

City Council

Regular Meeting Agenda

Monday, October 19, 2015
7:00 p.m., Council Chambers



1. Call to Order
2. Invocation – Rachel Sankofski of We Care
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 October 5, 2015.
 - B. Council will be asked to approve invoices totaling \$7,480,554.64 for the period ending October 18, 2015 to be approved and forwarded to the Clerk and Treasurer for payment.
 - C. Council will be asked to approve change orders 1 and 2 relating to asbestos removal during demolition of 229 Elkenburg.
 - D. Council will be asked to approve the recommendations for contract award for the Michigan Coastal Zone Management Program for the Black River Park Launch Accessibility Improvements and award the following:
 - 1) Contract #1 to Jensen's Excavating Inc. for Landside Work total project amount of \$60,767.30; and
 - 2) Contract #2 to Camp & Cruise for the Waterside Work Project for the amount of \$47,207.00
 - E. Council will be asked to approve the following minutes:
 - 1) July 13, 2015 Brownfield Redevelopment Authority (BRA) minutes; and
 - 2) August 10, 2015 Local Development Finance Authority (LDFA) 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.

BOARD APPOINTMENT

6. Council will be asked to consider approval of alteration of the appointments of the Council Representatives Kozlik Wall for the Liberty Hyde Bailey Museum Board and Gruber for the Planning Commission.

NEW BUSINESS

7. Council will to approve Special Event Application 2015-32, Ice Breaker 2016 to be held on February 5 – 7, 2016 in various areas of the Central Business District.
8. Council will be asked to approve the license agreement, for the placement of a brick paver walkway installation, with the Historic Association of South Haven, at the city's South Beach "Harborwalk" area.
9. Council will be asked to approve Resolution 2015-44, a resolution approving the site plan for Phase II, River Ridge Retirement Village with the condition that building permits not be issued until any engineering concerns are resolved.
10. Council will be asked to introduce an ordinance amendment regulating the seasonal use of off road vehicles (ORVs) on city streets.
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
13. Mayor and Councilperson's Comments
14. Adjourn

RESPECTFULLY SUBMITTED,



Brian Dissette, City Manager

City Council

Regular Meeting Minutes

Monday, October 5, 2015
7:00 p.m., Council Chambers



1. **Call to Order by Mayor Burr at 7:00 p.m.**
2. **Invocation by Reverend Travis Wilson - Peace Lutheran Church**
3. **Roll Call**

Present: Arnold, Fitzgibbon, Gruber, Patterson, Burr
Absent: Klavins, Kozlik Wall

Moved by Fitzgibbon, seconded by Gruber, to excuse Councilmembers Klavins and Kozlik Wall for personal reasons.

Voted Yes: All. Motion carried.

4. **Approval of Agenda**

Moved by Patterson, seconded by Arnold, to approve the agenda.

Voted Yes: All. Motion carried.

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

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

- A. Council will be requested to approve the City Council Minutes for September 21, 2015.
- B. Council will be requested to approve the City Council Special Workshop Meeting Minutes for September 21, 2015.
- C. Council will be asked to approve invoices totaling \$659,267.29 for the period ending October 4, 2015 to be approved and forwarded to the Clerk and Treasurer for payment.
- D. Council will be asked to approve the following minutes:
 - 1) July 21, 2015 South Haven Area Recreation Authority (SHARA) minutes;
 - 2) August 24, 2015 Zoning Board of Appeals (ZBA) minutes; and
 - 3) September 3, 2015 Planning Commission minutes.

A Roll Call Vote was taken:

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

Motion Carried

NEW BUSINESS

6. Council will addressed by Clair Olney presenting the annual report from Van Buren County Senior Services.

Clair Olney, representative of Van Buren County Senior Services, gave a short presentation of the annual report to the City Council.

7. Council will be asked to consider approval of Resolution 2015-43, a resolution authorizing city's staff to proceed with purchase of 1068 East Wells Street and authorizes the use of a loan agreement between the City of South Haven and South Haven Area Emergency Services to finance the property purchase.

Moved by Patterson, seconded by Fitzgibbon, to approve Resolution 2015-43, a resolution authorizing city's staff to proceed with purchase of 1068 East Wells Street and authorizes the use of a loan agreement between the City of South Haven and South Haven Area Emergency Services to finance the property purchase.

Voted Yes: All. Motion carried.

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

9. City Manager's Comments

10. Mayor and Councilperson's Comments

Arnold: The demolition of the Baar's building is underway. The area will be turned into 29 additional parking spaces.

Patterson: Thanked the representative from Senior Services. Also thanked all the local volunteers.

Fitzgibbon: No comments.

Gruber: Central Lofts new development going well.

Burr: Bike trail to State Park has been graded and the asphalt will be done before the end of the month.

11. Adjourn

Moved by Fitzgibbon, seconded by Patterson, to adjourn the meeting.

Voted Yes: All. Motion carried. Meeting adjourned at 7:17 p.m.

RESPECTFULLY SUBMITTED,



Amanda Morgan, CMC
City Clerk

CITY OF SOUTH HAVEN**October 19, 2015**

	PREPAID	CURRENT	TOTAL
101-GENERAL FUND	\$ 23,884.85	\$ 45,669.91	\$ 69,554.76
202-MAJOR STREET FUND	\$ -	\$ 383.33	\$ 383.33
203-LOCAL STREET FUND	\$ -	\$ -	\$ -
204-STREET FUND	\$ -	\$ 4,743.87	\$ 4,743.87
226-GARBAGE/REFUSE FUND	\$ 1,654.61	\$ 32,741.76	\$ 34,396.37
250-DOWNTOWN DEVELOPMENT	\$ 1,336.44	\$ 10,806.88	\$ 12,143.32
251-LDFA #1	\$ -	\$ -	\$ -
252- LDFA #2	\$ -	\$ -	\$ -
253-LDFA #3	\$ -	\$ -	\$ -
260-BROWNFIELD AUTHORITY	\$ -	\$ 6,400.50	\$ 6,400.50
265-NARCOTICS UNIT	\$ -	\$ -	\$ -
266-POLICE TRAINING	\$ -	\$ -	\$ -
296-RIVER MAINTENANCE	\$ -	\$ -	\$ -
363- CAPITAL BOND	\$ -	\$ 91,142.50	\$ 91,142.50
370- BUILDING AUTHORITY #2	\$ 500.00	\$ -	\$ 500.00
371-CAPITAL BOND DEBT SERV	\$ -	\$ -	\$ -
372-WATER PLANT FUND	\$ -	\$ -	\$ -
395-DDA DEBT SERVICE	\$ -	\$ -	\$ -
396- DDA DISTRICT #2	\$ 500.00	\$ -	\$ 500.00
401-CAPITAL PROJECTS	\$ -	\$ 1,574.40	\$ 1,574.40
402-CAPITAL PROJECTS #2	\$ -	\$ -	\$ -
466- PAVILION AND ICE RINK	\$ -	\$ 11,201.60	\$ 11,201.60
545-BLACK RIVER PARK	\$ 500.00	\$ 7,675.74	\$ 8,175.74
577-BEACH FUND	\$ 250.01	\$ -	\$ 250.01
582-ELECTRIC FUND	\$ 1,718.76	\$ 63,005.93	\$ 64,724.69
591-WATER FUND	\$ 40,323.68	\$ 27,223.82	\$ 67,547.50
592-SEWER FUND	\$ 70,914.69	\$ 42,858.87	\$ 113,773.56
594-MUNICIPAL MARINA	\$ 7,209.43	\$ 4,038.05	\$ 11,247.48
636-INFORMATION SERVICES	\$ 5,565.02	\$ 4,473.00	\$ 10,038.02
661-MOTOR POOL	\$ 183.81	\$ 6,733.80	\$ 6,917.61
677-SELF INSURANCE	\$ -	\$ -	\$ -
703-TAX FUND	\$ 6,960,711.54	\$ -	\$ 6,960,711.54
718-TRUST & AGENCY	\$ -	\$ -	\$ -
750-EMPLOYEE WITHHOLDING	\$ 4,627.84	\$ -	\$ 4,627.84
TOTAL	\$ 7,119,880.68	\$ 360,673.96	\$ 7,480,554.64

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DB: South Haven

CHECK REGISTER FOR CITY OF SOUTH HAVEN
CHECK DATE FROM 09/30/2015 - 10/02/2015

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK						
09/30/2015	1	52326	000059	ALLEGAN COUNTY TREASURER	PROPERTY TAX COLLECTIONS	7,912.75
09/30/2015	1	52327	001329	LAKE MICHIGAN COLLEGE	PROPERTY TAX COLLECTIONS	154,291.95
					PROPERTY TAX COLLECTIONS	(3,867.81)
						<u>150,424.14</u>
09/30/2015	1	52328	002410	SOUTH HAVEN MEMORIAL LIBRARY	PROPERTY TAX COLLECTION	50,982.09
					PROPERTY TAX COLLECTION	(1,278.16)
						<u>49,703.93</u>
09/30/2015	1	52329	002415	SOUTH HAVEN PUBLIC SCHOOLS	PROPERTY TAX COLLECTION	2,251,171.02
					PROPERTY TAX COLLECTION	4,699.92
						<u>2,255,870.94</u>
09/30/2015	1	52330	002757	VAN BUREN COUNTY TREASURER	PROPERTY TAX COLLECTION	1,201,821.68
					PROPERTY TAX COLLECTION	(9,687.64)
						<u>1,192,134.04</u>
1 TOTALS:						
Total of 5 Disbursements:						3,656,045.80

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CHECK REGISTER FOR CITY OF SOUTH HAVEN
CHECK NUMBERS 52331 - 52332

Page: 1/1

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK						
10/05/2015	1	52331	002424	SOUTH HAVEN/CASCO	MONTHLY REU DEBT CHARGES	78,209.48
					MONTHLY REU O & M CHARGES	9,493.39
						<u>87,702.87</u>
10/05/2015	1	52332	002182	ROCK 'N' ROAD CYCLE	BIKES AND TIRES	1,711.92
						<u>1,711.92</u>
1 TOTALS:						
Total of 2 Disbursements:						89,414.79

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank 1 FIFTH THIRD BANK						
10/08/2015	1	52333	000967	JODY GUILFORD	MILEAGE REIMBURSEMENT	185.15
10/08/2015	1	52334	003070	WENDY HOCHSTEDLER	MILEAGE REIMBURSEMENT	140.75
10/09/2015	1	52335	003304	APPRAISALS PLUS GROUP, INC.	ASSESSING SERVICES	3,705.00
10/09/2015	1	52336	000285	BLOOMINGDALE COMMUNICATIONS	BCI BUSINESS INTERNET	3,102.95
10/09/2015	1	52337	000309	A.D. BOS OFFICE COFFEE SERVICE	COFFEE & SUPPLIES	38.59
10/09/2015	1	52338	UB REFUND	BOWMAN, SARA J	UB refund for account: 30459803	49.96
10/09/2015	1	52339	UB REFUND	BURSE, MARY DAVIS	UB refund for account: 13643900	71.69
10/09/2015	1	52340	000430	CENTURY LINK	LONG DISTANCE	5.41
10/09/2015	1	52341	000453	CHIEF SUPPLY CORP	UNIFORMS	227.05
10/09/2015	1	52342	003213	DALE CLAYTON	MILEAGE REIMBURSEMENT	69.00
10/09/2015	1	52343	000498	COMCAST	INTERNET SERVICE 01720 18884-01-4	59.70
10/09/2015	1	52344	000531	CORE TECHNOLOGY CORP	ANNUAL PREMIUM MAINTENANCE	1,250.00
10/09/2015	1	52345	UB REFUND	DOERR, ROBERT J	UB refund for account: 40917001	83.46
10/09/2015	1	52346	000660	DOMESTIC LINEN-KALAMAZOO	CITY HALL RENTALS DPW RENTALS	476.80 <u>1,934.89</u>
						2,411.69
10/09/2015	1	52347	UB REFUND	ELDRED, MELISSA	UB refund for account: 20623301	41.91
10/09/2015	1	52348	003168	ELWOOD STAFFING	STAFFING SERVICES	1,079.20
10/09/2015	1	52349	MISC	FERRELL BUILDERS	REMOVAL OF HONEY BEES FROM PARKING LOT	100.00
10/09/2015	1	52350	000843	FRONTIER	TELEPHONE 269-637-7466-021392-5 TELEPHONE 269-637-1386-071613-5 TELEPHONE 269-637-1402-071613-5 TELEPHONE 269-639-1795-082214-5 TELEPHONE 231-197-0043-051713-5	504.90 58.63 112.35 64.67 <u>66.27</u>
						806.82
10/09/2015	1	52351	000934	GREAT LAKES COATINGS	SUPPLIES	300.00
10/09/2015	1	52352	003149	GRO AMERICA	WASTE HAULING	19,529.65
10/09/2015	1	52353	000963	GRP ENGINEERING INC	ENGINEERING SERVICES SCADA INSTALLATION	223.00 <u>212.86</u>
						435.86
10/09/2015	1	52354	000974	HACH COMPANY	LAB SUPPLIES	764.20
10/09/2015	1	52355	000994	HAPA LLC	MARINA MANAGER BLACK RIVER PARK MANAGEMENT FEE	5,581.89 <u>500.00</u>
						6,081.89
10/09/2015	1	52356	UB REFUND	HARDING, JANIE K	UB refund for account: 13615401	205.20
10/09/2015	1	52357	UB REFUND	HERNANDEZ ALVAREZ, YOLANDA	UB refund for account: 10862009	44.28
10/09/2015	1	52358	001067	HI TEC BUILDING SERVICES	JANITORIAL SERVICE	3,467.87
10/09/2015	1	52359	UB REFUND	HOOKER, ANDREA N	UB refund for account: 11166008	55.47
10/09/2015	1	52360	001196	JOHN'S STEREO INC	SUPPLIES CORDED MOUSE	19.96 <u>9.99</u>
						29.95
10/09/2015	1	52361	UB REFUND	KAHNE, KRISTINE L	UB refund for account: 40198003	238.70
10/09/2015	1	52362	003408	KEENE, LUCAS	MEAL REIMBURSEMENT	139.99
10/09/2015	1	52363	001343	LAKESHORE PAINT & ARTWORKS	PARK SUPPLIES PARK SUPPLIES	20.65 28.99

