

# City Council

## Regular Meeting Minutes

Monday, April 6, 2015  
7:00 p.m., Council Chambers



1. **Call to Order by Mayor Burr at 7:00 p.m.**
2. **Invocation by Rev. Curry Pikkaart - Hope Reformed**
3. **Roll Call**

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

Moved by Fitzgibbon to excuse Gruber for personal reasons. Seconded by Kozlik Wall.  
Voted Yes: All. Motion carried.

4. **Approval of Agenda**

Moved by Kozlik Wall to approve the agenda. Seconded by Fitzgibbon.

Voted Yes: All. Motion carried.

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

Moved by Patterson, Seconded by Kozlik Wall to approve the Consent Agenda as follows:

- A. Council will be requested to approve the City Council Minutes of March 16, 2015.
- B. Bills totaling \$1,423,087.01 for the period ending April 5, 2015 be approved and forwarded to the Clerk and Treasurer for payment.
- C. City Council will be asked to Award the following contracts for 2015 Electric Distribution Line Projects:
  - 1) Award the contract for construction services to Kent Power, Inc. of Kent City, Michigan in the amount of \$216,641.13. Labor and materials to be provided are defined in the contract documents prepared by GRP Engineering.
  - 2) Award the contract for professional services for community outreach and communication to Abonmarche in the amount of \$5,500.
- D. City Council will be asked to approve a consulting engineering contract with Hubbell, Roth & Clark, Inc. for the Waste Water Treatment Plant Asset Management Plan in the not-to-exceed amount of \$110,000.
- E. City Council will be asked to approve the SAW Grant Engineering Services Agreement, with Abonmarche, in the amount of \$1,770,004.
- F. City Council will be asked to approve the Center for the Arts Accessibility Improvements Professional Services agreement, with Abonmarche, in the amount of \$12,250.

G. Council will be asked to receive the following administrative reports and approved minutes to be placed on file:

- 1) 02-17-2015 Harbor Commission Minutes
- 2) 02-25-2015 Housing Commission Minutes
- 3) 03-18-2015 Airport Authority Minutes
- 4) 03-17-2015 LHBM Minutes

A Roll Call Vote was taken:

Yeas: Fitzgibbon, Klavins, Kozlik Wall, Patterson, Burr  
Nays: None

Motion carried.

### NEW BUSINESS

**6. Council will be asked to consider the following Special Events:**

- A. Council will be asked to consider Special Event 2015-06, South Haven Steelheaders Fishing Tournament (May 16 & May 17).**
- B. Council will be asked to consider Special Event 2015-07, Memorial Day Parade 2015 (May 25, 2015)**
- C. Council will be asked to acknowledge the withdrawal of the Special Event 2015-05, the Casco United Methodist Church Public Fundraising Auction.**

*Background Information:*

**Item A. Council will be asked to consider Special Event 2015-06, South Haven Steelheaders Fishing Tournament (May 16 & May 17).**

This is a 2-day fishing tournament with weigh-in and prize ceremony. It is scheduled for May 16 - 17, 2015. Boaters travel from all over to participate in this tournament.

This fishing tournament has a history of being well run with minimal incident. The City facility impacted the most is the Municipal Marina. It will serve as the command post with portable marine radio set-up inside marina building. Scales will be located outside on the North deck.

Moved by Fitzgibbon to approve Special Event 2015-04, South Haven Steelheaders Fishing Tournament, to be held May 16-17<sup>th</sup>. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried.

**Item B: Council will be asked to consider Special Event 2015-07, Memorial Day Parade 2015, to be held on May 25, 2015.**

The American Legion Post #49 has put in a Special Event Application for the 2015 Memorial Day Parade to be held on May 25, 2015 from 9:00 am to 10:30 am. The parade will start at Center and Michigan Ave. and head north to Phoenix, then east on Phoenix to Bailey Ave., then north to the cemetery. There will be a memorial program held at the Veteran's section of the cemetery including a rifle squad firing. In case of rain, event will be held at the high school.

Moved by Patterson to approve Special Event 2015-07, Memorial Day Parade 2015, to be held on May 25, 2015. Seconded by Klavins.

Voted Yes: All. Motion carried.

**Item C: Council will be asked to acknowledge the withdrawal of the Special Event Application 2015-05, the Casco United Methodist Church Public Fundraising Auction.**

The Casco United Methodist Church has been given the opportunity to use privately owned space for their event and wishes to withdraw their application at this time.

**7. Council will be asked to consider a commercial tour boat proposal, for the city's South Side Marina.**

*Background Information:*

The City Council will be asked to consider a proposal from IT-IL-DO Charters, LLC, for the placement of a tour boat at the city's South Side Municipal Marina. The proposal is to operate a 49 passenger boat as part of a scenic tour on Lake Michigan.

