIC COMMENTS: None.

CONSENT AGENDA: 1) Minutes of the Regular Meeting June 24, 2015. 2) Current Operating Expenses - \$45,457.03. 3) Homeownership Expenses - \$0.00; 2013 Capital Fund - \$0.00; 2014

2057

Capital Fund - \$0.00; and 2015 Capital Fund - \$0.00. 4) Administrative Reports for Approval: Occupancy and Waiting List Reports; Monthly Investment Report; Delinquent Accounts Report; Accounts Receivable Balance Due Report; and Income and Expenditures Report for June 2015. 5) Correspondence: HP Article June 17, 2015; SH Tribune Article July 5, 2015; Par Plan News June 2015; HP Article July 19, 2015; and city of South Haven energy Savings Day Flyer. 6) Other Reports: None.

It was moved by Commissioner Mahone-Jordan to approve the Consent Agenda; the motion was seconded by Commissioner Thomson. All votes in favor. Motion carried.

UNFINISHED BUSINESS: 1) Status Report Updating and Adapting the HDC: Executive Director Fullar reported that the HDC will meet Wednesday, July 29th to adopt the new Articles of Incorporation.

2) Par Plan Grant Application Status: Executive Director Fullar reported that application notification is expected at the end of the month.

NEW BUSINESS: 1) 6 Month Review – Warren Center Rental/Use Agreement and Rental Fee Assessment: Executive Director Fullar reviewed the Warren Center activities since January of 2015. The Rental/Use Agreement and Rental Fee is working well and generating additional income for the Housing Commission. A calendar for the year provided past and future scheduled use of the Warren Center. Activities are numerous. No further action was required by the Housing Commissioners.

2) MOU Renewal with SENIOR NUTRITION SERVICES REGION IV, INC./Meals on Wheels of Southwest Michigan: The annual renewal of the MOU with Senior Nutrition Services (SNS) was provided in the agenda packet. Executive Director Fullar commented that the partnership with SNS is a solid partnership providing excellent services to the Housing Commission residents. It was moved by Vice Chairperson Seroke to continue to renew the MOU with Senior Nutrition Services Region IV, Inc./Meals on Wheels of Southwest Michigan; the motion was seconded by Commissioner Mahone-Jordan. All votes in favor. Motion carried.

3) Interagency Agreement Termination: Executive Director Fullar reviewed the Interagency Agreement with the City of South Haven dated January 28, 2000. The Housing Commission completed ten rehabilitation projects for the City at the end of 2007. At that time, MSHDA moved Housing Rehabilitation Activities to the County level. The City has recently hired a third party administrator for the Down Town Rental Rehabilitation activities. The Interagency Agreement requires a 90 day written notice by the City of South Haven and a 120 day written notice by the South Haven Housing Commission. As a formality the Interagency Agreement with the City needs to be terminated. It was moved by Commissioner Mahone-Jordan to terminate the Interagency Agreement dated January 28, 2000, between the City of South Haven and the South Haven Housing Commission and provide the 120 day written notice to terminate the agreement; the motion was seconded by Commissioner Wilkins. All votes in favor. Motion carried.

4) MML Ballot: Executive Director provided the Michigan Municipal League Workers Compensation Fund 2015 Ballot. It was moved by Vice Chairperson Seroke to submit the completed Michigan Municipal League Workers Compensation Fund 2015 Ballot by the submission deadline; the motion was seconded by Commissioner Mahone-Jordan. All votes in favor. Motion carried.

EXECUTIVE DIRECTOR'S REPORT: Executive Director Fullar reported that the 2013 CFP Fund will meet the 90% obligation requirement prior to the September 8, 2015, deadline. The next RAB meeting is August 20, 2015. The next CDC meeting is scheduled for August 12, 2015.

COMMISSIONER'S COMMENTS: None.

2058

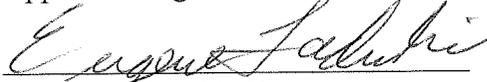
ADJOURNMENT: It was moved by Commissioner Mahone-Jordan to adjourn; the motion was seconded by Commissioner Wilkins. All votes in favor. Motion carried. Meeting adjourned at 6:08 p.m.

Respectfully submitted:



Charles R. Fullar, Secretary

Approved August 26, 2015



Eugene Ladewski, Chairperson

Board of Public Utilities

Regular Meeting Minutes

Monday, July 27, 2015
4:00 p.m., DPW Conference Room
1199 8th Avenue



City of South Haven

1. Call to Order by Stickland at 4:09 p.m.

2. Roll Call

Present: Burr, Winkel, Rose (ex-officio), Stickland

Absent: Henry, Overhiser (ex-officio), Roberts, Stein (ex-officio)

3. Approval of Agenda

Motion by Burr, second by Winkel to approve the July 27, 2015 regular meeting agenda as presented.

All in favor. Motion carried.

4. Approval of Minutes for the Record – June 29, 2015 Regular Meeting Minutes

Motion by Burr, second by Winkel to accept the June 29, 2015 regular meeting minutes as written.

All in favor. Motion carried.

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

None at this time.

REPORTS

6. Cost of Energy from Indiana-Michigan Power Company (AEP)

A. 2015 Billings – All Charges

B. 2014 Billings – All Charges

7. Financial Reports

- A. Electric Fund – Financial Statement
- B. Electric Fund – Review of Percentage Billed
- C. Water Fund – Financial Statement
- D. Water Fund – Review of Percentage Billed
- E. Sewer Fund – Financial Statement

8. Unresolved Issues Report

Huff noted that this report is down to two old items; added that the second one he needs to run by the building department. Discussion ensued and culminated in agreement to remove these three-year old items.

9. SAW Grant Project Progress Report

- A. SAW Grant – Asset Management Plan Project Status Report

Huff noted these are the standard work tasks that are being currently worked on.

The regularly scheduled meeting has been moved to July 29, 2015.

10. Quarterly Outage Report

Huff said tree and animal related outages are down 25% from this time last year. Burr noted this is due to rebuilding a section of secondary lines. Phases Three (3) & Four (4) will be worked on this winter. Stickland pointed out that the biggest issues are old hardware and trees.

NEW BUSINESS

11. Board will be requested to review a request to grant an exception to Sec. 86-156 of the Code of Ordinances and make a recommendation to City Council. Presentation by Global Remediation Technologies on behalf of the Michigan Department of Environmental Quality.

Richard Raetz, P.E., President Global Remediation Technologies: Introduced himself and noted he submitted two documents. Stickland asked if there were another option. Raetz noted ideally there would be and explained the Department of Environmental Quality's role in this and how it affects the project.

Raetz briefly reviewed the information included in the agenda packet for this item, noting that the main components of his presentation: the treatment plan, the proposed sampling plan and sunset dates.

Raetz pointed out the addresses that are closest to the discharge and explained the acceptable values for drinking water; for a body of water like Lake Michigan; and for off-gassing. Discussion ensued regarding the properties at 107 Orchard Drive and 108 Orchard Drive being the area to which these chemicals are trying to flow. Raetz explained that this request is to hook up the sumps from 107 & 108 Orchard Drive to eliminate discharge into the storm sewers and then into Lake Michigan.

Burr asked if all of the flow is inorganic and upon hearing that it is commented that the waste water treatment plant does not treat that. Raetz explained a small amount in the aeration basin could go off as gas and it is such a small amount that you could drink it for seventy (70) years with a very, very low rate of effect. Burr stated that the only thing the plant is doing is diluting it. Raetz elaborated on that, stating that diluting occurs and a bit of stripping occurs in both the aerator and the anaerobic digester.

Raetz explained that the Department of Environmental Quality (DEQ) does not like untreated discharges when there is a known chemical in a sump which is discharging into surface water untreated. Raetz asked, "Are those concentrations a health hazard? I am not asking for that reason." Raetz explained that he is here because the concentration is above that which is acceptable for drinking water and the DEQ does not like discharging chemicals that have not been treated. Stickland asked if this were an industrial customer whether the state would allow the city to put this through without pretreatment. Raetz noted this is an orphan site with chemical impacts where there is no liable party so it ends up being an orphan of the state of Michigan or the community. There is not a liable party or company that will step up and take responsibility for the clean-up. When it's an orphan the state is looking at situations like this and trying to stretch tax dollars to cover all of the problems out there.

Raetz gave an example of a job they did where pretreatment was required, but those concentrations were much higher. Raetz directed the board's attention to an illustration in his presentation of the shallow ground water plume and discussion ensued regarding the depth of the ground water. Raetz then directed the board to the illustration of the cross-section of the plume, indicating the approximate building location and property boundary in back of the condominiums and 107 Orchard Drive on the illustration. The sand holds between 1.5 to 2 feet of water which contains a little bit of contamination; the predominant location of the chemical is down deep in the clay.

Discussion ensued regarding the process by which the chemical will be driven out of the clay, which Raetz described as 'In Situ Thermal Remediation'. The chemical is in the clay and will be driven out by heat; facilitated by electrodes making a positive to negative heat

contact. The electrodes actually heat the chemical and force it out of the ground using a process that is being done all over the world. Raetz informed the board that the total process will take about eighteen (18) months.

Burr asked about where this has been done and one example Raetz provided is Owosso, Michigan, at a former dry-cleaning operation.

Huff asked if the bid date was still August 2 to which Raetz responded, "We are about two (2) weeks behind."

Burr asked how the system prevents the chemical from absorbing into the area. Raetz said it will be driven up through the entire column, and will be heated and treated in a walled contained vertical well.

Burr asked the cost and according to Raetz it will be about a two (2) million dollar project which will be paid for by the State of Michigan.

After a question from Stickland about how we can take this to the treatment plant Halberstadt explained that there is no rule that says we cannot take this water to the treatment plant; our code of ordinances prohibits infiltration and inflow (discharging groundwater to the sanitary sewer). Huff stated that staff had the city's IPP Consultant review this and his statement was the risk to the treatment plant and surface water from this discharge appears to be minimal at this time. Raetz referred to the letter he wrote which is included in the packet and said he is making this request on behalf of the DEQ and it is copied to Ray Spaulding, the specialist Huff referred to. Raetz noted the State of Michigan itself is requesting this variance of the City of South Haven. The monies, if we are forced to do pre-treatment, are monies that cannot be used to clean up here or other environmental issues over time.

Stickland expressed concern, asking, "We won't violate any discharge rules?" Huff said that is correct. Huff also noted there is a sampling program which will report back to the Board of Public Utilities yearly. Raetz clarified that reporting starts out quarterly then changes to annually; the addendum provides for a sunset date of seven (7) years.

Raetz noted, after a question, that the presentation did not include what the concentrations of acceptability are, so he will have to go back and find that information for the board.

Discussion ensued about how long some of the other projects ran, and what level they reached. Raetz said the cleanup goals are different. Some are to complete to a pristine level; do not stop until nothing is left. The best way to accomplish that is to dig. But they are saying we want to take out ninety-eight (98) percent of the strongest mass that is covering fifteen (15) percent of the overall volume giving it the ability to self-restore. That is how the

State of Michigan has been doing cleanup; they lack the dollars to make it pristine but they have the monies to bring it to more than ninety-eight (98) percent clean.

Raetz estimated it will take about eight (8) weeks for heat-up; three (3) to four (4) months for treatment. Burr asked if there is an odor when that gas is coming up out of the ground. Raetz said it is pretty odorless; the gas comes up through treatment stacks.

Discussion ensued regarding what electrical equipment will need to be provided. Raetz pulled up a presentation on his laptop and noted that the power requirements are two thousand two hundred (2200) megawatt hours over the life of the project.

Raetz informed that McGellan and McGee out of Calgary, Canada is his firm's teaming partner for the design of the project.

Burr asked if there is any sound with this process to which Raetz responded, "Very little, though the blowers will have some sound; we can require a certain decibel level since this is in a residential neighborhood."

Discussion ensued regarding the system's seventy-two (72) thermocouples; the web-based system; the electrodes that go down into the ground; that the componentry is manned and monitored via web twenty-four (24)/seven (7) and that the equipment comes in on skids and is all self-contained.

Stickland asked if this system has been designed to which Raetz responded, "We are in the throes of design." Raetz quickly reviewed the presentation that was done at City Council after Paul VandenBosch gave a presentation about the demolition, to show what will happen after the demolition. Burr wondered if there has been any dissent regarding the clean-up from local residents and Raetz said they were very engaged and interested in getting this done.

Regarding the time frame of the project, Raetz noted that there are five (5) contractors throughout the world that do this type of work and they will all be invited to bid it. Raetz also explained that each contractor has their own patented system.

Raetz then reviewed the addendum and expressed that he feels that he does need to get a number for you from the DEQ about when we can be done and disconnect. Conservatively, Raetz feels the city can be looking at three (3) to five (5) years of connectivity after the eighteen (18) month cleanup. Because of the way the "mother lode" is in the clay Raetz would like to think by the three (3) year mark we will be looking at a time to unhook the system.

Burr wants a definition of when the concentrations are acceptable. Raetz will make Addendum #2 and submit that after he gets the information from Ray Spaulding, MDEQ State Project Manager for the site.

Motion by Burr, second by Winkel to grant the Department of Environmental Quality permission to plumb sump discharge piping into the sanitary sewer from residential sewers at 107 Orchard Drive and 108 Orchard Drive for a period up to seven (7) years or whenever the sampling results fall below a certain threshold to be submitted.

Huff noted that this approval will go to the city attorney to draft a final agreement.

All in favor. Motion carried.

UNFINISHED BUSINESS

12. Board will be requested to provide any additional review comments concerning the DRAFT South Haven Area Water-Sewer Authority Contract (presented at the June 11, 2015 workshop and reviewed at the June 29, 2015 regular meeting).

Huff noted this is a carryover from last meeting and asking if there are any other comments. Hearing none, Huff stated that the city attorney has made some changes based on comments from attendees at that session. Dissette will distribute a draft of that by the end of next week.

Stickland wonders if the chairman of the authority should be a city representative. Halberstadt said we have to see the amended agreement and Huff will pass that on as soon as that is available.

13. Public Works Director Comments

A. Next Meeting is scheduled for August 31, 2015.

Huff updated on the storm two weeks ago which set a new record at the plant.

Huff is having surgery on his shoulder August 6th. Larry Halberstadt, City Engineer, will fill in during his recuperation.

14. Board Member Comments

Rose updated the board on the Court of Appeals experience. Covert Generating brought a vice-president to the tax hearing, which they had never done before. The township is up to \$800,000 to \$890,000. Rose explained that everyone involved is on board to continue to the end.

15. Adjourn

Motion by Burr, second by Winkel to adjourn at 5:46 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,
Marsha Ransom
Recording Secretary

LIBERTY HYDE BAILEY MUSEUM MEMORIAL, INC. "FOUNDATION"

Wednesday

August 5, 2015

7 P.M.

SPECIAL BOARD MEETING CALLED

Board Members Present: Anne Long, Joan Hiddema, Melanie Gleiss, Todd Robbins, John Stempien, Robin Reva, Cindy McAlear

Board Members Absent: Becky Linstrom (Excused), Bill Lundy (Excused)

City Council Representative Present: Clark Gruber

Interim Director Present: Michael Fiedorowicz

Anne Long, Chair, called the meeting to order at 7:09 PM. Anne announced that the Special Board Meeting was called for the purpose to discuss the future of the speaker we were planning to have in November with the South Haven Speaker Series, a non-profit group which is a shoot off of SHOUT.

Anne went on to explain John Linstrom's connection with the publication of the "Holy Earth" and how he hoped to get Wendell and Mary Berry to come to South Haven to speak because of Wendell's writing the introduction in the new publication of the "Holy Earth". Wendell and Mary Berry have declined to come to South Haven. John then tried to secure two other speakers to fill Wendell's place.

The date for the speaker is November 12, 2015 and approaching quickly. We have run into the problem of not starting to raise funds for people of high standing to speak on Sustainable Agriculture plus it would be difficult for us to fill an auditorium of 400 seats.

Anne stated that she wanted this decision to be a win win outcome for the three parties involved; John Linstrom, The South Haven Speaker Series and Liberty Hyde Bailey Museum.

Anne Long and Elaine Stephens had many talks on the phone and Elaine came to the conclusion that the South Haven Speaker Series needed to back out of their commitment to the November 12, 2015 Sustainable Agriculture speaker. They were willing to put forth \$800 for advertising the event and nothing more. Elaine Stephens has sent an email to the SH Speaker Series that after talking to LHBM, they will not have a November 12 speaker on Sustainable Agriculture.

Anne went on to explain to the board, especially to the new members of the board, the background of Skip Nagelvoort and the Collaboration Center's connection with the LHBM board. They started working with us in 2013. Skip and the Center had never worked with a non-profit before. Skip worked closely with John Linstrom during this time. Anne Long, Chairman of the Board of Trustees of the Liberty Hyde Bailey Museum, sent a letter to Skip Nagelvoort on May 12, 2014 stating that the museum would no longer be needing Skip and the Collaboration Center's guidance.

When John left LHBM to pursue his work at NYU, John was given a Bailey Fellowship title on November 18, 2014.

Because of 2015 being the Centennial year of the publication of the "Holy Earth", John wanted Bailey's book published again. He did accomplish this and the LHBM's responsibility was to sell 200 books of the new edition. John would also do an exhibit for the LHBM about the "Holy Earth". After John and Skip

Naglevoort's trip down to visit Wendell and Mary Berry, John secured Wendell's services to write the introduction to the "Holy Earth" but ultimately failed to bring Wendell up to South Haven to speak. John looked for other high caliber speakers to fill his place. With no money to bring these speakers to town, John and Skip were going to form an LLC to raise funding for this purpose. They were going to call it The LHB Society or The Holy Earth Society. After hearing this news, Anne became concerned and on July 30, 2015 wrote an email of concern to John Linstrom reminding him of the description of what a Bailey Fellow was. This is the description that Anne sent, it is from November 18, 2014 when John received the title:

The Bailey Foundation Fellows Program, established on November 18, 2014, by the Liberty Hyde Bailey Museum Memorial Fund, Inc., (also known as the Liberty Hyde Bailey Foundation), recognizes scholars and public intellectuals who are actively researching the life and work of Liberty Hyde Bailey in ways that develop and publicize Bailey's complex legacy in the twenty first century. Bailey Foundation Fellows may receive financial support from the Program in order to aid in original research, publication, exhibit curation and other scholarly activities directly related to Bailey's life and work. The Liberty Hyde Bailey Museum Memorial Fund, Inc., reserves the right to determine the acceptance, duration and financial support given to this program. The Bailey Foundation Fellows Program is committed to academic freedom and integrity and to ensuring that Bailey's significant place in the history of American agrarianism, horticulture and environmentalism remains vital in academic and public discourse.

Clark Gruber stated that he felt John did not understand the difference between an LLC and a non-profit was. If he would do this with Skip Naglevoort on his own, it would be wonderful but it should without LHBM and The South Haven Speaker Series.

Todd Robbins mentioned that LHBM Board missed out by not providing the necessary guidance, perimeters, and expectations in the Bailey Fellow description to guide John Linstrom concerning his work with the museum. This is something that the board needs to work on.

Anne Long proposed that the LHBM Board have John Linstrom skype in at the August board meeting. It was decided to postpone this for another time.

Anne Long will call John Linstrom and tell him that due to timing, lack of funds and resources the November 12, 2015 speaker is cancelled. The South Haven Speaker's Series and LHBM will be working together to bring a Sustainable Agriculture speaker to South Haven in 2016. We hope that he will help with this next year. Anne would also inform John that the SH Speaker Series canceled the speaker before our LHBM Special Board Meeting.