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CHECK REGISTER FOR CITY OF SOUTH HAVEN
CHECK DATE FROM 10/06/2015 - 10/13/2015

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Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
10/12/2015	1	52392	000882	DUREYA GIBSON	CITY HALL INTERIOR ELEVATOR PAINTING	1,160.00
10/13/2015	1	52393	000059	ALLEGAN COUNTY TREASURER	PROPERTY TAX COLLECTIONS	12,872.83
10/13/2015	1	52394	001329	LAKE MICHIGAN COLLEGE	PROPERTY TAX COLLECTIONS	196,557.27
					PROPERTY TAX COLLECTIONS	2,025.62
						<u>198,582.89</u>
10/13/2015	1	52395	002410	SOUTH HAVEN MEMORIAL LIBRARY	PROPERTY TAX COLLECTION	64,925.72
					PROPERTY TAX COLLECTION	669.31
						<u>65,595.03</u>
10/13/2015	1	52396	002415	SOUTH HAVEN PUBLIC SCHOOLS	PROPERTY TAX COLLECTION	1,883,330.41
					PROPERTY TAX COLLECTION	5,446.11
						<u>1,888,776.52</u>
10/13/2015	1	52397	002757	VAN BUREN COUNTY TREASURER	PROPERTY TAX COLLECTION	1,133,764.72
					PROPERTY TAX COLLECTION	5,073.75
						<u>1,138,838.47</u>

1 TOTALS:

Total of 65 Disbursements:

3,374,420.09

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
						2,716.00
10/19/2015	1	52434	001271	K-JAM SUPPLY INC	SUPPLIES	879.91
10/19/2015	1	52435	001246	KENDALL ELECTRIC INC	SUPPLIES SUPPLIES	55.70 103.63
						<u>159.33</u>
10/19/2015	1	52436	003222	KSS ENTERPRISES	SUPPLIES	82.33
10/19/2015	1	52437	001331	LAKE MICHIGAN MAILERS	MAILING FEES C-378	10,000.00
10/19/2015	1	52438	001373	LAWN BOYS INC	LAWNCARE	1,505.00
10/19/2015	1	52439	001396	LEXIS NEXIS MATTHEW BENDER	CRIME INVESTIGATION HDBK	272.02
10/19/2015	1	52440	001467	MARK A MANNING	ATTORNEY SERVICES	6,240.00
10/19/2015	1	52441	003395	MELCHING INC.	DEMOLITION AT 125 ELKENBURG-FACTORY COND	5,393.00
10/19/2015	1	52442	001544	MENARDS	MAINTENANCE SUPPLIES - SNOW FENCE	1,734.50
					MAINTENANCE SUPPLIES	1,048.12
					MAINTENANCE SUPPLIES	73.26
					MAINTENANCE SUPPLIES	54.59
					MAINTENANCE SUPPLIES	37.94
					MAINTENANCE SUPPLIES	5.89
					MAINTENANCE SUPPLIES	114.10
					MAINTENANCE SUPPLIES	64.91
					MAINTENANCE SUPPLIES	54.83
					MAINTENANCE SUPPLIES	96.60
					MAINTENANCE SUPPLIES	64.79
					MAINTENANCE SUPPLIES	94.95
					MAINTENANCE SUPPLIES	34.97
					MAINTENANCE SUPPLIES	28.95
					MAINTENANCE SUPPLIES	326.98
					MAINTENANCE SUPPLIES	8.32
					MAINTENANCE SUPPLIES	31.32
					MAINTENANCE SUPPLIES	103.43
					MAINTENANCE SUPPLIES	66.20
					MAINTENANCE SUPPLIES	14.28
					MAINTENANCE SUPPLIES	49.15
						<u>4,108.08</u>
10/19/2015	1	52443	001657	MICHIGAN TOWNSHIP SERVICES	ELECTRICAL INSPECTIONS	2,663.00
10/19/2015	1	52444	UB REFUND	MOLINA, TIMOTHY R	UB refund for account: 20015714	180.90
10/19/2015	1	52445	001908	O'SULLIVAN BUILDERS	ICE RINK CARPENTRY WORK	11,201.60
10/19/2015	1	52446	001948	PAT'S PRONTO PRINT	CHARGING REQUESTS	175.50
10/19/2015	1	52447	003057	MICHAEL PAULY	MEAL REIMBURSEMENT	22.00
10/19/2015	1	52448	001965	PEERLESS MIDWEST INC	ANNUAL PUMP PERFORMANCE TESTING & SERVIC	3,901.00
10/19/2015	1	52449	002009	POLYDYNE INC	CLARIFLOC	2,070.00
10/19/2015	1	52450	002010	POOLE, PHILLIP	BATTERY REIMBURSEMENT	17.00
10/19/2015	1	52451	002020	POWER LINE SUPPLY CO	MAINTENANCE SUPPLIES	546.27
					MAINTENANCE SUPPLIES	603.45
					MAINTENANCE SUPPLIES	234.12
					MAINTENANCE SUPPLIES	1,012.37
					MAINTENANCE SUPPLIES	717.47
					MAINTENANCE SUPPLIES	5.98
						<u>3,119.66</u>
10/19/2015	1	52452	002033	PRI MAR PETROLEUM INC	CARS WASHED	25.00
10/19/2015	1	52453	002114	RATHCO SAFETY SUPPLY INC	STANLEY JOHNSTON PARK SIGN NO TRUCKS & NO PARKING SIGNS	300.00 168.00

10/14/2015 12:13 PM
User: MARGUE
DB: South Haven

CHECK REGISTER FOR CITY OF SOUTH HAVEN
CHECK DATE FROM 10/19/2015 - 10/19/2015

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
10/19/2015	1	52476	002949	WOLVERINE HARDWARE	MAINTENANCE SUPPLIES	12.49
					MAINTENANCE SUPPLIES	2.39
					MAINTENANCE SUPPLIES	21.03
					MAINTENANCE SUPPLIES	3.22
					MAINTENANCE SUPPLIES	2.51
					MAINTENANCE SUPPLIES	22.97
					MAINTENANCE SUPPLIES	13.24
					MAINTENANCE SUPPLIES	1.73
					MAINTENANCE SUPPLIES	25.00
					MAINTENANCE SUPPLIES	25.00
						<u>129.58</u>

1 TOTALS:

Total of 79 Disbursements:

360,673.96

October 8, 2015

TO: Brian Dissette

FR: Paul VandenBosch

RE: Overton Demolition Asbestos Related Change Orders

The windows in the older section of the Overton building were sealed in asbestos containing caulk. The asbestos removal contractor was not able to access many windows in the building due to the collapsed roof areas and because the floor was unstable near the windows. Window removal is now being performed by the demolition contractor by demolishing and removing debris up to the window area and using lift equipment to access the windows for removal. This is an additional cost to the contract.

As demolition progressed at the Overton building, the contractor discovered that there were kiln chimney flues which were made of transite, which is a mixture of cement and asbestos. This requires separation of the material and transport to a landfill. This was not identified in our bid documents and is a cost additional to the contract.

The demolition contractor identified a tar coating on the kiln walls as a potential asbestos containing material. The environmental consultant tested the tar and it does contain asbestos. The tar, tar coated brick and any brick mixed in with tar coated brick must be sent to a landfill. The current bid shows brick being sent to a local crushing operator. There are additional costs related to transport and landfill costs for disposing of the brick in the kiln area. The contractor has demolished around the kiln area and has left this area standing separately to make sure that it is properly separated and not mixed with other brick.

These items were not included in the original bid specifications and are additional expense. The architect has prepared two change orders for these items:

Change Order 1

Proper disposal of approximately 50 windows	\$ 14,500
Removal and proper disposal of existing kiln flues	\$ 3,680

Change Order 2

Remove material from kiln room area, separate and dispose of at an approved landfill (for material containing asbestos)	\$ 30,000
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TOTAL	\$ 48,180
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Approving these change orders will add these pay amounts to the current contract with the demolition contractor, and will allow 17 days additional contract time. The total contract amount will be \$315,180.

The Local Development Finance Authority approved the change orders at their October 12, 2015 meeting.

Staff Recommendation:

Approve Change Orders 1 and 2.

DRAFT AIA Document G701™ - 2001

Change Order

PROJECT (Name and address):

Overton Factory Demolition
229 Elkenburg St.
South Haven, MI 49090

CHANGE ORDER NUMBER: 002

DATE: October 7, 2015

TO CONTRACTOR (Name and address):

Eco Demolition, Inc.
4277 1/2 58th Street
Holland, MI 49423

ARCHITECT'S PROJECT NUMBER: 14-0521

CONTRACT DATE: August 18, 2015

CONTRACT FOR: Demolition

OWNER:

ARCHITECT:

CONTRACTOR:

FIELD:

OTHER:

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

1. Remove material from kiln room area, separate and dispose of at an approved landfill (for material containing asbestos).

\$30,000.00

The original Contract Sum was

The net change by previously authorized Change Orders

The Contract Sum prior to this Change Order was

The Contract Sum will be increased by this Change Order in the amount of

The new Contract Sum including this Change Order will be

\$	267,000.00
\$	18,180.00
\$	285,180.00
\$	30,000.00
\$	315,180.00

The Contract Time will be increased by ten (10) days.

The date of Substantial Completion as of the date of this Change Order therefore is December 28, 2015 for demolition and grading.

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Abonmarche Consultants, Inc.

ARCHITECT (Firm name)

95 W. Main Street
Benton Harbor, MI 49022

ADDRESS

BY (Signature)

Jeffrey M. Saylor
(Typed name)

DATE

Eco Demolition, Inc.

CONTRACTOR (Firm name)

4277 1/2 58th Street
Holland, MI 49423

ADDRESS

BY (Signature)

Scott Tucker
(Typed name)

DATE

City of South Haven

OWNER (Firm name)

539 Phoenix Street
South Haven, MI 49090

ADDRESS

BY (Signature)

Brian Dissette
(Typed name)

DATE

October 14, 2015

Mr. Brian Disette
 City of South Haven
 539 Phoenix Street
 South Haven, MI 49090

Re: Recommendation for Contract Award
 Michigan Coastal Zone Management Program –
 Black River Park Launch Accessibility Improvements

Dear Mr. Disette

On September 23, 2015, we received one (1) bid for the Michigan Coastal Zone Management Program – Black River Park Launch Accessibility Improvements Project. The one bid we received was complete, but was well over the project budget. On October 13, 2015, we rebid the project in multiple contracts and received a total of twelve (12) bids, from 6 separate Contractors. All bids received were complete and checked for accuracy.

A summary of the attached bid tabulation is provided below. The low bidder for each contract is indicated in **bold**.

REBID SUMMARY

Prepared By:	Contract #1 Landside Work Total Project	Contract #1 Landside Work Reduced Project	Contract #2 Waterside Work Project
Engineer's Estimate	\$45,332.50	\$26,548.00	\$50,000.00
Jordan Intercoastal	\$59,947.75	\$34,229.50	\$53,080.00
Jensen's Excavating Inc.	\$60,767.30	\$28,413.65	N/A
TJM Services, LLC	\$92,594.62	\$55,969.69	N/A
Northern Construction Services, Corp.	\$94,832.50	\$63,204.00	N/A
Compton, Inc.	\$100,835.00	\$52,655.00	N/A
Camp & Cruise	N/A	N/A	\$47,207.00

Abonmarche recommends award to **Jensen's Excavating Inc.** for Contract #1 – Landside Work, Total Project in the amount of **\$60,767.30**. Jensen's Excavating was the second low bidder for this contract, but only by \$819.55 or 1.4% of the low bid. Per Section 00 21 15, Article 19.07, "the Owner has determined that it is in their best interest to award the contract to a local Bidder whose principal business address is within the 49090 zip code. In the event that a

local Bidder submits a Bid that is within 5% but not more than \$5,000 over low bid, the Owner will award the contract to the local Bidder.”

Abonmarche recommends award to **Camp & Cruise** for Contract #2 – Waterside Work Project in the amount of **\$47,207.00**. Camp & Cruise was the low bidder for this contract.

The total of both bids is \$107,974.30. As you may recall the city received a grant for \$50,000 to help offset some of the costs. We will begin preparation of the Notice of Award pending your final decision in selecting the contractors, and pending approval from the Michigan Department of Environmental Resources – Coastal Management Program.

Should you have any questions or comments, please feel free to contact us at our office.

Sincerely,

ABONMARCHE



Corey A. Kadow, PE
Senior Project Engineer

CAK

cc: Paul VandenBosch
Cheri Meyer
Christopher J. Cook, PE
Tony McGhee

City of South Haven
MDEQ
Abonmarche
Abonmarche



Owner: City of South Haven
Project Name: Black River Launch Accessibility Improvements
Project Number: 15-0176
Date and Time: Tuesday, October 13, 2015 at 2:00 p.m.

