

# ***Village of Pentwater***

327 S Hancock St., PO Box 622 Pentwater, Michigan 49449  
(231) 869-8301 Website: [www.pentwatervillage.org](http://www.pentwatervillage.org)

## **Regular Meeting of Village Council**

### **MEETING MINUTES**

**March 12, 2018**

**Call to Order:** President Jeff Hodges called the Village Council Public Hearing on the Grant to order at 6:01 PM in the Pentwater Community Hall followed by the Pledge of Allegiance.

**Council Roll Call:** Present: Peter Dunlap, Dan Nugent, Don Palmer, Michelle Angell-Powell, Pam Burdick and Jeff Hodges. Absent: Jared Griffis.

Also, present: Village Manager Chris Brown, Deputy Clerk/Treasurer Barb Siok, Police Chief Laude Hartrum, Fire Chief Terry Cluchey, Paul Smith, and Village Attorney Brian Monton.

**Public Comments - Not on the Agenda:** Carmelita Tiffany from the Oceana Herald Journal stated the PTW will be continued this summer.

**Approval of the Agenda:** President Hodges requested approval of the agenda as presented. **Motion** by Palmer, supported by Nugent to approve the agenda as presented  
Voice vote: AYES: 6, NAYS: 0, Absent: 1. Agenda approved.

**Public Comments - on the Agenda:** Eva Gregwer, Pentwater Chamber, asked about banners to be displayed on Village property. Village manager said applications are still being accepted because the north park may not be completed. President Hodges replied there may be a temporary place to put them and notify the public not all banners will be accepted in the future.

**Consent Agenda:** Approval of consent agenda items:

Approval of Village Council regular meeting minutes from February 12, 2018.

Regular Village bill approval of \$213,315.44.

Fire Department bill approval of \$5925.33.

**Requests for Village Property use:** PFC - Fern Hilton, Wednesdays 10 – 11AM. Ukulele Lessons; Village Green - Pentwater VFW May 28, 10AM – 12PM; Pentwater Sportsfishing Association May 7<sup>th</sup> – May 30<sup>th</sup> Display Banners.

**Motion** by Dunlap, second by Palmer, to approve the Consent Agenda items as presented.

Roll call vote: Dunlap: Yes. Palmer: Yes. Nugent: Yes. Angell-Powell: Yes. Burdick: Yes. Hodges: Yes. Absent: 1. Motion carried. Consent Agenda approved.

**Public Hearing**  
**MNRTF - Grant for Tennis Court Park**  
**MEETING MINUTES**  
**March 12, 2018**

President Hodges stated the next item is a public hearing for the Tennis Court Park.

David Bluhm (Fleis & VandenBrink) clarified: Michigan Natural Resources Trust Fund, there's no "D" in MNRTR.

**Public Comments:**

Claudia Ressel-Hodan, 490 E. Sands Street, thanked the Village for putting in a park that has everything for everybody and considering everything for everybody.

Norm Shotwell, 474 E. First Street, agreed that the park is a great idea, but has some concerns about combining or sharing tennis courts and basketball courts.

**Presentation by David Bluhm (Fleis & VandenBrink):** explained there have been changes since the last meeting into two phases. He said the grant application goes in April 1<sup>st</sup> and the resolution sets the amount of money requested and also sets the amount that is matched. He said the project that is submitted would get approved tonight.

Dave said Phase I would include the biggest scoring elements: parking, a rain garden area, two of the four pickle ball courts, the gazebo area in the middle of the four pickle ball courts, to the north; the play areas, picnic areas and restrooms. He said if part of the resolution is to just do Phase I, the grant awarded would be \$300,000 max and about \$222,000 for the Village match or in kind donations for the whole park improvements would be \$300,000 max and just over \$500,000 for the in kind or Village match. Dave said the elements can move around once the grant has been applied for but the major elements is what has to be built. Once you submit it as combined it would be difficult to separate. You could move things to a different spot but they would hold you to the major elements for what you applied.

Question: If the Village only applies for Phase I, do we also submit the entire I plan and Phase II?  
Answer: Dave Bluhm: answered No, we would only apply for Phase I elements.

Q: Does it cancel us out for Phase II?

A: You would only get grant monies for Phase I elements.

Q: Are we combining basketball and pickleball courts; what is needed?