The Board agreed that we need to look at the Bailey Fellow description and make sure that our expectations are stated. There should also be something in there about an open communication between the Bailey Fellow and the LHBM Board, possibility with a monthly report sent to the LHBM Director. We would hope that John Linstrom would help us revise the Bailey Fellow description. This might be something that we should do yearly.

Todd Robins suggested that we agree as a Board that he is free to form other relationships.

Joan Hiddema would also like to see something stated about what constitutes a "Conflict of Interest" in the Bailey Fellow description.

FLOOR

1. Robin Reva said that this is a growth step and felt that this situation will be resolved.
2. Todd Robbins felt that this happened because of a void of structure.

It was moved by John Stempien to adjourn. Seconded by Todd Robbins. Motion Carried. 8:20 P.M.

Respectfully submitted by

Cindy McAlear, Secretary



Agenda Item 6

Long Grass Ordinance

Background Information:

The City Council will be asked to consider a motion to approve an ordinance amendment for section 30-92 through 30-94 of the city's Code of Ordinances to modify the regulation of grasses and weeds.

At the August 3, 2015, special meeting of the City Council, the Council discussed proposed revisions to the city's ordinance related to the regulation of long grass and weeds. The City Council members discussed their desire to modify the ordinance to accomplish greater compliance by private property owners. Further, the Council members discussed changes which would: A) increase the administrative fee associated with long grass regulation to \$150.00 plus the fees associated with mowing the private lot, B) increasing the enforcement threshold for long grasses from 6" to 9", C) expediting the enforcement process to require compliance within 5 business days from the receipt of the notice of abatement.

The city's staff has worked with the city's attorney to prepare the draft ordinance amendment presented in tonight's agenda. Based on the guidance offered from the City Council, the draft ordinance amendment should accomplish the City Council's goals for this amendment. In summary, the ordinance amendment will allow property owners to have longer grass than previously allowed. However, the ordinance amendment will require significantly higher enforcement fees and expedited enforcement of long grass and weeds on private property.

There are several items in the draft ordinance amendment the City Council should note. Those items include: A) the duties imposed in this section extend to the portions of the abutting public right-of-way that would become part of the property if the right-of-way were vacated, except for any roadway paved for vehicular traffic; B) for parcels that are 3 acres or greater in size, responsible parties need only to cut grass 20' from the property line on all sides to be in compliance; and C) the duty to cut grass under this article shall not apply to heavily forested area in which above-ground tree roots prevent grass from being cut with a lawnmower.

Please note; the proposed ordinance amendment is written to take effect on January 1, 2016. The changes in this ordinance will not affect the city's ongoing long grass and weeds enforcement for the remainder of the 2015 summer season.

Finally, at the City Council's August 17th regular meeting, the Council approved a motion to introduce the ordinance amendment as presented. Should the Council desire to finalize the ordinance, a motion to approve will be needed.

Recommendation:

The City Council should consider a motion to approve an ordinance amendment for section 30-92 through 30-94 of the city's Code of Ordinances to modify the regulation of grasses and weeds.

Support Material:

DRAFT Ordinance Amendment; Long Grass & Weed Enforcement

CITY OF SOUTH HAVEN
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTIONS 30-92 THROUGH 30-94 OF THE CODE OF ORDINANCES FOR THE CITY OF SOUTH HAVEN TO REGULATE GRASSES AND WEEDS

The City of South Haven Ordains:

SECTION 1

That Section 30-92 of the Code of Ordinances for the City of South Haven is hereby amended to read as follows:

Sec. 30-92. Duty to cut grass and abate noxious or dangerous weeds.

- (a) Except as otherwise provided in this section, all persons owning property in the city are responsible for cutting, destroying, and removing or causing to be cut, destroyed, or removed from the land all noxious and poisonous weeds growing thereon, as well as dead grass and brush thereon, to prevent such weeds from going to seed or blossom, as the case may be; to prevent grass from growing in excess of 9 inches in height, except for dune grass; and preventing such dead grass and brush from becoming a fire hazard.
- (b) The duties imposed in this section extend to the portions of the abutting public right-of-way that would become part of the property if the right-of-way were vacated, except for any roadway paved for vehicular traffic. In addition, the responsible party shall cut or remove any dune grass growing in the right-of-way to the extent needed to comply with the clear-vision-corner requirements in section 1712 of the zoning ordinance.
- (c) In addition to the property owner, the following individuals shall also be responsible parties subject to the duties imposed in this section: (i) a tenant or other person shall be a responsible party upon expressly assuming responsibility in a written contract with the property owner; (ii) the manager of a business on a property, meaning the person that exercises the most control over the day-to-day operations of the business.
- (d) For parcels that are 3 acres or greater in size, responsible parties need only to cut grass 20' from the property line on all sides to be in compliance with this article.
- (e) The duty to cut grass under this article shall not apply to heavily forested areas in which above-ground tree roots prevent grass from being cut with a lawnmower.

SECTION 2

That Section 30-93 of the Code of Ordinances for the City of South Haven is hereby amended to read as follows:

Sec. 30-93. Notice of abatement.

- (a) The code enforcement officer or his authorized agent is hereby empowered to notify in writing the responsible party for any lot within the city, to cut, destroy, and remove any tall grasses or noxious or poisonous weeds, or other noxious matter or miscellaneous debris present on the property or abutting right-of-way.
- (b) Such notice of abatement shall include a statement of the consequences should the responsible party not comply with the notice of abatement. If the responsible party does not abate such conditions within five business days of the date of the notice, the city shall cut, remove, or destroy such noxious weeds or grasses (except dune grass) exceeding 9 inches in height, or remove any miscellaneous debris.
- (c) A notice shall also be published annually in the local newspaper informing owners that the city shall cut, remove, or destroy any noxious weeds or grass exceeding 9 inches in height or remove any miscellaneous debris by the responsible party within 5 business days of the date of a notice of abatement issued under subsection (b).

SECTION 3

That Section 30-94 of the Code of Ordinances for the City of South Haven is hereby amended to read as follows:

Sec. 30-94. Action upon noncompliance of responsible party.

- (a) Should the responsible party fail to conform with the provisions of this article, it shall be the duty of the code enforcement officer or his designated agent to cause all of the noxious conditions, noxious and poisonous weeds and dead grass, brush and grass exceeding 9 inches in height, and miscellaneous debris to be cut, destroyed, removed, or towed from the land.
- (b) The responsible party shall be liable for the costs of any work performed pursuant to this section by the city of the city's designated contractor. The amount of the fee shall be equal to the cost of performing the work, plus a fee of \$150.00 to cover the costs incurred by the city in enforcing this ordinance.
- (c) The city may bill the responsible party for the applicable fee. The bill shall inform its recipient of the right to request a hearing before the director of public works (or, if the director of public works was involved in issuing the notice of abatement, the city manager), within 15 days of the issuance of the bill, to show cause as to why the recipient should not be held financially responsible for the cost of the work.

SECTION 4

If any portion of this ordinance is for any reason held invalid, such decision shall not affect the validity of the remaining provisions of this ordinance.

SECTION 5

This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

SECTION 6

This ordinance shall take effect on January 1, 2016.

INTRODUCED by the City Council of the CITY OF SOUTH HAVEN, MICHIGAN on this ____ day of _____, 2015.

ADOPTED by the City Council of the CITY OF SOUTH HAVEN, MICHIGAN on this ____ day of _____, 2015.

Robert G. Burr, Mayor

CERTIFICATION

I, Amanda Morgan, Clerk of the City of South Haven, Van Buren County, Michigan do hereby certify that the above Ordinance was adopted by the South Haven City Council on the ____ day of _____, 2015; and the same was published in a paper of general circulation in the City, being the *South Haven Tribune*, on the ____ day of _____, 2015.

Amanda Morgan, City Clerk

GRAPIDS 57671-1 371602v4



Agenda Item 7

Golf Cart Local Operation Consideration

Background Information:

The City Council will be asked to consider a series of approvals which would allow for the seasonal operation of golf carts on public streets.

On Friday, July 31, 2015, the city received a formal citizen's request for the city to permit the continued operation of private golf carts on city streets. The request was made after the citizen had completed the purchase of what was intended to be a "street legal" golf cart. The cart was reviewed, inspected, and approved by the South Haven Police Department. When the golf cart's owner attempted to secure registration for the cart from the Michigan Secretary of State's office, the owner was informed that the State of Michigan was no longer allowing privately owned golf carts to be registered for on street usage, but local units of government could grant the golf cart allowance.

The city's attorney has found that Section 657a of the Michigan Vehicle Code, MCL 257.1 et seq., ("MVC"), authorizes a city with a population of fewer than 30,000 to allow, by resolution, operation of golf carts on its streets.

This statute imposes restrictions on the operation of golf carts within a city, including the following:

- 1) Operators must be at least 16 years of age and have a valid driver's license.
- 2) Operators must comply with signal requirements set forth in MCL 257.648 (i.e. using hand signals to signal a turn, etc.).
- 3) Golf carts must be driven as close to the right side of the roadway as practicable, with a maximum speed limit is 15 mph.
- 4) Golf carts may not be operated from 1/2 hour before sunset to 1/2 hour after sunrise.
- 5) Golf carts may not be operated on pedestrian sidewalks or on state line trunk highways (except to cross highways).

Should the City Council wish to permit the usage of golf carts on local streets, a practical approach would be through the (i) adoption of the entire MVC by reference, enabling the city to (ii) authorize the operation of golf carts in the city by adopting a resolution. If the City Council does adopt a resolution authorizing the use of golf carts on its streets, the city may also wish to amend its parking regulations to require golf carts to be properly parked.

The city's attorney has prepared draft ordinances and a resolution for the City Council's consideration. The first ordinance would amend Chapter 82 of the City Code to adopt the MVC by reference, as well as to refine the city's previous adoption of the Uniform Traffic Code. The proposed DRAFT resolution would allow operation of the golf cars in accordance

with the restrictions set forth in MCL 257.657a, but only during a seasonal period beginning April 15 and ending October 15 (as obvious weather conditions may make operation of the golf carts impractical and dangerous outside of this period). The resolution also includes a sunset provision, that the resolution will no longer be effective after one year, unless readopted by the City Council, allowing the city to easily discontinue the operation of golf carts. The second ordinance also amends Chapter 82 of the City Code, to make the city's parking regulations applicable to golf carts.

As noted in the city attorney's correspondence, the City of Ludington has recently adopted an ordinance which mirrors the language of the state statute allowing golf carts on city streets and contains a sunset provision. While Ludington has elected to authorize this use by ordinance, the attorney's recommendation is that the city adopt the MVC and then subsequently adopt a resolution allowing the operation of golf carts, as the language of MCL 257.657a implies that such action should be taken by resolution.

Finally, at the August 17th regular meeting, the City Council introduced two ordinances amendments related to the golf cart allowance. Further, the City Council discussed a variety of items related to the golf cart allowance, for possible inclusion in the authorizing resolution. Those items related to vehicle safety equipment (e.g., seatbelts, head lights, tail lights, horn, etc.) hours of operation, local inspection requirements, and insurance requirements. The city's attorney has actively reviewed those requests and consistently recommended that the City Council follow the guidelines established in the state law. Specifically, the attorney's recommendation is that if the City Council wishes to allow golf carts on city streets, that the City Council adopt the authorizing resolution which is in compliance with the state statute. Attached are copies of the attorney correspondence related to the City Council's requests for additional considerations.

Recommendation:

Should the City Council wish to allow for the seasonal usage of golf carts on city streets, the following actions should occur:

- A. The City Council should consider a motion to approve an ordinance to amend Chapter 82, Article II, Sections 82-26, 82-27, and 8-28 of the Code of Ordinances and adopt the Michigan Vehicle Code.
- B. The City Council should consider a motion to approve an ordinance to amend Chapter 82, Article II, Sections 82-55 of the Code of Ordinances, regulating parking of golf carts.
- C. The City Council should consider a motion to approve the proposed resolution allowing the operation of golf carts on city streets.

Support Material:

City Attorney Correspondence
City Attorney Correspondence RE: Additional Considerations
Ordinance Amendment to adopt MVC
Ordinance Amendment to adopt golf cart parking regulation
Resolution 2015-40
Citizen Request; Golf Cart Allowance

**CONFIDENTIAL MEMORANDUM
SUBJECT TO ATTORNEY-CLIENT PRIVILEGE**

To: Brian Dissette, City Manager
City of South Haven

From: Scott G. Smith and Emily Rysberg

Date: August 11, 2015

Re: Golf Carts on City Streets

Section 657a of the Michigan Vehicle Code, MCL 257.1 *et seq.*, (“MVC”), a copy of which is attached for your reference, authorizes a city with a population of fewer than 30,000 to allow, by resolution, operation of golf carts on its streets.

This statute imposes restrictions on the operation of golf carts within a city, including the following:

- 1) Operators must be at least 16 years of age and have a valid driver’s license.
- 2) Operators must comply with signal requirements set forth in MCL 257.648 (*i.e.* using hand signals to signal a turn, etc.).
- 3) Golf carts must be driven as close to the right side of the roadway as practicable, with a maximum speed limit is 15 mph.
- 4) Golf carts may not be operated from 1/2 hour before sunset to 1/2 hour after sunrise.
- 5) Golf carts may not be operated on pedestrian sidewalks or on state line trunk highways (except to cross highways).

A practical approach for allowing operation of golf carts is (i) adoption of the entire MVC by reference, enabling the City to (ii) authorize the operation of golf carts in the City by adopting a resolution.¹ If the City does adopt a resolution authorizing the use of golf carts on its streets, the City may also wish to amend its parking regulations to require golf carts to be properly parked.

Attached are draft ordinances and a resolution. The first ordinance would amend Chapter 82 of the City Code to adopt the MVC by reference, as well as to refine the City’s previous adoption of the Uniform Traffic Code. The proposed resolution would allow operation of the golf carts in accordance with the restrictions set forth in MCL 257.657a, but only during a seasonal period beginning April 15 and ending October 15 (as obvious weather conditions may make operation of the golf carts impractical and dangerous outside of this period). The resolution also includes a sunset provision, that the resolution will no longer be effective after one year, unless readopted by the City Council, allowing the City to easily discontinue the operation of golf carts. The second ordinance also amends Chapter 82 of the City Code, to make the City’s parking regulations applicable to golf carts.

The City of Ludington has recently adopted an ordinance that mirrors the language of the state statute allowing golf carts on city streets and contains a sunset provision. While Ludington has elected to authorize this use by ordinance, our recommendation is that the City adopt the MVC and then subsequently adopt a resolution allowing the operation of golf carts, as the language of MCL 257.657a implies that such action should be taken by resolution. We have also attached a copy of Ludington’s ordinance for your information.

Please contact us with any further questions or concerns regarding this matter.

¹ Adoption of the MVC will also provide the added benefit of allowing the City Police Officers to issue citations for other violations of the MVC for which the penalty is 93 days or less.

Brian~

As we understand it, the City Council has expressed overall support for allowing golf carts on the City's streets pursuant to resolution under MCL 257.657a, but the Council has inquired about the City's ability to impose additional regulations on the use of golf carts on City streets. We understand that the additional regulations discussed relate to imposing a requirement that the owner of the golf cart carry a \$1,000,000 insurance liability policy; that the golf carts be equipped with safety equipment such as tail lights, brake lights, turn signals, horns, and seat belts; and a requirement that the City police department conduct an annual inspection of the cart to confirm proper insurance and compliance with safety equipment requirements.

Because the state has already regulated this area by allowing municipalities to adopt resolutions allowing the golf carts, and by setting forth specific safety requirements in the authorizing statute, the City is likely preempted from imposing additional regulations not present in the state statute. Even if these additional regulations were not preempted, several practical concerns exist with regard to the imposition of these additional regulations. For example, the \$1,000,000 policy requirement may be met with significant public resistance as this amount exceeds the policy limits of many auto insurance policies. The requirement of horns, blinkers, seat belts, *etc.*, would require the owners to make significant after-market modifications and, again, may be met with much resistance. The argument may also be raised, especially if the City is contemplating formal action to allow ORV's such as snowmobiles in the City, that all of those "vehicles" (and even bicycles) should also be similarly equipped, which is obviously impractical. Further, the City may risk exposing itself to liability where it otherwise has none by placing responsibility of inspecting these golf carts in the hands of the City police department.

Additionally, because MCL 257.657a appears to require that the City, if electing to allow golf carts on its streets, must do so by resolution, and the imposition of these additional regulations would have to be by ordinance so as to be enforceable under the City Code, a resolution to impose additional requirements would not be enforceable as to those additional regulations.

In summary, our recommendation is that if the City desires to allow golf carts on its streets, that it simply require compliance with the state statute, which already serves to regulate this matter.

Scott G. Smith Member

200 Ottawa Ave., N.W.
Suite 1000
Grand Rapids MI 49503

Phone 616-336-1044

Fax 616-458-6753

Email SGSmith@dickinsonwright.com



DICKINSON WRIGHT PLLC

MICHIGAN ARIZONA KENTUCKY NEVADA OHIO TENNESSEE WASHINGTON D.C. TORONTO

The information contained in this e-mail, including any attachments, is confidential, intended only for the named recipient(s), and may be legally privileged. If you are not the intended recipient, please delete the e-mail and any attachments, destroy any printouts that you may have made and notify us immediately by return e-mail.

Neither this transmission nor any attachment shall be deemed for any purpose to be a "signature" or "signed" under any electronic transmission acts, unless otherwise specifically stated herein. Thank you.

Brian-

As we understand it, members of the community have expressed an interest in the City allowing golf carts to operate after sunset, provided the cart is equipped with functioning tail lights and head lights.

As you are aware, MCL 257.657a provides the City with authority to allow (by resolution) golf carts on its streets. The state statute imposes several clear restrictions on the operation of golf carts within a City, should the City allow such operation. One such restriction is that golf carts may not be operated from ½ hour before sunset to ½ hour after sunrise. Because the state has specifically regulated the time of day that golf carts may operate, the City is without authority to expand the hours of operation beyond what is contained in the state statute. In fact, if the City were to attempt to allow golf carts after sunset, such provision would almost certainly be preempted. Additionally, if the City were to expand the hours of operation beyond what the state statute allows, the City may be unnecessarily exposing itself to criticism and blame (even despite governmental immunity) if an accident or injury were to occur involving the operation of a golf cart after sunset. Our recommendation is that if the City desires to allow golf carts on its streets, that it do so within the parameters established by state statute.

Please do not hesitate to contact us with any further questions.

Emily A. Rysberg Of Counsel

200 Ottawa Ave., N.W. Phone 616-336-1041
Suite 1000 Fax 616-458-6753
Grand Rapids MI 49503 Email ERysberg@dickinsonwright.com

[Profile](#) [V-Card](#)

DICKINSON WRIGHT PLLC
MICHIGAN ARIZONA KENTUCKY NEVADA OHIO TENNESSEE WASHINGTON D.C. TORONTO

The information contained in this e-mail, including any attachments, is confidential, intended only for the named recipient(s), and may be legally privileged. If you are not the intended recipient, please delete the e-mail and any attachments, destroy any printouts that you may have made and notify us immediately by return e-mail.

Neither this transmission nor any attachment shall be deemed for any purpose to be a "signature" or "signed" under any electronic transmission acts, unless otherwise specifically stated herein. Thank you.