Legend: Correction

Bid Tabulation

Contract #1 - Landside Work: Total Project Scope

Item	Unit	Estimated Quantity	Engineer's Estimate		Jordan Intercoastal		Jensen's Excavating		TJM Services, LLC		Northern Construction Services, Corp.		Compton, Inc.		
			Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	
1	Mobilization, Max \$5,000	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 900.00	\$ 900.00	\$ 4,999.50	\$ 4,999.50	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
2	Temporary Traffic Control	LS	1	\$ 1,500.00	\$ 1,500.00	\$ 900.00	\$ 900.00	\$ 860.00	\$ 860.00	\$ 3,125.00	\$ 3,125.00	\$ 500.00	\$ 500.00	\$ 2,000.00	\$ 2,000.00
3	Fence, Rem	LFT	150	\$ 5.00	\$ 750.00	\$ 4.00	\$ 600.00	\$ 5.60	\$ 840.00	\$ 12.50	\$ 1,875.00	\$ 1.00	\$ 150.00	\$ 10.00	\$ 1,500.00
4	Site Grading	LS	1	\$ 1,500.00	\$ 1,500.00	\$ 6,380.00	\$ 6,380.00	\$ 9,750.00	\$ 9,750.00	\$ 6,250.00	\$ 6,250.00	\$ 24,400.00	\$ 24,400.00	\$ 20,000.00	\$ 20,000.00
5	Silt Fence	LFT	300	\$ 2.00	\$ 600.00	\$ 2.30	\$ 690.00	\$ 2.58	\$ 774.00	\$ 4.17	\$ 1,251.00	\$ 2.40	\$ 720.00	\$ 3.00	\$ 900.00
6	Inlet Protection	EA	1	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 270.00	\$ 270.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
7	Soil Erosion Control misc.	LS	1	\$ 500.00	\$ 500.00	\$ 750.00	\$ 750.00	\$ 165.00	\$ 165.00	\$ 1,500.00	\$ 1,500.00	\$ 200.00	\$ 200.00	\$ 1,000.00	\$ 1,000.00
8	Subbase	CYD	70	\$ 15.00	\$ 1,050.00	\$ 22.85	\$ 1,599.50	\$ 16.80	\$ 1,176.00	\$ 21.43	\$ 1,500.10	\$ 10.00	\$ 700.00	\$ 20.00	\$ 1,400.00
9	Aggregate Base, 22A, 8 inch	SYD	205	\$ 7.50	\$ 1,537.50	\$ 18.75	\$ 3,843.75	\$ 9.70	\$ 1,988.50	\$ 33.54	\$ 6,875.70	\$ 20.00	\$ 4,100.00	\$ 25.00	\$ 5,125.00
10	HMA Surface Removal	SYD	110	\$ 5.00	\$ 550.00	\$ 14.00	\$ 1,540.00	\$ 13.00	\$ 1,430.00	\$ 15.91	\$ 1,750.10	\$ 18.50	\$ 2,035.00	\$ 15.00	\$ 1,650.00
11	Lockup Bollard and Footing	EA	1	\$ 500.00	\$ 500.00	\$ 469.00	\$ 469.00	\$ 970.00	\$ 970.00	\$ 1,250.00	\$ 1,250.00	\$ 800.00	\$ 800.00	\$ 2,000.00	\$ 2,000.00
12	Parking Bumper, Rem	EA	1	\$ 100.00	\$ 100.00	\$ 175.00	\$ 175.00	\$ 125.00	\$ 125.00	\$ 62.50	\$ 62.50	\$ 10.00	\$ 10.00	\$ 150.00	\$ 150.00
13	Parking Curb Bumper, Conc, 8 ft.	EA	2	\$ 200.00	\$ 400.00	\$ 175.00	\$ 350.00	\$ 485.00	\$ 970.00	\$ 137.50	\$ 275.00	\$ 150.00	\$ 300.00	\$ 500.00	\$ 1,000.00
14	HMA, 13A	TON	25	\$ 100.00	\$ 2,500.00	\$ 153.00	\$ 3,825.00	\$ 189.60	\$ 4,740.00	\$ 250.00	\$ 6,250.00	\$ 250.00	\$ 6,250.00	\$ 150.00	\$ 3,750.00
15	HMA, 36A	TON	20	\$ 100.00	\$ 2,000.00	\$ 216.25	\$ 4,325.00	\$ 189.60	\$ 3,792.00	\$ 312.50	\$ 6,250.00	\$ 250.00	\$ 5,000.00	\$ 150.00	\$ 3,000.00
16	Sidewalk, 4 inch	SFT	635	\$ 4.00	\$ 2,540.00	\$ 4.00	\$ 2,540.00	\$ 5.60	\$ 3,556.00	\$ 5.91	\$ 3,752.85	\$ 7.50	\$ 4,762.50	\$ 8.00	\$ 5,080.00
17	Sidewalk, 6 inch	SFT	2,330	\$ 5.00	\$ 11,650.00	\$ 5.00	\$ 11,650.00	\$ 6.95	\$ 16,193.50	\$ 7.51	\$ 17,498.30	\$ 8.00	\$ 18,640.00	\$ 11.00	\$ 25,630.00
18	Detectable Warning Surface, CI	LFT	6	\$ 80.00	\$ 480.00	\$ 41.75	\$ 250.50	\$ 64.00	\$ 384.00	\$ 125.00	\$ 750.00	\$ 90.00	\$ 540.00	\$ 80.00	\$ 480.00
19	Sign, Rem	EA	3	\$ 100.00	\$ 300.00	\$ 25.00	\$ 75.00	\$ 110.00	\$ 330.00	\$ 166.67	\$ 500.01	\$ 30.00	\$ 90.00	\$ 100.00	\$ 300.00
20	Installing MDEQ Supplied Sign	LS	1	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 580.00	\$ 580.00	\$ 125.00	\$ 125.00	\$ 400.00	\$ 400.00	\$ 300.00	\$ 300.00
21	Sign, Erect, Salv	EA	3	\$ 200.00	\$ 600.00	\$ 100.00	\$ 300.00	\$ 235.00	\$ 705.00	\$ 250.00	\$ 750.00	\$ 150.00	\$ 450.00	\$ 1,000.00	\$ 3,000.00
22	Line Mrkg, Waterborne, Blue, 4 inch	LFT	650	\$ 1.50	\$ 975.00	\$ 5.50	\$ 3,575.00	\$ 0.64	\$ 416.00	\$ 3.46	\$ 2,249.00	\$ 1.00	\$ 650.00	\$ 1.00	\$ 650.00
23	Legend Mrkg, Waterborne, Blue, ADA Symbol	EA	3	\$ 200.00	\$ 600.00	\$ 300.00	\$ 900.00	\$ 32.00	\$ 96.00	\$ 125.00	\$ 375.00	\$ 65.00	\$ 195.00	\$ 20.00	\$ 60.00
24	Top Soil, 4 inch	SYD	640	\$ 4.00	\$ 2,560.00	\$ 5.50	\$ 3,520.00	\$ 4.62	\$ 2,956.80	\$ 9.77	\$ 6,252.80	\$ 2.00	\$ 1,280.00	\$ 11.00	\$ 7,040.00
25	Fertilizer	LB	20	\$ 3.00	\$ 60.00	\$ 5.00	\$ 100.00	\$ 7.75	\$ 155.00	\$ 50.00	\$ 1,000.00	\$ 1.00	\$ 20.00	\$ 10.00	\$ 200.00
26	Seed	LB	30	\$ 5.00	\$ 150.00	\$ 5.00	\$ 150.00	\$ 9.45	\$ 283.50	\$ 75.00	\$ 2,250.00	\$ 10.00	\$ 300.00	\$ 30.00	\$ 900.00
27	Mulch Blanket	SYD	640	\$ 2.00	\$ 1,280.00	\$ 5.00	\$ 3,200.00	\$ 2.05	\$ 1,312.00	\$ 3.52	\$ 2,252.80	\$ 5.00	\$ 3,200.00	\$ 3.00	\$ 1,920.00
28	Bulk Head Wall	FT	32	\$ 150.00	\$ 4,800.00	\$ 80.00	\$ 2,560.00	\$ 134.50	\$ 4,304.00	\$ 332.03	\$ 10,624.96	\$ 395.00	\$ 12,640.00	\$ 150.00	\$ 4,800.00
29	Pet Waste Station and Concrete Footing	EA	1	\$ 500.00	\$ 500.00	\$ 330.00	\$ 330.00	\$ 745.00	\$ 745.00	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 1,000.00	\$ 1,500.00	\$ 1,500.00
Total: Contract #1 - Landside Work: Total Project Scope				\$	45,332.50	\$	59,947.75	\$	60,767.30	\$	92,594.62	\$	94,832.50	\$	100,835.00
						% of Eng. Est.	132.24%	% of Eng. Est.	134.05%	% of Eng. Est.	204.26%	% of Eng. Est.	209.19%	% of Eng. Est.	222.43%

Contract #1 - Landside Work: Reduced Project Scope

Item	Unit	Estimated Quantity	Engineer's Estimate		Jensen's Excavating		Jordan Intercoastal		Compton, Inc.		TJM Services, LLC		Northern Construction Services, Corp.		
			Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total	
1	Mobilization, Max \$3,000	LS	1	\$ 3,000.00	\$ 3,000.00	\$ 900.00	\$ 900.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 2,970.00	\$ 2,970.00	\$ 3,000.00	\$ 3,000.00
2	Site Grading	LS	1	\$ 1,500.00	\$ 1,500.00	\$ 2,360.00	\$ 2,360.00	\$ 5,150.00	\$ 5,150.00	\$ 11,000.00	\$ 11,000.00	\$ 6,250.00	\$ 6,250.00	\$ 25,500.00	\$ 25,500.00
3	Silt Fence	LFT	220	\$ 2.00	\$ 440.00	\$ 2.70	\$ 594.00	\$ 3.50	\$ 770.00	\$ 3.00	\$ 660.00	\$ 4.55	\$ 1,001.00	\$ 2.40	\$ 528.00
4	HMA Surface Removal	SYD	125	\$ 5.00	\$ 625.00	\$ 13.00	\$ 1,625.00	\$ 28.00	\$ 3,500.00	\$ 10.00	\$ 1,250.00	\$ 17.00	\$ 2,125.00	\$ 18.50	\$ 2,312.50
5	Parking Bumper, Removal	EA	1	\$ 75.00	\$ 75.00	\$ 125.00	\$ 125.00	\$ 250.00	\$ 250.00	\$ 200.00	\$ 200.00	\$ 62.50	\$ 62.50	\$ 10.00	\$ 10.00
6	Sidewalk, 6 inch	SFT	1100	\$ 6.00	\$ 6,600.00	\$ 6.95	\$ 7,645.00	\$ 6.50	\$ 7,150.00	\$ 15.00	\$ 16,500.00	\$ 7.50	\$ 8,250.00	\$ 8.00	\$ 8,800.00
7	Conc Pavt, Nonrein, 6 inch	SYD	125	\$ 54.00	\$ 6,750.00	\$ 62.50	\$ 7,812.50	\$ 51.50	\$ 6,437.50	\$ 80.00	\$ 10,000.00	\$ 150.00	\$ 18,750.00	\$ 58.50	\$ 7,312.50
8	Installing MDEQ Supplied Sign	LS	1	\$ 300.00	\$ 300.00	\$ 580.00	\$ 580.00	\$ 500.00	\$ 500.00	\$ 300.00	\$ 300.00	\$ 125.00	\$ 125.00	\$ 400.00	\$ 400.00
9	Line Mrkg, Waterborne, Blue, 4 inch	LFT	450	\$ 2.00	\$ 900.00	\$ 0.64	\$ 288.00	\$ 4.00	\$ 1,800.00	\$ 2.00	\$ 900.00	\$ 3.61	\$ 1,624.50	\$ 2.20	\$ 990.00
10	Legend Mrkg, Waterborne, Blue, ADA Symbol	EA	1	\$ 200.00	\$ 200.00	\$ 32.00	\$ 32.00	\$ 450.00	\$ 450.00	\$ 30.00	\$ 30.00	\$ 125.00	\$ 125.00	\$ 100.00	\$ 100.00
11	Top Soil, 4 inch	SYD	215	\$ 4.00	\$ 860.00	\$ 5.05	\$ 1,085.75	\$ 3.00	\$ 645.00	\$ 12.00	\$ 2,580.00	\$ 9.88	\$ 2,124.20	\$ 2.00	\$ 430.00
12	Fertilizer	LB	6	\$ 3.00	\$ 18.00	\$ 12.65	\$ 75.90	\$ 7.00	\$ 42.00	\$ 10.00	\$ 60.00	\$ 52.08	\$ 312.48	\$ 1.00	\$ 6.00
13	Seed	LB	10	\$ 5.00	\$ 50.00	\$ 12.65	\$ 126.50	\$ 10.00	\$ 100.00	\$ 30.00	\$ 300.00	\$ 75.00	\$ 750.00	\$ 10.00	\$ 100.00
14	Mulch Blanket	SYD	215	\$ 2.00	\$ 430.00	\$ 4.00	\$ 860.00	\$ 5.00	\$ 1,075.00	\$ 5.00	\$ 1,075.00	\$ 4.07	\$ 875.05	\$ 5.00	\$ 1,075.00
15	Bulk Head Wall	FT	32	\$ 150.00	\$ 4,800.00	\$ 134.50	\$ 4,304.00	\$ 105.00	\$ 3,360.00	\$ 150.00	\$ 4,800.00	\$ 332.03	\$ 10,624.96	\$ 395.00	\$ 12,640.00
Total: Contract #1 - Landside Work: Reduced Project Scope				\$	26,548.00	\$	28,413.65	\$	34,229.50	\$	52,655.00	\$	55,969.69	\$	63,204.00
						% of Eng. Est.	107.03%	% of Eng. Est.	128.93%	% of Eng. Est.	198.34%	% of Eng. Est.	210.82%	% of Eng. Est.	238.07%

Contract #2 - Waterside Work

Item	Unit	Estimated Quantity	Engineer's Estimate		Camp & Cruise		Jordan Intercoastal		
			Unit Price	Total	Unit Price	Total	Unit Price	Total	
1	EZ-Launch Dock and ADA Launch	LS	1	\$ 50,000.00	\$ 50,000.00	\$ 47,207.00	\$ 47,207.00	\$ 53,080.00	\$ 53,080.00
Total: Contract #2 - Waterside Work				\$	50,000.00	\$	47,207.00	\$	53,080.00
						% of Eng. Est.	94.41%	% of Eng. Est.	106.16%

Brownfield Redevelopment Authority

Regular Meeting Minutes

Monday, July 13, 2015
4:00 p.m., Council Chambers



City of South Haven

1. Call to Order by Bolt at 4:00 p.m.

2. Roll Call

Present: Erdmann, Gawreliuk, Henry, Klavins, Timmer, Valentine, Bolt
Absent: Dotson, Herrera, Schaffer

3. Approval of Agenda

Motion by Timmer, second by Valentine to approve the July 13, 2015 regular meeting agenda.

