

City Council

Regular Meeting Minutes

Monday, October 06, 2014
7:00 p.m., Council Chambers



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

2. Invocation – Pastor Jeffrey Dick – First Congregational

3. Roll Call

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

Moved by Fitzgibbon to excuse Councilmember Kozlik Wall for personal reasons. Seconded by Patterson.

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 F (Roll Call Vote Required)

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

- A. Council will be requested to approve the City Council Minutes of September 15, 2014.
- B. Bills totaling \$2,558,651.62 for the period ending October 7, 2014 be approved and forwarded to the Clerk and Treasurer for payment.
- C. Council will be asked to approve Resolution 2014-40. A resolution approving the Michigan Department of Transportation's state trunkline maintenance contract.
- D. Council will be asked to consider approving the following professional service proposals from GRP Engineering, Inc., for electric system improvement projects:
 - 1) Project #104 PR-B Blue Star Highway: \$16,000
 - 2) Project #105 MS-J Lovejoy to Aylworth: \$9,000
 - 3) Projects #106 and #107 Capacitor Banks: \$4,500
 - 4) Project #109 MS-J St. Joseph Street: \$14,000
- E. Council will be asked to award a contract to Kalin Construction in the amount of \$342,218.55 for the Kentucky Avenue Reconstruction project.
- F. Council will be asked to receive the following administrative reports and approved minutes to be placed on file:

- 1) 07-08-2014 Parks Minutes
- 2) 07-28-2014 BPU Minutes
- 3) 07-28-2014 ZBA Minutes
- 4) 08-07-2014 Planning Minutes
- 5) 08-19-2014 LHBM Minutes
- 6) 08-19-2014 Harbor Minutes

A Roll Call Vote was taken:

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

Nays: None

Motion carried.

6. Van Buren County Senior Services will provide update to the City Council.

Diane Rigozzi gave an update for Van Buren County Senior Services.

UNFINISHED BUSINESS

7. Council will be asked to consider the following regarding Dyckman Avenue:

- A. Hold public hearing regarding Dyckman Avenue.**
- B. Approve Resolution 2014-39, a resolution approving a special assessment roll.**
- C. Approve a contract to Kalin Construction for the Dyckman Avenue reconstruction project in the amount of \$1,036,189.95.**
- D. Approve a contract to Materials Testing Consultants for the Dyckman Avenue reconstruction project in the amount of \$28,668.00.**

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.

Moved by Patterson to open a public hearing regarding Dyckman Avenue reconstruction. Seconded by Klavins.

Voted Yes: All. Motion Carried.

No Public Comment

Moved by Fitzgibbon to close the public hearing regarding Dyckman Avenue reconstruction. Seconded by Gruber.

Voted Yes: All. Motion Carried.

Item B: Approve Resolution 2014-39, a resolution approving a special assessment roll.

Moved by Fitzgibbon to approve Resolution 2014-39, a resolution approving a special assessment roll. Seconded by Patterson.

Voted Yes: All. Motion Carried.

Item C: Approve a contract to Kalin Construction for the Dyckman Avenue reconstruction project in the amount of \$1,036,189.95.

Moved by Patterson to approve a contract to Kalin Construction for the Dyckman Avenue reconstruction project in the amount of \$1,036,189.95. Seconded by Klavins.

Voted Yes: All. Motion Carried.

Item D: Approve a contract to Materials Testing Consultants for the Dyckman Avenue reconstruction project in the amount of \$28,668.00.

Moved by Fitzgibbon to approve a contract to Materials Testing Consultants for the Dyckman Avenue reconstruction project in the amount of \$28,668.00. Seconded by Patterson.

Voted Yes: All. Motion Carried.

8. Council will be asked to consider the following regarding East Jordan Plastics, Inc.:

A. Hold a public hearing regarding an industrial facilities exemption for East Jordan Plastics, Inc.

B. Approve Resolution 2014-41, a resolution approving the issuance of an industrial facilities tax exemption for East Jordan Plastics, Inc.

Background Information: The City Council will be asked 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.

Item A: Hold a public hearing regarding an industrial facilities exemption for East Jordan Plastics, Inc.