Hi Brian-

Unfortunately, the state does not require snowmobiles, ORVs, or golf carts to be insured. Since the state has regulated these areas, and does not set forth any insurance requirement, we would recommend against attempting to do so, as preemption may apply. Additionally, even if the City did attempt to require insurance coverage of these ORVs or snowmobiles, short of posting numerous signs all throughout the City that provide notice of this requirement, it may be hard to argue that many "transient" operators (who perhaps come through town on a weekend) had sufficient notice of the insurance requirement. Of course, ignorance of the law is rarely ever excused, however, courts have refused to enforce laws where it appeared that the defendant would have had no practical way of being aware of the law.

Also keep in mind that if the snowmobile, ORV, or golf cart is subject to a lien the lien holder (i.e. the bank) is likely to require insurance on the vehicle anyway, which may help to offset some concerns.

In summary, the operators of all of these devices, will not have any insurance requirements imposed upon them by the state, but if the City is interested in allowing their use, it likely makes the most sense to follow step with the state regulations in this area. We are still working on a draft of the snowmobile ordinance and will get that to you as soon as possible. Please let me know if you need anything further in this regard.

Emily

Emily A. Rysberg Of Counsel

200 Ottawa Ave., N.W. Phone 616-336-1041
Suite 1000
Grand Rapids MI 49503 Fax 616-458-6753



Email ERysberg@dickinsonwright.com



From: Brian Dissette [<mailto:bdissette@south-haven.com>]
Sent: Tuesday, August 25, 2015 9:59 AM
To: Emily A. Rysberg
Cc: Scott G. Smith
Subject: RE: ORV's

Emily,

The question that continues to come up on the golf cart & ORV issue is related to insurance levels. Can you clarify what, if any, insurance requirements will be placed on the operator, by the State of Michigan, of the cart/ORV?

Specifically, I just want to know if the ordinance(s) is adopted, will the operator face any insurance level requirements?

Brian

From: Emily A. Rysberg [<mailto:ERysberg@dickinson-wright.com>]
Sent: Monday, August 24, 2015 3:14 PM
To: Brian Dissette <bdissette@south-haven.com>
Subject: ORV's

Hi Brian-

I wanted to circle back to you about the authorization of ORV's on city streets. We looked into it and the statute authorizing it is MCL 324.81131(5). This statute allows a City to allow use of ORV's on its streets but requires that such authorization be by ordinance not resolution. Our approach will need to be the same basic approach as with the golf carts- that we will mirror the language of the state statute.

I understand your next council meeting is Sept 8. We should be able to get you a draft later this week or early next week at the latest. Does that work for you? Please let me know if you have any questions. Thanks Brian.

Emily A. Rysberg Of Counsel

200 Ottawa Ave., Phone 616-336-1041
N.W.
Suite 1000 Fax 616-458-6753
Grand Rapids MI
49503 Email ERysberg@dickinsonwright.com



The information contained in this e-mail, including any attachments, is confidential, intended only for the named recipient(s), and may be legally privileged. If you are not the intended recipient, please delete the e-mail and any attachments, destroy any printouts that you may have made and notify us immediately by return e-mail.

Neither this transmission nor any attachment shall be deemed for any purpose to be a "signature" or "signed" under any electronic transmission acts, unless otherwise specifically stated herein. Thank you.

The information contained in this e-mail, including any attachments, is confidential, intended only for the named recipient(s), and may be legally privileged. If you are not the intended recipient, please delete the e-mail and any attachments, destroy any printouts that you may have made and notify us immediately by return e-mail.

Neither this transmission nor any attachment shall be deemed for any purpose to be a "signature" or "signed" under any electronic transmission acts, unless otherwise specifically stated herein. Thank you.

**CITY OF SOUTH HAVEN
VAN BUREN COUNTY, MICHIGAN**

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND CHAPTER 82, ARTICLE II, SECTIONS 82-26, 82-27,
and 82-28 OF THE CODE OF ORDINANCES, CITY OF SOUTH HAVEN, MICHIGAN
REGARDING THE UNIFORM TRAFFIC CODE AND THE MICHIGAN VEHICLE
CODE.**

The City of South Haven Ordains:

Section 1. Amendment. Chapter 82, Article II, Sections 82-26, 82-27, and 82-28 of the Code of Ordinances, City of South Haven, Michigan, are amended to read as follows:

Article II. UNIFORM TRAFFIC CODE AND MICHIGAN VEHICLE CODE

Sec. 82-26. Uniform Traffic Code Adopted.

- (a) The Uniform Traffic Code for Cities, Townships, and Villages as promulgated by the Director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 *et seq.*, and made effective October 30, 2002 (the "Traffic Code"), as may subsequently be amended, is adopted by reference, as if fully set forth herein.
- (b) References in the Traffic Code. References in the Traffic Code for to a "governmental unit" shall mean the City of South Haven.
- (c) Copies of the Traffic Code shall be retained at the office of the City Clerk and be available to the public for inspection.
- (d) Enforcement. The Traffic Code may be enforced by any public safety officer or other employee of the city authorized to enforce criminal ordinances or authorized to issue civil infractions.
- (e) Penalties. The penalties provided by the Traffic Code are adopted by reference, provided, however, that the City may not enforce any provision of the Traffic Code for which the maximum period of imprisonment is greater than 93 days.
- (f) Costs. When any person is found guilty of a misdemeanor or responsible for a civil infraction pursuant to this section, the judge or magistrate shall summarily determine and tax the costs of the action which shall include all expenses, direct and indirect, to which the City has been put in connection with the violation or infraction up to the entry of judgment.

Sec. 82-27. Michigan Vehicle Code Adopted.

- (a) Pursuant to the provisions of the Home Rule Cities Act, Act No. 279 of the Public Acts of Michigan of 1909, as amended, MCL 117.1 *et seq.*, the Michigan Vehicle Code, Act No. 300 of the Public Acts of Michigan of 1949, as amended, MCL 257.1 *et seq.*, (the "Vehicle Code") as may subsequently be amended, is adopted by reference, as if fully set forth herein.
- (b) References in the Vehicle Code. References in the Vehicle Code to a "governmental unit" shall mean the City of South Haven.
- (c) Copies of the Vehicle Code shall be retained at the office of the City Clerk and be available to the public for inspection.
- (d) Enforcement. The Vehicle Code may be enforced by any public safety officer or other employee of the City authorized to enforce criminal ordinances or authorized to issue civil infractions.
- (e) Penalties. The penalties provided by the Vehicle Code are adopted by reference, provided, however, that the City may not enforce any provision of the Vehicle Code for which the maximum period of imprisonment is greater than 93 days.

Sec. 82-28. Reserved.

Section 2. Publication and Effective Date. The City Clerk shall cause a notice of adoption of this ordinance to be published. This ordinance shall take effect 10 days after its adoption or upon publication of the notice of adoption, whichever occurs later.

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

CERTIFICATION

This true and complete copy of Ordinance No. ____ was declared adopted at a Regular Meeting of the South Haven City Council held on _____, 2015.

Robert Burr, Mayor

Amanda Morgan, City Clerk

Introduced: _____, 2015

Adopted: _____, 2015

Published: _____, 2015

Effective: _____, 2015

GRAPIDS 57671-5 374377v1

**CITY OF SOUTH HAVEN
VAN BUREN COUNTY, MICHIGAN**

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 82, ARTICLE III, DIVISION 1, SECTION 82-55 OF THE CODE OF ORDINANCES, CITY OF SOUTH HAVEN, MICHIGAN REGARDING PARKING, STOPPING, AND STANDING

The City of South Haven Ordains:

Section 1. Amendment. Chapter 82, Article III, Division 1, Section 82-55 of the Code of Ordinances, City of South Haven, Michigan, is amended to read as follows:

Sec. 82-55. REGULATIONS APPLICABLE TO GOLF CARTS.

The parking, stopping, and standing regulations provided in this Chapter, including those in the Uniform Traffic Code and the Michigan Vehicle Code, adopted by reference in this Chapter, shall also apply to golf carts operated in the City during periods allowed by resolution of the City Council, as if they are motor vehicles under such provisions.

Section 2. Publication and Effective Date. The City Clerk shall cause a notice of adoption of this ordinance to be published. This ordinance shall take effect 10 days after its adoption or upon publication of the notice of adoption, whichever occurs later.

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

CERTIFICATION

This true and complete copy of Ordinance No. ____ was declared adopted at a Regular Meeting of the South Haven City Council held on _____, 2015.

Robert Burr, Mayor

Amanda Morgan, City Clerk

Introduced: _____, 2015
Adopted: _____, 2015
Published: _____, 2015
Effective: _____, 2015

CITY OF SOUTH HAVEN
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2015-40

A RESOLUTION TO ALLOW THE OPERATION OF GOLF CARTS ON CITY STREETS

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 September 8, 2015 at 7:00 p.m. local time.

PRESENT: _____

ABSENT: _____

The following preamble and resolution was offered by Member _____ and supported by Member _____.

WHEREAS, the City of South Haven (the "City") has adopted the Michigan Vehicle Code, Act No. 300 of the Public Acts of Michigan of 1949, as amended, MCL 257.1 *et seq.* (the "Vehicle Code").

WHEREAS, Section 675a of the Vehicle Code authorizes cities with a population of fewer than 30,000 individuals, based on the 2010 decennial census, to allow the operation of golf carts on city streets by resolution.

WHEREAS, the City has a population of fewer than 30,000 individuals based on the 2010 decennial census.

WHEREAS, the City desires to permit the operation of golf carts on its streets in accordance with the provisions of MCL 257.657a, during the time period from April 15 to October 15 for any year that this resolution shall be in effect.

NOW, IT IS THEREFORE RESOLVED THAT:

1. Pursuant to MCL 257.657a, the City shall allow the operation of golf carts on city streets in accordance with the provisions of MCL. 257.657a, during the time period from April 15 to October 15 for any year that this resolution shall be in effect.
2. This resolution shall no longer be in effect after December 31, 2016, unless reauthorized by the City Council.
3. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

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 September 8, 2015, 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

Brian,

Friday, July 31, 2015

Please consider this a formal request for an ordinance to legally ride golf carts in the City of South Haven. In the very most recent change unannounced by the Secretary of State to not register or license a golf cart has made it awkward and now in limbo for those of us that have purchased golf carts under the direction from the Secretary of State and local South Haven Police dept. We did exactly what the S.O.S. asked us to do by having insurance and then having the South Haven P.D. check off our golf cart for all the safety i.e.; turn signals, lights, seat belts, windshield, horn etc. In an effort to follow all the rules we got left in the dark from the S.O.S. After getting some information from Tonya Schuitmaker on PA491 we finally got the ball moving in the right direction. Chief Tom Martin, Deputy Chief Natalie Thompson and City Attorney Mark Manning have all been very helpful and all have told me that they would be in favor of golf carts in South Haven as long as we can get it done correctly and legally. Golf carts in South Haven have been and will still be a very safe mode of transportation for pedestrians and all involved. Please note in accordance to the M.C.L.A. 324.81131 law that references golf carts in Cities such as South Haven, MI. Summer is nearing the end and your attention to this matter would be greatly appreciated as soon as possible. I understand that there is a City Council meeting this coming Monday and if you need anything else from me please let me know. If not this Monday, please consider us for the next City Council meeting in two weeks. This was completely out of our control and we would greatly appreciate getting this done. Thanks again to Natalie, Mark & Tom for your help and guidance. You all have been very kind.

Thank you for your help Brian,

Rob Keorkunian.



Robert J. Keorkunian, FICF, LUTCF, CLF
Regional Director



Please note any trading instructions left via email will not be executed. To place an immediate trade, please call the MWAFS trading desk at 866-790-7092 between the hours of 8:30 AM and 3:00 PM, Central Standard Time.

connect via **LinkedIn**.

 Find us on
Facebook

Modern Woodmen
FRATERNAL FINANCIAL 

Modern Woodmen
FRATERNAL FINANCIAL 

Modern Woodmen Email Disclaimer: This communication and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this communication in error, please immediately notify the sender by email or telephone and delete this communication from your system.



City of South Haven

Department of Public Works

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

MEMORANDUM

To: Brian Dissette, City Manager

From: Michelle Coffey, Special Events Coordinator

Date: August 24, 2015

RE: Special Event 2015-27 – Mitten Made – Michigan Made Art & Craft Show – Last Dash Holiday Shopping

Background Information

The South Haven Center for the Arts would like to host an art and craft show on December 19, 2015 from 10:00 am to 5:00 pm. This will be an all Michigan arts and crafts show for the holidays and last minute holiday shopping. Booths will run along Dyckman Avenue and Black River Street. The Maritime Museum will do events in conjunction with this event to boost tourism for the weekend. There will also be other non-profits and local retailers invited to have their own booths.

Attachments

Special Event 2015-27 Special Event Application



Brian Dissette, City Manager
City of South Haven
539 Phoenix Street
South Haven, MI 49090
RE: Special Event Application - Holiday Market, Dec 19, 2015

August 20, 2015

Dear Brian,

South Haven Center for the Arts respectfully submits a Special Event Application for Mitten Made - Michigan Made Art & Craft Show, Last Dash Holiday Shopping for Stanley Johnston Park on Saturday, December 19, 2015 from 10 am to 5pm.

The event is envisioned as a holiday marketplace for last minute gift buying. It functions as a fundraiser for SHCA as well as a marketplace for local artists and craft persons. It also serves as a new event to bring tourists to South Haven in the off season. We are planning extensive social media promotions to attract last minute shoppers, particularly from the Chicago area.

Booths will run along Dyckman and Black River, and the event entrance will be at the corner near the Maritime Museum. SHCA is planning the event in conjunction with the Maritime Museum and will also invite other non-profits to participate.

We have contacted Patti Montgomery–Reinert at the Maritime Museum and Sus Giesler at All Seasons Marine to confirm their approval of the event and will be working with the Visitor’s Bureau and Chamber of Commerce to engage local businesses and organizations.

South Haven is beautiful in the winter, and is the perfect setting to create a new annual holiday tradition.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Thea Grigsby', is written over a light blue circular stamp.

Thea Grigsby
Executive Director

South Haven Center for the Arts – 600 Phoenix Street – South Haven – Michigan - 49090

CITY OF SOUTH HAVEN

Special Events & Festivals Application

FOR OFFICE USE ONLY

Special Event # 2015-27

Date Received _____

The Special Events & Festivals Information Pamphlet must be read before filling out this application.

Complete and return this application to the Parks and Recreation Office at least 21 business days prior to the start of the event.

A new application must be submitted each year.

I have read the Special Events & Festivals Information Pamphlet and will fill out this application completely; agreeing to follow all policies and regulations set by the City of South Haven.

TG

Initial



Aug 18, 2015

Date

CONTACT INFORMATION

Event Title: Mitten Made - Michigan Made Art & Craft Show, Last Dash Holiday Shopping

Sponsoring Organization: South Haven Center for the Arts

Applicants Name: Thea Grigsby

Telephone #: 269.637.1041 Phone # During Event: 707.342.4403

E-mail Address: thea.shca@gmail.com

Other contacts for/during event

Name: Thea Grigsby Telephone: 707.342.4403

Name: Emily Wondergem Telephone: 269.906.0225

EVENT SPECIFIC INFORMATION

Event Location: Stanley Johnston Park

Date(s) Requested: December 19, 2015 Alternative Date(s): December 12, 2015

Start Time: 10am End Time: 5pm

Any event that exceeds 10:00 P.M. has to be approved by City Council

Number of people expected to attend: 2,000

EVENT DESCRIPTION

Please give a description of the event (Please attach a separate sheet with details if there is not enough space below).

This is an all Michigan arts and crafts show for holiday gifts.

Booths will run along Dyckman Avenue and Black River Street.

The Maritime Museum will do events in conjunction on that day as well to boost tourism for the weekend.

We will also invite other non-profits and local retailers to participate with their own booths.

MAPS/LOCATION – mark event items on map(s)

Check items below that apply to your event. **All items checked below must be indicated on the MAP(S).** Maps can be found on the city's website. Please note, **map(s) must be submitted with the Special Events & Festivals Application.**

City property or city park use. **Show locations of fencing, barriers, or barricades. Include streets and/or sidewalks to be closed or barricaded on map(s).** To ensure requested items, such as cones or barricades, are reserved and available for the day of the event, please complete the **CONES AND BARRICADE REQUEST FORM** and submit it with the Special Events & Festival Application. Requested items are available Monday through Friday during office hours between 7:00am and 3:30pm; the office is closed during lunch from 12:00pm to 1:00pm. Should you require an alternate time a **\$50 After Hour Charge** will be assessed. Please note, if the Cones and Barricade Request Form is not submitted, the City of South Haven can not guarantee the requested items will be available for the event, **first come - first served, limited quantity available.**

Barricade Request: Mark locations on maps. Barricades that are damaged or not returned to the Public Works Department will be charged \$25.00 per barricade.

Cone Request: Mark locations on maps. Cones that are damaged or not returned to the Public Works Department will be charged \$10.00 per cone.

Explain closure no closures, barricades along Dyckman just like Art Fair

Entertainment, dance, tent or stage. Mark locations on maps.

Event Command Post. Mark location on maps.

Dumpsters and/or trash containers. Mark location on maps.

Portable toilet facilities. Mark locations on maps. How many? 3

The City requires the use of portable facilities for events expecting over 500 attendants.

Under part 117 of Act, 1994 PA 451, Waste servicers must dispose of their waste at a wastewater treatment plant with an approved receiving facility. The South Haven Wastewater Treatment Plant is **NOT** an approved facility.

Approved facility being used Best Way Disposal.

Parade. Mark beginning area, the route* (with arrows) and finish area on maps

*If Business Route I-196 needs to be closed for the Parade you will need to contact Department of Public Works at 269-637-0737 to obtain a MDOT permit for road closure.

Participants. Mark parking areas, bus locations, and special passengers on maps.

Relay event. Indicate "hand-off" points and areas of participant equipment impact.

Aircraft landing / hot air balloons. Mark location on maps.

Fireworks/pyrotechnics site. Mark location on maps.

Vendors/General Merchandise concession areas. Mark areas on maps. Name of contact person for vendor(s)

Vendors and General Merchandise Concessions will not be allowed in the Central Business District (CBD). Please refer to the Special Events & Festivals

Information Pamphlet for a detailed map of this area.

Name: Thea Grigsby Telephone: 269.637.1041

Note: Number will be given for all vendor inquiries. It is suggested that the Sponsoring Organization issue a paper permit to be displayed by vendor to let city and event staff now they are an approved vendor.

First Aid facilities. Mark location on maps. List agency providing staff and equipment

Name: Thea Grigsby Telephone: 269.637.1041

Live animal sites. Mark location on maps and describe: _____

Any other item(s) that should be included on maps. Explain: _____

ADDITIONAL EVENT INFORMATION

Liquor License
The sale and consumption of alcoholic beverages may occur on publicly-owned property located with the approved [Downtown South Haven Special Event Area](#). Guidelines for such special event liquor licensing are available in the [Special Event & Festivals Alcohol Policy](#). These policies require that an application be filed with the City of South Haven and the Michigan Liquor Control Commission.
[City of South Haven Liquor License Application](#)
[Michigan Liquor Control Commission Website](#)

Liquor license application must be submitted before the city will process this special event application.

Noise: Please describe i.e. music, sound, amplification and any other noise that impacts surrounding area. Provide dates and times noise will occur. **All noise must stay within the city's noise ordinance. Noise Ordinance Sec. 30-28. City Noise Ordinance will be enforced.** If you have any questions about the noise ordinance please contact the local police department 269-637-5151.