All in favor. Motion carried.

4. Approval of Minutes – April 13, 2015

Motion by Klavins, second by Erdmann to approve the April 13, 2015 regular meeting minutes.

All in favor. Motion carried.

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

None at this time.

6. Financial Report

VandenBosch reviewed the Financial Report for the end of the fiscal year.

Motion by Henry, second by Gawreliuk to accept the Financial Report.

All in favor. Motion carried.

7. Overton Brownfield Plan

VandenBosch explained that in order to use the local site remediation revolving fund, the property has to be in a Brownfield Plan; another reason is to use Brownfield tax capture to recover expenses; noted that a development has been estimated although at this time such development is unknown. At this time staff does not want to say what the development will

be; need input from other boards and need to find a developer that is able to get financing to do a development.

VandenBosch pointed the board to the Resolution provided in the agenda packet, which authorizes staff to send the Brownfield Plan to the city council.

Erdmann questioned what happens if the development is only half of what has been estimated by staff. VandenBosch responded that in that case, the city will not be able to recover all of our costs. If it is owned by the city the taxable value is zero; there is no capture if the city owns the property. VandenBosch said the city's expenses could be recovered if we can attract a development there of sufficient taxable value.

Bolt requested that VandenBosch read the resolution which he did, as follows:

Now, therefore, be it resolved that:

1. The Amendment, attached as Exhibit A, is hereby approved by the BRA Board and recommended to the City Council for its approval.
2. The BRA Board authorizes and approves expenditures from the local site remediation revolving fund for the eligible activities to be undertaken by the City of South Haven Local Development Finance Authority pursuant to the Amendment.
3. The Amendment shall be submitted to the City Council for approval and adoption in accordance with the provisions of the Act.

Motion by Henry, second by Timmer to recommend Resolution 2015-03 to the City Council.

All in favor. Motion carried.

VandenBosch outlined a possible time table and stated that he hopes to see demolition start by October.

8. General Comments

VandenBosch gave an update on the Factory Condo demolition and remediation project.

9. Adjourn

Motion by Klavins, second by Henry to adjourn at 4:08 p.m.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary

Local Development Finance Authority

Regular Meeting Minutes

Monday, August 10, 2015
4:00 p.m., Council Chambers
South Haven City Hall



City of South Haven

1. Call to Order by Bolt at 4:00 p.m.

2. Roll Call

Present: Dotson, Erdmann, Gawreliuk, Henry, Herrera, Klavins, Schaffer, Timmer, Valentine, Bolt

Absent: None

Also present: Brian Dissette, City Manager; Jack McCloughan, Economic Development Liaison

3. Approval of Agenda

Motion by Valentine, second by Dotson to approve the August 10, 2015 Regular Meeting Agenda as presented.

All in favor. Motion carried.

4. Approval of Minutes – June 8, 2015 Regular Meeting

Motion by Klavins, second by to approve the June 8, 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.

6. Financial Report

VandenBosch reviewed the financial report.

Motion by Dotson, second by Erdmann to accept the financial report.

All in favor. Motion carried.

7. Economic Development Report

McCloughan reported on economic development activities.

8. Southwest Michigan First Contract

Brian Dissette, City Manager. Referred to the city's experience with Southwest Michigan First actively involved in bringing East Jordan Plastics to South Haven and showing them vacant properties in our industrial parks. Now East Jordan Plastics has two (2) South Haven facilities, one in LDFA 1 and the other in LDFA 2.

Dissette explained that Southwest Michigan First is a membership group based in Kalamazoo with whom Dissette is proposing a formal partnership which would involve \$20,000 annually from the city for Southwest Michigan First services. That would include assistance to extract expansion projects and, in the case of 220 Aylworth, help the city find the right fit for that piece of property; collaborate with state programs; identify opportunities that could support higher education opportunities for our youth which would push training through Lake Michigan Collage (LMC); proposals for potential business development. Southwest Michigan First would market the city of South Haven and the South Haven Area to the Chicago, Dallas and Atlanta marketplaces. Dissette noted he has seen Southwest Michigan First grow and expand; recently the city of Marshall opted to go with Southwest Michigan First as an addition to their Downtown Development Authority (DDA). Dissette believes the proposed contract makes sense for the city and is part of City Council's annual priority setting and Dissette asks the board's consideration of this agreement.

Dotson. "What is the capacity of organization, with us being a smaller city, what are their employment numbers?"

Dissette responded that the organization was founded in the city of Kalamazoo and over the last five (5) to ten (10) years they have expanded and are working throughout Van Buren County and as far east as Marshall. In the past they have been providing services to the city at no charge; this proposal would buy the city a formal contract with quarterly reports of activities. Dissette stated he is not sure of their numbers as far as employees.

Shaffer. Offered that Southwest Michigan First is a well-funded organization with the capacity to add employees as necessary.

Valentine. "How will this interact with the things we are already doing, specifically, regarding Jack McCloughan's activities and the real estate contract for 220 Aylworth?"

Disette. Regarding Jack, noted that he is pleased that when he tours with Jack, sixty percent (60%) of the staff, as he walks through, know Jack. Several times Jack has brought to the city manager's attention someone who is struggling to keep their lights on, which enables the city to quietly negotiate some payment terms. In the case of retention visits, Southwest Michigan First negotiated the contract and deducted the retention visits, lowering the cost to the city.

Regarding the real estate contract, Dissette noted that there is a contract in place and he does not propose to change that contract at this time. The city has that vacancy and will soon have a vacancy at the Overton site. Southwest Michigan First will actively and

immediately start marketing. Also noted that Southwest Michigan First is marketing the Tragna property being on behalf of the city and township.

Klavins. "What was our call of our last hard dollar investment, our brochure?"

VandenBosch thinks the brochure was about three (3) years ago and estimates it being around thirty thousand dollars (\$30,000) to forty thousand dollars (\$40,000). "This sounds like a pretty good avenue for marketing." VandenBosch also pointed out that this contract is a different aspect than a real estate agency. A real estate agency works more closely with buyer negotiations than Southwest Michigan First, which focuses on broader marketing.

Dissette gave a brief anecdote regarding the Mayor of Marshall, noting that the city ended a long term relationship and contracted instead with Southwest Michigan First which is much more aggressive and the city is seeing benefit.

Henry: "The county is also looking to expand its relationship with Southwest Michigan First; it's a quality outfit and has a wide, broad reach."

Motion by Henry, second by Shaffer to approve a contract for \$20,000 per year with Southwest Michigan First, a nonprofit economic development organization representing the southwest Michigan region.

All in favor. Motion carried.

9. Overton Bid Approvals

VandenBosch explained that the packet provided to members regarding the Overton bid proposals will go to City Council. Noted that staff had estimated \$475,000 for the proposed work; the bids came in much lower at \$319,193. Pointed out that the version sent this morning includes an error regarding asbestos removal while the version provided to the board now is the correct version. "This proposal will leave the city with a green site, seeded and should be a site that the city will have to mow next year."

VandenBosch has received numerous questions about what the city is going to do with the site. "I have not been commenting on what the city is going to do with the site, because it is going to be up to this board as to what happens to this property. There is an agreement in place that when the city receives ownership of the parcel, the property will be offered to the Local Development Finance Authority (LDFA) which has agreed to accept it," VandenBosch explained.

VandenBosch directed the board's attention to the invoice, which the city received last week from the county and explained that the city manager negotiated with the County Treasurer to remove ten thousand dollars (\$10,000) worth of interest and penalties from the purchase cost of the Overton tax foreclosure property.

Staff is looking for a recommendation of these bids to City Council.

Motion by Erdmann, second by Dotson, to recommend approval of the Overton Environmental and Demolition bids to City Council.

All in favor. Motion carried.

Henry noted the targeted completion dates, commenting, "That is a pretty impressive schedule."

Bolt commented on his appreciation of the provided pictures of the inside of the building.

10. General Comments

None at this time.

11. Adjourn

Motion by Klavins, second by Erdmann to adjourn at 4:26 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary

MEMO

DATE: October 12, 2015

TO: Brian Dissette
City Manager

FROM: Kate Hosier
Deputy City Clerk

SUBJECT: Switching Appointments of Council Representatives

Background Information:

The City Clerk's Office has received a request to alter the City Council Representatives from the Planning Commission and the Liberty Hyde Bailey Museum Board.

Council Member Kozlik-Wall is balancing both professional and personal issues which necessitates greater flexibility. Council Member Gruber has expressed a desire and willingness to serve on the City's Planning Commission.

Recommended Action:

Staff recommends the City Council consider approval of alteration of the appointments of the Council Representatives Kozlik Wall for the Liberty Hyde Bailey Museum Board and Gruber for the Planning Commission.



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: October 5, 2015

RE: Special Event 2015-32 – 2016 IceBreaker

Background Information

The South Haven Area Chamber of Commerce is hosting IceBreaker 2016, and is ready for Council's approval. Nothing is changing from previous years. There will be ice sculptures, a chili cook-off, a Pub Slide, a snowball throwing competition and many more fun activities!

This event will start Friday, February 5, 2016 at 5:00 pm and run through 3:00 pm Sunday, February 7, 2016.

Proof of Insurance will be provided.

Attachments

Special Event 2015-32 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.


Initial

10/2/15
Date

CONTACT INFORMATION

Event Title: IceBreaker 2016

Sponsoring Organization: South Haven Area Chamber of Commerce

Applicants Name: Kathy Wagaman, Executive Director

Telephone #: 269-637-5171 Phone # During Event: 269-214-6178

E-mail Address: director@southhavenmi.com

Other contacts for/during event

Name: Susan Diepen Telephone: 269-906-0722

Name: Krissy Garland Telephone: 269-208-2774

EVENT SPECIFIC INFORMATION

Event Location: Downtown South Haven

Date(s) Requested: Feb 5-7, 2016 Alternative Date(s): _____

Start Time: 5pm Friday, February 5 End Time: 3pm Sunday, Feb 7

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

Number of people expected to attend: 8,000-10,000

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 press release.

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 Ice carvings on city sidewalks - cones will be used to keep crowds back during carving. Center St. parking spaces near

- Entertainment, dance, tent or stage. Mark locations on maps. Phoenix for Heat the Streets, close at corner of Eagle & Cente
- Event Command Post. Mark location on maps. "C" on map.
- Dumpsters and/or trash containers. The Mark location on maps. "D" on map.
- Portable toilet facilities. Mark locations on maps. How many? Wish to be exempt due to lack of
The City requires the use of portable facilities for events expecting over 500 attendants. use.
- 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: Horse-drawn wagon rides will be under drive-through awning on Center St. at Chemical Bank. Wagon rides will go through city.
- 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. (see "X" on map)
- 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: Access to all electrical outlets from traffic islands to light poles for ice carving tools

If electric utilities requested, name of festival person or electrician who will be responsible:
Name: Kathy Wagaman Telephone: 269-214-6178
Shane Draper 386-237-1799

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: Please provide extra officers on foot downtown during the day Saturday, February 6th to patrol crowds. Extra help overnight to protect ice sculptures would be appreciated.

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 (will provide)
 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

10/2/15

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.



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 South Haven Area Chamber of Commerce

Date Requested 10/2/15

Organization/Committee Staff

Mailing Address 606 Phillips St.
South Haven, MI 49090

Office/Main Phone 637-5171

Cell Phone 214-6178

EVENT: Ice Breaker Festival **DATE of EVENT:** 2/5/16-2/7/16

CONES	Quantity	Who will pick up cones (Please Print Legibly)	Cell Phone	Pick Up Date/Time	Return Date/Time
	75	Please drop off at Wolverine Hardware.	214-6178	2/5/16 11:00 AM PM	2/7/16 7:00 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	Drop Off Date/Time	Pick Up Date/Time
			Cell Phone		
6	Corner of Eagle & Center	Kathy	214-6178	2/5/16 11:00 AM PM	2/7/16 7:00 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: Kathy L. Wayne

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.

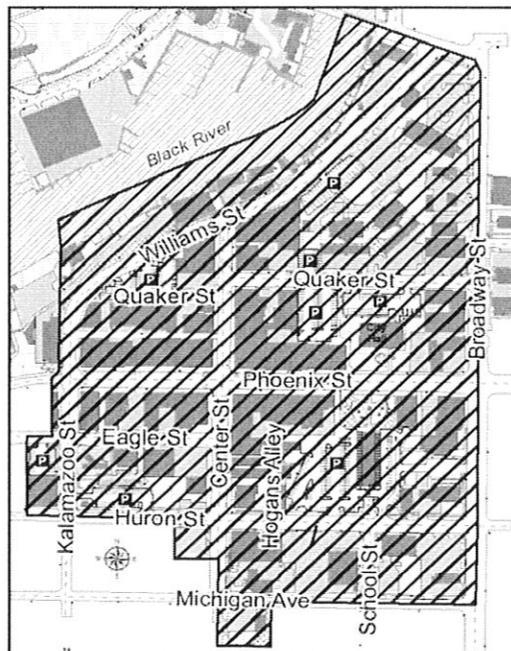
- STREET MARKING: Painting and marking on roads and sidewalks should be held to a minimum and paint specifically designed to wear away in a short period of time and approved by the city shall be used. Please contact the Parks and Recreation Supervisor for approved list.

