

# ***Village of Pentwater***

ON PENTWATER LAKE AND LAKE MICHIGAN  
327 South Hancock Street P.O. Box 622 Pentwater, Michigan 49449  
(231) 869-8301 Website: [www.pentwatervillage.org](http://www.pentwatervillage.org)

## **Regular Meeting COUNCIL MINUTES August 8, 2016**

**Call to Order** - President Juanita Pierman called the regular meeting of the Pentwater Village Council to order at 6:00 p.m. at Village Hall in the community room.

**Pledge of Allegiance.**

**Roll Call** - Present: Jared Griffis, Dan Hoekstra, Norm Shotwell, Bill Maxwell, Don Palmer April Watkins and Juanita Pierman. Absent: None.

Staff present: Village Manager Rob Allard, Clerk/Treasurer Colleen Moser, Police Chief Laud Hartrum, Deputy Clerk/Treasurer Barb Siok and Village Attorney Brian Monton.

**Public Comments** – Ted Cushna questioned the managers \$80,000 estimate in lost revenue should the number of establishments change. Manager responded that the estimate included any bill that had more than one establishment such as the State Park. It was recommended that Mr. Cushna meet with the manager to answer his questions.

**Approval of the Agenda** - *Motion* by Shotwell, supported by Watkins to approve the agenda. Voice vote. AYES: 7 NAYS: 0. Agenda approved.

**Consent Agenda**- Approval of Village Council minutes from the regular meeting held on July 11, 2016. Regular Village bill approval of \$146,353.69. Fire Department regular bill approval of \$7,523.13.

Approval of the use of Village Property:

Oceana MVP's request use of the Village Green to hold a free music concert on August 12, 2016 from 7-10 p.m.

Pentwater Arts Council requests use of the Village Green for a group photo shoot on August 13, 2016 from 8:30 – 10:30 a.m.

*Motion* by Hoekstra, second by Palmer to approve the consent agenda items. Roll call vote. AYES: 7 NAYS: 0. Consent agenda approved.

### **VILLAGE DEPARTMENT REPORTS**

Reports are in meeting packet and posted on [www.pentwatervillage.org](http://www.pentwatervillage.org).

**Village Manager** – Allard reported that the Village would not be dredging due because as of July 18<sup>th</sup> MCM Marine was still working in Ludington. The delivery of garbage totes had almost completed. Republic Services continues to work very hard to satisfy the Village residents. Regarding the Land swap with the Township, the title agency could not find a clear deed on the township owned property that is located in the Village. The Village attorney recommended a quitclaim deed on the property. See New Business and Village Managers report.

**Police Chief** – See report.

**Fire Chief** – An insurance rating inspection will be on August 23<sup>rd</sup> the inspection measures fire prevention and suppression abilities of the department. The rating is expected to improve which will improve residents’ homeowner insurance rates. See Fire Dept. minutes.

**Marina** –See report.

**Zoning Administrator** – No report.

### **COMMITTEE REPORTS**

Committee meeting minutes are provided if received in time for the packet.

**Finance Committee** – Griffis reported on a meeting held on July 28<sup>th</sup> when the committee reviewed the 1st quarter financials, no amendments needed at this time. Also discussed, was the payment for the 2nd half of the marina sea wall repair that would be paid from the general fund until the grant money is received from the State. See meeting minutes.

**Ordinance Committee.** – Watkins reported on the committee’s workshop and meeting held on July 20<sup>th</sup>. The utility ordinances were reviewed. There was a lengthy discussion regarding the definition of dwelling, residence and establishments. The Zoning Ordinances refers to dwellings, and it was suggested that the Planning Commission review the definitions, to get more continuity of the terms between the Village Ordinances and the Zoning Ordinances. Also discussed, was if the Village lowered the number of utility users, then the cost of the system would be spread over fewer customers, which would result in a higher ready to serve charge.

**Building and Grounds Committee** – No meeting, no report.

**Personnel Committee**- No meeting, no report.

**Services Committee**- Shotwell reported on the CIP - Street Improvement workgroup that was held on August 4<sup>th</sup>. A letter to be mailed to residents and a FAQ was being revised, as recommended by the bonding attorney. Also discussed was current Village debt, the scope of the street plan to be communicated to the public and that the working group would continue oversight to the Village manager, when the plan goes into effect.

Shotwell encouraged all residents to attend the Public Hearing on the Street Improvement Plan Bond proposal that will be held at the Pentwater Friendship Center located at 310 N. Rush Street in Pentwater on Wednesday, September 14<sup>th</sup> at 6:00 p.m.

**Promotions Committee** – Palmer reported that a working group continues to work with the Chamber on the planning of the Village Sesquicentennial Celebration to be held next year. The committee members are coordinating many ideas and there are options for various groups to get involved in the celebration. See meeting minutes.

**Harbor Research Committee Ad Hoc.** See Village Managers’ report.

### **VILLAGE COMMISSION AND BOARD REPORTS**

**Planning Commission**- A meeting was held on July 20<sup>th</sup>. See meeting minutes

**ZBA**- No meeting, no report.

**DDA** - Dr. Ressel-Hodan reported that the DDA would be meeting on Wednesday, August 10th at 8:30 a.m. The new bike stand would be unveiled at 'Art on the Town' on Hancock Street on August 22<sup>nd</sup> at 7:00 p.m. The bike stand will need to be moved from the Artisan center to the downtown. Allard offered that the DPW could use forklift and a trailer to get the new stand in place. The free bike program has become very popular, however a new issue has come up, in that the bikes are not being returned to the bike stands each evening. Sometimes bikes are missing for couple of weeks, and she, and others have retrieved bikes from various locations around Pentwater Township.

### **UNFINISHED BUSINESS**

None.

### **NEW BUSINESS**

**Reappoint Mike Castor to the Zoning Board of Appeals.** Term will expire Aug 11, 2019 *Motion* to approve by Shotwell, second by Maxwell. Voice vote. AYES: 7 NAYS: 0. Reappointment approved.

**Village Land Swap with Township- Deed of Ownership.**

*Motion* by Maxwell, second by Hoekstra that Council approve accepting a quitclaim deed on the Village parcel 044-580-101-00, that the township owns, in order to proceed with the land swap of Village owned Township parcel 001-438-001-00.

Discussion: The Village manager requested that Council approve a quitclaim deed. The estimated cost of legal fees would be \$3,000 in order to get a clear deed on the township owned property located within the Village limits.

Palmer asked if there was a pressing need to approve the quitclaim deed. Allard responded that there was no pressing need however; the Village would like to seek a grant from the State. A grant would require that the Village owns the property and would need to be in the State's Budget by October 1<sup>st</sup>. Village attorney stated that there is no point in seeking clear title because of the low risk.

Watkins stated that the Village could spend the \$3000 now for a clear title, versus the possible increased legal fees, should there be a claim against the property. It is likely that a claim against the property would likely happen when there is movement on the property.

Village attorney, Brian Monton, recommended that the council accept a quitclaim deed; a person would have difficulty proving ownership or having a claim against the property.

President Pierman called for a vote. AYES:6 NAYS:1- Palmer. Motion approved.

**Adjournment** - *Motion* by Palmer, second by Shotwell to adjourn, Voice vote. AYES: 7 NAYS: 0 President Pierman adjourned the meeting at 6:55 p.m.

Respectfully submitted,

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Colleen Moser, Clerk/Treasurer

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Date