A: Four courts are needed for pickleball tournaments. Two are the size of one tennis court. We can accommodate both tennis and basketball. There is some flexibility. It can be added.

Q: Is there anything that we have to do?

A: The importance of the Phasing is the commitment of the Village to the match requirement. Dave Bluhm said when notified for the grant, the Village has to by October 1 to provide proof

that you have that match and file documents to show that you have the match.

Q: What is the deadline for filing?

A: April 1<sup>st</sup>

Comment: Michelle Angell-Powell suggested public concern that we have both a full tennis court and a full basketball court in this location.

Q: What's the award date of any potential grant award?

A: Recommendations for funding come at the end of the year close to December

Q: What is the deadline for Phase II?

A: Every year the grant cycle begins again.

Q: What is the Phase I cost?

A: Just over \$500,000. \$300,000 is the maximum grant and remaining match from the Village.

Q: The only thing they will see is Phase I or the whole project?

A: They would see the whole site plan that is submitted.

Comments: Don Palmer said the overwhelming people that want to shoot hoops will be at the park and not on school property.

Michelle Angel-Powell said the school basketball property is in very rough shape and a good point was made that we have playground equipment in several spots.

Terry Valenzano, 44 N. Wythe, commented that we need to look at the entire project.

Q: Is that true that we are locked into Phase I?

A: Only the features of Phase I, but up to Phase II and limits ability to move things around.

Q: Is the two year being just the first Phase?

A: We have two years to complete Phase I and the following year after the completions we can go into the second half, Phase II which makes it a five year plan. The timing of the grant cycle is about two years and the earliest would be 2020.

President Hodges said as a reminder, if you live in the Village, you also live in the Township and that is a good idea to make this a Community Park.

**Motion** 6:27 PM to close the public hearing by Don Palmer, second by Dan Nugent. Voice vote.

Ayes: 6. Nays: None. Absent: 1. Motion carried.

## ANNOUNCEMENTS

**Fleis & VandenBrink:** Dave Bluhm said as an update on the street improvement project, the 2018 construction was awarded to Hallack Contracting last month and there will be a pre-construction meeting tomorrow at 9:30 AM. They are hoping to start prior to April 1 to clear trees on Morris and Fifth Streets. He said the design for the Second Street addition has been

completed which was not part of the bid documents which is from Second Street from Rush to Ellery and on Ellery, and Second to 3<sup>rd</sup> Avenue to take care of a drainage problem and will be talking to Hallack to negotiate a change order. He said we will have prices for those units. A Public Information Meeting will set for the end of March and communication to residents. Dave said the work will take most of the summer. Don Palmer commented on communication with residents is critical. Dave said timing will be communicated to the public.

Tom Pell, 590 Oceana Street, said that he brought some pictures to share with the council to show that his road needs attention. He said he has met with the Village Manager several times.

### **VILLAGE DEPARTMENT REPORTS**

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

**Village Manager:** Report submitted in writing.

**Clerk/Treasurer:** Report submitted in writing.

**Police Chief:** Report submitted in writing.

**Marina Manager:** Marina closed for season. President Hodges stated that Dick Hutchings will continue to work for the Village, but Chris Brown will take over the Marina managing duties.

**Fire Chief:** Report submitted in writing. Chief Cluchey's last meeting as Fire Chief, introduced upcoming Fire Chief Paul Smith.

**Zoning Administrator:** Report submitted in writing

### **COMMITTEE REPORTS**

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

**Building and Grounds Committee:** No meeting. No report.

**Finance Committee:** See report submitted.

**Ordinance Committee:** No meeting. No report.

**Personnel Committee:** See report submitted.

**Promotions Committee:** No meeting. No report.

**Services Committee:** No meeting. No report.

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

**Planning Commission:** See report submitted. Next meeting is March 21 at 7PM.

**ZBA:** No meeting. No report.

**DDA:** See report submitted. Note: Job Fair at Pentwater School – April 3<sup>rd</sup> at 2PM.

## **UNFINISHED BUSINESS**

### **1. Zoning Ordinance Amendment to Prohibit Medical Marijuana Facilities:**

**Motion** by Pam Burdick. No second, to table until further clarification until next month  
President Hodges said for lack of support this motion fails.

President Hodges asked for another motion.