- 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.

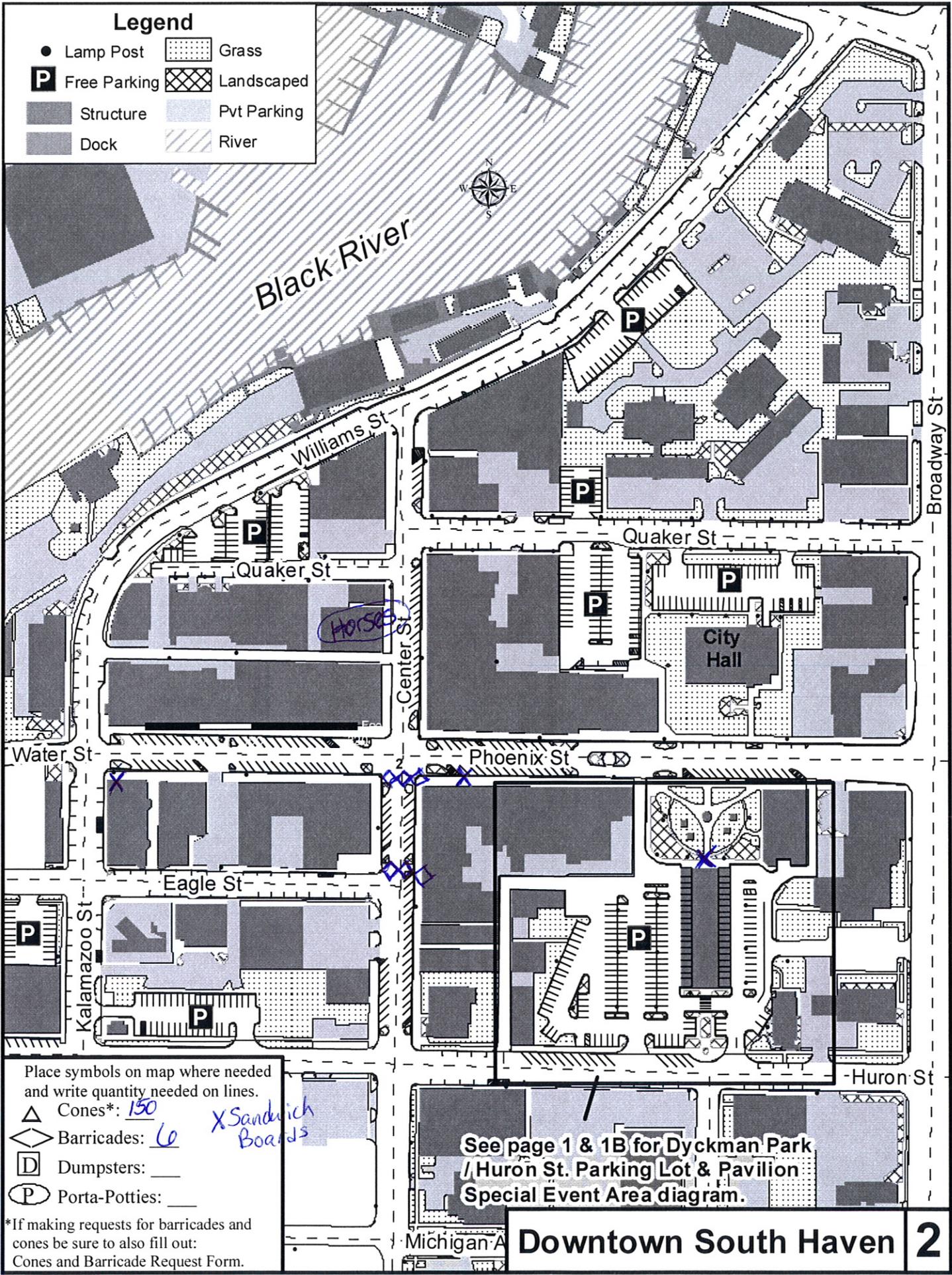
CITY OF SOUTH HAVEN PARK RULES

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.

Legend

- Lamp Post
- ▢ Free Parking
- Structure
- Dock
- ▨ Grass
- ▨ Landscaped
- ▨ Pvt Parking
- ▨ River



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

- △ Cones*: 150
- ◇ Barricades: 6 X Sandwich Boards
- Dumpsters:
- Porta-Potties:

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

See page 1 & 1B for Dyckman Park / Huron St. Parking Lot & Pavilion Special Event Area diagram.

FOR IMMEDIATE RELEASE

Cool South Haven Heats up for Ice Breaker 2016

South Haven, MI – October 2, 2015 - Now in its 23rd year, Ice Breaker Festival (February 5-7, 2016) promises winter fun for the whole family. West Michigan's predominant and growing winter festival is showcasing dazzling ice sculptures, Chili Cook-off, Pub Slide, outdoor ice skating, horse drawn wagon rides, s'mores roasting, snowball throwing competition and many more exciting activities throughout downtown South Haven.



The not-to-be-missed highlight of this annual event is the sculpting of more than 50 blocks of ice, weighing 300-600 pounds each, into incredible works of frozen art. The Ice Sculpting competition has three divisions - professional, amateur and student. Take a stroll around downtown to see all of the "cool" designs! While admiring all the amazing ice displays, be sure to enjoy the Pub Slide, with food, drink, and entertainment specials offered at participating bars and restaurants all weekend long.

The streets of South Haven will be blazing on Saturday, February 6th as the Boy Scouts "Heat the Streets", offering three fire pits open for s'more roasting! Also on Saturday, the Professional Chili Cook-Off provides downtown South Haven restaurants & bars the opportunity to vie for the coveted "Con Carne Trophy". Visitors will be tempted with delicious chili creations from over 20 participants, and votes will decide whose chili will win the trophy! Trophies for the Chili Cook-off and Ice Carving competition will be awarded during the Champions of Ice Awards Reception on Saturday evening.

Enjoy horse-drawn wagon rides throughout town, participate in beginner curling lessons or take the family ice skating at the rink in downtown South Haven. Many more events will be published as they are confirmed! Proceeds from Ice Breaker Fest help many local non-profit organizations to generate needed revenue to support local programming. Organizations that hold annual fundraising efforts during Ice Breaker Festival include Harborfest, National Blueberry Festival, Boy Scouts and many others.

Make your plans now to spend the weekend in beautiful South Haven during Ice Breaker 2016, February 5th through the 7th. For more information contact the South Haven Area Chamber of Commerce at 269.637.5171, e-mail events@southhavenmi.com, visit us on the web at www.southhavenmi.com, or like us on Facebook.

Contact: Susan Diepen
South Haven Area Chamber of Commerce
606 Phillips Street, South Haven, MI 49090
Phone: 269-637-5171
Email: events@southhavenmi.com
Web: www.southhavenmi.com

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Agenda Item 8

HASH Harborwalk License Agreement

Background Information:

The City Council will be asked to consider a license agreement, for the placement of a brick paver walkway installation, with the Historic Association of South Haven (HASH) at the city's South Beach "Harborwalk" area.

At the May 16, 2011 regular City Council meeting, the Council approved an agreement with the HASH for maintenance of the South Pier lighthouse. That agreement provides \$5,000 per year to HASH for annual maintenance of the South Pier lighthouse. As part of the agreement, HASH agreed to take ownership of the lighthouse and to make substantial investments in the restoration of the light as well as to raise funds for maintenance. Earlier this month, HASH announced the organization had raised more than \$250,000 towards the restoration work. Further, the organization announced that a contractor had been authorized to proceed with the first phase of the lighthouse restoration work. That work is currently underway at the South Pier.

As part of the fundraising effort, HASH has worked with the city's Parks Commission and staff to develop a brick paver walkway plan. HASH will sell bricks which can be customized to recognize donors towards the light restoration project. HASH has worked with the Parks Commission to develop a plan for where the paver walkway can be placed without interfering with future South Beach developments. That plan has been incorporated into a license agreement for the City Council's consideration. The license agreement provides language which ensures that the city continues to own and control the impacted area, while providing assurances to HASH that the city will not remove the bricks without a formal notification process, and cost sharing arrangement, to the organization. The HASH Board of Directors has reviewed and approved the license agreement.

Recommendation:

The City Council should consider a motion to approve the license agreement, for the placement of a brick paver walkway installation, with the Historic Association of South Haven at the city's South Beach "Harborwalk" area.

Support Material:

DRAFT HASH Harborwalk License Agreement
Harborwalk/Paver Location Map

BRICK PAVER PATIO IMPROVEMENT AGREEMENT

This Brick Paver Patio Agreement (the "Agreement") is made as of _____, 2015, between the City of South Haven, a Michigan municipal corporation, of 539 Phoenix Street, South Haven, MI 49090 (the "City"), and the Historical Association of South Haven, a Michigan domestic nonprofit corporation, of 355 Hubbard St., South Haven, MI 49090 ("HASH").

RECITALS

- A. The City owns real property and improvements located at the South Beach area and plans to improve this area in accordance with plans, schedules, and timelines approved by the City ("South Beach Improvement").
- B. The City's planned South Beach Improvement reserves a space for the construction of a brick paver patio (the "Paver Walk") on the Premises.
- C. HASH desires to sell brick pavers engraved with sponsors' names (the "Engraved Bricks") to raise funds for its restoration of its South Pier Light pursuant to its agreement with the City and the federal government to fund such restoration.
- D. The City has agreed to construct the Paver Walk using the Engraved Bricks provided by HASH, subject to 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. Construction of Paver Walk. The City shall construct the Paver Walk in accordance with the plans, schedules, and timelines set by the City for the South Beach Area Improvement. The City shall solicit bids for the initial construction of the Paver Walk and installation of the Engraved Bricks and shall have sole discretion to select the contractor. The City shall directly oversee initial construction of the Paver Walk by its selected contractor and shall direct the contractor to install all Engraved Bricks in the Paver Walk provided by HASH by the designated deadline for delivery of bricks. In the event there are not enough Engraved Bricks provided by HASH to complete the Paver Walk in accordance with the specifications for the same, the City shall direct the contractor to complete the Paver Walk with un-engraved brick pavers.
- 2. Deadline for Delivery of Engraved Bricks. HASH shall deliver the Engraved Bricks to the City, at a location designated by the City and at no cost to the City, no less than 7 days prior to the date scheduled for installation of the same. The City shall notify HASH of the scheduled installation date as soon as is practical once the City determines the same.
- 3. Condition of the Engraved Bricks. The City reserves the right to refuse to install any Engraved Brick that is not of a quality or condition sufficient for installation in the Paver Walk. The City has sole discretion to make such determination.
- 4. Modifications and Subsequent Installations.
 - a. HASH or its agents shall not make any modifications to the Paver Walk and shall not install any additional Engraved Bricks, without the prior written consent of the City Manager or his or her designee.
 - b. HASH may, at its sole discretion, sell additional bricks as additional fundraising for its restoration of its South Pier Light. Upon the sale of additional bricks and obtaining the written permission of the City Manager or his or her designee, HASH may, at no cost to the City, replace un-engraved bricks in the Paver Walk with the additional Engraved Bricks. HASH shall install such additional Engraved Bricks in accordance with plans and schedules approved by the City Manager or his or her designee.
 - c. The City may, at its sole discretion, allow expansion of the Paver Walk, but has no obligation to do the same. If HASH sells additional Engraved Bricks that exceed the space designated for the Paver Walk as initially installed by the City, the City has no obligation to allow HASH to install the same.
 - d. If HASH installs additional Engraved Bricks after the City's initial construction of the Paver Walk, it shall do so at no cost to the City and any work HASH performs or causes to be performed with regard to the Paver Walk shall be performed by a contractor or other person(s) reasonably acceptable to the City. The

City reserves the right, but has no obligation, to inspect the Paver Walk following any modifications or subsequent installations of Engraved Bricks by HASH.

- e. If the Paver Walk is not in compliance with the approved specifications and applicable City Ordinance(s), HASH shall immediately, upon written notification from the City, cause the Paver Walk to be brought into compliance, at no cost to the City. If HASH fails to perform subsequent installations of Engraved Bricks in accordance with this Agreement, or applicable City Ordinance(s), the City may, in its sole discretion, cause the installation of the Engraved Bricks to be performed and charge HASH for the costs in doing so along with assessment of an administration fee of 15% of the total installation cost.

5. Ownership of the Paver Walk. The Paver Walk is and shall remain the property of the City. HASH shall ensure that no liens arising from HASH's obligations under this Agreement are placed against any part of the Premises.

6. Profits. HASH shall keep all profits from the sale of the Engraved Bricks and shall use the profits for restoration and maintenance of the South Pier Light pursuant to the Restoration Agreement.

7. Costs. HASH shall sell, engrave, and deliver the Engraved Bricks at no cost to the City. HASH shall be responsible for all costs and expenses associated with the same. HASH shall reimburse the City for the cost of the construction of the Paver Walk and the initial construction of the Paver Walk and installation of the Engraved Bricks within 30 days of receipt of an invoice from the City requesting reimbursement. HASH shall also be responsible for all costs associated with subsequent installation of Engraved Bricks to the Paver Walk.

8. Maintenance and Repair. The City shall be responsible for ordinary maintenance and repair of the Paver Walk.

9. Indemnification and Insurance. HASH 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 demand, claim, judgment, award, legal proceeding or loss of any kind arising from any of HASH's subsequent installation of Engraved Bricks in the Paver Walk after the initial construction and installation of the same. HASH shall ensure that all contractors used for subsequent installation of Engraved Bricks have commercially appropriate liability insurance, covering any injuries (including death) and property damage occurring during installation of the Engraved Bricks.

10. Compliance. HASH's subsequent installation of Engraved Bricks in the Paver Walk shall comply with all applicable laws, ordinances, rules, regulations, orders, and directives of governmental bodies and officials of competent jurisdiction.