Date: _____ Time: _____

Date: _____ Time: _____

Date: _____ Time: _____

Signage: Prior to the event a list of all signage (example: sandwich boards, banners, etc.) and placement of the signage needs to be turned in to the city's Parks and Recreation Supervisor. Upon submission the signage requests will be reviewed by the Parks and Recreation Supervisor; additional approval may be required.

Street Marking: Painting and marking on roads and sidewalks should be held to a minimum, and paint specifically designed to wear away in a short period of time and approved by the city shall be used. Please contact the Parks and Recreation Supervisor for approved list.

CITY SERVICES

Are you requesting any utility services to be provided: Yes No

If yes, explain: Electricity for vendors along Dyckman

If electric utilities requested, name of festival person or electrician who will be responsible:

Name: Thea Grigsby Telephone: 269.637.1041 or 707.342.4403

Will vendors be using electric utilities: Yes No

If yes, the city's Electrical Inspector will be making inspections of all vendors using electric during events. A charge of \$10.00 per vendor will be billed to the **Sponsoring Organization** (NOT the vendor) following the event.

Will you require additional police services: Yes No

If yes, explain: _____

Will you require additional fire/ambulance services: Yes No

If yes, explain: _____

Additional fire information: Mark all that apply

- Tents Concessions Exits Compressed Gases
 Extinguishers Electrical Exposed Flames
 Other: _____

If you checked any box in the "Additional fire information" section, you **MUST** obtain a **"FIRE & LIFE SAFETY (Form A3) REQUIREMENT FOR VENDORS, PARTICIPATING IN FESTIVALS, FAIRS AND ALL OTHER OUTSIDE EVENTS/ACTIVITIES"** information form from the Deputy Fire Chief. Please contact the South Haven Area Emergency Services at 269-637-5151 located at 90 Blue Star Hwy.

The primary concern during an event is Public Safety. In the event of inclement weather the City of South Haven has the right to cancel or postpone any special event; this includes the City Manager, Police Chief or his designee and Fire Chief or his designee.

INSURANCE

The city requires proof of insurance (\$1,000,000) naming the City of South Haven as "additionally insured". The Proof of Insurance Certification needs to be turned in with the Special Event application.

Is the Proof of Insurance Certification Provided with Special Event Application? Yes No

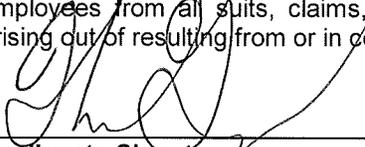
REMINDERS

Please make sure the following items are turned in with the Special Events & Festivals Application

- Map(s)
 Proof of Insurance Certification
 Cones and Barricade Request Form (if applicable)
 Submitted liquor license application (if applicable)

INDEMNIFICATION AGREEMENT

The undersigned agrees and promises, as a condition of approval of this Special Events & Festivals Application to defend, indemnify, and save harmless the City of South Haven, its agents, officials and employees from all suits, claims, damages, causes of action or demands of any kind and character arising out of or resulting from or in connection with the use of said Public Property



Applicants Signature

Aug. 18, 2015

Date

Please return to:
Parks and Recreation Supervisor
Department of Public Works
City of South Haven
1199 8th Ave
South Haven, MI 49010
Phone: 269-637-0772 / Fax: 269-637-4778
Hours: Monday-Friday 7:00a.m. – 3:30p.m.

Please remember this application must be submitted to the Parks and Recreation Office at least 21 business days prior to the start of the event.



Department of Public Works
 DPW Building • 1199 8th Ave. • South Haven, Michigan 49090
 Telephone (269) 637-0737 • Fax (269) 637-4778

Cones and Barricades Request Form

Requester's Name Thea Grigsby

Date Requested December 19, 2015

Organization/Committee South Haven Center for the Arts

Mailing Address 600 Phoenix Street

Office/Main Phone 269.637.1041

Cell Phone 707.342.4403

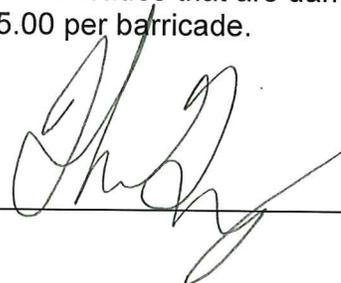
EVENT: Last Dash All Michigan Holiday Bazaar **DATE of**
EVENT: Dec 19, 2015

| CONES | Quantity | Who will pick up cones <i>(Please Print Legibly)</i> | Cell Phone | Pick Up Date/Time | Return Date/Time |
|-------|----------|---|------------|-------------------|------------------|
| | | | | | AM PM |

Please note: Street cones that are damaged or not returned to the Public Works Department will be charged \$10.00 per cone.

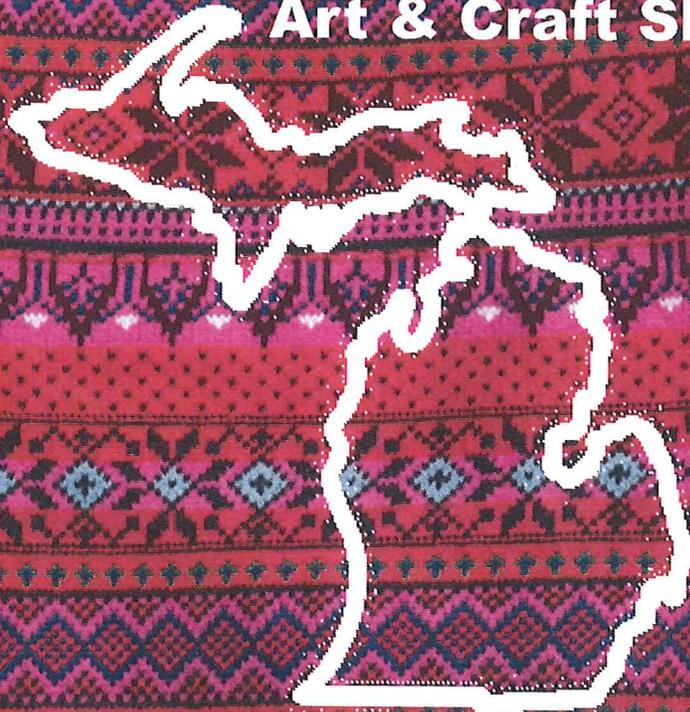
| BARRICADES | Quantity | Drop Off Location <i>(Please Print Legibly)</i> | Contact Person | Drop Off Date/Time | Pick Up Date/Time |
|------------|----------|--|----------------|--------------------|-------------------|
| | | | Cell Phone | | |
| | | All along Dyckman as pictured | Thea Grigsby | 12/19/2015 | 12/19/2015 |
| | | | 707.342.4403 | 8am AM PM | 6pm AM PM |

Please note: Barricades that are damaged or not returned to the Public Works Department will be charged \$25.00 per barricade.

Borrower's Signature: 

Authorized by: _____

Mitten Made
Michigan Made
Art & Craft Show

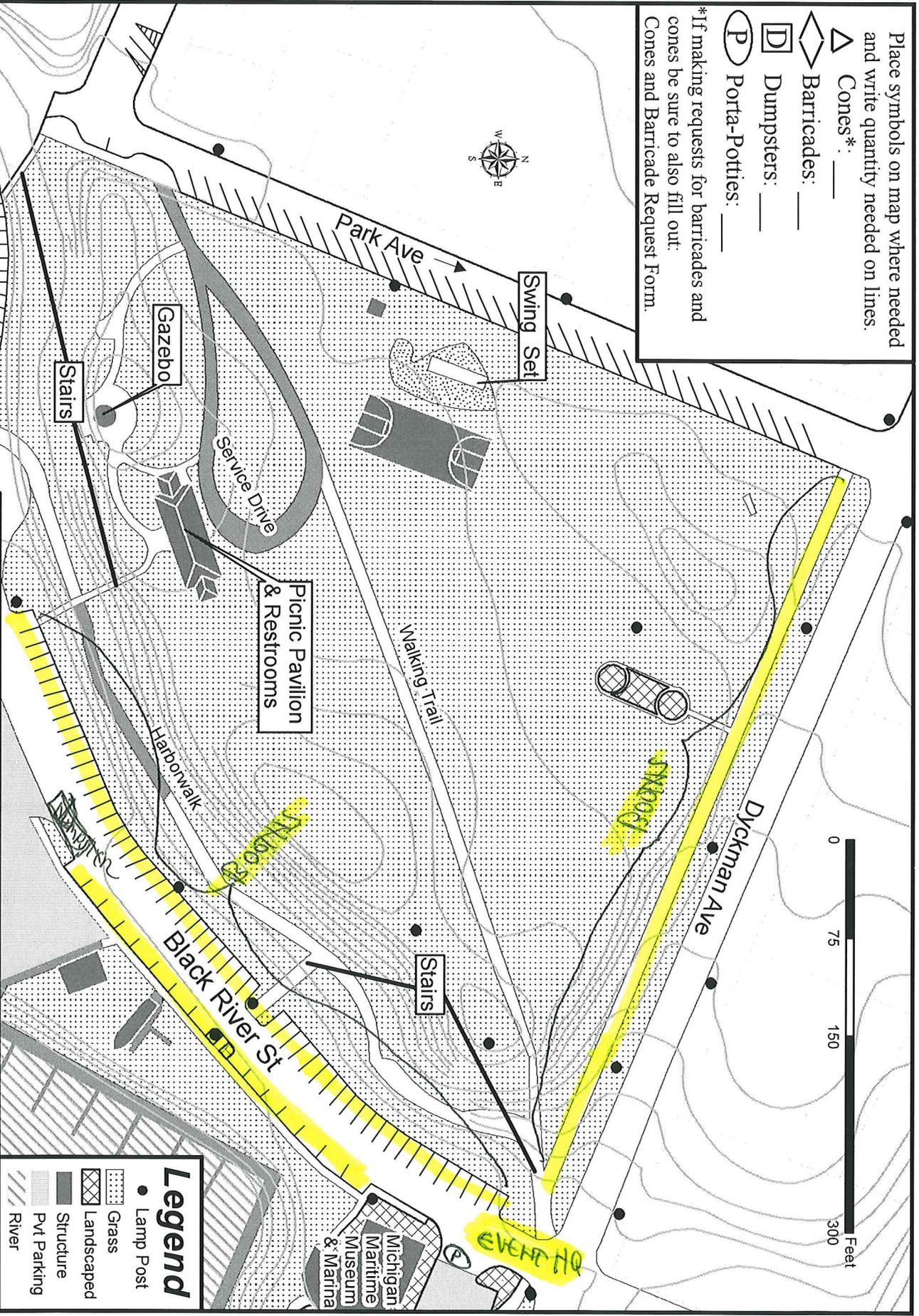


Last Dash Holiday Shopping
Saturday, December 19 | 10 am—6pm
Stanley Johnston Park
South Haven, Michigan

Place symbols on map where needed and write quantity needed on lines.

▲ Cones*: ___
 ◇ Barricades: ___
 D Dumpsters: ___
 P Porta-Potties: ___

*If making requests for barricades and cones be sure to also fill out: Cones and Barricade Request Form.



Legend

- Lamp Post
- ▨ Grass
- ▨ Landscaped
- ▨ Structure
- ▨ Pvt Parking
- ▨ River

Stanley Johnston Mem. Park 8



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
08/18/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

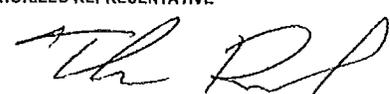
| | | | |
|---|--|---|--|
| PRODUCER Hardt Elliott Agency, Inc DBA Hardt Insurance P.O. Box 429 511 Huron St South Haven MI 49090- | | CONTACT NAME: PHONE (A/C No. Ext): (269) 637-1181 FAX (A/C No): (269) 637-9152 E-MAIL ADDRESS: hardtelliott@comcast.net | |
| INSURED SOUTH HAVEN ART ASSN DBA SOUTH HAVEN CENTER FOR THE ARTS 600 Phoenix St South Haven MI 49090- | | INSURER(S) AFFORDING COVERAGE INSURER A: HASTINGS MUTUAL INSURANCE CO. NAIC # INSURER B: INSURER C: INSURER D: INSURER E: INSURER F: | |

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|----------|--|--|----------|---------------|-------------------------|-------------------------|---|--------------|
| A | GENERAL LIABILITY | | | CPP 9871447 | 07/10/2015 | 07/10/2016 | EACH OCCURRENCE | \$ 1,000,000 |
| | <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY | | | | / / / | / / / | DAMAGE TO RENTED PREMISES (Ea occurrence) | \$ 100,000 |
| | <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR | | | | / / / | / / / | MED EXP (Any one person) | \$ 5,000 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: | | | | / / / | / / / | PERSONAL & ADV INJURY | \$ 1,000,000 |
| | <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | | | | / / / | / / / | GENERAL AGGREGATE | \$ 2,000,000 |
| | AUTOMOBILE LIABILITY | | | | / / / | / / / | PRODUCTS - COMP/OP AGG | \$ 2,000,000 |
| | <input type="checkbox"/> ANY AUTO | | | | / / / | / / / | FIREL | \$ |
| | <input type="checkbox"/> ALL OWNED AUTOS | <input type="checkbox"/> SCHEDULED AUTOS | | | / / / | / / / | COMBINED SINGLE LIMIT (Ea accident) | \$ |
| | <input type="checkbox"/> HIRED AUTOS | <input type="checkbox"/> NON-OWNED AUTOS | | | / / / | / / / | BODILY INJURY (Per person) | \$ |
| | UMBRELLA LIAB | <input type="checkbox"/> OCCUR | | | / / / | / / / | BODILY INJURY (Per accident) | \$ |
| | EXCESS LIAB | <input type="checkbox"/> CLAIMS-MADE | | | / / / | / / / | PROPERTY DAMAGE (Per accident) | \$ |
| | DED | RETENTION \$ | | | / / / | / / / | | \$ |
| A | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | WC 9871450 | 07/10/2015 | 07/10/2016 | WC STATU-TORY LIMITS | OTH-ER |
| | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) | <input type="checkbox"/> Y/N | N/A | | / / / | / / / | E.L. EACH ACCIDENT | \$ 100,000 |
| | If yes, describe under DESCRIPTION OF OPERATIONS below | | | | / / / | / / / | E.L. DISEASE - EA EMPLOYEE | \$ 100,000 |
| | | | | | / / / | / / / | E.L. DISEASE - POLICY LIMIT | \$ 500,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

| | |
|---|--|
| CERTIFICATE HOLDER () - () - SOUTH HAVEN CENTER FOR THE ARTS | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  |
|---|--|



City of South Haven

Department of Public Works

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

MEMORANDUM

To: Brian Dissette, City Manager

From: Michelle Coffey, Special Events Coordinator

Date: August 24, 2015

RE: Special Event 2015-28 – Rhythm on the River

Background Information

Foundry Hall would like to have a 1 day music festival on July 23, 2016 from 9:00 am to 11:00 pm at Riverfront Park. This event features local food, beer, and musicians. Riverfront Park would be used for a stage and beer garden, like Harborfest and Blueberry Fest. Water Street would be closed off from Kalamazoo Street to Maple Street for food vendors.

Insurance and liquor license will be provided closer to event.

Attachments

Special Event 2015-28 Special Event Application

Special Event # _____

Date Received _____

CITY OF SOUTH HAVEN

Special Events & Festivals Application

The Special Events & Festivals Information Pamphlet must be read before filling out this application.

Complete and return this application to the Parks and Recreation Office at least 21 business days prior to the start of the event.

A new application must be submitted each year.

I have read the Special Events & Festivals Information Pamphlet and will fill out this application completely; agreeing to follow all policies and regulations set by the City of South Haven.

Initial

Date

CONTACT INFORMATION

Event Title: _____

Sponsoring Organization: _____

Applicants Name: _____

Telephone #: _____ Phone # During Event: _____

E-mail Address: _____

Other contacts for/during event

Name: _____ Telephone: _____

Name: _____ Telephone: _____

EVENT SPECIFIC INFORMATION

Event Location: _____

Date(s) Requested: _____ Alternative Date(s): _____

Start Time: _____ End Time: _____

Any event that exceeds 10:00 P.M. has to be approved by City Council

Number of people expected to attend: _____

EVENT DESCRIPTION

Please give a description of the event (Please attach a separate sheet with details if there is not enough space below).

MAPS/LOCATION – mark event items on map(s)

Check items below that apply to your event. **All items checked below must be indicated on the MAP(S).** Maps can be found on the city's website. Please note, **map(s) must be submitted with the Special Events & Festivals Application.**

- City property or city park use. **Show locations of fencing, barriers, or barricades. Include streets and/or sidewalks to be closed or barricaded on map(s).** To ensure requested items, such as cones or barricades, are reserved and available for the day of the event, please complete the **CONES AND BARRICADE REQUEST FORM** and submit it with the Special Events & Festival Application. Requested items are available Monday through Friday during office hours between 7:00am and 3:30pm; the office is closed during lunch from 12:00pm to 1:00pm. Should you require an alternate time a **\$50 After Hour Charge** will be assessed. Please note, if the Cones and Barricade Request Form is not submitted, the City of South Haven can not guarantee the requested items will be available for the event, **first come - first served, limited quantity available.**

Barricade Request: Mark locations on maps. Barricades that are damaged or not returned to the Public Works Department will be charged \$25.00 per barricade.

Cone Request: Mark locations on maps. Cones that are damaged or not returned to the Public Works Department will be charged \$10.00 per cone.

Explain closure _____

- Entertainment, dance, tent or stage. Mark locations on maps.
- Event Command Post. Mark location on maps.
- Dumpsters and/or trash containers. The Mark location on maps.
- Portable toilet facilities. Mark locations on maps. How many? _____
The City requires the use of portable facilities for events expecting over 500 attendants.
- Parade. Mark beginning area, the route* (with arrows) and finish area on maps
*If Business Route I-196 needs to be closed for the Parade you will need to contact Department of Public Works at 269-637-0737 to obtain a MDOT permit for road closure.
- Participants. Mark parking areas, bus locations, and special passengers on maps.
- Relay event. Indicate "hand-off" points and areas of participant equipment impact.
- Aircraft landing / hot air balloons. Mark location on maps.
- Fireworks/pyrotechnics site. Mark location on maps.
- Vendors/General Merchandise concession areas. Mark areas on maps. Name of contact person for vendor(s)

Vendors and General Merchandise Concessions will not be allowed in the Central Business District (CBD). Please refer to the Special Events & Festivals Information Pamphlet for a detailed map of this area.

Name: _____ Telephone: _____

Note: Number will be given for all vendor inquiries. It is suggested that the Sponsoring Organization issue a paper permit to be displayed by vendor to let city and event staff now they are an approved vendor.

- First Aid facilities. Mark location on maps. List agency providing staff and equipment

Name: _____ Telephone: _____

- Live animal sites. Mark location on maps and describe: _____

- Any other item(s) that should be included on maps. Explain: _____

ADDITIONAL EVENT INFORMATION

- Liquor License
The sale and consumption of alcoholic beverages may occur on publicly-owned property located with the approved [Downtown South Haven Special Event Area](#). Guidelines for such special event liquor licensing are available in the [Special Event & Festivals Alcohol Policy](#). These policies require that an application be filed with the City of South Haven and the Michigan Liquor Control Commission.
[City of South Haven Liquor License Application](#)
[Michigan Liquor Control Commission Website](#)

Liquor license application must be submitted before the city will process this special event application.