Moved by Patterson to open a public hearing regarding an industrial facilities exemption for East Jordan Plastics, Inc. Seconded by Klavins.

Voted Yes: All. Motion Carried.

No Public Comment

Moved by Patterson to close the public hearing regarding an industrial facilities exemption for East Jordan Plastics, Inc. Seconded by Klavins.

Voted Yes: All. Motion Carried.

Item B: Approve Resolution 2014-41, a resolution approving the issuance of an industrial facilities tax exemption for East Jordan Plastics, Inc.

Moved by Fitzgibbon to approve Resolution 2014-41, a resolution approving the issuance of an industrial facilities tax exemption for East Jordan Plastics, Inc. Seconded by Patterson.

Voted Yes: All. Motion Carried.

NEW BUSINESS

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

- A. Consider Special Event 2014-49, Ice Breaker 2015 to be held January 30 – February 1, 2015.**
- B. Consider Special Event 2014-50, Blueberry Festival Craft Fair to be held August 8-9, 2015.**
- C. Consider Special Event 2014-51, All Crafts Fair 2015 to be held September 5-6, 2015.**
- D. Consider Special Event 2014-52, Waterfront Film Festival 2015 to be held June 11-14, 2015.**
- E. Consider Special Event 2014-53, Paws on Parade to be held June 28, 2015.**

Item A: Special Event 2014-49, Ice Breaker 2015 to be held January 30 – February 1, 2015.

Background Information: This special event is ready for the City Council's approval. The dates requested are January 30 – February 1, 2015. The Chamber of Commerce is the primary sponsor and as in the past they are requesting use of the city sidewalks, increased police presence, parking spaces blocked on Center from Phoenix to Eagle and use of the electric. The application appears to be in order and consistent with past applications. They are again requesting to be exempt from putting up portable toilets due to lack of use.

Moved by Patterson to approve Special Event 2014-49, Ice Breaker 2015 to be held January 30 – February 1, 2015. Seconded by Fitzgibbon.

Voted Yes: All. Motion Carried.

Item B: Special Event 2014-50, Blueberry Festival Craft Fair to be held August 8-9, 2015.

Background Information: The special event request for the Blueberry Festival Craft Fair is ready for City Council approval. As in past years the Blueberry Festival Craft Fair is being run by the South Haven Area Chamber of Commerce. This event is scheduled for August 8-9, 2015. Their requests appear to be in order and consistent with past requests. Including overnight police patrol on both Friday and Saturday nights.

The Blueberry Festival Craft Fair has both arts and crafts with 150 vendor booths. Event will include food and beverage vendors. This event will also provide free space for no-profit organizations to display information, and for the Boy Scouts to sell bottled water. Overnight security and portable restrooms will be provided by Chamber. Set up times will begin at 12pm Friday. Clean-up will last until 7pm Sunday.

Moved by Fitzgibbon to approve Special Event 2014-50, Blueberry Festival Craft Fair to be held August 8-9, 2015. Seconded by Patterson.

Voted Yes: All. Motion Carried.

Item C: Special Event 2014-51, All Crafts Fair 2015 to be held September 5-6, 2015.

Background Information: This special event request is ready for City Council's approval. The 39th Annual All Crafts Fair event is scheduled for September 5-6, 2015. It is the same as it has been in the previous years. They are requesting snow fencing to be placed as it has in the previous years. They are also requesting additional police patrols over night of September 4th and 5th.

This event is a juried arts and crafts fair with 200 vendor booths. This event will include food and beverage vendors. It will also provide free space for non-profit organizations to display information, and for the Boy Scouts to sell bottled water. Overnight security and portable restrooms will be provided by Chamber. Set up times will begin at 12 pm Friday. Clean-up will last until 7 pm Sunday.

Moved by Fitzgibbon to approve Special Event 2014-51, All Crafts Fair 2015 to be held September 5-6, 2015. Seconded by Patterson.

Voted Yes: All. Motion Carried.

Item D: Special Event 2014-52, Waterfront Film Festival 2015 to be held June 11-14, 2015.