11. No Interest in Real Property. This Agreement provides HASH permission to install Engraved Bricks upon the Premises and does not convey any legal or equitable interest in the Premises.

12. Term.

A. The term of this Agreement shall be for a period of 10 years.

B. This Agreement is terminable at the will of the City Council by resolution. However, prior to terminating the Agreement, the City shall first give HASH 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 HASH may address the City Council.

13. Termination. Following termination of this Agreement, within 120 days' of receiving a written notice from the City requesting removal and restoration, HASH shall remove the Engraved Bricks from the Paver Walk and restore the Paver Walk to a condition acceptable to the City. In the event the City sends notice requesting removal of the Engraved Bricks from the Paver Walk, the City and HASH shall share equally in the cost of relocation of the Engraved Bricks.

14. Assignment. This Agreement shall not be assigned or transferred in any manner by HASH to any other person or business entity, except with the written permission of the City.

15. Miscellaneous.

A. Any notices, reports or statements required to be served hereunder shall be sufficiently given if mailed by first class mail addressed to the parties at their respective addresses stated above. Notice shall be deemed to have been given upon the date of mailing.

B. This Agreement is written pursuant to the laws of the State of Michigan and was made in Van Buren County, Michigan. This is the entire agreement between the parties regarding its subject matter. There are no prior or contemporaneous agreements. This Agreement may not be modified or amended except in writing, signed by the parties.

C. The failure of either party to enforce any covenant or condition of this Agreement shall not be deemed a waiver thereof or of the right of either party to enforce each and every covenant and condition of this Agreement. No provision of this Agreement shall be deemed to have been waived unless such waiver shall be in writing.

D. The captions of this Agreement are for convenience only and shall not considered as part of this License or in any way limiting or amplifying its terms and provisions. The recitals, however, are an integral part of this Agreement.

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

CITY OF SOUTH HAVEN

HISTORICAL ASSOCIATION OF SOUTH HAVEN

By: _____
Robert Burr, Mayor

By: _____
Jim Ollgaard, President

By: _____
Amanda Morgan, Clerk

Date signed: _____, 2015

Date signed: _____, 2015



CITY OF SOUTH HAVEN

SOUTH BEACH MASTER PLAN

EXISTING BEACH EATING AREA TO REMAIN, PROVIDE ADA ACCESS TILES

BLACK RIVER

NEW MAJOR DONOR RECOGNITION ON WALL

NEW DONOR PAVER WALK RECOGNIZING DONATIONS MADE TO THE RESTORATION OF THE LIGHTHOUSE

NEW BUILDING FOR CONCESSIONS

EXISTING PARKING TO REMAIN

ENTRY POINT AND OPPORTUNITY FOR WAYFINDING

EXISTING CANOPY STRUCTURE TO REMAIN

EXISTING BATHROOM RENOVATED, REMAINS MENS ON ONE HALF, EXPAND WOMENS ON OTHER HALF WHILE PROVIDING FOR FUTURE ADA / FAMILY LAVATORIES

CONCEPTUAL PLAN SKETCH - PHASE 1

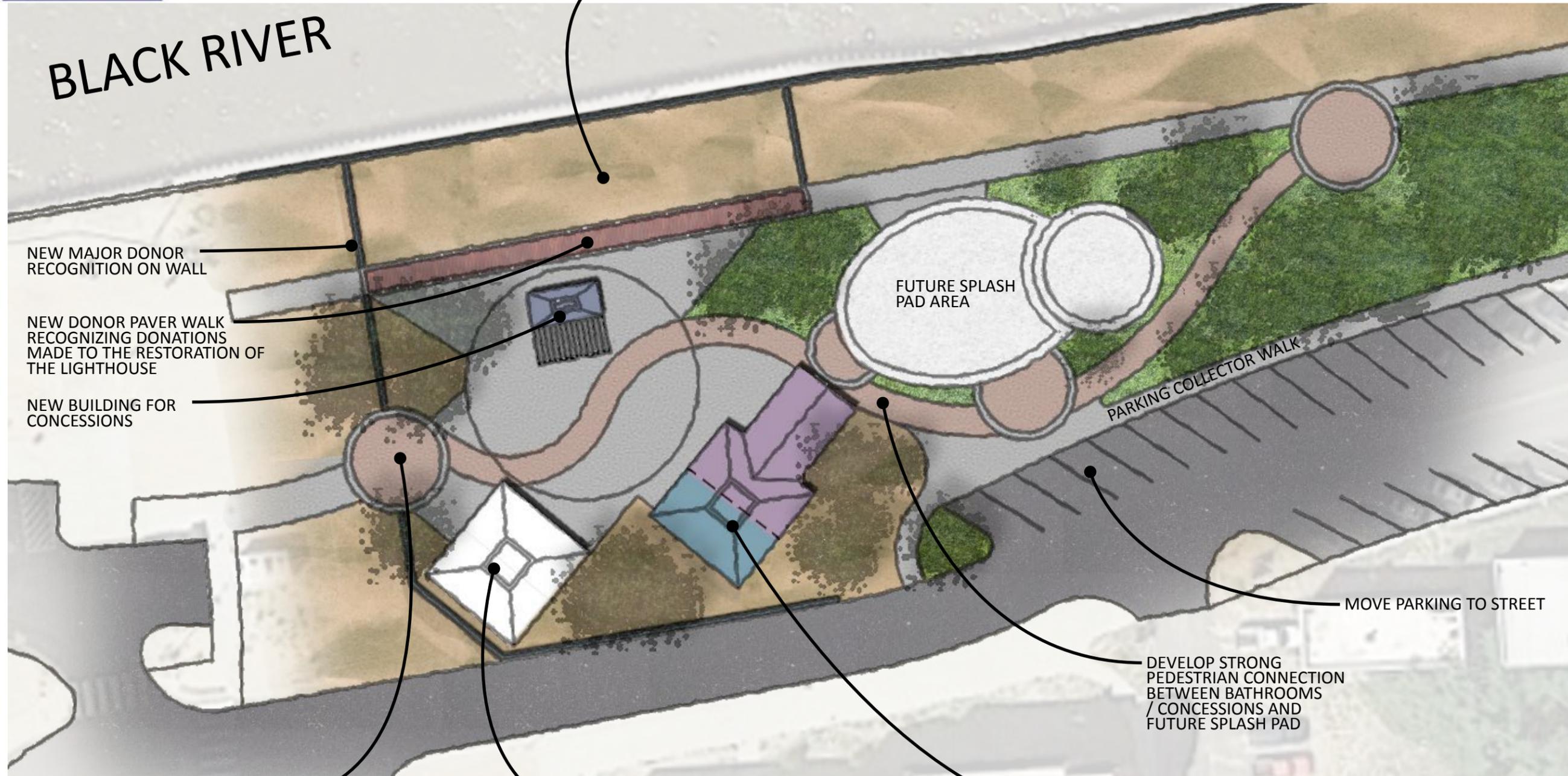




CITY OF SOUTH HAVEN
SOUTH BEACH MASTER PLAN

EXISTING BEACH EATING AREA
TO REMAIN, PROVIDE ADA
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NEW MAJOR DONOR
RECOGNITION ON WALL

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RECOGNIZING DONATIONS
MADE TO THE RESTORATION OF
THE LIGHTHOUSE

NEW BUILDING FOR
CONCESSIONS

FUTURE SPLASH
PAD AREA

PARKING COLLECTOR WALK

MOVE PARKING TO STREET

DEVELOP STRONG
PEDESTRIAN CONNECTION
BETWEEN BATHROOMS
/ CONCESSIONS AND
FUTURE SPLASH PAD

ENTRY POINT AND
OPPORTUNITY FOR
WAYFINDING

EXISTING CANOPY STRUCTURE
TO REMAIN

EXISTING BATHROOM RENOVATED, REMAINS MENS
ON ONE HALF, EXPAND WOMENS ON OTHER HALF
WHILE PROVIDING FOR FUTURE ADA / FAMILY
LAVATORIES

CONCEPTUAL PLAN SKETCH - FUTURE PHASE





River Ridge Phase II Approval

City of South Haven

Background Information: The planned unit development (PUD) for River Ridge Retirement Village was first approved in December 1999. The two phase plan approved in 1999 is consistent with the plans under review at this time. Construction on the first phase of the project started in late 2000.

In 2004, the applicant went back before the Planning Commission seeking approval for the Phase 2 construction. Phase 2 involved the construction of a 20-unit facility to care for Alzheimer's related illnesses. Approval was subsequently granted but construction never occurred. The applicant is now reapplying for this approval since the past approvals have expired.

On October 1, 2015, the planning commission held a public hearing on the matter and voted unanimously to recommend approval of Phase II of River ridge Retirement Village to the city council. A draft copy of the minutes of that meeting are attached.

The request meets the requirements of the zoning ordinance. A contracted engineer is still reviewing the plans at this time.

Recommendation:

Staff and planning commission recommend approval of the site plan for Phase II, River Ridge Retirement Village with the condition that building permits not be issued until any engineering concerns are resolved.

Support Material:

Resolution
Site plan review set (plans)
Case Summary
Minutes of Public Hearing

Respectfully submitted,

Linda Anderson
Zoning Administrator

CITY OF SOUTH HAVEN
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

RESOLUTION NO. 2015-44

A RESOLUTION TO APPROVE PHASE TWO OF PLANNED UNIT DEVELOPMENT
706 KENTUCKY AVENUE

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 October 19, 2015 at 7:00 p.m. local time.

PRESENT: _____

ABSENT: _____

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

WHEREAS, Reender's, Inc. has requested approval of Phase Two of the River Ridge Retirement Village Planned Unit Development on property located at 706 Kentucky Avenue; and

WHEREAS, on October 1, 2015 during the regular meeting of the Planning Commission of the City of South Haven, the Planning Commission held a public hearing concerning this request; and

WHEREAS, the Planning Commission has given due consideration of the information supplied by the applicant as well as members of the general public during the public hearing; and

WHEREAS, the Planning Commission recommends to the City Council of the City of South Haven that Phase Two of the River Ridge Retirement Village Planned Unit Development for construction of a 20-unit supportive care building on the property located at 706 Kentucky Avenue, South Haven be approved, with the stipulation that any remaining engineering concerns be resolved prior to construction; and

WHEREAS, the City Council of the City of South Haven has given due consideration to the recommendations of the Planning Commission, information supplied by the applicant and the members of the general public; and

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of South Haven does hereby approve Phase Two of the River Ridge Retirement Village Planned Unit Development for construction of a 20-unit supportive care building for the property located at 706 Kentucky Avenue, South Haven, with the stipulation that all engineering concerns be resolved prior to construction.

BE IT FURTHER RESOLVED, that the legal description of the property in question is as follows:

SITUATED IN THE CITY OF SOUTH HAVEN, VAN BUREN COUNTY, MICHIGAN.

Parcel #80-53-853-006-55

C541A1D1 2-1-17 855-489 1313-441 * COM ON E L OF LOT 1, BLOCK 2 299.32 FT S OF N SEC L, TH S 0 DEG 01'28"E ALG SAID E L 85.63 FT TO BEG, TH S 61 DEG 50'05"E 64.54 FT, TH S 0 DEG 01'28"E 105.35 FT, TH S 89 DEG 58'12"E 63.55 FT, TH S 0 DEG 21'39"W 392.38 FT, TH N 89 DEG 27'34"W ALG S L OF LOT 14, BLOCK 2 EXTENDED 489.23 FT, TH N 0 DEG 01'06"E ALG E L OF KENTUCKY AVE 87.71 FT, TH S 89 DEG 27'34"E 133.11 FT, TH N 0 DEG 01'06"E 322.34 FT, TH N 89 DEG 26'22"W ALG S L OF LOT 7 9.31 FT, TH N 0 DEG 01'06"E 117.10 FT, TH S 89 DEG 26'48"E ALG N L OF LOT 6 247.23 FT TO BEG. BLOCK 2 VAN BUREN HEIGHTS ASSOCIATION GROUNDS *** SPLIT ON 27 APRIL 2010 FROM 80-53-853-006-45 FOR 2011.

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

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

RECORD OF VOTE:

Yeas: _____

Nays: _____

RESOLUTION DECLARED ADOPTED.

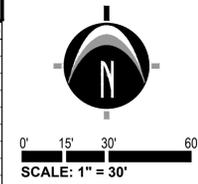
Robert G. Burr, Mayor

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a meeting held on October 19th, 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*).