- Noise: Please describe i.e. music, sound, amplification and any other noise that impacts surrounding area. Provide dates and times noise will occur. **All noise must stay with in the city's noise ordinance. Noise Ordinance Sec. 30-28. City Noise Ordinance will be enforced.** If you have any questions about the noise ordinance please contact the local police department 269-637-5151.

Date: _____ Time: _____

Date: _____ Time: _____

Date: _____ Time: _____

- Signage: Prior to the event a list of all signage (example: sandwich boards, banners, etc.) and placement of the signage needs to be turned in to the city's Parks and Recreation Supervisor. Upon submission the signage requests will be reviewed by the Parks and Recreation Supervisor; additional approval may be required.
- Street Marking: Painting and marking on roads and sidewalks should be held to a minimum, and paint specifically designed to wear away in a short period of time and approved by the city shall be used. Please contact the Parks and Recreation Supervisor for approved list.

CITY SERVICES

Are you requesting any utility services to be provided: Yes No
If yes, explain: _____

If electric utilities requested, name of festival person or electrician who will be responsible:
Name: _____ Telephone: _____

Will vendors be using electric utilities: Yes No
If yes, the city's Electrical Inspector will be making inspections of all vendors using electric during events. A charge of \$10.00 per vendor will be billed to the **Sponsoring Organization** (NOT the vendor) following the event.

Will you require additional police services: Yes No
If yes, explain: _____

Will you require additional fire/ambulance services: Yes No
If yes, explain: _____

Additional fire information: Mark all that apply

- Tents Concessions Exits Compressed Gases
 Extinguishers Electrical Exposed Flames
 Other: _____

If you checked any box in the "Additional fire information" section, you **MUST** obtain a **"FIRE & LIFE SAFETY (Form A3) REQUIREMENT FOR VENDORS, PARTICIPATING IN FESTIVALS, FAIRS AND ALL OTHER OUTSIDE EVENTS/ACTIVITIES"** information form from the Deputy Fire Chief. Please contact the South Haven Area Emergency Services at 269-637-5151 located at 90 Blue Star Hwy.

The primary concern during an event is Public Safety. In the event of inclement weather the City of South Haven has the right to cancel or postpone any special event; this includes the City Manager, Police Chief or his designee and Fire Chief or his designee.

INSURANCE

The city requires proof of insurance (\$1,000,000) naming the City of South Haven as "additionally insured". The Proof of Insurance Certification needs to be turned in with the Special Event application.

Is the Proof of Insurance Certification Provided with Special Event Application? Yes No

REMINDERS

Please make sure the following items are turned in with the Special Events & Festivals Application

- Map(s)
 Proof of Insurance Certification
 Cones and Barricade Request Form (if applicable)
 Submitted liquor license application (if applicable)

INDEMNIFICATION AGREEMENT

The undersigned agrees and promises, as a condition of approval of this Special Events & Festivals Application to defend, indemnify, and save harmless the City of South Haven, its agents, officials and employees from all suits, claims, damages, causes of action or demands of any kind and character arising out of resulting from or in connection with the use of said Public Property

Applicants Signature

Date

**Please return to:
Parks and Recreation Supervisor
Department of Public Works
City of South Haven
1199 8th Ave
South Haven, MI 49010
Phone: 269-637-0772 / Fax: 269-637-4778
Hours: Monday-Friday 7:00a.m. – 3:30p.m.**

Please remember this application must be submitted to the Parks and Recreation Office at least 21 business days prior to the start of the event.



Department of Public Works

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

Cones and Barricades Request Form

Requester's Name _____

Date Requested _____

Organization/Committee _____

Mailing Address _____

Office/Main Phone _____

Cell Phone _____

EVENT: _____ **DATE of EVENT:** _____

| CONES | Quantity | Who will pick up cones <i>(Please Print Legibly)</i> | Cell Phone | Pick Up Date/Time | Return Date/Time |
|-------|----------|---|------------|-------------------|------------------|
| | | | | | AM PM |

Please note: Street cones that are damaged or not returned to the Public Works Department will be charged \$10.00 per cone.

| BARRICADES | Quantity | Drop Off Location <i>(Please Print Legibly)</i> | Contact Person Cell Phone | Drop Off Date/Time | Pick Up Date/Time |
|------------|----------|--|------------------------------|--------------------|-------------------|
| | | | | | AM PM |

Please note: Barricades that are damaged or not returned to the Public Works Department will be charged \$25.00 per barricade.

Borrower's
Signature: _____

Authorized
by: _____

SPECIAL EVENTS & FESTIVALS INFORMATION PAMPHLET

For use of city parks, beaches, streets, parking lots or other public facilities for events or festivals a City of South Haven Special Events & Festivals Application must be completed and sent to the Parks and Recreation Supervisor, City of South Haven, 1199 8th Ave, South Haven, Michigan, 49090. This form is available at the City Hall and Department of Public Works Customer Service Desks and on the city's website; www.south-haven.com. It is important that the organization complete the form with as much detail as possible regarding specific requests and the event. This pamphlet provides you with information regarding City services, requirements, regulations and policies. A complete copy of city ordinances can also be found on the City's website. Prior to submitting your request, please read this pamphlet thoroughly. This pamphlet was developed to help you organize a successful event in South Haven.

SPECIAL EVENTS & FESTIVALS APPROVAL PROCEDURE

When you submit the Special Events & Festivals Application to the Parks and Recreation Supervisor to sponsor a special event, the form is distributed to the appropriate City departments for their initial review, recommendations and approval. If your event or festival is expecting less than 500 participants, does not require a variance to the Municipal Code, and does not exceed 10:00 P.M. the requests will be submitted to the City Manager for approval. If your event or festival is expected to have 500 or more in attendance, a request has been made for a variance of the Municipal Code, or the event exceeds 10:00 P.M. then the requests will be submitted to the City Council. You will receive a notice from the Parks and Recreation Supervisor notifying you of the approved/denied request.

Completed applications must be turned into the Parks and Recreation Supervisor's office at least 21 business days prior to the start of the event. It is recommended that requests be made at least 90 days in advance (for larger events and festivals that attract over 500 people, it is recommended to submit your requests at least 120 days in advance) to assure proper approval. Any changes or additions to the special event/festival after being approved must be submitted in writing.

CITY OF SOUTH HAVEN POLICIES & REGULATIONS REGARDING SPECIAL EVENTS

The City of South Haven recognizes the importance of special events within the community. These special events are acknowledged as providing additional economic impact to the area's businesses and helping to develop community pride, commitment, and involvement. The primary concern during an event is Public Safety. In the event of inclement weather the City of South Haven, has the right to cancel or postpone any special event, this includes the City Manager, Police Chief or his designee and Fire Chief or his designee. While the City of South Haven is supportive of these special events, certain guidelines must be enforced to insure that the festival or special event runs as smooth as possible:

- The City may request that dates or times of special events be changed to facilitate coordination of City services. If changes are required, the sponsoring organization will be notified well in advance.
- Whenever possible, organizations will be encouraged to hold special events in City parks rather than on streets to minimize the need for additional Public Safety support to assist with traffic control. When the use of streets is required, every effort will be made to schedule events in such a manner so as to avoid the need for additional Public Safety support.
- Event organizers will be encouraged to use volunteers whenever possible to assist with logistics so as to reduce the need for additional City personnel.
- In some cases, where there are extraordinary costs incurred by the City, or the organization does not clean up the sites used or where severe damage to City property may incur, the organization may be required to reimburse the City for the additional costs that may incur as a result.

- **POLICE AND FIRE PROTECTION:** The Police and Fire Departments need to know specifically what you are planning for your special event. They will need to know the type of event and time the programs will be held, the anticipated number of people expected for the event, and any special requirements you may have. Any additional costs to the City will be the organizer's responsibility.
- **INSURANCE COVERAGE:** The city requires proof of insurance (\$1,000,000) naming the City as "additionally insured".
- **NOISE:** If your event will have amplified noise you will need to indicate the date and time this noise will be made on Special Events & Festivals Form. **All noise must stay with in the city's noise ordinance. Noise Ordinance Sec. 30-28. City Noise Ordinance will be enforced.** If you have any questions about the noise ordinance please contact the local police department 269-637-5151. Noise must end by Midnight.
- **SANITARY FACILITIES:** Restroom facilities may be required by the local health department. Should any additional facilities be required, City personnel will determine where those facilities will be placed. The organization holding the special event will be responsible for the additional facilities.
- **STREET CLOSINGS:** If you anticipate that your special event will necessitate the closing of public streets, merchants and other property owners in the area must be informed of your request prior to City Council approval. The closing of streets for festivals/special events can be costly and inconvenient for the surrounding merchants and property owners. If street closings are required, a request outlining specific streets and intersections with time of closings and reasons should be included in your initial request to the City. Maps are available at the City Hall Customer Service Desk and at the city's website; www.south-haven.com. The Sponsoring Organization is responsible for the closing and opening of the streets and monitoring of the barricades. Major streets may require Police or Street Department personnel to close and reopen the streets. If Business Route I-196 needs to be closed for the Parade you will need to contact Department of Public Works at 269-637-0737 to obtain a MDOT permit from MDOT for road closure. At least one month should be reserved for this application process.
- **ALCOHOLIC BEVERAGES:** Provisions must be made for any "beer tent" or other event at which alcoholic beverages are planned. Special liquor permits are required from the Michigan Liquor Control Commission to hold any special event that has liquor for sale or tasting located on both private and public property..

Consumption of alcoholic beverages within any public park, beach, or street is prohibited unless the appropriate licensing has been obtained. The sale and consumption of alcoholic beverages may occur on publicly-owned property located with the approved [Downtown South Haven Special Event Area](#). Guidelines for such special event liquor licensing are available in the [Special Event & Festivals Alcohol Policy](#). These policies require that an application be filed with the City of South Haven and the Michigan Liquor Control Commission.

[City of South Haven Liquor License Application](#)
[Michigan Liquor Control Commission Website](#)

Liquor license application must be submitted before the city will process this special event application.

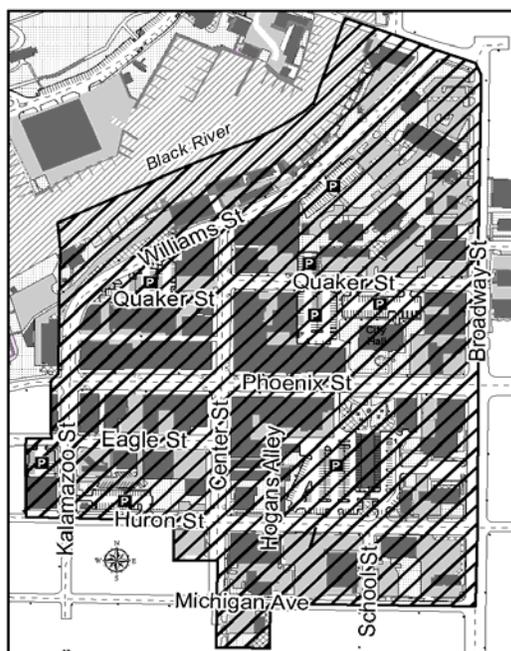
- **STREET MARKING:** Painting and marking on roads and sidewalks should be held to a minimum and paint specifically designed to wear away in a short period of time and approved by the city shall be used. Please contact the Parks and Recreation Supervisor for approved list.

- **SIGNAGE:** Prior to the event a list of all signage (example: sandwich boards, banners, etc.) and placement of the signage needs to be turned in to the city's Parks and Recreation Supervisor. Upon submission the signage requests will be reviewed by the Parks and Recreation Supervisor; additional approval may be required.
- **PARADE:** Candy or other items shall not be thrown from any moving object, vehicle or float.
- **VEHICLES IN THE PARKS:** Vehicles are allowed only on public access roads within City parks.
- **FLOWERBEDS:** When planning the locations of concessions, booths, and eating areas, every effort must be made to avoid placement near flowerbeds.
- **VENDORS/CONCESSIONS:** Any concession stand must meet the State and County Health Department requirements.

Festival Vendor. Operator of a removable stand or mobile vending cart licensed for a limited, specific period in association with a festival blanket vendor license. The removable stand or mobile vending cart may be left on the site for the duration of the license, and may be located on private property. The festival vendor shall be licensed by the festival organization which has been approved by the City Council to organize a special event with a blanket vendor license.

Festival/Event Blanket Vendor License Location: Vendor sites in an area approved under a Festival Blanket Vendor License for a specified period of time. The area in which may Vendors may operate is designated in a festival special event application. The City Council shall approve the special event and festival blanket vendor license by resolution. The festival organization approves vendors based upon their own criteria.

Vendors and General Merchandise Concessions will not be allowed in the Central Business District (CBD). The crossed out area on the following map gives the approximate area of the CBD.



- **CLEAN-UP AND TRASH RECEPTACLES:** All special events organizers are responsible for the removal of trash and debris caused by or related to the special event. Clean-up requirements could include the replacement of all trash receptacle liners and the removal of all debris and trash from the premises. For events attracting a large number of people, it is recommended that trash removal services be contracted with a private vendor.
- **ELECTRICAL/WATER SYSTEMS:** If you anticipate needing electric or water services for your event, you must contact the Public Works Director concerning your needs well in advance of your special event. The Public Works Director needs this information in order to insure proper utility extensions are made, if necessary. Four (4) month's advance notice is recommended for all events. The City's Electrical Inspector will be making inspections of all vendors using electric during events. A charge of \$10.00 per vendor will be billed to the Sponsoring Organization following the event. A manual of what the Electric Inspector will be looking for is available to you. Staff Recommends distributing the manual to vendors participating in your event.
- **TENTS AND STRUCTURES:** Be sure to specify any tents or structures that will be used for the special event. No stakes can be placed in the ground without the specific approval of the City to avoid damaging underground utilities, road and parking lot surfaces, or other infrastructure. Most damage done to the parks or roads during special events is due to staking of tents, etc. Your organization will be responsible for any damage done to the parks or streets during your special event. It's important that the special event organization has volunteers who monitor the event to insure that damage is kept at a minimum.
- **LIGHTING:** Any additional lighting for an event must be approved by City Council. If approved the event holder must ensure that the lighting will not shine on neighboring areas.
- **EVENT CANCELLATION:** The City reserves the right to cancel any event, when deemed necessary, due to security, safety, or weather-related hazards, or in the case of noncompliance with City requirements.

CITY OF SOUTH HAVEN PARK RULES

The following rules are adopted pursuant to the South Haven Municipal Code and the violation of these rules is a misdemeanor punishable by a fine of not more than \$500.00, or ninety (90) days in jail, or both.

1. No open intoxicants allowed except within an approved and licensed area.
2. Motor vehicles permitted on paved roads, or designated areas only.
3. Sound producing equipment including, but not limited to, public address systems, radios, phonographs, musical instruments and other recording devices, shall not be operated on the premises of the assembly so as to be unreasonably loud or raucous, or so as to be a nuisance or disturbance to the peace and tranquility of the citizens of the city.
4. No person shall break, cut, mutilate, overturn, injure, remove or carry away any tree, shrub, flower, plant, stone, stonework, bench, chair, seat, bower, playground equipment, structure, or anything whatever in or from any park or street or avenue adjacent thereto.
5. No person shall permit any animal to run at large within the public parks, nor allow any dog therein except when led by a leash.
6. Acts causing a breach of peace are prohibited. You are subject to criminal prosecution and removal from the park for up to six months.



City of South Haven

Department of Public Works

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

MEMORANDUM

To: Brian Dissette, City Manager

From: Michelle Coffey, Special Events Coordinator

Date: August 28, 2015

RE: Special Event 2015-29 – Zombie 5k Run/Stroll

Background Information

The Youth Development Company would like to hold “The Walking Dead” Zombie 5k run/stroll on October 17, 2015 from 2:00 pm to 8:00 pm. This is a fun run and not a certified 5k. The participants will be released in 15 minute increments wearing 3 life flags. Zombies will be staged throughout the course trying to steal the life flags. There will be water stations and an aid station. A finishing ceremony will be held at Riverfront Park, where awards will be given and light refreshments will be served.

Attachments

Special Event 2015-29 Application

CITY OF SOUTH HAVEN

Special Events & Festivals Application

FOR OFFICE USE ONLY

Special Event # _____

Date Received _____

The Special Events & Festivals Information Pamphlet must be read before filling out this application.

Complete and return this application to the Parks and Recreation Office at least 21 business days prior to the start of the event.

A new application must be submitted each year.

I have read the Special Events & Festivals Information Pamphlet and will fill out this application completely; agreeing to follow all policies and regulations set by the City of South Haven.

BL
Initial

8/14/15
Date

CONTACT INFORMATION

Event Title: "The Walking Dead" Zombie 5K Run/Stroll

Sponsoring Organization: Youth Development Company

Applicants Name: Brook Latham

Telephone #: 269-639-2489 Phone # During Event: 269-908-0402

E-mail Address: blatham@ydcpal.com

Other contacts for/during event

Name: Dorothy Laws Telephone: 269-214-2276

Name: Kariann Johnson Telephone: 269-767-1091

EVENT SPECIFIC INFORMATION

Event Location: Beginning at Phoenix and Kalamazoo St.

Date(s) Requested: Oct. 17, 2015 Alternative Date(s): _____

Start Time: 2:00pm End Time: 8:00pm

Any event that exceeds 10:00 P.M. has to be approved by City Council

Number of people expected to attend: 400

EVENT DESCRIPTION

Please give a description of the event (Please attach a separate sheet with details if there is not enough space below).

See attached

This is a fun run and the course is not a certified 5k and is not officially timed. The Zombie 5k runners/humans will be released for the hunt in 15 minutes waves beginning at 4pm. Runners will wear 3 life flags and Zombies are staged throughout the course ready to chase and steal life flags. Staging of Zombies will be in 2 zones Green (grab life strips) and Yellow (just scare no chasing). Red (No Zombie safe zones) will be set up for water stations. At or about Mile Marker 1 will be the Aid Station.

The finishing ceremony will be held at the Water St. Pavilion including; awards for best, Individual Costume, Best Zombie Costume, and Best Group Costumes, entertainment, a photo booth, light refreshments.

MAPS/LOCATION – mark event items on map(s)

Check items below that apply to your event. **All items checked below must be indicated on the MAP(S).** Maps can be found on the city's website. Please note, **map(s) must be submitted with the Special Events & Festivals Application.**

- City property or city park use. Show locations of fencing, barriers, or barricades. Include streets and/or sidewalks to be closed or barricaded on map(s).** To ensure requested items, such as cones or barricades, are reserved and available for the day of the event, please complete the **CONES AND BARRICADE REQUEST FORM** and submit it with the Special Events & Festival Application. Requested items are available Monday through Friday during office hours between 7:00am and 3:30pm; the office is closed during lunch from 12:00pm to 1:00pm. Should you require an alternate time a **\$50 After Hour Charge** will be assessed. Please note, if the Cones and Barricade Request Form is not submitted, the City of South Haven can not guarantee the requested items will be available for the event, **first come - first served, limited quantity available.**

Barricade Request: Mark locations on maps. Barricades that are damaged or not returned to the Public Works Department will be charged \$25.00 per barricade.

Cone Request: Mark locations on maps. Cones that are damaged or not returned to the Public Works Department will be charged \$10.00 per cone.

Explain closure _____

Entertainment, dance, tent or stage. Mark locations on maps.

Event Command Post. Mark location on maps.

Dumpsters and/or trash containers. Mark location on maps.

Portable toilet facilities. Mark locations on maps. How many? _____

The City requires the use of portable facilities for events expecting over 500 attendants.