Background Information: For the third year the Waterfront Film Festival will be located in South Haven. The event will run from Thursday, June 11th – Sunday, June 14th. The event will kick off on Thursday, June 11th at South Beach with an outdoor opening night. The event is similar to last year's setup. They are requesting to close off the South Beach parking lot on Thursday morning for set up with the event beginning at 6:00 pm. Clean-up will occur that night following the event. The film festival has agreed to pay the city \$7.00 for each space used at South Beach during this event. City staff will work with the festival to fence off and barricade this area. The event will continue throughout the weekend at indoor venues.

They have requested approval to place yard signs and banners 30 days prior to event and also for use of mules /carts throughout town for all 4 days of the festival.

They are also seeking approval of a second location to be used in the case of rain for their opening night music and movie fundraiser to be held on June 11, 2015. The intended rain location is the Huron Street Pavilion.

Moved by Fitzgibbon to approve Special Event 2014-52, Waterfront Film Festival 2015 to be held June 11-14, 2015. Seconded by Patterson.

Voted Yes: All. Motion Carried.

Item E: Special Event 2014-53, Paws on Parade to be held June 28, 2015.

Background Information: Paws on Parade is a special event with Al-Van Humane Society as the sponsoring organization. This event is an adoption fair that has informational booths, demonstrations and a pet parade. This event is typically held at Stanley Johnston Park but this time they would like to have it at Riverfront Park. The dates of this event will be Sunday June 28, 2015 from 8 am to 3 pm.

Moved by Fitzgibbon to approve Special Event 2014-53, Paws on Parade to be held June 28, 2015. Seconded by Klavins.

Voted Yes: All. Motion Carried.

10. Council will be asked to approve Resolution 2014-42, a resolution setting the 2015 marina slip rates.

Background Information: There are no changes proposed to the seasonal slip fees or boat launch fees. Changes from the 2014 season: Transient fees have been increased by 10% on Friday and Saturday nights from July 1 to September 1. The marina manager may allow short term dockage of vessels for a period of less than eight hours when dock space is available at a fee of \$0.50 per foot. The rate resolution refers to the Commercial Use Policy. Harbor Commission recommended approval of the marina rate resolution at its September meeting.

Moved by Gruber to approve Resolution 2014-42, a resolution setting the 2015 marina slip rates. Seconded by Patterson.

Voted Yes: All. Motion Carried.

11. Council will be asked to hold a public hearing regarding the close out of the Michigan Community Development Block Grant funding for Phoenix Street Improvements.

Background Information: With the Phoenix Street project substantially complete, the engineering department has been working to wrap up any loose ends and close the project file. At this time, only a very small amount of actual construction work remains to be completed at the site, including some miscellaneous electrical work, some minor corrections to some of the brick pavers, and some landscaping items. In addition to these on-site details, there are a few remaining administrative tasks to fulfill the grant reporting and documentation requirements, one of which requires the participation of the City Council.

In order to fulfill the grant requirements, the City Council must conduct a public hearing. The purpose of the hearing is to solicit public comment regarding the project, now that it has been substantially completed. This is a standard requirement of the grant agreement and must be completed before the City can receive final reimbursement.

Moved by Patterson to open a public hearing regarding the close out of the Michigan Community Development Block Grant funding for Phoenix Street Improvements. Seconded by Fitzgibbon.

Voted Yes: All. Motion Carried.

No Public Comment

Moved by Patterson to close the public hearing regarding the close out of the Michigan Community Development Block Grant funding for Phoenix Street Improvements. Seconded by Klavins.

Voted Yes: All. Motion Carried.

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

No Public Comment

13. City Manager's Comments

Paul congratulated Brian and Kelly on the birth of their daughter.

14. Mayor and Councilperson's Comments

Klavins – Spoke about the Tigers and about homecoming.

Arnold – No Comment

Patterson – Congrats to Brian and Kelly. Reminder about the Fire Safety Fun night on Thursday.

Fitzgibbon – Congrats to Brian and Kelly on their baby girl and congrats to Gail on getting married.

Gruber – No Comment

Burr – Spoke about the Van Buren bike trail.

15. Adjourn

Moved by Patterson to adjourn. Seconded by Klavins.

Voted Yes: All. Motion carried. Meeting adjourned at 7:35 p.m.

RESPECTFULLY SUBMITTED,



Michelle Coffey
Deputy City Clerk

Approved by City Council: **October 20, 2014**