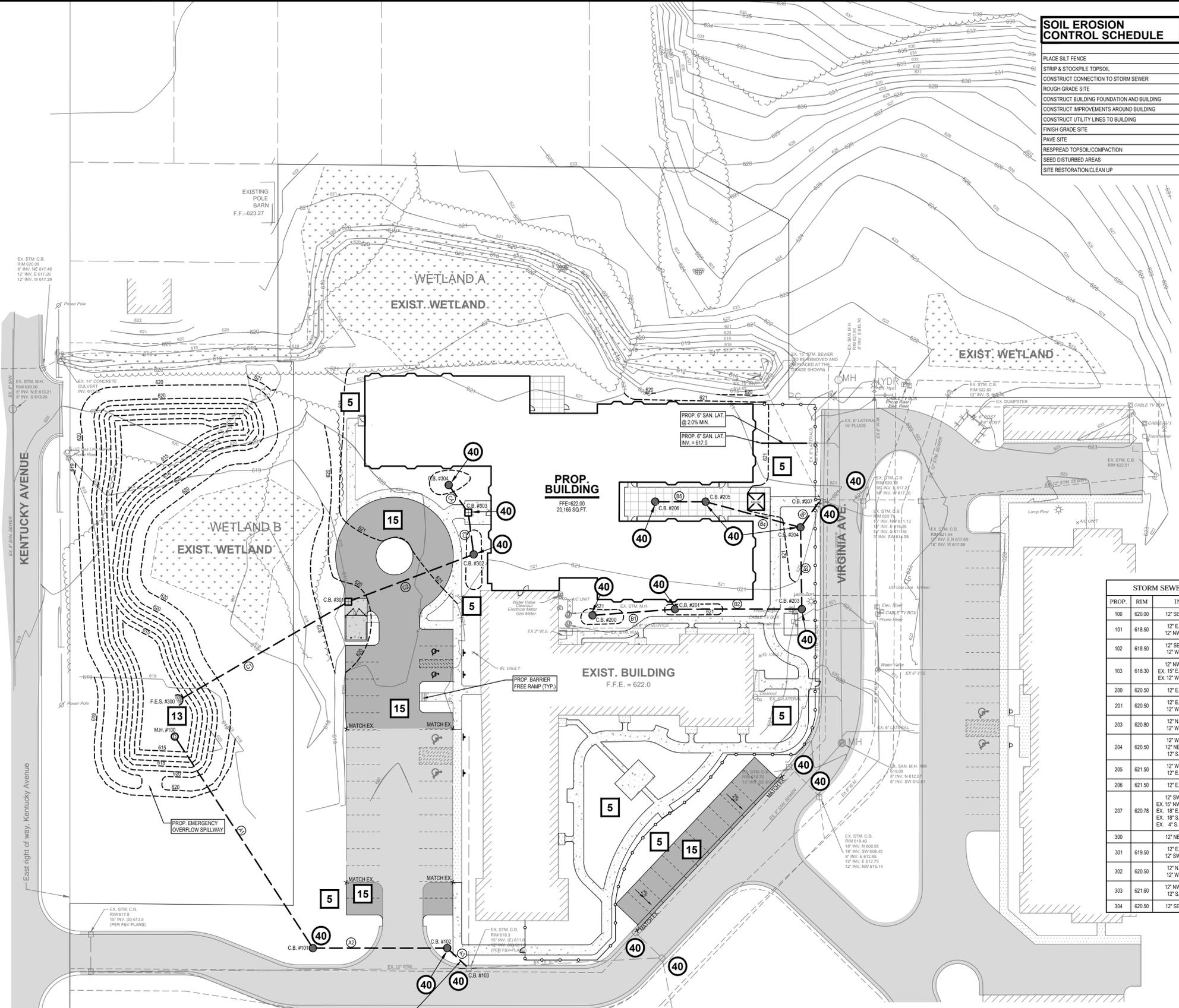
Amanda Morgan, City Clerk

SOIL EROSION CONTROL SCHEDULE	2015			2016								
	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG
PLACE SILT FENCE												
STRIP & STOCKPILE TOPSOIL												
CONSTRUCT CONNECTION TO STORM SEWER												
ROUGH GRADE SITE												
CONSTRUCT BUILDING FOUNDATION AND BUILDING												
CONSTRUCT IMPROVEMENTS AROUND BUILDING												
CONSTRUCT UTILITY LINES TO BUILDING												
FINISH GRADE SITE												
PAVE SITE												
RESURF TOPSOIL/COMPACTION												
SEED DISTURBED AREAS												
SITE RESTORATION/CLEAN UP												



LEGEND

- EX. GRADE CONTOUR
- PROP. GRADE CONTOUR
- PROP. GRADE ELEV. (BLACKTOP)
- PROP. GRADE ELEV. (CONCRETE)
- PROP. GRADE ELEV. (GUTTER)
- PROP. GRADE ELEV. (EDGE OF METAL)
- PROP. GRADE ELEV. (HIGH POINT)
- EX. BITUMINOUS
- EX. CONCRETE
- PROPOSED BITUMINOUS (STANDARD DUTY)
- PROPOSED CONCRETE (STANDARD DUTY)
- PROPOSED CONCRETE (HEAVY DUTY)
- PROP. STORM SEWER
- FLOW DIRECTION
- PROP. LIMITS OF GRADING
- SILT FENCE

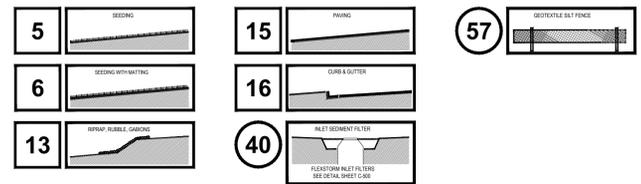


STORM SEWER DRAINAGE STRUCTURES				
PROP.	RIM	INVERTS	DIA.	TYPE
100	620.00	12" SE. INV.=615.00	4"	CONTROL STRUCTURE
101	618.50	12" E. INV.=614.25 12" NW. INV.=614.25	4"	CATCH BASIN
102	618.50	12" SE. INV.=613.85 12" W. INV.=613.85	4"	CATCH BASIN
103	618.30	12" NW. INV.=613.76 EX. 15" E. INV.=611.00 EX. 12" W. INV.=611.00	4"	EX. CATCH BASIN
200	620.50	12" E. INV.=617.00	2"	NYOPLAST C.B.
201	620.50	12" E. INV.=616.75 12" W. INV.=616.75	2"	NYOPLAST C.B.
203	620.80	12" N. INV.=616.37 12" W. INV.=616.37	4"	CATCH BASIN
204	620.50	12" W. INV.=616.13 12" NE. INV.=616.13 12" S. INV.=616.13	4"	CATCH BASIN
205	621.50	12" W. INV.=617.85 12" E. INV.=617.85	4"	CATCH BASIN
206	621.50	12" E. INV.=618.00	4"	CATCH BASIN
207	620.78	12" SW. INV.=616.03 EX. 15" NW. INV.=611.13 EX. 18" E. INV.=616.28 EX. 18" S. INV.=611.18 EX. 4" S. INV.=614.98	4"	EX. CATCH BASIN
300		12" NE. INV.=615.00		FLARED END SECTION
301	619.50	12" E. INV.=615.57 12" SW. INV.=615.57	4"	CATCH BASIN
302	620.50	12" N. INV.=615.97 12" W. INV.=615.97	4"	CATCH BASIN
303	621.60	12" NW. INV.=616.10 12" S. INV.=616.10	4"	CATCH BASIN
304	620.50	12" SE. INV.=616.20	4"	CATCH BASIN

STORM SEWER DRAINAGE PIPES				
#	LENGTH	DIA.	SLOPE	MATERIAL
A1	150'	12"	0.5%	SLCPP Pipe
A2	80'	12"	0.5%	SLCPP Pipe
A3	18'	12"	0.5%	SLCPP Pipe
B1	49'	12"	0.5%	SLCPP Pipe
B2	76'	12"	0.5%	SLCPP Pipe
B3	48'	12"	0.5%	SLCPP Pipe
B4	59'	12"	2.9%	SLCPP Pipe
B5	30'	12"	0.5%	SLCPP Pipe
B6	20'	12"	0.5%	SLCPP Pipe
C1	114'	12"	0.5%	SLCPP Pipe
C2	80'	12"	0.5%	SLCPP Pipe
C3	25'	12"	0.5%	SLCPP Pipe
C4	20'	12"	0.5%	SLCPP Pipe

SOIL EROSION AND SEDIMENTATION CONTROL NOTES

- CONTRACTOR SHALL POSSESS THE SOIL EROSION AND SEDIMENTATION CONTROL PERMIT PRIOR TO START OF ANY EARTH WORK.
- CONTRACTOR SHALL MODIFY THIS SOIL EROSION AND SEDIMENTATION CONTROL PLAN TO SHOW THE ADDITIONAL CONTROL MEASURES INTENDED TO BE USED DURING CONSTRUCTION. SUBMIT MODIFICATIONS TO THE CONTROLLING AGENCY, THE OWNER, AND THE ENGINEER.
- EROSION PROTECTION SHALL BE PROVIDED AT ALL STORM SEWER INLETS AND OUTLETS. ALL BARE EARTH SHALL BE STABILIZED WITH SEEDING.
- LOCATION AND TYPE OF EROSION CONTROL MEASURES ARE IDENTIFIED ON THE SKETCH BY KEY NUMBERS. e.g. [5] RELATING TO THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY UNIFIED KEYING SYSTEM AND BEST MANAGEMENT PRACTICES.
 - DENOTES TEMPORARY PRACTICES
 - DENOTES PERMANENT PRACTICES



811 Know what's below.
 CALL before you dig.
 UTILITY LOCATIONS ARE DERIVED FROM ACTUAL MEASUREMENTS OR AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATIONS NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THIS AREA.
 NOTE: EXISTING UTILITIES AND SERVICE LINES IDENTIFIED AS "PLANS" WERE OBTAINED FROM AVAILABLE AS-BUILT RECORD DRAWINGS. THE CONTRACTOR SHALL VERIFY THE LOCATION, DEPTH AND STATUS OF ALL UTILITIES AND SERVICE LINES PRIOR TO NEW CONNECTIONS.

STAMP:
 STATE OF MICHIGAN
 KYLE D. WILSON
 ENGINEER
 No. 37827
 LICENSED PROFESSIONAL ENGINEER
 Kyle Wilson

PROJECT NO:
 13200817
SHEET NO:
C-300

GENERAL INFORMATION

Case Number 2015-0021

Date of Plan Commission 10.1.2015

Applicant River Ridge Retirement Village, LLC

Request.....The River Ridge Retirement Village, LLC requests approval to begin construction of Phase 2 of their planned unit development.

Location 706 Kentucky Ave.

Parcel Number 80-53-852-011-10 and 80-53-852-006-55

Size 8.25 acres

Street Frontage 410.27' ON Kentucky Ave.

Current Zoning RM-1 PUD

Proposed Zoning..... RM-1 PUD (Phase 2)

Contiguous Zoning..... North: R-2 Residential District
South: R-2 and RM-1 Residential Districts
East: R-2 Residential District
West: R-2 Residential District

Current Land Use..... River Ridge Retirement Village, LLC

Contiguous Land Uses..... North: Vacant land and residential
South: Vacant land and residential
East: Vacant land
West: Residential

Comp Plan Designation Single Family Residential

CHARACTER OF THE AREA

The Subject Property is located at 706 Kentucky Ave. and is currently being used as a senior housing facility with an independent living building and supportive care building. The properties to the north, south, east and west are all zoned residential with the Woodland Harbor residential planned development on the west side of Kentucky Ave. The primary land use in the area outside of the senior housing facility is single family detached residential.

DEVELOPMENT PROPOSAL

The applicant is requesting city permission to begin constructing phase 2 of the PUD which includes a 20-unit facility for Alzheimers related illness. There is adequate parking in place for this addition.

PUBLIC RESPONSE

None

EVALUATION

Staff has reviewed the phase 2 plans for the PUD and the Final Site Plan submitted by the applicant and finds them acceptable meeting all of the applicable codes and ordinances. This development is consistent with the land uses of the surrounding properties and should be compatible.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of Phase 2 for River Ridge PUD provided any concerns of the city engineer have been addressed prior to city council review.

Planning Commission

Regular Meeting Minutes Thursday, October 1, 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, Miles, Peterson, Smith, Stimson, Paull
Absent: Wall, Webb

Motion by Heinig, second by Frost to excuse absent members Wall and Webb.

All in favor. Motion carried.

3. Approval of Agenda

Motion by Smith, second by Heinig to approve the October 1, 2015 regular meeting agenda as presented.

All in favor. Motion carried.

4. Approval of Minutes – September 3, 2015

Motion by Heinig, second by Stimson to approve the September 3, 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.

6. New Business – Public Hearing

Reender's, Inc. requests a public hearing for a Planned Unit Development for the property located at 706 Kentucky Avenue, South Haven. Plans call for construction of a 20-unit supportive care building as Phase II of the previously approved River Ridge Retirement Community. The proposed building was included in the original

Planned Unit Development approval as future development for the property located at 706 Kentucky Avenue, South Haven.

Motion by Miles, second by Stimson to open the public hearing.

All in favor. Motion carried.

Alex Adler, Progressive Associates on behalf of River Ridge Retirement Center. Introduced Miss Lindsay Haley; Leisure Living Management for River Ridge and Miss Billie Pitcher, also with River Ridge Retirement Community.

Adler described the project as an addition for an existing supportive care facility. The addition is approximately twenty thousand (20,000) square feet and consists of twenty (20) units. Adler noted that the existing supportive care facility is twenty (20) units and the independent living facility is twenty-four (24) units. The existing parking for the existing units includes spaces for twenty (20) cars with two (2) accessible spaces. This proposal is adding twenty-two (22) total parking spaces. Adler noted that the total required parking for this facility is about ten (10) spaces. Adler believes this proposal came before the Planning Commission twice before where the addition was approved but the developer never put a shovel in the ground and added, "This time we are determined to have this happen."

Peterson asked if anything has changed since the previous proposal to which Adler responded that the layout of the plan has changed a little and this plan encroached a little more on the wetlands. Peterson asked if that is legal to which Adler responded that it is.

Smith asked Adler to describe the functionality of the space. Per Adler, the proposed building addition can be entered through an exterior door or through a corridor from the existing space. Referring to an exhibit, Adler noted that the green spaces represent adult foster/memory care locations and pointed out the dining area and shared living space. Adler commented that each area has their own shared spaces. Adler noted that there are also separate foster/assisted living spaces with their own shared areas in the proposed addition.

Paull asked for clarification of the term "memory care" which Adler noted is for those patients with difficulties remembering and gave the example of Alzheimer's disease.

Motion by Peterson, second by Miles to close the public hearing.

All in favor. Motion carried.

Paull observed that this is the time for the board to discuss the proposal among themselves, noting that this or similar plans have been proposed for years and hopefully will now come to fruition. Paull also noted that if the Planning Commission approves the proposal, a motion would be in the form of a recommendation to City Council to approve the proposed site plan.

Motion by Smith, second by Heinig to recommend that City Council approve the attached resolution allowing construction of Phase 2 development for River Ridge Retirement

Village at 706 Kentucky Avenue with the stipulation that all engineering and safety concerns be resolved prior to submission to the city council and final approval.

