

Village of Pentwater

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

Regular Meeting of Village Council MEETING MINUTES AUGUST 9, 2021 PARK PLACE 310 NORTH RUSH STREET

I. CALL TO ORDER

President Jeff Hodges called the regular meeting of the Pentwater Village Council to order at 6:00 pm. from the 310 North Rush Street.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: Michelle Angell-Powell, Jared Griffis, Dan Nugent, Don Palmer, Claudia Ressel-Hodan, Jeff Hodges.

Absent: None

Also, present: Village Manager Chris Brown, Clerk/Treasurer Rande Listerman, Zoning Administrator Keith Edwards, Village Attorney Brian Monton and Officer Amanda Payne.

IV. PUBLIC COMMENTS – On the agenda

None.

V. APPROVAL OF THE AGENDA

President Hodges requested an approval of the agenda. *Motion* Griffis supported by Ressel-Hodan to approve the agenda with one amendment under New business, Item I. Planning Commission.

VOICE VOTE: YES: 6. NAYS: 0. ABSENT: None.

Motion approved 6 – 0.

VI. CONSENT AGENDA

- A. Approval of Minutes: Regular Council Meeting on July 12, 2021.
- B. Disbursements Village: Accounts Payable - \$106,283.73; Payroll - \$112,782.98.
- C. Disbursements from Township: Fire Department - \$6,900.87.
- D. Commission & Board Reports: Planning Commission.
- E. Requests for Village Property use:
- F.
 - a. Bell Park, Kelly Finney Domestic Pet Adoption – August 13th and 14th, Sept. 3rd & 4th, Sept 23rd Oct 8th & 9th, 8A.M. – 5 P.M.
 - b. Top of Village Green, DDA Christmas Market – Nov 27th, 10 A.M. – 2:00 P.M.
 - c. Top of Village Green, DDA Christmas in the Village Bonfire – Dec 4th, 11th, & 18th, 11 A.M. – 2:00 P.M.
 - d. Village Green, CUMC – Church Service on Dec. 24th 6-8:30 P.M.

Motion by Palmer second by Nugent to approve the consent agenda items as presented.

ROLL CALL VOTE: AYES: Angell Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.

NAYS: 0. ABSENT: None. Consent agenda items approved 6 - 0.

VII. ANNOUNCEMENTS

None

VIII. VILLAGE DEPARTMENT REPORTS

Reports are in the meeting packet and posted on www.pentwatervillage.org.

A. Village Manager - Report submitted in writing.

B. Clerk/Treasurer - Report submitted in writing.

Motion by Palmer, supported by Ressel-Hodan to approve the financials as presented.

ROLL CALL VOTE: AYES: Angell Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.

NAYS: 0. ABSENT: None. Motion approved 6 - 0.

C. Police Chief – Report submitted in writing.

D. Fire Chief – Report submitted in writing.

E. Zoning Administrator – Report submitted in writing.

F. Rec Director – Report submitted in writing.

IX. PUBLIC HEARING

None.

X. COMMITTEE REPORTS

A. Building & Grounds – Report submitted in writing.

B. Finances – No meeting, no report.

C. Ordinances – No meeting, no report.

D. Personnel – No meeting, no report.

E. Planning/Economic Development – No meeting, no report.

F. Services – Report submitted in writing.

XI. UNFINISHED BUSINESS

A. None.

XII. NEW BUSINESS

A. 2nd Quarter Budget Amendments.

Motion by Nugent, supported by Angell-Powell to approve the 2nd Quarter Budget Amendments as presented.

ROLL CALL VOTE: AYES: Angell Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.

NAYS: 0. ABSENT: None. Motion approved 6 - 0.

B. Ordinance No. 3 of 2021 FEMA – Amendment.

Motion by Ressel-Hodan, supported by Angell-Powell to approve Ordinance No. 3 of 2021 FEMA Amendment.

ROLL CALL VOTE: AYES: Angell Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.

NAYS: 0. ABSENT: None. Motion approved 6 - 0.

C. Sewer Rates Resolution No. 2021-08-26.

Motion by Palmer, supported by Griffis to approve Resolution No. 2021-08-26 Sewer Rates as presented with an increase in the Sewer Rates of 15,000 or more is \$3.00 per thousand gallons starting on July 1st, 2021.

ROLL CALL VOTE: AYES: Angell Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.

NAYS: 0. ABSENT: None. Motion approved 6 - 0.

D. Noon Siren.

Discussion was held on the “Noon Siren” which is jointly owned by the Village and the Township. The siren is not repairable. The type of warning system is obsolete, and would be used for nostalgia purposes only. Village Manager Chris Brown and Village President Jeff Hodges will be meeting with Township Supervisor Lynn Cavazos and Trustee Dean Holub to discuss the future of the siren.

E. Public Art.

Motion by Ressel-Hodan, supported by Griffis to approve the plan presented for the Public Art Project which includes (1) site at the Village Hall, (2) sites at the Village Marina and (2) sites at the Village Green.