**Motion** by Pam Burdick, second by Dan Nugent, to table the Zoning Ordinance Amendment to Prohibit Medical Marijuana Facilities.

Roll call vote: Burdick, Yes. Nugent: Yes. Dunlap: No. Palmer: No. Powell: Yes. Hodges: No.

Absent: 1. Motion not approved.

### **2. Resolution Prohibiting Medical Marijuana Facilities:**

**Motion** by Palmer, second by Dunlap, to approve the Resolution Prohibiting Medical Marijuana Facilities.

Roll call vote. Palmer: Yes. Dunlap: Yes. Nugent: Yes. Angell-Powell: Yes. Burdick: Yes.

Hodges: No. Absent: 1. Motion approved.

## **NEW BUSINESS**

### **1. Michigan Natural Resources Trust Fund, MNRTF Tennis Court Park Grant Resolution:**

**Motion** by Don Palmer, second by Pam Burdick, to approve the submission of a Michigan Natural Resources Trust Fund Application for \$300,000.00 grant request, and further resolves to make available its financial obligation amount of \$221,971.00 (42.5%) (local match) as outlined above for a total \$521,971.00 total project cost, during the 2018-2020 fiscal years.

Roll call vote: Palmer: Yes. Burdick: Yes. Dunlap: Yes. Nugent: Yes. Angell-Powell: Yes.

Hodges: Yes. Absent: 1. Motion approved.

### **2. Village of Pentwater Police Department Radios:**

**Motion** by Palmer, second by Nugent, to approve the request by the Police Chief to purchase three handheld radios for the Police Department as presented.

Roll call vote: Palmer: Yes. Nugent: Yes. Dunlap: Yes. Angell-Powell: Yes. Burdick: Yes. Hodges: Yes. Absent: 1. Motion Approved.

### **3. Pentwater VFW Poppy Program; Raffle Tickets:**

**Motion** by Peter Dunlap, second by Michelle Angell-Powell to approve the request by the Pentwater VFW Poppy Program to sell Raffle Tickets with the proviso that they comply with Michigan Vehicle Code Act 300 of 1949 with section 257.676b.

Voice vote: All AYES: 6. Motion approved.

**Motion** by Don Palmer, second by Peter Dunlap, to enter into closed session at 7:48 PM pursuant to MCL15.256 subsection C to discuss collective bargaining contracts.

Voice vote: All Ayes.

Public is welcome to come back after closed session is open to resume public meeting.

**8:07 PM Closed Session Ended.** President Hodges resumed the meeting.

Present: Peter Dunlap, Dan Nugent, Don Palmer, Michelle Angell-Powell, Pam Burdick and Jeff Hodges. Absent: Jared Griffis. Also, present: Village Manager Chris Brown, Deputy Clerk/Treasurer Barb Siok, and Police Chief Laude Hartrum.

**4. Union Contracts:**

**Motion** by Dunlap, second by Palmer, to approve the labor agreement between the Pentwater Public Employees Association and the Village of Pentwater.

Roll call vote: Dunlap: Yes. Palmer: Yes. Nugent: Yes. Angell-Powell: Yes. Burdick: Yes. Hodges: Yes. Absent: 1. Motion approved.

**Motion** by Dunlap, second by Palmer to reject the proposed labor agreement between the Village of Pentwater and the Police Officer Association of Michigan and Pentwater Police Officers Association with instructions to the Village Manager to proceed with further negotiations with the union particularly the provision of this body regarding Article 10.3 entitled Full Time Police Officer.

Roll call vote: Dunlap: Yes. Palmer: Yes. Nugent: Yes. Angell-Powell: Yes. Burdick: Yes. Hodges: Yes. Absent: 1. Motion approved.

**5. Resolution Authorizing Village Manager to sign Labor Agreements:**

**Motion** by Palmer, second by Angell-Powell, to authorize the Village Manager, Village President or Pro-tem to sign labor agreements currently approved and any future agreements that may be approved.

Voice vote: All AYES: 6. Motion approved.

**Adjournment: Motion** to adjourn by Palmer, second by Burdick.

Voice vote. All AYES: 6.

President Hodges adjourned the meeting at 8:14 PM.

Respectfully submitted,

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Barbara Siok  
Deputy Clerk/Treasurer

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Date