

City Council

Regular Meeting Minutes

Monday, December 1, 2014
7:00 p.m., Council Chambers



1. Call to Order by Mayor 7:00 p.m.

2. Invocation – Moment of silence.

3. Roll Call

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

4. Approval of Agenda

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

Voted Yes: All. Motion carried.

5. Proclamation – National Hospice Palliative Care Month

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

Moved by Fitzgibbon seconded by Klavins to approve the Consent Agenda as follows:

- A. Council will be requested to approve the City Council Regular and Special Minutes of November 17, 2014.
- B. Bills totaling \$1,330,424.81 for the period ending December 2, 2014 be approved and forwarded to the Clerk and Treasurer for payment.
- C. Council will be asked to consider approval of Bid #2014-11: Phoenix Road substation relay control panel #3 to Harlo Corp., in the amount of \$29,116.
- D. Council will be asked to consider approval of a Wi-Fi management contract with Secant Technologies, in the amount of \$28,764.
- E. Council will be asked to consider approval of Work Order #003, a contract modification to correct scour issues affecting the city's Bascule Bridge, by executing work orders and contract modifications, with an estimated total cost of \$230,000.
- F. Council will be asked to receive the following administrative reports and approved minutes to be placed on file:
 - 1) 10-02-2014 Planning Commission Minutes
 - 2) 10-13-2014 LHBM Minutes
 - 3) 10-15-2014 Airport Authority Minutes
 - 4) 10-22-2014 Housing Commission Minutes
 - 5) 10-27-2014 BPU Minutes

A Roll Call Vote was taken:

Yeas: Arnold, Fitzgibbon, Gruber, Klavins, Kozlik Wall, Patterson, Burr

Nays: None

Motion carried.

BOARD APPOINTMENTS

- 7. Council will be asked to consider the appointment of Mr. Tim Stegeman, to fill a 3-year term on the Harbor Commission, expiring in 2015.**

Moved by Patterson to appoint Mr. Tim Stegeman to fill a 3-year term on the Harbor Commission, expiring in 2015. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried.

UNFINISHED BUSINESS

- 8. Council will be asked to consider the following regarding an ordinance rezoning 38 North Shore Drive:**

A. Continue public hearing regarding an ordinance to rezone 38 North Shore Drive.

B. Approve an ordinance to rezone 38 North Shore Drive.

Background Information: Tom Brussee, owner of 38 Northshore Drive, submitted an application to rezone his parcel from the B-3 Waterfront Business Zone to the R1-A Single Family Residential Zone on June 13, 2014. On July 10, 2014, the planning commissioners held a public hearing on this matter at which no comments were offered. (Subsequently, 10 emails in support of the rezoning have been received and one email in opposition.) The commission then moved to table action on this request until certain zoning ordinance amendments related to the B-3 zoning district were resolved with the city council. The issues with the zoning ordinance amendments have since been resolved and city council adopted the new amendments on September 2, 2014.

In the interim, the applicant applied for a land division on the site but was denied the request by the zoning administrator on the grounds that the zoning ordinance does not allow land divisions which result in parcels which are nonconforming. In the B-3 zone, single family homes may be built on *existing* lots with a special use permit. It is not the intent of the planning commission or the city council that lots be split for single family home construction. On September 22, 2014, the zoning board of appeals upheld the zoning administrator's decision to deny the land division.

The applicant returned to the planning commission for action on the rezoning request from B-3 to R1-A Residential on October 2, 2014. The commission deliberated the request and voted 6-1 to recommend approval of the rezoning.

Item A: Continue public hearing regarding an ordinance to rezone 38 North Shore Drive.

Attorney Matthew Van Dyk spoke about the rezoning.

Moved by Kozlik Wall to close the public hearing regarding an ordinance to rezone 38 North Shore Drive. Seconded by Klavins.

Voted Yes: All. Motion carried.

Item B: Approve an ordinance to rezone 38 North Shore Drive.