All in favor. Motion carried.

7. Other Business – Updated Rules of Procedure

Anderson stated that this item follows discussion by the Planning Commission to add to their by-laws that unless the meeting is attended by the applicant or their representative such request will not be discussed or acted upon and will be tabled until the next meeting. Anderson noted that this action does not require a public hearing or City Council action; the Planning Commission may amend their by-laws or rules of procedure at any time.

Frost asked whether “representative” is a defined term. After discussion, it was decided to add the word “authorized” before the word representative.

Motion by Heinig, second by Frost to approve the adoption of the amended Rules of Procedure as presented with the addition of the word “authorized” before the word “representative.”

All in favor. Motion carried.

8. Commissioner Comments

Smith: Happy fall.

Paul: Noted that the Planning Commission passed an amendment to the Zoning Ordinance in the form of an overlay zone and the Zoning Board of Appeals has been receiving significant numbers of requests from people who are starting new businesses or doing new things which trigger the ordinance. The Zoning Board is doing a very nice job of enforcing that particular addition to the ordinance and making sure the property owners are doing something, even if not entirely all that you passed. This is probably going to be a process and the Zoning Board of Appeals is doing a good job. Your work is appreciated and upheld.

There were no other comments.

9. Adjourn

Motion by Smith, second by Stimson to adjourn at 7:14 p.m.

All in favor. Motion carried.

RESPECTFULLY SUBMITTED,

Marsha Ransom
Recording Secretary



Agenda Item 10

ORV Local Operation Consideration

Background Information:

The City Council will be asked to consider an ordinance amendment introduction which, if approved, would allow for the seasonal operation of off road vehicles (ORVs) on public streets.

Over the past several weeks, the City Council actively reviewed and approved an ordinance which allows for the seasonal usage of golf cars on public streets. That approval came after a local 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.

Ultimately, the ordinance approval addressed the State of Michigan’s handling of local citizenry’s golf cart operation requests. However, the ordinance approved by the City Council does not address ORV operation and usage on public streets. The city’s staff operates a number of ORV units as part of operations at the Department of Public Works, South Haven Police Department and South Haven Area Emergency Services. Further, the VanDerZee Motorplex is a local business which is located within the city, which sells and equips ORV units for private citizens’ usage. For many years the business has sold ORV units with “street legal” certification. That certification was achieved through ORV equipment upgrades, inspection by officials from the State of Michigan, and final approval from the Michigan Secretary of State’s office. As with the golf cart ruling, the State of Michigan has announced that ORV units will no longer be licensed that department and considered for on-street usage by the State of Michigan. As a result, the City Council has the option to consider an ordinance which would allow for local on-street operation of ORV units.

The ordinance, as presented, provides the following regulations for the operation of an ORV:

Except as set forth herein or otherwise provided by law, an individual may operate an ORV on city streets subject to the following restrictions:

- (1) ORVs may be operated from May 1 to October 31 during the hours of 6:00 a.m. to 9:00 p.m., and from November 1 to April 30 during the hours of 8:00 a.m. to 5:00 p.m.
- (2) No person under 12 years of age shall operate an ORV.

(3) A person under the age of 18 years of age shall not operate an ORV unless the person is in possession of a valid driver license or under the direct supervision of a parent or guardian and the person has in his or her immediate possession an ORV safety certificate issued pursuant to Part 811 of the Michigan Natural Resources and Protection Act or a comparable ORV safety certificate issued under the authority of another state or a province of Canada. These requirements are in addition to any applicable requirements of state law in MCL 324.81129, as may be subsequently amended.

(4) All ORV operators 18 years of age or older shall have in their immediate possession a valid driver license.

(5) A person shall not operate an ORV at a speed greater than 25 miles per hour or a lower posted ORV speed limit or in a manner that interferes with traffic on the street. In no event shall a person operate an ORV at a rate of speed greater than is reasonable and proper, or in a careless manner, having due regard for conditions then existing.

(6) Unless the person possesses a valid driver license pursuant to MCL 257.25, as amended, a person shall not operate an ORV if the ORV is registered as a motor vehicle and either is more than 65 inches wide or has three (3) wheels.

(7) ORVs shall travel single file except that an ORV may travel abreast of another ORV when it is overtaking or passing, or being overtaken and passed by, another ORV.

(8) ORVs shall display a lighted headlight and lighted taillight at all times.

(9) A person shall operate an ORV with the flow of traffic on the far right of the maintained portion of the street, in a manner that does not interfere with traffic on the street.

(10) Operation of ORVs is prohibited in all cemeteries in the City.

(11) Operation of ORVs is prohibited on all beaches, sidewalks, and other pathways not specifically designed for motor vehicle use. This prohibition shall not apply to agents of the City, or other law enforcement personnel in the performance of their official duties.

(12) A person shall not transport any passenger in or upon an ORV unless the manufacturing standards for the vehicle make provisions for transporting passengers.

(13) A person shall not operate an ORV unless the vehicle is equipped with a braking system that may be operated by hand or foot, capable of producing deceleration at 14 feet per second on level ground at a speed of 20 miles per hour; a brake light, brighter than the taillight, visible from behind the vehicle when the brake is activated, if the vehicle is operated during the hours of 1/2 hour after sunset and 1/2 hour before sunrise; and a throttle so designed that when the pressure used to advance the throttle is removed, the engine speed will immediately and automatically return to idle.

(14) An individual shall not operate an ORV unless the vehicle is equipped with a Roll-Over Protective Structure ("ROPS") as that term is defined in the Occupational Safety and Health Administration regulations.

(15) An individual who is operating or is a passenger on an ORV shall wear a crash helmet and protective eyewear that are approved by the United States Department of

Transportation. This subsection does not apply to an individual wearing a properly adjusted and fastened safety belt if the ORV is equipped with a roof that meets or exceeds United States Department of Transportation standards for a crash helmet.

(16) An ORV shall not be operated on any state trunk line right-of-way, except that the operator of a vehicle may cross a street, county road, or highway, other than a limited access highway, at right angles, for the purpose of getting from one area to another, if the operation can be done safely. The operator shall bring the vehicle to a complete stop before proceeding across a street, county road, or highway, and shall yield the right-of-way to oncoming traffic.

Please note that the ORV ordinance includes a sunset provision, similar to the one enacted with the golf cart allowance ordinance, which rescinds the allowance to operate ORVs on city streets, after one year from the date of adoption, if the City Council does not reauthorize the allowance.

Should the City Council wish to proceed with an allowance which allows the use of ORV units on the city's streets, the Council should consider the introduction of the ordinance as presented.

Recommendation:

The City Council should consider a motion to introduce an ordinance amendment which, if approved, would allow for the seasonal operation of off road vehicles (ORV) on public streets.

Support Material:

DRAFT Ordinance Amendment; ORV Ordinance

CITY OF SOUTH HAVEN
VAN BUREN AND ALLEGAN COUNTIES, MICHIGAN

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 74, ARTICLE I, OF THE CODE OF
ORDINANCES BY ADDING SECTION 74-15 TO ALLOW AND REGULATE THE USE
OF ORVs ON CITY STREETS.

The City of South Haven Ordains:

SECTION 1

That Chapter 74, Article I, of the Code of Ordinances, City of South Haven, Michigan, is amended to add section 74-15 as follows:

Sec. 74-15. OPERATION OF ORVs.

(a) Definitions. As used in this Section:

- (1) "ATV" means a vehicle with 3 or more wheels that is designed for off-road use, has low-pressure tires, has a seat designed to be straddled by the rider, and is powered by a 50cc to 1,000cc gasoline engine or an engine of comparable size using other fuels.
- (2) "Operate" means to ride in or on, and be in actual physical control of, the operation of an ORV.
- (3) "Operator" means an individual who operates or is in actual physical control of the operation of an ORV.
- (4) "ORV" or, unless the context implies a different meaning, "Vehicle," means a motor-driven off-road recreation vehicle capable of cross-country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. ORV or vehicle includes a side-saddle 4-wheel vehicle or other means of transportation deriving motive power from a source other than muscle or wind. ORV or vehicle does not include a golf cart, registered snowmobile, a multi-track or multi-wheel drive vehicle, an ATV, a motorcycle or related 2-wheel, 3-wheel or 6-wheel vehicle, an amphibious machine, a ground effect air cushion vehicle, a farm vehicle being used for farming, a vehicle used for military, fire, emergency, or law enforcement purposes, a vehicle owned and operated by a utility company or an oil or gas company when performing maintenance on its facilities or on property over which it has an easement, a construction or logging vehicle used in performance of its common function, or a registered aircraft, as the term(s) are defined pursuant to section 81101 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.101 *et seq.*
- (5) "Street" means a city major street or city local street as described in section 9 or 1951 PA 51, MCL 247.659, or a segment thereof.

(b) Except as set forth herein or otherwise provided by law, an individual may operate an ORV on city streets subject to the following restrictions:

- (1) ORVs may be operated from May 1 to October 31 during the hours of 6:00 a.m. to 9:00 p.m., and from November 1 to April 30 during the hours of 8:00 a.m. to 5:00 p.m.

- (2) No person under 12 years of age shall operate an ORV.
- (3) A person under the age of 18 years of age shall not operate an ORV unless the person is in possession of a valid driver license or under the direct supervision of a parent or guardian and the person has in his or her immediate possession an ORV safety certificate issued pursuant to Part 811 of the Michigan Natural Resources and Protection Act or a comparable ORV safety certificate issued under the authority of another state or a province of Canada. These requirements are in addition to any applicable requirements of state law in MCL 324.81129, as may be subsequently amended.
- (4) All ORV operators 18 years of age or older shall have in their immediate possession a valid driver license.
- (5) A person shall not operate an ORV at a speed greater than 25 miles per hour or a lower posted ORV speed limit or in a manner that interferes with traffic on the street. In no event shall a person operate an ORV at a rate of speed greater than is reasonable and proper, or in a careless manner, having due regard for conditions then existing.
- (6) Unless the person possesses a valid driver license pursuant to MCL 257.25, as amended, a person shall not operate an ORV if the ORV is registered as a motor vehicle and either is more than 65 inches wide or has three (3) wheels.
- (7) ORVs shall travel single file except that an ORV may travel abreast of another ORV when it is overtaking or passing, or being overtaken and passed by, another ORV.
- (8) ORVs shall display a lighted headlight and lighted taillight at all times.
- (9) A person shall operate an ORV with the flow of traffic on the far right of the maintained portion of the street, in a manner that does not interfere with traffic on the street.
- (10) Operation of ORVs is prohibited in all cemeteries in the City.
- (11) Operation of ORVs is prohibited on all beaches, sidewalks, and other pathways not specifically designed for motor vehicle use. This prohibition shall not apply to agents of the City, or other law enforcement personnel in the performance of their official duties.
- (12) A person shall not transport any passenger in or upon an ORV unless the manufacturing standards for the vehicle make provisions for transporting passengers.
- (13) A person shall not operate an ORV unless the vehicle is equipped with a braking system that may be operated by hand or foot, capable of producing deceleration at 14 feet per second on level ground at a speed of 20 miles per hour; a brake light, brighter than the taillight, visible from behind the vehicle when the brake is activated, if the vehicle is operated during the hours of 1/2 hour after sunset and 1/2 hour before sunrise; and a throttle so designed that when the pressure used to advance the throttle is removed, the engine speed will immediately and automatically return to idle.
- (14) An individual shall not operate an ORV unless the vehicle is equipped with a Roll-Over Protective Structure ("ROPS") as that term is defined in the Occupational Safety and Health Administration regulations.

- (15) An individual who is operating or is a passenger on an ORV shall wear a crash helmet and protective eyewear that are approved by the United States department of transportation. This subsection does not apply to an individual wearing a properly adjusted and fastened safety belt if the ORV is equipped with a roof that meets or exceeds United States department of transportation standards for a crash helmet.
- (16) An ORV shall not be operated on any state trunk line right-of-way, except that the operator of a vehicle may cross a street, county road, or highway, other than a limited access highway, at right angles, for the purpose of getting from one area to another, if the operation can be done in safety. The operator shall bring the vehicle to a complete stop before proceeding across a street, county road, or highway, and shall yield the right-of-way to oncoming traffic.
- (c) An ORV shall not be operated within the City unless and until the ORV is licensed in accordance with all applicable state licensing requirements and unless and until the ORV has all equipment required under applicable state law.
- (d) A person operating an ORV within the City shall comply with all applicable federal, local, and state regulations, including but not limited to the provisions of Part 811 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.81101 *et seq.*, as may be subsequently amended.
- (e) A person who violates this ordinance is responsible for a civil infraction and subject to a fine of not more than \$500.00.
- (f) In addition to the fine provided for herein, a court shall order violators of this ordinance to pay the cost of repairing any damage to the environment, a street, county road, or highway, or public property as a result of the violation pursuant to MCL 324.81131(17).
- (g) The City Treasurer shall deposit fines and damages collected for violations of this ordinance into a fund to be designated as the "ORV Fund." City council shall appropriate revenue in the ORV Fund as follows:
- (1) Fifty percent to the City of South Haven Police Department for ORV enforcement and training.
 - (2) Fifty percent to the City of South Haven Public Works Department to be used for repairing damage to streets and the environment that may have been caused by ORVs and for posting signs indicating ORV speed limits or indicating whether streets are open or closed to the operation of ORVs under this ordinance.
- (h) This ordinance can be repealed or modified at any time, has a sunset provision, and is not effective 1 year after enactment unless reauthorized by ordinance of City Council.

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: _____

Introduced: _____, 2015

Adopted: _____, 2015

Published: _____, 2015

Effective: _____, 2015

Robert Burr, Mayor

CERTIFICATION

I, Amanda Morgan, Clerk of the City of South Haven, Van Buren and Allegan Counties, 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