

City Council

Regular Meeting Minutes

Tuesday, September 2, 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, Gruber, Klavins, Kozlik Wall, Patterson, Burr
Absent: Fitzgibbon

Moved by Klavins to excuse Councilmember Fitzgibbon for personal reasons. Seconded by Gruber.

Voted Yes: All. Motion carried.

4. Approval of Agenda

Moved by Patterson to approve the agenda. Seconded by Klavins.

Voted Yes: All. Motion carried.

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

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

- A. Council will be requested to approve the City Council Minutes of August 18, 2014.
- B. Bills totaling \$1,338,097.67 for the period ending September 3, 2014 be approved and forwarded to the Clerk and Treasurer for payment.
- C. Council will be asked to award the professional services contract for community outreach and coordination, related to the city's Core City Secondary Electric Reconstruction project, to Abonmarche in the amount of \$33,720.
- D. Council will be asked to award storm drainage improvements for Indiana Ave. and Eagle St. to Brad Thomas Excavating in the amount of \$37,202.
- E. Council will be asked to receive the following administrative reports and approved minutes to be placed on file:
 - 1) 06-17-2014 Harbor Minutes
 - 2) 06-25-2014 Housing Minutes
 - 3) 07-10-2014 Planning Commission Minutes
 - 4) 07-15-2014 LHBM Minutes

A Roll Call Vote was taken:

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

Nays: None

Motion carried.

UNFINISHED BUSINESS

6. Council will be asked to consider the following regarding a zoning ordinance amendment to provisions of the Single Family Dwellings of the B-3 Zoning District:

A. Hold public hearing regarding a zoning ordinance amendment to provisions of the Single Family Dwellings of the B-3 Zoning District.

B. Approve a zoning ordinance amendment to provisions of the Single Family Dwellings of the B-3 Zoning District.

Background Information: In January of 2014, the planning commission held a public hearing on certain amendments to the B-3 Waterfront Business zoning district. One amendment included provisions to allow single family homes on individual lots in the B-3 zone. This ordinance amendment was adopted by the City Council on March 17, 2014.

Upon closer review, the City Council determined that modifications were required to the amendment to clarify that no lot splits for single family homes will be allowed in the B-3 zone and the special use requirement that the parcel could not be used for another permitted use could not be the result of any action of the property owner. These amendments were drafted by the city attorney and forwarded to the planning commission for review.

At the July planning commission meeting, a public hearing was held after which the planning commission decided that additional adjustments to the text were needed. There were no public comments received at that meeting.

The subcommittee and staff worked with the city attorney to refine the amendments. It was the opinion of the city attorney and staff that the changes made are not of a severity which required a second public hearing. A resolution recommending City Council adoption of the amendment was made at the August 7, 2014 meeting.

Item A: Hold public hearing regarding a zoning ordinance amendment to provisions of the Single Family Dwellings of the B-3 Zoning District.

Moved by Kozlik Wall to open a public hearing regarding a zoning ordinance amendment to provisions of the Single Family Dwellings of the B-3 Zoning District. Seconded by Patterson.

Voted Yes: All. Motion Carried.

No Public Comment

Moved by Patterson to close the public hearing regarding a zoning ordinance amendment to provisions of the Single Family Dwellings of the B-3 Zoning District. Seconded by Kozlik Wall.

Voted Yes: All. Motion Carried.

Item B: Approve a zoning ordinance amendment to provisions of the Single Family Dwellings of the B-3 Zoning District.

Moved by Patterson to approve a zoning ordinance amendment to provisions of the Single Family Dwellings of the B-3 Zoning District. Seconded by Klavins.

Voted Yes: All. Motion Carried.

NEW BUSINESS

7. Council will be asked to award Bid #2014-02: Phoenix Road Substation to Kent Power in the amount of \$606,796.

Background Information: In 2013, the Board of Public Utilities reviewed and adopted a five-year plan for the Electric Distribution System. This study reviewed the City of South Haven's substations and distribution system for equipment and conductor capacity issues, voltage and VAR flow issues, projected 5 and 10 year load growth, and assessed the physical condition of the electrical system. The report provided recommendations for electrical system projects to significantly improve system reliability. These projects will provide usable circuit & substation backfeed capabilities, will rebuild lines with failing hardware, will fix problems with open-wire secondary and associated connections, and will decrease system VAR flow.

The study identifies Project #101 which includes installation of a second 12/16/20 MVA transformer and two underground substation exits at the Phoenix Road Substation at an estimated cost of \$1,350,000.

