

City Council

Regular Meeting Minutes

Monday, September 15, 2014
7:00 p.m., Council Chambers



1. **Call to Order by Mayor 7:00 p.m.**
2. **Invocation – Pastor Curry Pikkaart – Hope Reformed Church**
3. **Roll Call**

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

4. **Approval of Agenda**

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

Voted Yes: All. Motion carried.

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

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

- A. Council will be requested to approve the City Council Minutes of September 2, 2014.
- B. Bills totaling \$1,635,361.87 for the period ending September 16, 2014 be approved and forwarded to the Clerk and Treasurer for payment.
- C. Council will be asked to award a contract for preconstruction videotaping services for the Core City Secondary Project to Structures, Inc. in the amount of \$17,775.

A Roll Call Vote was taken:

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

Motion carried.

UNFINISHED BUSINESS

6. **Council will be asked to consider the following regarding Dyckman Avenue reconstruction:**

- A. **Hold public hearing regarding Dyckman Avenue reconstruction.**

B. Approve Resolution 2014-36, a resolution to make public improvements, approval of plans, estimate of cost, and final determination of special assessment district.

C. Approve Resolution 2014-37, a resolution setting special assessment roll 201401 and notice of public hearing.

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.

Item A: Hold public hearing regarding Dyckman Avenue reconstruction.

Moved by Kozlik Wall to open a public hearing regarding Dyckman Avenue reconstruction. Seconded by Fitzgibbon.

Voted Yes: All. Motion Carried.

Peter Berger – 225 Dyckman – Voiced concerns about special assessments.

Terry Giesler – 206 Dyckman – Voiced concerns about special assessments.

Moved by Kozlik Wall to close the public hearing regarding Dyckman Avenue reconstruction. Seconded by Patterson.

Voted Yes: All. Motion Carried.

Item B: Approve Resolution 2014-36, a resolution to make public improvements, approval of plans, estimate of cost, and final determination of special assessment district.

Moved by Patterson to approve Resolution 2014-36, a resolution to make public improvements, approval of plans, estimate of cost, and final determination of special assessment district. Seconded by Klavins.

Voted Yes: All. Motion Carried.

Item C: Approve Resolution 2014-37, a resolution setting special assessment roll 201401 and notice of public hearing.

Moved by Fitzgibbon to Approve Resolution 2014-37, a resolution setting special assessment roll 201401 and notice of public hearing. Seconded by Gruber.

Voted Yes: All. Motion Carried.

NEW BUSINESS

7. Council will be asked to consider an amendment to the Riverwatch Condominium Development.

Background Information: At their regular September 4, 2014 meeting, the Planning Commission moved unanimously to recommend approval of a proposed amendment to the Riverwatch Condominiums. This recommendation followed the required neighbor notifications, legal notice posting and public hearing. There were no public comments received at the hearing. The amendment involved removing Phase 2 from the development.

Several documents were submitted as part of this application including the proposed amendment to the master deed and the legal description for each new parcel. There is also a copy of the 2007 master deed which provides for the developer to remove undeveloped phases from the development within ten (10) years. Also included is the applicant's narrative of the proposed amendment and the easement to allow future development access through the phase 1 property.

Moved by Fitzgibbon to amend the Riverwatch Condominium Development. Seconded by Kozlik Wall.

Voted Yes: All. Motion Carried.

8. Council will be asked to consider Special Event 2014-47, 2015 Summer Art Fair to be held July 3-5, 2015.

Background Information: This special event request for the 2015 Summer Art Fair, sponsored by the South Haven Center for the Arts, is ready for City Council to approve. As in the past it will be held at Stanley Johnston Park. This event will begin on July 3 and go through July 5th, 2015. Friday is check in, Saturday and Sunday is the fair from 10-6 with clean up on Sunday from 6-8 pm. There will be approximately 130 artists and 10-12 food vendors.

They will provide volunteers and overnight security for this event. An extra dumpster and extra trash containers will be necessary as this event has the potential to draw 30,000 people. The Art Center intends on bringing in 10 porta-johns for this event and place them adjacent to the picnic shelter. This is necessary because the existing restrooms cannot handle the large volume of people that attend the art fair.

Thea Grigsby - Spoke about the Summer Art Fair.

Moved by Fitzgibbon to approve Special Event 2014-47, 2015 Summer Art Fair to be held July 3-5, 2015. Seconded by Patterson.

Voted Yes: All. Motion Carried.

9. Council will be asked to consider Resolution 2014-38, a resolution to set a public hearing for an Industrial Facilities Tax Exemption for East Jordan Plastics, Inc.

Background Information: The City Council will be asked to schedule a public hearing date to consider an Industrial Facilities Tax Exemption Certificate for East Jordan Plastics, Inc., located at 1600 Stieve Drive.

The company has filed an application for an Industrial Facilities Tax Exemption Certificate for personal property additions at their 1600 Stieve Drive location. The tax exemption requests total \$1,200,000, which relates to the purchase of robotic loading/unloading equipment, and injection molding equipment used for manufacturing. The company plans to create one new job, and retain six existing jobs, at their facility at 1600 Stieve Drive.

East Jordan Plastics, Inc. purchased the former Noble International building on Stieve Drive on December 30, 2008. Recently, the company purchased the second former Noble International building on Veterans Blvd. The company performs plastic recycling operations, along with shipping/receiving, at their South Haven locations. In addition to recycling, the company performs onsite manufacturing of horticultural containers and other products into new plastic containers.

East Jordan Plastics, Inc. owns several facilities, all of which are located in the State of Michigan, and employs approximately 250 salaried and hourly employees, with 34 employees working in the South Haven community. The business focuses on the manufacturing of various plastic products for the horticulture industry. Attached are images of the company's products.

The estimated total value of the Industrial Facilities Tax Exemption Certificate for East Jordan Plastics, Inc., is \$61,562 over the 12 year life of agreement. The tax exemption does include a "claw-back" provision, which allows the City of South Haven to seek the abated tax amount if the terms of the abatement are not met by the business.

Moved by Patterson to approve Resolution 2014-38, a resolution to set a public hearing for an Industrial Facilities Tax Exemption for East Jordan Plastics, Inc. Seconded by Fitzgibbon.

Voted Yes: All. Motion Carried.

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

No Public Comment

11. City Manager's Comments

12. Mayor and Councilperson's Comments

Kozlik Wall – Reminder to keep sticks and debris out of drains. Watch for school busses.

Gruber – Spoke about triathlon.

Fitzgibbon – No Comment

Patterson – No Comment

Arnold – Homecoming parade next Friday instead of Thursday.

Klavins – Watch out for school kids.

Burr – No Comment

13. Adjourn

Moved by Kozlik Wall to adjourn. Seconded by Fitzgibbon.

Voted Yes: All. Motion carried. Meeting adjourned at 7:38 p.m.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "M. Coffey".

Michelle Coffey
Deputy City Clerk

Approved by City Council: **October 6, 2014**