ROLL CALL VOTE: AYES: Angell Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.

NAYS: 0. ABSENT: None. Motion approved 6 - 0.

F. Appointment to Vacant Seat for Council Trustee.

Motion by Ressel-Hodan, supported by Angell-Powell to approve the appointment of Dave Bluhm to the council seat vacated by Trustee Pam Burdick’s resignation with a term ending November 2022.

ROLL CALL VOTE: AYES: Angell Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.

NAYS: 0. ABSENT: None. Motion approved 6 - 0.

G. 2021 Homecoming Fireworks

Motion by Angell-Powell, supported by Nugent to approve the permit from the Pentwater Chamber of Commerce for the 2021 Homecoming Fireworks.

Discussion was held regarding asking the Chamber of Commerce to give an account of the 2020 Homecoming Fireworks Display donations that was cancelled due to COVID 19 restrictions.

ROLL CALL VOTE: AYES: Angell Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.

NAYS: 0. ABSENT: None. Motion approved 6 - 0.

H. End of 3rd Street – Village View.

Renditions were presented to the Village Council of a plan to develop the end of 3rd Street.

Motion by Griffis, supported by Nugent to accept the design renditions for the end of 3rd Street.

ROLL CALL VOTE: AYES: Angell Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.

NAYS: 0. ABSENT: None. Motion approved 6 - 0.

I. Planning Commission.

Discussion was held regarding creating a resolution formally directing the Planning Commission to set the date and hold a Public Hearing on the Ordinance 2021 – 01 Amendment to Section 10.99. zoning the retail marijuana shops.

Motion by Angell-Powell, supported by Palmer to ask the Planning Commission to set a date and hold a Public Hearing on the Ordinance 2021-01 Amendment to Section 10.99

Discussion: Dan Nugent asked if that was not always the plan? Is this supposed to speed up the process?

Attorney Brian Monton what I believe Michelle Angell-Powell is doing is initiating a Zoning Amendment changes, under our Zoning Ordinance. It can be initiated by the Planning Commission or by the Village Council or by a property owner. I believe what she is doing is initiating it as a member of council. The Zoning Ordinance Amendment requires the Planning Commission to hold a Public Hearing. The Planning Commission can recommend or not recommend the Council to pass the Zoning Amendment. However, The Council has the final say. The regulatory process is a bit complicated, and I think it is causing some confusion. The code Ordinance requires a zoning permit as proposed. The permit can be as a special land use or a permitted use and that is up to the Planning Commission to recommend to the Council. It should happen in a reasonable period of time, but if the Planning Commission needs to take time to gather evidence to inform its decision before it make the recommendation it's certainly intitled a reasonable opportunity to do so.

Dan Nugent stated I support the Planning Commission if they need more time to do the research. It took the Ordinance Committee 2 years to present a Code Ordinance. Claudia Ressel-Hodan I personally trust the Planning Commission to bring it back to us when they feel that they have done their due diligence in planning.

ROLL CALL VOTE: AYES: Angell-Powell, Palmer and Hodges.

NAYS: Griffis, Nugent and Ressel-Hodan.

Motion failed due to a tie. 3 -3.

XIII. PUBLIC COMMENTS:

Chris Conroy 560 S. Hancock Street #21 - Chris Conroy read her emailed letter into the record sent to the Village Council in May 2020. Chris ask the council to give the Planning Commission the time to do the research to answer the questions that the Council has already review the research on since we did not share the information up front. Thank you.

Eva Gregwer, Chamber of Commerce – I wanted to address the comment that was made that address the Chamber’s integrity. I just wanted to let the public know the Chamber offers full transparency and 100% of the donations for the Fireworks Display go to the Fireworks Display. The Chamber does not benefit from the Fireworks it is for the community. If there is mistrust the Chamber is more than willing to give the Fireworks to the Village.

Amy LaBarge ~605 6th Street – I would like to reinforce what Chris Conroy stated I do not think the Public has had the opportunity to discuss the Zoning Amendment. I know you are concerned about not doing things out of order as you mention with the Shoppers Dock. I am asking that Council will give the Planning Commission the time that they need to do the research necessary. Thank you.

Dean Jessops 420 Chester Street – The actions of tonight have changed my total view. I am appalled at the attempt to change public input. No. 1, the 3rd Street dock facility. Whatever is being planned there has not had public input on the designs proposed. No. 2, I feel the addition to the agenda regarding the Recreation Marihuana without public input is appalling. Forcing the issue on the Planning Commission really upset me. I am glad it failed.

President Hodges stated Happy Homecoming Week.

XIV. CLOSED SESSION:

None

XV. ADJOURNMENT

President Hodges adjourn the meeting 7:45 P.M.

Respectfully submitted,

Rande Listerman, MiCPT, CPFA, CPFIM
Clerk/Treasurer

Date