Moved by Kozlik Wall to approve an ordinance to rezone 38 North Shore Drive. Seconded by Patterson.

A Roll Call Vote was taken:

Yeas: Arnold, Klavins, Kozlik Wall, Patterson, Burr

Nays: Fitzgibbon, Gruber

Motion carried.

NEW BUSINESS

9. Council will be asked to approve Resolution 2014-45, a resolution authorizing the City Manager to execute a lease agreement for the former Michigan State Police Post on LaGrange Street.

Background Information: The City of South Haven owns the former Michigan State Police Post on LaGrange Street. The storage shed and back parking area are owned by the State of Michigan.

The State has indicated that it may be willing to consider transferring this property to the City. As a first step, the State has proposed to lease this property to the City under the terms of the attached lease.

Moved by Patterson to approve Resolution 2014-45, a resolution authorizing the City Manager to execute a lease agreement for the former Michigan State Police Post on LaGrange Street. Seconded by Kozlik Wall.

Voted Yes: All. Motion carried.

10. Council will be asked to approve Resolution 2014-46, a resolution approving submission of Coastal Zone Management Grant Application for the proposed Black River Park accessible launch improvements.

Background Information: Staff was recently made aware of a grant offered by the State of Michigan, Coastal Zone Management, to improve handicap accessibility for canoe and kayak launches. One of the priorities of the Coastal Zone Management program is to establish high quality paddlecraft facilities along the length of the Lake Michigan Water Trail. Through the Governor's support of trail development in Michigan, this funding has recently been made available to encourage construction of improvements in 2015. More information about the Lake Michigan Trail is available here: <http://www.michiganwatertrails.org/>

In order to take advantage of this grant, staff proposes to apply for a grant to install a canoe/kayak launch ramp with a dock that includes a roller system. This allows the user to enter the boat on the dock and roll the boat down a ramp into the water. In order to land the boat, the user pulls the boat up a ramp using handrails, and can easily exit the boat onto a bench. The proposed handicap accessible launch would be similar to the EZ-Dock pictured in the attached brochure.

The grant application would also include a ramp and sidewalk to make the canoe/kayak launch ADA accessible from the parking area to the launch.

The proposed improvements are part of the Black River Park Master Plan as approved by the Harbor Commission. Harbor Commission will be reviewing the plan at their December 16 meeting. Due to the December 15 grant application deadline, City Council is being asked to approve the resolution prior to Harbor Commission review of the project.

The existing floating dinghy dock at Black River Park may be relocated at Black River Park, or it may be moved to another location. This is yet to be determined and would be outside of the grant funded project.

The grant project cost is limited to \$100,000, with the City being responsible for costs exceeding this amount. The Abonmarche cost table shows an estimate of \$113,592 (with contingencies). We believe that this project can be done for approximately \$100,000, which is the grant limit. At the time of bidding we will receive actual costs, and will be able to adjust the project, if needed.

Moved by Kozlik Wall to approve Resolution 2014-46, a resolution approving submission of Coastal Zone Management Grant Application for the proposed Black River Park accessible launch improvements. Seconded by Fitzgibbon.

Voted Yes: All. Motion carried.

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

12. City Manager's Comments

13. Mayor and Councilperson's Comments

Klavins – Thanked Susie for her question. Lights are up. Festival of trees is going on.

Arnold – No comment.

Patterson – Condolences to the Shinske family.

Fitzgibbon – Come support We Care.

Gruber – No comment

Kozlik Wall – Spoke about parade. Spoke about leaves.

Burr – Spoke about leaves.

14. Adjourn

Moved by Fitzgibbon to adjourn. Seconded by Patterson.

Voted Yes: All. Motion carried. Meeting adjourned at 7:39 p.m.

RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script, appearing to read "M. Coffey".

Michelle Coffey
Deputy City Clerk

Approved by City Council: **December 15, 2014**