

Village of Pentwater

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

Regular Meeting of Village Council January 09, 2023 PARK PLACE 310 NORTH RUSH STREET

I. CALL TO ORDER

President Pro Tempore Jared Griffis called the regular meeting of the Pentwater Village Council to order at 6:00 pm. from Park Place Meeting Center at 310 North Rush Street.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: Michelle Angell-Powell, Dave Bluhm, Jared Griffis, Dan Nugent, Kathy O'Connor and Don Palmer.

Absent: Jeff Hodges

Also, present: Village Manager Chris Brown, Clerk/Treasurer Rande Listerman, Chief Laude Hartrum, & Zoning Administrator/Rec Director Kate Anderson.

IV. PUBLIC COMMENTS – On the agenda

Mary Marshall, 237 South Rutledge – Completed that the Finance Committee was not listed in the draft of the Village Council Meeting Procedural Rules.

Chris Conroy, 560 South Hancock, Unit 21 – Wanted to acknowledge that the agenda items in the Council Procedural Policy showing “Closed Meetings” will be the last item on the agenda opposed to anytime in between so people are not standing out in the cold. Thank you very much. I also wanted to make note that the the Finance Committee is missing in Village Council Meeting Procedural Rules. What is the meaning behind having the Village Manager as an ex officio for committee meeting? Is the Village Manager now being treated as an elected official? Thank you for Section 2A. Item 3. in regard to 2-way participation at electronic Council meetings. Thank you very much.

Village Manager Chris Brown via Zoom with the Owl stated the Village General Law spells out my roll. I do not have a vote. I am not an elected official.

President Pro-Tempore Jared Griffis asked the Village Manager Chris Brown to speak on the real estate transaction under new business.

Village Manager Chris Brown – The real estate transaction was authorized by Council three months ago. The agreement is to negotiate a land swap for the parcel to the north for a parcel in the south for the water wells. The Village Attorney Brian Monton drafted the paperwork for this. We are waiting for the surveys to be reviewed and the owner to sign the agreement.

V. APPROVAL OF THE AGENDA

President Pro Tempore Jared Griffis requested an approval of the agenda. *Motion* Bluhm supported by Palmer to approve the agenda as presented.

ROLL VOTE: YES: Michelle Angell-Powell, Dave Bluhm, Dan Nugent, Kathy O'Connor, Don Palmer and Jared Griffis.

NAYS: 0. ABSENT: Jeff Hodges.

Motion approved 6 - 0.

VI. CONSENT AGENDA

A. Approval of Minutes: Regular Council Meeting on December 10, 2022, and Special Council Meeting December 20, 2022.

B. Disbursements Village: Accounts Payable - \$133,324.51; Payroll - \$121,841.82.

C. Disbursements from Township: Fire Department – \$20,524.14.

D. Commission & Board Reports: DDA Minutes.

E. Requests for Village Property use:

1. Village Green, Tacos for Trails - Claudia Ressel-Hodan, Pentwater Hart Trail on Saturday, June 24th, 2023.

Motion by Angell-Powell second by Palmer to approve the consent agenda items as presented.

ROLL CALL VOTE: AYES: Michelle Angell-Powell, Dave Bluhm, Dan Nugent, Kathy O'Connor, Don Palmer and Jared Griffis. NAYS: 0. ABSENT: Hodges.

Consent agenda items approved 6 - 0.

VII. ANNOUNCEMENTS

A. Comments from the President.

President Pro-Tempore Jared Griffis sent the family of former Village Attorney Gary Nicholson, our condolences on his passing, letting his wife Jean know the family is in our prayers.

Trustee Don Palmer shared Gary Nicholson was the Village Attorney when he served as President and Gary did a wonderful job as the Village Attorney.

VIII. COORESPONDENCE

- o All correspondence directed to the Village Clerk is received and filed and emailed on to the Village Council.

The following citizens sent correspondence to the Village Clerk for the Village Council.

1. None.

IX. 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 Nugent to receive the December 2022 financials as presented.
ROLL CALL VOTE: AYES: Michelle Angell-Powell, Dave Bluhm, Dan Nugent, Kathy O'Connor, Don Palmer, and Jared Griffis. NAYS: 0. ABSENT: Hodges.
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.
Trustee Angell-Powell thanked Kate for holding clinics that gives the girls an opportunity to play since there are not enough girls for a team in the league.

X. PUBLIC HEARING

None.

XI. COMMITTEE REPORTS

- A. Building & Grounds – Minutes submitted in writing. Zoning Official Kate Anderson will be sending each Council Member a packet detailing Social Zones. The process for approval with Michigan State LARA does take approximately six months.
- 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 – No meeting, no report.

XII. UNFINISHED BUSINESS

- A. Utility Service Agreement with Pentwater Township.
Clerk/Treasurer Rande Listerman stated Pentwater Township has the item on their agenda for their January 11th meeting. The Village is ready to move forward on our end.