Under part 117 of Act, 1994 PA 451, Waste servicers must dispose of their waste at a wastewater treatment plant with an approved receiving facility. The South Haven Wastewater Treatment Plant is **NOT** an approved facility.

Approved facility being used _____.

Parade. Mark beginning area, the route* (with arrows) and finish area on maps

*If Business Route I-196 needs to be closed for the Parade you will need to contact Department of Public Works at 269-637-0737 to obtain a MDOT permit for road closure.

Participants. Mark parking areas, bus locations, and special passengers on maps.

Relay event. Indicate "hand-off" points and areas of participant equipment impact.

Aircraft landing / hot air balloons. Mark location on maps.

Fireworks/pyrotechnics site. Mark location on maps.

Vendors/General Merchandise concession areas. Mark areas on maps. Name of contact person for vendor(s)

Vendors and General Merchandise Concessions will not be allowed in the Central Business District (CBD). Please refer to the Special Events & Festivals Information Pamphlet for a detailed map of this area.

Name: _____ Telephone: _____

Note: Number will be given for all vendor inquiries. It is suggested that the Sponsoring Organization issue a paper permit to be displayed by vendor to let city and event staff now they are an approved vendor.

First Aid facilities. Mark location on maps. List agency providing staff and equipment

Name: South Haven Health Systems Telephone: 269-639-2800

Live animal sites. Mark location on maps and describe: _____

Any other item(s) that should be included on maps. Explain: _____

ADDITIONAL EVENT INFORMATION

Liquor License
The sale and consumption of alcoholic beverages may occur on publicly-owned property located with the approved [Downtown South Haven Special Event Area](#). Guidelines for such special event liquor licensing are available in the [Special Event & Festivals Alcohol Policy](#). These policies require that an application be filed with the City of South Haven and the Michigan Liquor Control Commission.
[City of South Haven Liquor License Application](#)
[Michigan Liquor Control Commission Website](#)

Liquor license application must be submitted before the city will process this special event application.

Noise: Please describe i.e. music, sound, amplification and any other noise that impacts surrounding area. Provide dates and times noise will occur. **All noise must stay with in the city's noise ordinance. Noise Ordinance Sec. 30-28. City Noise Ordinance will be enforced.** If you have any questions about the noise ordinance please contact the local police department 269-637-5151.

Date: _____ Time: _____

Date: _____ Time: _____

Date: _____ Time: _____

Signage: Prior to the event a list of all signage (example: sandwich boards, banners, etc.) and placement of the signage needs to be turned in to the city's Parks and Recreation Supervisor. Upon submission the signage requests will be reviewed by the Parks and Recreation Supervisor; additional approval may be required.

Street Marking: Painting and marking on roads and sidewalks should be held to a minimum, and paint specifically designed to wear away in a short period of time and approved by the city shall be used. Please contact the Parks and Recreation Supervisor for approved list.

CITY SERVICES

Are you requesting any utility services to be provided: Yes No
If yes, explain: _____

If electric utilities requested, name of festival person or electrician who will be responsible:
Name: _____ Telephone: _____

Will vendors be using electric utilities: Yes No
If yes, the city's Electrical Inspector will be making inspections of all vendors using electric during events. A charge of \$10.00 per vendor will be billed to the **Sponsoring Organization** (NOT the vendor) following the event.

Will you require additional police services: Yes No
If yes, explain: _____

Will you require additional fire/ambulance services: Yes No

If yes, explain: _____

Additional fire information: Mark all that apply

- Tents Concessions Exits Compressed Gases
 Extinguishers Electrical Exposed Flames
 Other: _____

If you checked any box in the "Additional fire information" section, you **MUST** obtain a **"FIRE & LIFE SAFETY (Form A3) REQUIREMENT FOR VENDORS, PARTICIPATING IN FESTIVALS, FAIRS AND ALL OTHER OUTSIDE EVENTS/ACTIVITIES"** information form from the Deputy Fire Chief. Please contact the South Haven Area Emergency Services at 269-637-5151 located at 90 Blue Star Hwy.

The primary concern during an event is Public Safety. In the event of inclement weather the City of South Haven has the right to cancel or postpone any special event; this includes the City Manager, Police Chief or his designee and Fire Chief or his designee.

INSURANCE

The city requires proof of insurance (\$1,000,000) naming the City of South Haven as "additionally insured". The Proof of Insurance Certification needs to be turned in with the Special Event application.

Is the Proof of Insurance Certification Provided with Special Event Application? Yes No

REMINDERS

Please make sure the following items are turned in with the Special Events & Festivals Application

- Map(s)
 Proof of Insurance Certification
 Cones and Barricade Request Form (if applicable)
 Submitted liquor license application (if applicable)

INDEMNIFICATION AGREEMENT

The undersigned agrees and promises, as a condition of approval of this Special Events & Festivals Application to defend, indemnify, and save harmless the City of South Haven, its agents, officials and employees from all suits, claims, damages, causes of action or demands of any kind and character arising out of resulting from or in connection with the use of said Public Property



Applicants Signature

8/27/15
Date

Please return to:
Parks and Recreation Supervisor
Department of Public Works
City of South Haven
1199 8th Ave
South Haven, MI 49010
Phone: 269-637-0772 / Fax: 269-637-4778
Hours: Monday-Friday 7:00a.m. – 3:30p.m.

Please remember this application must be submitted to the Parks and Recreation Office at least 21 business days prior to the start of the event.



Department of Public Works

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

Cones and Barricades Request Form

Requester's Name Brook Latham

Date Requested Oct. 17, 2015

Organization/Committee Youth Development Company

Mailing Address PO Box 453
South Haven, MI 49090

Office/Main Phone 269-639-2489

Cell Phone 269-908-0402

EVENT: "The Walking Dead" Zombie 5k **DATE of EVENT:** Oct. 17, 2015

| CONES | Quantity | Who will pick up cones <i>(Please Print Legibly)</i> | Cell Phone | Pick Up Date/Time | Return Date/Time |
|-------|----------|---|--------------|-------------------|------------------|
| | 100 | Brook Latham or designee | 269-908-0402 | 10-16-2015 | |
| | | | | AM PM | AM PM |

Please note: Street cones that are damaged or not returned to the Public Works Department will be charged \$10.00 per cone.

| BARRICADES | Quantity | Drop Off Location <i>(Please Print Legibly)</i> | Contact Person | Drop Off Date/Time | Pick Up Date/Time |
|------------|----------|--|----------------|--------------------|-------------------|
| | | | Cell Phone | | |
| | 10 | 1635 76th St. South Haven, MI 49090 | Brook Latham | 10/16/15 | 10/17/15 |
| | | | 269-908-0402 | 10am AM PM | 9pm AM PM |

Please note: Barricades that are damaged or not returned to the Public Works Department will be charged \$25.00 per barricade.

Borrower's Signature: 

Authorized by: _____



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
7/13/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

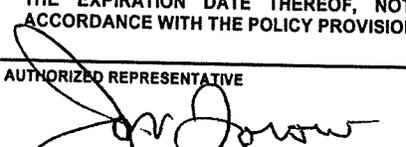
| | | | |
|---|--|---|--|
| PRODUCER South Haven Insurance Services 613 Huron St. PO Box 469 South Haven MI 49090 | | CONTACT NAME: Jon Dorow PHONE (A/C, No, Ext): (269) 637-2105 FAX (A/C, No): (269) 637-5622 E-MAIL ADDRESS: jdorow@southhaveninsurance.com | |
| INSURED Youth Development Company/PAL PO Box 453 1635 76th Street South Haven MI 49090 | | INSURER(S) AFFORDING COVERAGE NAIC # INSURER A: West Bend Mutual Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F: | |

COVERAGES **CERTIFICATE NUMBER:** CL1571300867 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS |
|----------|---|-----------|----------|---------------|-------------------------|-------------------------|---|
| A | COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: | | | NSL 1759473 | 7/1/2015 | 7/1/2016 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 200,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 \$ |
| A | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS | | | NSL 1759473 | 7/1/2015 | 7/1/2016 | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ |
| | UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$ | | | | | | EACH OCCURRENCE \$ AGGREGATE \$ \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$ |
| A | Directors & Officers | | | NNL 1759474 | 7/1/2015 | 7/1/2016 | Each Claim 1,000,000 Aggregate 1,000,000 |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Provided as proof of insurance

| | |
|-----------------------------------|---|
| CERTIFICATE HOLDER | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. |
| | AUTHORIZED REPRESENTATIVE  |



Department of Public Works
 DPW Building • 1199 8th Ave. • South Haven, Michigan 49090
 Telephone (269) 637-0737 • Fax (269) 637-4778

Cones and Barricades Request Form

Requester's Name Brook Latham

Date Requested Oct. 17, 2015

Organization/Committee Youth Development Company

Mailing Address PO Box 453
South Haven, MI 49090

Office/Main Phone 269-639-2489

Cell Phone 269-908-0402

EVENT: "The Walking Dead" Zombie 5k **DATE of**
EVENT: Oct. 17, 2015

| CONES | Quantity | Who will pick up cones (Please Print Legibly) | Cell Phone | Pick Up Date/Time | Return Date/Time |
|-------|----------|--|--------------|-------------------|------------------|
| | 100 | Brook Latham or designee | 269-908-0402 | 10-16-2015 | AM PM |

Please note: Street cones that are damaged or not returned to the Public Works Department will be charged \$10.00 per cone.

| BARRICADES | Quantity | Drop Off Location (Please Print Legibly) | Contact Person Cell Phone | Drop Off Date/Time | Pick Up Date/Time |
|------------|----------|---|------------------------------|--------------------|-------------------|
| | 10 | 1635 76th St. South Haven, MI 49090 | Brook Latham 269-908-0402 | 10/16/15 | 10am AM PM |

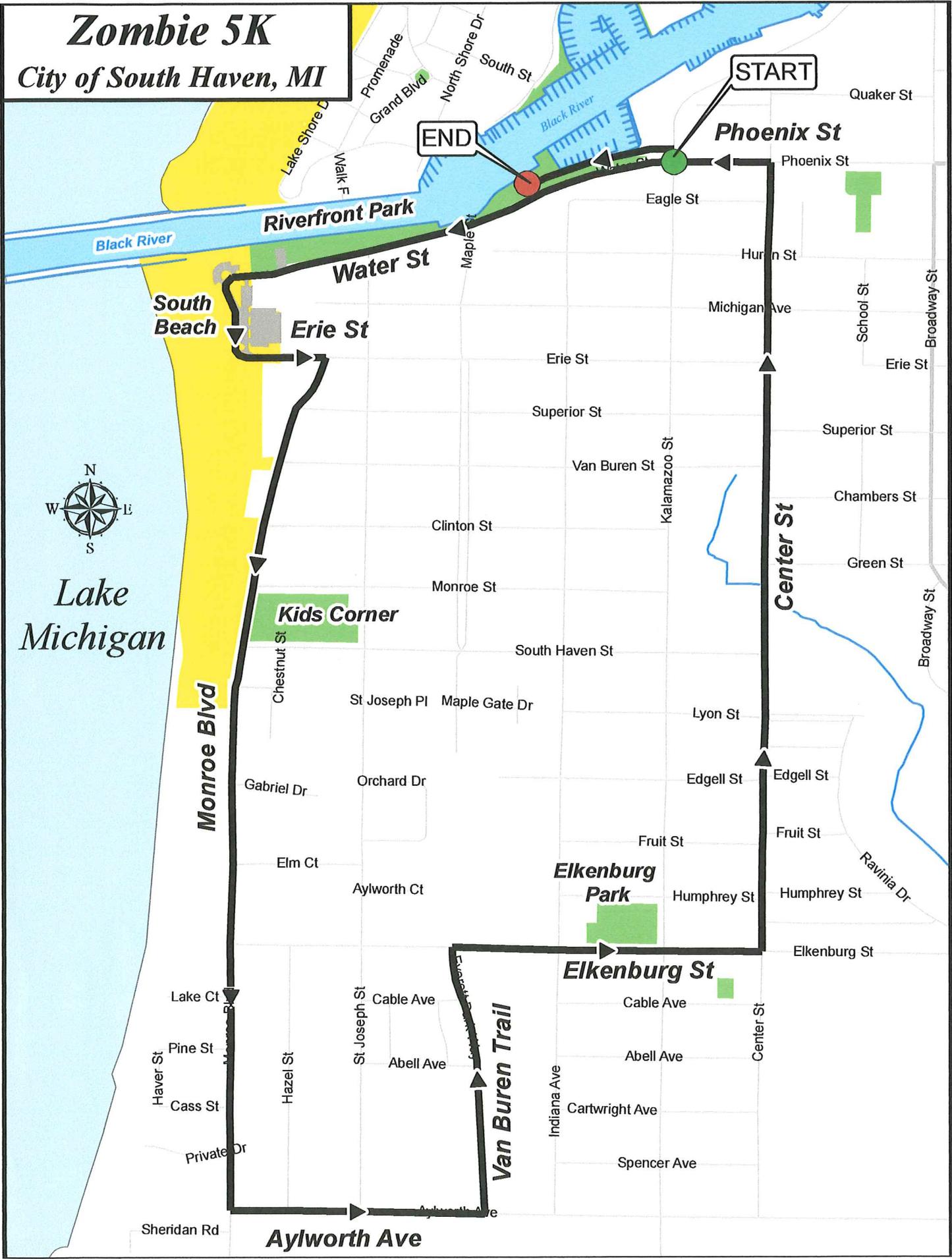
Please note: Barricades that are damaged or not returned to the Public Works Department will be charged \$25.00 per barricade.

Borrower's
Signature: _____

Authorized
by: _____

Zombie 5K

City of South Haven, MI





City of South Haven

Department of Public Works

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

MEMORANDUM

To: Brian Dissette, City Manager

From: Michelle Coffey, Special Events Coordinator

Date: September 2, 2015

RE: Special Event 2015-30 – Special Olympics and Law Enforcement Torch Run

Background Information

Special Olympics Michigan is requesting to have their Special Olympics and Law Enforcement Torch Run on September 16, 2015 from 10:00 am to 12:00 pm at the corner of Eagle and Kalamazoo. This event is a community run to create awareness for Special Olympics Michigan and Law Enforcement Torch Run.

Insurance will be provided.

Attachments

Special Event 2015-30 Special Event Application

CITY OF SOUTH HAVEN

Special Events & Festivals Application

FOR OFFICE USE ONLY

Special Event # _____

Date Received _____

The Special Events & Festivals Information Pamphlet must be read before filling out this application.

Complete and return this application to the Parks and Recreation Office at least 21 business days prior to the start of the event.

A new application must be submitted each year.

I have read the Special Events & Festivals Information Pamphlet and will fill out this application completely; agreeing to follow all policies and regulations set by the City of South Haven.

Am
Initial

9/2/15
Date

CONTACT INFORMATION

Event Title: South Haven Community Run

Sponsoring Organization: Special Olympics Michigan

Applicants Name: Andrew Rachko

Telephone #: 248 259 4470 Phone # During Event: 248 259 4470

E-mail Address: rachko1am@cmich.edu

Other contacts for/during event

Name: _____ Telephone: _____

Name: _____ Telephone: _____

EVENT SPECIFIC INFORMATION

Event Location: Corner of eagle & Kalamazoo

Date(s) Requested: 9/16/15 Alternative Date(s): _____

Start Time: 10:00 am End Time: 12:00pm

Any event that exceeds 10:00 P.M. has to be approved by City Council

Number of people expected to attend: 15

EVENT DESCRIPTION

Please give a description of the event (Please attach a separate sheet with details if there is not enough space below).

This event is a Community Run to create awareness for Special Olympics Michigan and Law Enforcement Torch Run

MAPS/LOCATION – mark event items on map(s)

Check items below that apply to your event. **All items checked below must be indicated on the MAP(S). Maps can be found on the city's website.** Please note, **map(s) must be submitted with the Special Events & Festivals Application.**

City property or city park use. Show locations of fencing, barriers, or barricades. Include streets and/or sidewalks to be closed or barricaded on map(s). To ensure requested items, such as cones or barricades, are reserved and available for the day of the event, please complete the **CONES AND BARRICADE REQUEST FORM** and submit it with the Special Events & Festival Application. Requested items are available Monday through Friday during office hours between 7:00am and 3:30pm; the office is closed during lunch from 12:00pm to 1:00pm. Should you require an alternate time a **\$50 After Hour Charge** will be assessed. Please note, if the Cones and Barricade Request Form is not submitted, the City of South Haven can not guarantee the requested items will be available for the event, **first come - first served, limited quantity available.**

Barricade Request: Mark locations on maps. Barricades that are damaged or not returned to the Public Works Department will be charged \$25.00 per barricade.

Cone Request: Mark locations on maps. Cones that are damaged or not returned to the Public Works Department will be charged \$10.00 per cone.

Explain closure _____

Entertainment, dance, tent or stage. Mark locations on maps.

Event Command Post. Mark location on maps.

Dumpsters and/or trash containers. Mark location on maps.

Portable toilet facilities. Mark locations on maps. How many? _____
The City requires the use of portable facilities for events expecting over 500 attendants.

Under part 117 of Act, 1994 PA 451, Waste servicers must dispose of their waste at a wastewater treatment plant with an approved receiving facility. The South Haven Wastewater Treatment Plant is **NOT** an approved facility.

Approved facility being used _____

Parade. Mark beginning area, the route* (with arrows) and finish area on maps

*If Business Route I-196 needs to be closed for the Parade you will need to contact Department of Public Works at 269-637-0737 to obtain a MDOT permit for road closure.

Participants. Mark parking areas, bus locations, and special passengers on maps.

Relay event. Indicate "hand-off" points and areas of participant equipment impact.

Aircraft landing / hot air balloons. Mark location on maps.

Fireworks/pyrotechnics site. Mark location on maps.

Vendors/General Merchandise concession areas. Mark areas on maps. Name of contact person for vendor(s)

Vendors and General Merchandise Concessions will not be allowed in the Central Business District (CBD). Please refer to the Special Events & Festivals Information Pamphlet for a detailed map of this area.

Name: _____ Telephone: _____

Note: Number will be given for all vendor inquiries. It is suggested that the Sponsoring Organization issue a paper permit to be displayed by vendor to let city and event staff now they are an approved vendor.

First Aid facilities. Mark location on maps. List agency providing staff and equipment

Name: _____ Telephone: _____

Live animal sites. Mark location on maps and describe: _____

Any other item(s) that should be included on maps. Explain: _____

ADDITIONAL EVENT INFORMATION

Liquor License
The sale and consumption of alcoholic beverages may occur on publicly-owned property located with the approved Downtown South Haven Special Event Area. Guidelines for such special event liquor licensing are available in the Special Event & Festivals Alcohol Policy. These policies require that an application be filed with the City of South Haven and the Michigan Liquor Control Commission.
City of South Haven Liquor License Application
Michigan Liquor Control Commission Website

Liquor license application must be submitted before the city will process this special event application.

Noise: Please describe i.e. music, sound, amplification and any other noise that impacts surrounding area. Provide dates and times noise will occur. **All noise must stay with in the city's noise ordinance. Noise Ordinance Sec. 30-28. City Noise Ordinance will be enforced.** If you have any questions about the noise ordinance please contact the local police department 269-637-5151.