Earlier this year, the Board and City Council reviewed and awarded contracts for procurement of equipment for the Phoenix Road Substation project. On July 8, 2014, the City opened bids for the construction contract. This contract includes labor and all materials not being supplied by the City of South Haven. The City received three bids for this project. The low bid from Kent Power is in the amount of \$606,796.00. GRP Engineering, Inc. has reviewed the bids and recommended award to Kent Power. Kent Power anticipates being able to begin work on the project by mid-September and completing the work by December 31, 2014.

Moved by Kozlik Wall to award Bid #2014-02: Phoenix Road Substation to Kent Power in the amount of \$606,796. Seconded by Gruber.

Voted Yes: All. Motion Carried.

8. Council will be asked to consider Resolution 2014-35 Declaration of intent to make public improvements; tentative designation of special assessment district; notice of public hearing for the Dyckman Avenue Reconstruction Project.

Background Information: The recent sanitary sewer system study undertaken by

Abonmarche during 2013 has revealed multiple points of collapsing sewer pipes below Dyckman Avenue between the Black River and Park Avenue. Portions of this sewer appear to be remaining from the original construction in year 1900. Given the age of the sewer, the collapsing condition is not surprising. These conditions support the conclusion that the sewer needs to be replaced.

The watermain within this same area (from the Black River to Park Ave) dates to the 1930's if not before (records are inconclusive). The City water department has an established repair history on this watermain already, and several other downtown area projects in recent years have revealed these circa 1930's cast iron watermain pipes to be very brittle and subject to breaking and leaking. These conditions support the conclusion that the watermain also needs to be replaced.

These utilities are located below the road, therefore replacing them requires a complete pavement removal and road reconstruction, including a traffic closure and detour. For the current fiscal year, this project was given priority over the ongoing water and sewer replacement efforts on Kalamazoo Street of recent years because of the planned improvements on the Dyckman Avenue bridge. The intent is to complete the road and utility work within Dyckman Avenue while the bridge is closed this winter, in order minimize the overall traffic disruption.

Moved by Patterson to approve Resolution 2014-35 Declaration of intent to make public improvements; tentative designation of special assessment district; notice of public hearing for the Dyckman Avenue Reconstruction Project. Seconded by Klavins.

Voted Yes: All. Motion Carried.

9. Council will be asked to consider approval of a contract agreement with South Haven Public Schools for the placement of a School Resource Officer in the public school system.

Background Information: The City Council will be asked to consider approval of a contract agreement for the placement of a School Resource Officer into the South Haven Public Schools.

The City's management staff and members of the South Haven Police Department (SHPD) have actively explored the feasibility of contracting police services, in the form of a School Resource Officer (SRO), to the South Haven Public Schools (SHPS) and determined the service can be provided without negatively impacting the City of South Haven. In the past, the City had provided the SRO position, which consisted of providing a Police Officer into the schools during regularly scheduled school days, to assist with security and student engagement.

Over the past several years, the full-time SRO has been removed from school service, due to budget cuts experienced by the SHPS. During that time period, the City's staff has actively engaged in discussions with the SHPS representatives about the possibility of the SRO agreement being resumed, but with a requirement that cost recovery be provided to the City by the SHPS. The City had provided the SRO for approximately seven years at no cost to the SHPS. The SHPD had found the SRO to be very busy addressing concerns at the SHPS and the program to be beneficial to the overall community.

Recently Police Chief Martin was able to engage the SHPS about the SRO, and was able to negotiate an agreement which will provide a full-time SRO during the school year and

provide the City with \$52,000 per year, for each of the two years described in the agreement. The payment amount covers approximately 70-75% of the cost of a full time officer (depending on seniority of the officer selected.) The agreement allows the SRO to be used by the Police Department for regular duty during breaks in the school year.

Moved by Gruber to approve a contract agreement with South Haven Public Schools for the placement of a School Resource Officer in the public school system. Seconded by Patterson.

Voted Yes: All. Motion Carried.

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

Steve and Karen Small – Spoke about a fundraiser for Sister Cities.

11. City Manager's Comments

12. Mayor and Councilperson's Comments

Klavins – School has started, please watch out for kids.

Arnold – First football game is Friday. The band will be there.

Patterson – Thanked Steven and Karen Small for all they do.

Gruber – Spoke about South Beach triathlon.

Kozlik Wall – Kudos to the police, fire, DPW, and City Hall for all their hard work.

Burr – Spoke about electric project by St. Basil's.

13. Adjourn

Moved by Patterson to adjourn. Seconded by Kozlik Wall.

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

RESPECTFULLY SUBMITTED,



Michelle Coffey
Deputy City Clerk

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