XIII. NEW BUSINESS

- A. Village Council Meeting Procedural Rules.
Trustee Don Palmer asked who created this and at whose direction and why?
Village Manager Chris Brown stated this document was already in place, Village Attorney Brian Monton modified the document to allow for Public Comment via remote meetings.
Trustee Don Palmer stated I have been on the Council for a number of years, and I do not

recall seeing a packet such as this. I have seen portions of this in Roberts Rules of Order and in the Open Meeting Act. I have seen it in the Municipal League support information, and I have also seen it in reference to Chapter 65, section 4 and 5 in the Codified Village Ordinances. Some of those items with all due respect were cut and pasted to make this specific document. I don't know if we need an additional document for something we have already been doing for at least the 38 years I have been on the council. I also had questions regarding the item Village Clerk/Treasurer Rande Listerman reference which is the timeline of the preparation of the agenda, council packet and the minutes. My last question is we know that the Village President is by the Latin definition an "ex-officio" member of all committees. The Village Manager, although we appreciate his attendance, is not an "ex-officio" member. Generally, overall, I do not think we have a need for all of this just Section II, A. Part 3. allowing the public to participate in Public Comments remotely through an electronic meeting.

Trustee Kathy O'Connor stated she also has questions in Section C. Committees in reference to Trustee Palmers comment regarding definition of "ex-officio" and whether the President and the Village Manager are allowed to vote and how that effects a quorum. It also does not specify how a committee meeting is called and whether it is staffed with the Clerk or Deputy Clerk to record the minutes.

Trustee Jared Griffis what is the Council pleasure. Do you want to table this until next month do receive answers to the questions.

Motion by Angell-Powell, supported by Palmer to approve adjourning this issue until February Council meeting.

Angell-Powell rescinded her motion so more discussion could be held.

Discussion was held by the Village Council.

Trustee Dave Bluhm I am concerned, we need to make our Public Comments available remotely to the public. We have been saying the Council will address this issue.

President Pro-Tempore Griffis asked the council members if someone wanted to make a motion on Section II. Conduct of Meetings, A. Meetings to the Public, Item 3, but the other issues that have been raised I think should be cleaned up.

Trustee Palmer in 38 years I have never seen this. I agree with Dave if the main purpose is the technical issues to allow Public Comment through a remote meeting lets zero in on that. Is a twelve-page document necessary? And at what additional cost to the Village? I would like to respectfully ask that my questions be answered 1. Who created it? 2. At whose direction? 3. How much was the cost?

Village Manager Chris Brown for the record I had nothing to do with this except to direct Brian to draft our current meeting policy to allow excepting Public Comments through electronic meetings. He said he sent this draft out to everyone a couple of months ago. When we first had this discussion. I can ask the Village Attorney Brian Monton to attend the next Council meeting to explain the document.

Motion by Bluhm, supported by Angell-Powell to approve Section II Conduct of Meetings;
A. Meeting to the Public; Section Item 3.

ROLL CALL VOTE: AYES: Michelle Angell-Powell, Dave Bluhm, Dan Nugent, Kathy O'Connor, Don Palmer, and Jared Griffis. NAYS: 0. ABSENT: Hodges.
Motion approved 6 - 0.

B. Purchase of New Dock for the Boat Launch.

Motion by Angell-Powell, supported by Palmer to approve the Village Manager Chris Brown advertising for bids for a new dock at the Village Boat Launch.

ROLL CALL VOTE: AYES: Michelle Angell-Powell, Dave Bluhm, Dan Nugent, Kathy O'Connor, Don Palmer and Jared Griffis. NAYS: 0. ABSENT: Hodges. Motion approved 6 - 0.

C. Transfer of Property for Water Wells.

Motion by Palmer, supported by Angell-Powell to approve the real estate agreement for transfer of property with one change if the seller agrees change the timeline from 60 days to 90 days. The Village is waiting for the property owner to execute the agreement.
Discussion was held.

Trustee Dave Bluhm asked the Village Manager Chris Brown if he was comfortable with the 60 days for having the wells dug.

Village Manager Chris Brown that was the timeline the engineers recommended.

Trustee Dave Bluhm stated if the seller is in agreement, I believe we should change this to 90 days.

XIV. PUBLIC COMMENTS:

Chris Conroy, 560 South Hancock Street, Unit 21 – Reported there is recent puddling of water on the new pickle ball courts. She wanted to let the Council know a group is drafting a letter to share their concerns and ask the Council to address the issue. The group would like to be on the agenda for the next Building and Grounds Committee Meeting. The group would like to ask questions regarding the design of the courts.

Amy LaBarge, 605 East Sixth Street - Thank you for allowing me to speak. It's been a long road and I appreciate the action you took tonight. Also, the sound was a lot better tonight.

XV. COUNCIL COMMENTS:

None.

XVI. CLOSED SESSION

None.

XVII. ADJOURNMENT

President Pro Tempore Jared Griffis adjourned the meeting 6:51 P.M.

Respectfully submitted,

Rande Listerman, MiCPT, CPFA, CPFIM, MiPMC
Clerk/Treasurer

Date