Date: _____ Time: _____
Date: _____ Time: _____
Date: _____ Time: _____

- Signage: Prior to the event a list of all signage (example: sandwich boards, banners, etc.) and placement of the signage needs to be turned in to the city's Parks and Recreation Supervisor. Upon submission the signage requests will be reviewed by the Parks and Recreation Supervisor; additional approval may be required.
- Street Marking: Painting and marking on roads and sidewalks should be held to a minimum, and paint specifically designed to wear away in a short period of time and approved by the city shall be used. Please contact the Parks and Recreation Supervisor for approved list.

CITY SERVICES

Are you requesting any utility services to be provided: Yes No
If yes, explain: _____

If electric utilities requested, name of festival person or electrician who will be responsible:
Name: _____ Telephone: _____

Will vendors be using electric utilities: Yes No
If yes, the city's Electrical Inspector will be making inspections of all vendors using electric during events. A charge of \$10.00 per vendor will be billed to the Sponsoring Organization (NOT the vendor) following the event.

Will you require additional police services: Yes No
If yes, explain: _____

Will you require additional fire/ambulance services: Yes No

If yes, explain: _____

Additional fire information: Mark all that apply

- Tents Concessions Exits Compressed Gases
 Extinguishers Electrical Exposed Flames
 Other: _____

If you checked any box in the "Additional fire information" section, you **MUST** obtain a "FIRE & LIFE SAFETY (Form A3) REQUIREMENT FOR VENDORS, PARTICIPATING IN FESTIVALS, FAIRS AND ALL OTHER OUTSIDE EVENTS/ACTIVITIES" information form from the Deputy Fire Chief. Please contact the South Haven Area Emergency Services at 269-637-5151 located at 90 Blue Star Hwy.

The primary concern during an event is Public Safety. In the event of inclement weather the City of South Haven has the right to cancel or postpone any special event; this includes the City Manager, Police Chief or his designee and Fire Chief or his designee.

INSURANCE

The city requires proof of insurance (\$1,000,000) naming the City of South Haven as "additionally insured". The Proof of Insurance Certification needs to be turned in with the Special Event application.

Is the Proof of Insurance Certification Provided with Special Event Application? Yes No

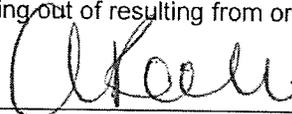
REMINDERS

Please make sure the following items are turned in with the Special Events & Festivals Application

- Map(s)
 Proof of Insurance Certification
 Cones and Barricade Request Form (if applicable)
 Submitted liquor license application (if applicable)

INDEMNIFICATION AGREEMENT

The undersigned agrees and promises, as a condition of approval of this Special Events & Festivals Application to defend, indemnify, and save harmless the City of South Haven, its agents, officials and employees from all suits, claims, damages, causes of action or demands of any kind and character arising out of resulting from or in connection with the use of said Public Property



Applicants Signature

9/2/15
Date

Please return to:
Parks and Recreation Supervisor
Department of Public Works
City of South Haven
1199 8th Ave
South Haven, MI 49010
Phone: 269-637-0772 / Fax: 269-637-4778
Hours: Monday-Friday 7:00a.m. – 3:30p.m.

Please remember this application must be submitted to the Parks and Recreation Office at least 21 business days prior to the start of the event.

Unofficial 5K Route. Updated 7/29/13.



August 25, 2015

TO: Brian Dissette

FR: Paul VandenBosch

RE: 2016 Marina Rate Recommendation

Staff recommends renewal of the 2015 rates with the following changes:

Marina Rates

Staff recommends a two percent increase in seasonal rates for North Side Marina and Black River Park. No increase is recommended for Maritime Marina slips.

Staff recommends a seasonal discount rate as follows:

After August 1, seasonal slips may be rented for an amount equal to an amount of the seasonal slip fee prorated by the number of days in the season multiplied by 1.5, using the following formula:

$(\text{Remaining Days in Season}) / (\text{Total Days in Season}) * \text{Seasonal Slip Fee} * 1.5$

This is in addition to existing discounts used in previous years.

Transient Rates:

No changes unless the State makes changes in the applicable rate.

Boat Launch Rates

No changes.

At its August 18 meeting, Harbor Commission recommended the attached marina rate resolution to City Council.

Staff Recommendation

Approve the Resolution setting seasonal and transient slip rates at the South Haven Municipal Marinas.

CITY OF SOUTH HAVEN
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2015-42

A RESOLUTION SETTING THE SEASONAL
AND TRANSIENT SLIP RATES AT SOUTH HAVEN MUNICIPAL MARINAS

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 September 8, 2015 at 7:00 p.m. local time.

PRESENT: _____

ABSENT: _____

The following preamble and resolution was offered by Member _____ and supported by Member _____.

WHEREAS, the Michigan State Waterways Commission establishes recommended fees for both transient and seasonal moorings for state governing Municipal Marinas; and

WHEREAS, the local units of government must maintain rate structures at or above for transient and seasonal rates in compliance with terms and conditions of previously executed grant-in-aid contracts for state grant assistance in facility development; and

WHEREAS, the Harbor Commission has reviewed and recommends the following rates; and

WHEREAS, the City Council concurs with the recommendations as forwarded to the Council by the Harbor Commission.

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

NOW, THEREFORE, BE IT RESOLVED that the South Haven Municipal Marina and Boat Launch Rates for 2016 be set as follows:

Seasonal Dock Rates

The following seasonal dock rates will be in effect at the City operated facilities:

| <u>Slip #'s</u> | <u>Slip Size in Ft.</u> | <u>Amount</u> |
|-------------------------|-------------------------|---------------|
| Northside Marina | | |
| 41-52, 65-68 | 30 | \$2,980 |
| 57 thru 64 | 35 | \$3,470 |
| 88-96 | 38 | \$3,800 |
| 1 thru 10 | 40 | \$4,030 |
| 53-56 | 45 | \$4,480 |
| 11-40, 83-87 | 50 | \$5,030 |
| 69 thru 82 | 60 | \$5,910 |

| | | |
|---|----|---------|
| Maritime Marina | | |
| 1 thru 30 | 40 | \$3,795 |
| Black River Park | | |
| 1 thru 20 | 24 | \$1,690 |
| 21 thru 62 | 30 | \$1,910 |
| Boats greater than the rate assigned will be charged per additional foot | | \$120 |
| Reservation Fee | | \$5.00 |
| Black River Park Seasonal Launch Pass | | \$100 |
| Age 65 and over Seasonal Launch Pass | | \$75 |
| Black River Park 10 Launch Tokens | | \$50 |
| Black River Park Daily Launch | | \$7 |

The following discounts may be applied to seasonal boater fees, subject to approval of the marina manager:

1. A first year discount of \$500 may be offered to new seasonal boaters.
2. Shallow draft slips or unused slips may be rented for use of dinghies and small boats at \$1,000 per dinghy/boat per season.
3. After August 1, seasonal slips may be rented at a discount for an amount equal to the seasonal slip fee prorated by the number of remaining days in the season plus 50% of that amount, using the following formula:

$$(\text{Remaining Days in Season}) / (\text{Days in Season}) * \text{Seasonal Slip Fee} * 1.5 = \text{Discounted Rate}$$

4. If, after the deadline for payment for the season, there appears to be a lack of boats to fill longer slips, the marina manager may rent slips to shorter boats at a rate equal to the boat length plus one half the difference of the slip length and boat length.
5. The marina manager may request in writing from the city manager special rates to improve occupancy. The marina manager may apply those rates after receiving written approval from the city manager.

Transient Slip Fees

Transient slip fees at the North Side Marina, South Side Marina and Museum Marina are the current year rates approved by the Michigan State Waterways Commission, Column D.

Transient slip fees at the Black River Park Marina are the current year rates approved by the Michigan State Waterways Commission, Column C.

During the period from July 1 to September 1, transient slip fees are increased by 10% for Friday and Saturday overnights.

Transient Discount Rates

The following discounts may be applied to transient boater fees, subject to approval of the marina manager:

- a. Pre-Memorial Day and Post-Labor Day Special, stay 4 nights get 3 nights free.
- b. After July 15, a Remainder of Season discount will be made available. A seasonal slip may be rented for the remainder of the season, with the fee calculated as the number of days remaining until October 15 times the minimum Waterways Transient rate (column 1) for the length of boat.

Short Term Docking

The marina manager is authorized to allow short term dockage of vessels for a period of less than eight hours when dock area is available. The short term dockage rate is \$0.50 per foot.

Marina and Boat Launch Facility Commercial Use

Commercial use of marinas and Black River Park Boat Launch is subject to the City of South Haven Marina and Boat Launch Facility Commercial Use Policy, as approved by South Haven City Council.

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

Amanda Morgan, City Clerk
Amanda Morgan, City Clerk

**Excerpt from the August 18, 2015
meeting of the Harbor Commission.**

Marina Rates 2016

VandenBosch explained how the discount was calculated and noted that these are substantial discounts compared to what had been offered before. VandenBosch pointed out that he modified the numbers in the resolution to round up to an even ten. VandenBosch also requests a two percent (2%) increase at the North Side and Black River Park Marinas but not at the Maritime Marina as the facilities there have not seen much improvement and the current rates are fairly high given the amenities that are available.

Silverman asked what the basis is for the two percent (2%) recommendation which VandenBosch explained as an inflationary increase. After a question by Silverman regarding whether the North Side is filled to capacity for the season, VandenBosch responded that there are a few slips that have a lot of surge which the city does not rent.

Marple corroborated that and stated that Black River Park has two empty docks compared to less than fifty percent (50%) occupancy three (3) years ago. "The two percent (2%) increase is a very reasonable amount to raise the seasonal fees." Marple cautioned about the Maritime Museum stating that he would prefer to keep that rate set until those docks are filled.

Silverman likes the idea of a nominal increase, because too frequently you wait too long and then it is a big increase. Marple responded, "We have the demand, the capitalistic system, you know."

Reineck asked at the current occupancy how much revenue will the city see to which VandenBosch responded that he should have calculated that.

Stephens asked if there has been an increase in the North Side Marina rates since the new facility was put in to which VandenBosch responded that rates were not raised at all during the economic crunch. Stegeman noted that the water level was also bad during that time.

Silverman asked about the state's fees which VandenBosch explained as the state setting ranges, noting that if the state changes their rates the city's rates will automatically follow.

Motion by Silverman to recommend to City Council the rate changes contained in the resolution setting the seasonal and transient slip rates at South Haven Municipal Marinas. Second by Stephens.

Ayes: Sullivan, Pyle, Reineck, Silverman, Stephens, Arnold

Nays: Stegeman

Motion carried.

Stegeman stated that a rate discrepancy is being created because one marina is more popular than another. If the rate change was inflationary it would be across all the marinas.

South Haven Municipal Marina Late Season Discount Proposal

| Date | Remaining Days | A | B | C |
|-----------|----------------|--|---|---|
| | | Current Discounted Slip Fee Remaining Days * Waterways Rate column 1 2015 Rate for 30 foot slip All Marinas | Proposed Discounted Slip Fee (Remaining Days in Season) / (Total Days in Season) * Seasonal Slip Fee * 1.5 183 Day Season North Side Marina | Proposed Discounted Slip Fee (Remaining Days in Season) / (Total Days in Season) * Slip Fee * 1.5 183 Day Season Black River Park |
| | | \$23.00 | \$2,915.00 | \$1,870.00 |
| July | | | | |
| | 16 | 91 | \$2,093.00 | |
| | 17 | 90 | \$2,070.00 | |
| | 18 | 89 | \$2,047.00 | |
| | 19 | 88 | \$2,024.00 | |
| | 20 | 87 | \$2,001.00 | |
| | 21 | 86 | \$1,978.00 | |
| | 22 | 85 | \$1,955.00 | |
| | 23 | 84 | \$1,932.00 | |
| | 24 | 83 | \$1,909.00 | |
| | 25 | 82 | \$1,886.00 | |
| | 26 | 81 | \$1,863.00 | |
| | 27 | 80 | \$1,840.00 | |
| | 28 | 79 | \$1,817.00 | |
| | 29 | 78 | \$1,794.00 | |
| | 30 | 77 | \$1,771.00 | |
| | 31 | 76 | \$1,748.00 | |
| August | 75 | 75 | \$1,725.00 | |
| | 2 | 74 | \$1,702.00 | \$1,768.11 |
| | 3 | 73 | \$1,679.00 | \$1,744.22 |
| | 4 | 72 | \$1,656.00 | \$1,720.33 |
| | 5 | 71 | \$1,633.00 | \$1,696.43 |
| | 6 | 70 | \$1,610.00 | \$1,672.54 |
| | 7 | 69 | \$1,587.00 | \$1,648.65 |
| | 8 | 68 | \$1,564.00 | \$1,624.75 |
| | 9 | 67 | \$1,541.00 | \$1,600.86 |
| | 10 | 66 | \$1,518.00 | \$1,576.97 |
| | 11 | 65 | \$1,495.00 | \$1,553.07 |
| | 12 | 64 | \$1,472.00 | \$1,529.18 |
| | 13 | 63 | \$1,449.00 | \$1,505.29 |
| | 14 | 62 | \$1,426.00 | \$1,481.39 |
| | 15 | 61 | \$1,403.00 | \$1,457.50 |
| | 16 | 60 | \$1,380.00 | \$1,433.61 |
| | 17 | 59 | \$1,357.00 | \$1,409.71 |
| | 18 | 58 | \$1,334.00 | \$1,385.82 |
| | 19 | 57 | \$1,311.00 | \$1,361.93 |
| | 20 | 56 | \$1,288.00 | \$1,338.03 |
| | 21 | 55 | \$1,265.00 | \$1,314.14 |
| | 22 | 54 | \$1,242.00 | \$1,290.25 |
| | 23 | 53 | \$1,219.00 | \$1,266.35 |
| | 24 | 52 | \$1,196.00 | \$1,242.46 |
| | 25 | 51 | \$1,173.00 | \$1,218.57 |
| | 26 | 50 | \$1,150.00 | \$1,194.67 |
| | 27 | 49 | \$1,127.00 | \$1,170.78 |
| | 28 | 48 | \$1,104.00 | \$1,146.89 |
| | 29 | 47 | \$1,081.00 | \$1,122.99 |
| | 30 | 46 | \$1,058.00 | \$1,099.10 |
| | 31 | 45 | \$1,035.00 | \$1,075.20 |
| September | 44 | 44 | \$1,012.00 | \$1,051.31 |
| | 2 | 43 | \$989.00 | \$1,027.42 |
| | 3 | 42 | \$966.00 | \$1,003.52 |
| | 4 | 41 | \$943.00 | \$979.63 |
| | 5 | 40 | \$920.00 | \$955.74 |
| | 6 | 39 | \$897.00 | \$931.84 |
| | 7 | 38 | \$874.00 | \$907.95 |
| | 8 | 37 | \$851.00 | \$884.06 |
| | 9 | 36 | \$828.00 | \$860.16 |
| | 10 | 35 | \$805.00 | \$836.27 |
| | 11 | 34 | \$782.00 | \$812.38 |
| | 12 | 33 | \$759.00 | \$788.48 |
| | 13 | 32 | \$736.00 | \$764.59 |
| | 14 | 31 | \$713.00 | \$740.70 |
| | 15 | 30 | \$690.00 | \$716.80 |
| | 16 | 29 | \$667.00 | \$692.91 |
| | 17 | 28 | \$644.00 | \$669.02 |
| | 18 | 27 | \$621.00 | \$645.12 |
| | 19 | 26 | \$598.00 | \$621.23 |
| | 20 | 25 | \$575.00 | \$597.34 |
| | 21 | 24 | \$552.00 | \$573.44 |
| | 22 | 23 | \$529.00 | \$549.55 |
| | 23 | 22 | \$506.00 | \$525.66 |
| | 24 | 21 | \$483.00 | \$501.76 |
| | 25 | 20 | \$460.00 | \$477.87 |
| | 26 | 19 | \$437.00 | \$453.98 |
| | 27 | 18 | \$414.00 | \$430.08 |
| | 28 | 17 | \$391.00 | \$406.19 |
| | 29 | 16 | \$368.00 | \$382.30 |
| | 30 | 15 | \$345.00 | \$358.40 |
| October | 14 | 14 | \$322.00 | \$334.51 |
| | 2 | 13 | \$299.00 | \$310.61 |
| | 3 | 12 | \$276.00 | \$286.72 |
| | 4 | 11 | \$253.00 | \$262.83 |
| | 5 | 10 | \$230.00 | \$238.93 |
| | 6 | 9 | \$207.00 | \$215.04 |
| | 7 | 8 | \$184.00 | \$191.15 |
| | 8 | 7 | \$161.00 | \$167.25 |
| | 9 | 6 | \$138.00 | \$143.36 |
| | 10 | 5 | \$115.00 | \$119.47 |
| | 11 | 4 | \$92.00 | \$95.57 |
| | 12 | 3 | \$69.00 | \$71.68 |
| | 13 | 2 | \$46.00 | \$47.79 |
| | 14 | 1 | \$23.00 | \$23.89 |
| | 15 | 0 | \$0.00 | \$0.00 |

August 25, 2015

TO: Brian Dissette

FR: Paul VandenBosch

RE: Tour Boat

Earlier this year, City Council approved a license agreement with IT-IL-DO Charters, LLC for a tour boat operation to be moored at South Side Marina.

The tour boat is in the process of being inspected by the Coast Guard and may be approved for use soon.

We have received approval of our DEQ permit for expansion of the marina.

Staff has published bids and has been working on the electric pedestal installation, and is prepared to modify the dock for the tour boat.

When the license agreement was approved, we discussed prorating the fee based on when the boat began mooring at the marina.

We would like to add the 2016 season to the license agreement.

The attached license agreement would prorate the slip fee for the remainder of the season, and would add the 2016 season to the agreement.

At its August 18 meeting, the Harbor Commission voted to recommend that City Council approve the license agreement.

Staff Recommendation:

Approve the Tour Boat License Agreement for the remainder of the 2015 season and the 2016 season.

LICENSE AGREEMENT

This License Agreement is made as of _____, 2015, 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 IT-IL-DO Charters, LLC, a Michigan Limited Liability Company, the principal business address of which is 46379 Leedy Point Road, Bloomington, MI 49026 (the “Licensee”).

RECITALS

- A. The City owns and operates the Southside Municipal Marina (the “Marina”) as is described and depicted on the attached **Exhibit A**.
- B. The Licensee wishes to provide a tour boat operation on Lake Michigan to be operated primarily from the Marina.
- C. The City wishes to accommodate the Licensee’s request 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**. The City grants the Licensee a non-exclusive license to use the west 40 feet of the South Side Marina deck area (the “Marina Slip”), as depicted on **Exhibit B**, to operate a commercial tour boat business, subject to the terms and conditions of this Agreement and for no other purpose or use.
- 2. **Term**.
 - a. Unless terminated earlier as provided in this Agreement, this Agreement shall commence on the date this Agreement is executed and shall remain in effect until 10:30 p.m. on October 1, 2016.
 - b. During each term of this Agreement, the Licensee shall be permitted to use the Marina Slip from 9:00 a.m. on April 15 until 10:30 p.m. on October 1 (the “Seasonal Use Period”). The Licensee shall remove its vessel from the Marina Slip immediately upon the end of the Seasonal Use Period on October 1.
 - c. This license is terminable at the will of the City Council. However, prior to terminating that license, the City shall first give the Licensee 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 Licensee may address the City Council.
 - d. The license may be suspended immediately by the City, upon the City’s reasonable belief that the Licensee has breached the terms of this Agreement. The Licensee may appeal such suspension to the City Council in writing. Upon receipt of the written appeal, the City shall give the Licensee written notice of the date and time of the next City Council meeting at which such appeal will initially be considered so that the Licensee may address the City Council.
 - e. The Licensee may terminate this Agreement for any reason by providing 30 days’ written notice to the City.