In the past, the dock area being proposed for the tour boat has not been used. If approved, the dock area will require modification to allow for a boarding ramp, and an electric pedestal will need to be installed. The commercial dockage rate is two times the recreational dockage rate. The total revenue for the commercial dockage, if approved, will be \$7,900 for the season. The city's staff has followed the adopted Commercial Use Policy, when preparing this item for the City Council's consideration.

In addition, staff is requesting to extend the South Side Marina transient dock to the area 80 feet to the west of the existing head dock. This area is currently used as a public deck between the South Side Marina and the Black River. It is open to the public. Staff is proposing to continue this deck use as an area open to the public. In order to use the deck for tour boat and transient rental, electric and water pedestals would be installed, and gates would be installed to allow for boarding areas for transient vessels. There may also be a need for additional cleats and fenders at the dock.

There are a number of approvals which would need to be done to accomplish the proposed tour boat and marina transient dockage extension, as listed below:

- Approve the expansion of the South Side Marina on to the existing deck to the west of the existing marina.
- Approve the license agreement with IT-IL-DO Charters LLC on behalf of the City of South Haven.
- Approve application to the DEQ for dock improvements to make it possible to moor the tour boat and other transient vessels in the expansion area.
- Approve a request to the DNR for a commercial use of a tour boat in the South Side Marina grant-in-aid facility.

- Approve the application for zoning and building permits required to complete the proposed work.

Staff has prepared a resolution combining all of the action items, for the City Council's consideration.

Please note that the commercial tour boat proposal has been reviewed by the city's Harbor Commission. However, no formal recommendation has been offered by the Harbor Commission. The Harbor Commissioners attempted to offer a formal recommendation, related to the proposal, which resulted in one split vote and one motion that did not receive support. The Harbor Commission met on March 17<sup>th</sup> for the board's regular meeting. Only four members attended the session. After a lengthy discussion, the board was unable to reach a consensus on whether this proposal should be recommended to the City Council. Two separate motions occurred, one motion in favor of the proposal and one motion recommending against the proposal, and neither was approved due to split votes. As a result, the City Council may wish to consider referring the commercial tour boat proposal back to the Harbor Commission, for additional consideration. One of the Harbor Commission members requested that the item be brought back to the board, for further discussion. Further, one of the Harbor Commission members has submitted correspondence to the City Council, which notes his absence from the March 17<sup>th</sup> meeting and his general support for the concept.

Moved by Fitzgibbon to refer the item back to the Harbor Commission for further review and recommendation. Seconded by Klavins.

Chad Bard, IT-IL-DO Charters – asked City Council to consider approving the request.

Alan Silverman, 144 Dunkley Ave #11 – supported the Council's motion to send the item back to the Harbor Commission for further review.

Mary Stephens, 1070 E Wilson – asked Council to refer the item back to the Harbor Commission for further review.

Voted Yes: Fitzgibbon, Klavins, Kozlik Wall, Burr. Voted No: Patterson. Motion carried.

- 8. Council will be asked to consider Resolution 2015-17: a resolution to spin off and transfer Nationwide 457 plan account balances of current SHAES employees to the SHAES deferred compensation plan.**

*Background Information:*

SHAES elected to terminate its participation in the City's Nationwide 457 deferred compensation plan when it established its own deferred compensation plan during 2014. The new SHAES deferred compensation plan was established in August 2014 and SHAES members stopped contributing to the Nationwide plan and began contributing to their new plan in December 2014.

Nationwide requested formal notification of the spin-off plan in the form of a council resolution in order to allow SHAES members to transfer their account balances from Nationwide to the new SHAES deferred compensation plan. A resolution to spin off and transfer Nationwide 457 plan account balances for current SHAES employees is attached

for presentation to council. SHAES board took formal action to approve the spin-off plan during its April board meeting.

Moved by Fitzgibbon to approve Resolution 2015-17: a resolution to spin off and transfer Nationwide 457 plan account balances of current SHAES employees to the SHAES deferred compensation plan. Seconded by Patterson.

Voted Yes: All. Motion carried.

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

Aaron Cobbs, 914 Center St – Addressed the City Council regarding the Gus Maker Tournament.

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

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

Klavins: Asked the City Manager for an update on the bridge project.

Patterson: Welcomed the new Deputy Clerk. Thanked Police Department for putting on the Police Academy.

Fitzgibbon: No comments.

Kozlik Wall: Firefighters Academy has been a great experience.

Burr: Had a wonderful vacation.

#### **12. Adjourn**

Moved by Kozlik Wall to adjourn. Seconded by Patterson.

Voted Yes: All Motion carried. Meeting adjourned at 7:33 p.m.

RESPECTFULLY SUBMITTED,



Kate Hosier, Deputy City Clerk

Approved by City Council: **April 20, 2015**