3. License Fee. Within 30 days of the execution of this Agreement the Licensee shall pay to the City a nonrefundable license fee of \$1 and an annual nonrefundable Marina Seasonal Slip Fee of \$7,900 for the 2016 Seasonal Use Period. Also within 30 days of execution of this Agreement, the Licensee shall pay to the City a nonrefundable license fee of \$1 and the pro-rated remainder of the annual \$7,900 nonrefundable Marina Seasonal Slip Fee for the 2015 Seasonal Use Period, calculated as follows: \$7,900 fee divided by 169 days contained in the Seasonal Use Period, equals \$42.93 daily, multiplied by the number of remaining days in the 2015 Seasonal Use Period as of the date of this Agreement.
4. Parking. The City will not provide exclusive parking for the Licensee's tour boat operation. The Licensee's Customers may use the general public parking area provided at the Marina. Customers may also use the Marina loading area on Water Street for a maximum of 15 minutes.
5. Non-exclusive License. The license is not exclusive to the Licensee. The City may license other commercial boat operations at its marinas.
6. Requirements of Licensee. The license is subject to the following terms and conditions:
 - a. The Licensee's tour boat business shall consist only of offering excursion tours on Lake Michigan to the public for a fee. No other use is permitted by the license.
 - b. The Licensee's use of the Marina Slip shall be limited to one vessel for its operations per season, and the size of the boat shall not exceed 40 feet in length and 14 feet in width, without advance written authorization from the City.
 - c. The Licensee may advertise its tour boat business at the Marina by displaying the Licensee's name, phone number and other contact information on a dock box near the Marina Slip, by placing advertising literature in a flier box on or near the southwest side of the Marina, by displaying a flag or banner flown on its vessel, and through the use of a sandwich board sign at the Marina. All advertising on City property is subject to City of South Haven Zoning Ordinance regulations and subject to approval of the Marina Manager.
 - d. The Licensee shall ensure that its operation of the tour boat business, and the use and operation of its vessel complies at all times with applicable local, state and federal laws, rules, regulations, ordinances, orders, permits, and licenses.
 - e. The Licensee may operate its business from the licensed Marina slip from 9:30 a.m. to 10:30 p.m., seven days per week, during each Seasonal Use Period throughout the term of this Agreement.
 - f. The Licensee may keep its vessel docked at the Marina Slip during the Seasonal Use Period, however, the Licensee understands and acknowledges that, from time to time, the City may require that the Licensee's vessel be relocated from the Marina, at no cost to the City, to accommodate special events, or if inclement weather requires. If an event is scheduled that requires the Licensee to remove its vessel, the City shall notify the Licensee in writing at least 60 days in advance. If the Licensee is required to remove its vessel at the request of the City to accommodate a special event, the Licensee shall have the option to relocate its vessel to another City owned slip at no cost to the Licensee, provided a slip is available. The parties acknowledge that during certain special events, there may not be an alternate available City slip, in which case the Licensee will be required to relocate its vessel elsewhere at no cost to the City.

g. The Licensee understands and acknowledges that from time to time, its ability to access the Marina slip licensed under this Agreement may be affected by festivals and other events.

h. The Licensee shall make no representations to any person or entity as to any affiliation with, endorsement by, or sponsorship with the City. The Licensee is in no way and at no time during the term of this Agreement affiliated with the City. The Licensee shall not use the City's logo at any time for any purpose.

i. The Licensee shall remove and dispose of all trash and debris from the operation of its tour boat, offsite.

7. Boarding Ramp.

a. The Licensee shall install, at its sole expense, a boarding ramp for use in its tour boat operations at the Marina Slip. Prior to commencing installation of the boarding ramp, the Licensee shall present plans, specifications, and a timeline for completion of the boarding ramp to the City for the City's reasonable review and approval. The plans and specifications shall comply with applicable City standards. The Licensee shall also be responsible for obtaining any necessary permits for the installation of the boarding ramp. Upon the City's written approval of the plans, specifications, and timeline, the Licensee, without cost to the City, shall cause the boarding ramp to be installed in accordance with the plans and specifications and within the approved timeline. The City shall have the right to inspect the boarding ramp prior to its use for tour boat operations and the Licensee shall not begin use of the boarding ramp until the City has provided its written approval following an inspection.

b. The boarding ramp shall remain the sole property of the Licensee following termination of this Agreement and Licensee shall remove the boarding ramp from the Marina Slip, at no expense to the City, within 14 days of the termination of this Agreement, unless the parties mutually agree in writing that the boarding ramp become City property. If the parties do not mutually agree in writing that the boarding ramp become City property, and the Licensee fails to remove the boarding ramp from the Marina Slip within 14 days of the termination of the Agreement, the City may elect, in its sole discretion: (1) to remove the boarding ramp from the Marina Slip, make it available to the Licensee, and assess the costs to the Licensee; or (2) to accept the boarding ramp as City property.

c. The Licensee shall ensure that all contractors used for the installation of the boarding ramp have commercially appropriate liability insurance, covering any injuries and property damage occurring during installation.

d. The City shall, at its own expense, install openings in the railings and an electric pedestal for Licensee's use in connection with the tour boat operation, however such improvements shall remain the sole property of the City.

8. Property Rights. This Agreement grants only a license to use and does not grant or convey to the Licensee any rights, title, or interest in the Marina Slip. The City retains all property rights in the Marina Slip. Except as otherwise provided by this Agreement, no modifications, improvements, or additions shall be made by the Licensee to the Marina Slip without the City's prior written consent. At the expiration or termination of this Agreement, or any renewal period(s), all modifications, improvements, and additions made to the Marina Slip by the Licensee, once accepted by the City, shall become the sole property of the City, subject to the

terms and conditions contained in Paragraph 7. If the City does not desire to retain the modifications, improvements, or additions, the Licensee shall return the Marina Slip to the condition it was in prior to the effective date of this Agreement, at no cost to the City. The Licensee shall also remove the advertising dock box at the request of the City, at no cost to the City. If the Licensee fails to restore the Marina Slip to its original condition or fails to remove the advertising dock box at the request of the City, the City may do so, and assess the costs to the Licensee.

9. Indemnification. The City shall not be responsible for any loss, damage or injury from the Licensee's operation of the tour boat business or its use of the Marina Slip under this Agreement. The Licensee shall hold the City (defined for purposes of this paragraph 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 Licensee's operation of the tour boat business or its use of the Marina Slip under this Agreement.

10. Insurance. Throughout the term of this Agreement, or any renewals thereof, the Licensee shall obtain and maintain commercial general liability insurance with limits of not less than \$1,000,000.00 dollars per occurrence and \$3,000,000.00 dollars in the aggregate. All policies shall name the City (including its officers and employees) as an additional insured and certificate holder and the Licensee shall obtain any requisite endorsements. Copies of certificates of insurance showing the coverage to be in place, that the premiums are fully paid, and that coverage cannot be terminated or modified except after 30 days prior written notice to the City, shall be provided to the City. Upon request, the Licensee shall provide the City with copies of the policies of insurance and all endorsements.

11. Assignment or Use by Others Prohibited. The Licensee may not assign this Agreement or its rights, privileges, duties or obligations under this Agreement and may not allow any other person or entity to use the Licensed Property for any purpose without the City's prior written consent.

12. Miscellaneous.

(a) This is the entire agreement between the parties regarding its subject matter. There are no prior or contemporaneous agreements. It may not be modified or amended except in writing, signed by all parties. It shall not be affected by any course of dealing. The captions are for reference only and shall not affect its interpretation. This Agreement shall be construed as though it was mutually drafted.

(b) 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.

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

CITY OF SOUTH HAVEN

IT-IL-DO CHARTERS, LLC

By: _____
Robert Burr, Mayor

By: _____
Chad Bard, Co-Owner

By: _____
Amanda Morgan, Clerk

Date Signed: _____, 2015

Date Signed: _____, 2015

EXHIBIT A

SOUTHSIDE MUNICIPAL MARINA PREMISES

EXHIBIT B
MARINA SLIP

GRAPIDS 57671-1 352569v4

**Excerpt from the minutes of the August 18, 2015
meeting of the Harbor Commission**

Tour Boat License Agreement Amendment

VandenBosch updated the board on progress regarding the contract with IT-IL-DO Charters, LLC, including delays with getting Department of Environmental Quality (DEQ) permits and Coast Guard inspection approval. While staff is working on installing the electric pedestals, the charter has been unable to start operating. VandenBosch suggests that the commission pro-rate the current year's fee and add next year's fee to the updated contract.

Silverman questioned whether the 2015 rental was ever paid to which VandenBosch responded that the 2015 rental fee has not been paid. Silverman asked whether there is an anticipated date. Chad Bard, owner of IT-IL-DO Charters, LLC, stated the Coast Guard has done the stability test but Bard still has to take the inspector for a boat ride and do the man overboard drill. Bard noted the inspector is pretty much good to go but there are three different sets of approvals required.

Discussion ensued regarding the bidding process and work on the electric pedestals and removal of a section of railing.

Silverman asked about minor changes in the agreement, season ending dates, and fees.

Silverman asked whether the Marina Manager has any concerns about the tour boat being at the South Marina.

John Marple stated he has concerns, but IT-IL-DO Charters has been down there with his fishing charter for three (3) years and there has been nothing major in the way of problems. Marple thinks even if there are a couple of bumps in the beginning that overall this arrangement can work.

VandenBosch expressed his biggest concern: the existing public restrooms are not adequate when there are events in that area. "We could have up to forty (40) additional people at a time with the tour boat; we already need more restrooms in that area." Marple seconded what VandenBosch just said, and noted, "On any given weekend we are already overburdened. Maintenance involved there is quite high. At some point in the future the city needs to look at increasing the restrooms, there is a pressing need at South Beach as well." Marple also expressed concern that with the tour boat coming in there will be folks sitting around and waiting and there is not enough seating available on the south side. Marple stated that he is cautiously optimistic.

Pyle noted the charter is a great opportunity and that starting at a slower time of year may help staff and the tour boat operation get the bugs worked out regarding seating and restrooms before re-opening next year.

Motion by Reineck, second by Pyle to recommend that city council approve the license agreement with IT-IL-DO Charters, LLC for a tour boat operation to be moored at the South Side Marina.

Sullivan and Stephens abstained.

Ayes: Pyle, Reineck, Silverman, Stegeman, Arnold
Nays: None

Motion carried.



City of South Haven

Department of Public Works

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

MEMORANDUM

To: Brian Disette

Cc: Roger Huff, Ron Dotson

From: Larry Halberstadt, PE, City Engineer

Date: September 2, 2015

RE: Bascule Bridge Repairs

Since the reopening of the Bascule Bridge on May 1, several issues have developed that require repairs or corrective action. A description of these issues, the proposed corrective action, estimated cost, and schedule is as follows:

Navigation Lights

Due to the high water level in Lake Michigan and the Black River, several of the navigation lights have been struck by watercraft attempting to cross below the closed bridge. Each bridge pier is equipped with underclearance signage indicating the height from the water level to the bottom of the navigation lights. However, this has not prevented damage to the lights. Each of the damaged lights will be repaired by replacing the hanger assembly that is attached to the bridge edge beam. At the same time that the hanger assemblies are replaced, the electric conduits that support the lights will be shortened to place the bottom of the light assembly above the bottom of the main bridge beam.

Staff has been working with Strain Electric to develop a price and schedule for this work. Because the lights are attached at mid-span, access is difficult. Options for accessing the navigation light assemblies include blocking the channel with a barge and scaffolding or partially opening the structure to provide access via a boom lift. The second option would require the roadway to be closed to traffic for a period of two days.

Strain has not yet provided an estimate for completing this work. This work will be scheduled at the conclusion of the navigation season (end of October).



Bridge Navigation Light

Memorandum

September 2, 2015

Bascule Bridge Repairs

Page 3 of 6

Closing Speed Adjustment

Some individuals have raised concern about the noise that occurs when the two bridge leaves are closed. As the bridge closes, the far side leaf moves down onto the near side leaf and the two sides slide together to provide a secure load transfer assembly for automotive traffic. The noise caused by this steel to steel contact can never be fully eliminated. The City's consultant for the Bridge Rehabilitation Project, Hardesty & Hanover, visited the site to perform a final inspection and walkthrough on April 30, 2015. Hardesty & Hanover was selected for this project because of their expertise in the design and rehabilitation of movable bridges. During the final inspection, multiple openings and closings were performed. Hardesty & Hanover did not provide any indication that the closing sequence was abnormal or "too loud".

It may be feasible to reduce the noise caused by the closing operation by slowing the closing speed of the bridge. In order to perform this adjustment, field technicians and engineers from MFP Automation Engineering and Feyen Zylstra would need to visit the site to revise the programming that controls the bridge. This work will require multiple test openings and closings in an effort to find a speed that reduces the contact noise. It should be noted that this work may add 15-30 seconds to the duration of each bridge opening cycle.

MFP has provided a quotation of \$2,155.00 to perform this work. Because this work has a potential to impact traffic on Dyckman Avenue during test openings, staff has been waiting until after Labor Day to authorize this work.



Center Lock Assembly, Prior to Shim Installation

Memorandum

September 2, 2015

Bascule Bridge Repairs

Page 5 of 6

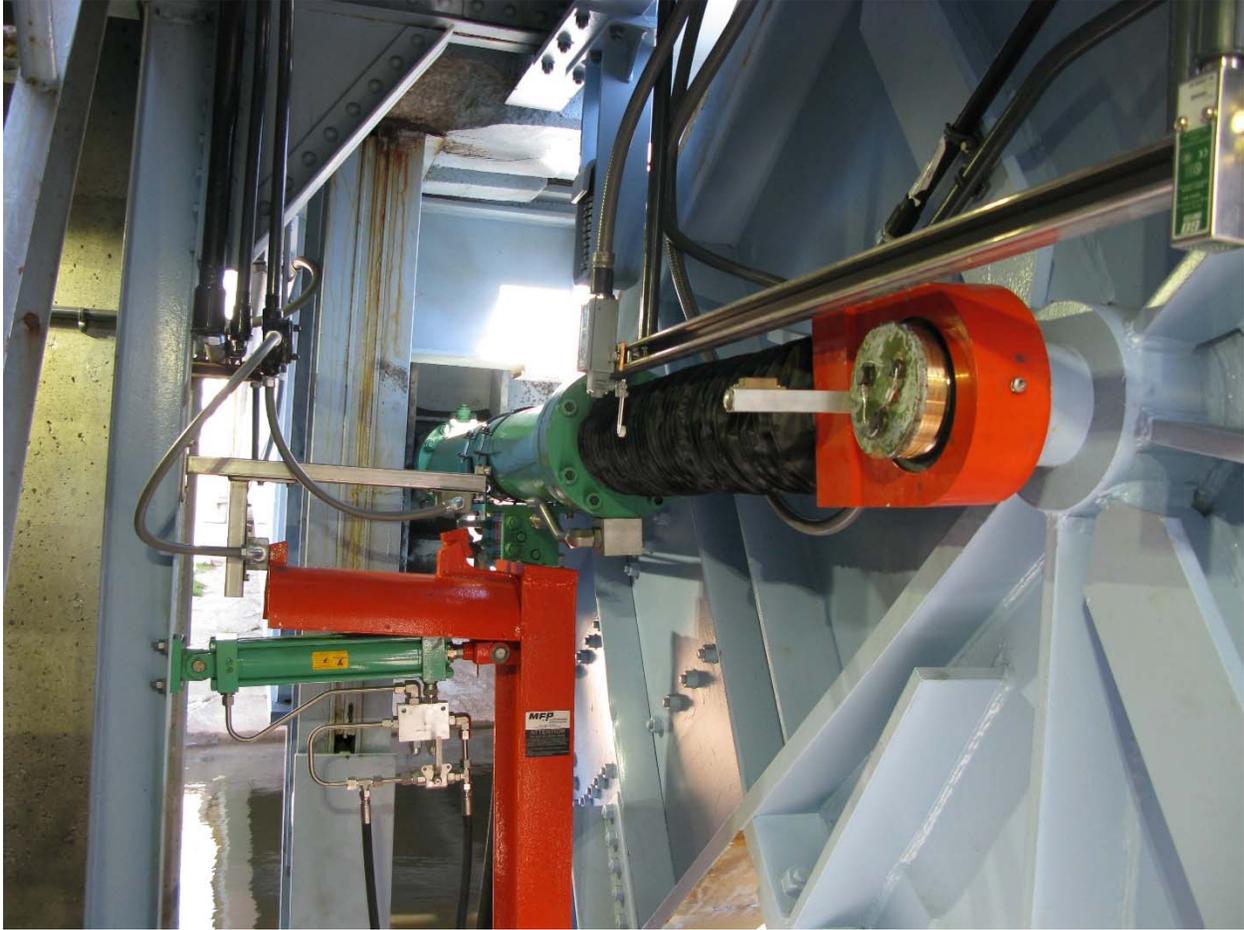
Abnormal Noise from Hydraulic Cylinder

After approximately 1½ months of normal operation, the bridge began making an abnormal low frequency sound during the last portion of the opening cycle. This sound is not apparent during closing. Anlaan, MFP Automation Engineering, City Staff, and our Consultant have all made multiple trips to the bridge attempting to locate and eliminate this noise. The noise appears to be generated by one of the main hydraulic cylinders that is used to move the far side bridge leaf. MFP has reviewed the hydraulic pressures within the system during operation and indicated that the cylinder is operating within specification. MFP has also been discussing the issue with the cylinder manufacturer, Yates Industries. MFP suspects that the cylinder may be slightly out of tolerance. This would cause abnormal contact between cylinder parts which would create the noise. Unfortunately, there is no way to make this determination without disassembling the cylinder for servicing.

At this point in time, it appears that the main cylinder will need to be removed for servicing. As part of the rehabilitation project, various spare parts were provided to the City, including spare hydraulic cylinders for the tail lock and lifting operation. The spare cylinder would be installed in place of the cylinder that requires servicing. Removing the lift cylinder and installing the spare will not be an easy task. At least one barge will be necessary to provide access to the rear of the cylinder where it is attached to and supported by the bridge structure. All of the hydraulic piping will need to be disconnected and partially drained. In addition, a variety of other mechanical equipment and position sensors will need to be removed and reinstalled to permit removal and reinstallation of the lift cylinder. It is estimated that it would take approximately 8-12 hours to replace the main lift cylinder, provided no complications arise. During this time frame, the bridge will be inoperable.

CFR §117.624 stipulates the operating hours for the Dyckman Avenue Bascule Bridge. The City is required to open the bridge every half hour from 7 am to 11 pm, May 1 through October 14. Traditionally, the City has provided extended operating hours on the weekends and stations bridge tenders beginning in late March through the end of October. In order to meet our obligations for bridge openings defined in CFR §117.624, the cylinder replacement must be scheduled to occur after October 14 or during the overnight hours. The nightly shutdown period of 8 hours may not be of sufficient length to complete the work. If the City desires to complete the work prior to the formal end of the navigation season, advance notice should be provided in the event that operations are delayed due to the duration of the repair.

The cost of this repair is still undetermined. This work could potentially be considered warranty work; however, the likelihood of a contract dispute related to this item is high. Offering to pay a portion of the repair costs upfront will likely be needed to get this work completed without a lengthy dispute.



Installed Hydraulic Cylinder Assembly