

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 February 13, 2023 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 Park Place Meeting Center at 310 North Rush Street.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

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

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

Chris Conroy, 560 S Hancock Street, Unit 21 – Wanted to thank the Building and Grounds Committee and Village Manager Chris Brown for hearing the Pickle Ball Group Committee and adopting the changes that were recommended for the new courts.

Ron Goodin, Member of the Tennis and Pickle Ball Club – Wanted to express our appreciation for the Building and Grounds Committee looking at our recommendations for the changes to the layout of the Pickle Ball Courts.

Mark Trierweiler, 378 Iroquois Rd. Pentwater Township – Early today I sent an email to the Village Council and around 200 others regarding the Short-Term Rental Ordinance. In my opinion there is no reason to take the Moratorium off until the Village has addressed some of the significant problems caused by Short-Term Rentals. Thank you.

V. APPROVAL OF THE AGENDA

President Hodges requested an approval of the agenda. *Motion* Griffis supported by O'Connor to approve the agenda with one addition New Business Item L. Quote for Launch Ramp Dock.

VOICE VOTE: YES: 6 NAYS: 0. ABSENT: 1.

Motion approved 6 - 0.

VI. CONSENT AGENDA

- A. Approval of Minutes: Regular Council Meeting on January 9, 2022, Council Meeting.
- B. Disbursements Village: Accounts Payable - \$154,803.99; Payroll - \$86,355.31.
- C. Disbursements from Township: Fire Department – \$2,420.01.

D. Commission & Board Reports: Planning Commission, City Feasibility Study and DDA.

E. Requests for Village Property use:
None.

Motion by Palmer second by O'Connor to approve the consent agenda items as presented.

ROLL CALL VOTE: AYES: Bluhm, Griffis, Nugent, O'Connor, Palmer and Hodges.

NAYS: 0. ABSENT: Angell Powell. Consent agenda items approved 6 - 0.

VII. ANNOUNCEMENTS

A. Comments from the President.

Happy Valentine's Day. I appreciate the Council, Various Boards and Ad Hoc Committee members working on behalf of the community. I know everyone that serves takes their position very seriously. Many do not know all the work the committees have put into making Pentwater a better place.

VIII. CORESPONDENCE

- 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.

A. Roslund Prestage & Company. B. Ted Cuchna. C. Pickle Ball Group.

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 January 2023 financials as presented.

VOICE VOTE: AYES: Bluhm, Griffis, Nugent, O'Connor, Palmer and Hodges.

NAYS: 0. ABSENT: Angell-Powell. 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.

X. PUBLIC HEARING

None.

XI. COMMITTEE REPORTS

A. Building & Grounds – Minutes 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 – Minutes submitted in writing.
- F. Services – Minutes submitted in writing.

XII. UNFINISHED BUSINESS

A. Village Council Procedural Rules.

President Hodges asked the Ordinance Committee to review the Village Council Procedural Rules drafted by the Village Attorney and come back with a recommendation to the Village Council.

XIII. NEW BUSINESS

A. Ordinance 2023-1 to Amend the VOP Zoning Ordinance Section 14.06 B to 10 acres.

Motion by O'Connor, supported by Palmer to deny the request from Richard A Whitcomb Revocable Trust, owner of Lites Woods, to amend the VOP Zoning Ordinance Section 14.06 B to 10 acres.

ROLL CALL VOTE: AYES: Bluhm, Griffis, Nugent, O'Connor, Palmer, and Hodges.

NAYS: 0. ABSENT: Angell Powell. Motion approved 6 - 0.

B. Ordinance 2023-1 to Amend the VOP Zoning Ordinance Section 14.06 B to 5 acres.

Motion by O'Connor, supported by Bluhm to approve the amendment of the VOP Zoning Ordinance Section 14.06 B to 5 acres.

Discussion:

Trustee Dave Bluhm the clarification has been great. I have been worried that, we have a Development out there and they have obligations to full fill to the Village.

ROLL CALL VOTE: AYES: Bluhm, Griffis, Nugent, O'Connor, Palmer, and Hodges.

NAYS: 0. ABSENT: Angell Powell. Motion approved 6 - 0.

C. Appointment of Renee VanNortwick as Deputy Clerk/Treasurer.

Motion by Griffis, supported by Nugent to approve the appointment of Renee VanNortwick as Deputy Clerk/Treasurer.

ROLL CALL VOTE: AYES: Bluhm, Griffis, Nugent, O'Connor, Palmer, and Hodges.

NAYS: 0. ABSENT: Angell Powell. Motion approved 6 - 0.

D. Set Public Hearing for the 2023-2024 VOP Budget.

Motion by Palmer, supported by O'Connor to set the Public Hearing for the 2023-2024 VOP Budget on March 13, 2023 @ 6:15 P.M.

ROLL CALL VOTE: AYES: Bluhm, Griffis, Nugent, O'Connor, Palmer, and Hodges.

NAYS: 0. ABSENT: Angell Powell. Motion approved 6 - 0.

E. Park Place Intergovernmental Agreement.

Motion by Palmer, supported by O'Connor to approve the Park Place Intergovernmental Agreement with Pentwater Township.

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

F. Approve the 2023 Short Term (STR) Rental Application.

Motion by Nugent, supported by O'Connor to approve the 2023 Short Term Rental Application as presented.

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

G. Resolution No. 2023-02-01 Fee Schedule.

Motion by Bluhm, supported by Griffis to approve the Resolution No. 2023-02-01 Fee Schedule as presented.

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

H. Recommendation from Planning & Economic Development on the STR Ordinance.

Discussion:

President Hodges shared that the Council placed a six-month Moratorium on Short-Term Rentals back on August 8, 2023, to give the Council time to have a committee review Short Term Rental Ordinance and come back with a recommendation to the Village Council.

Trustee Kathy O'Connor shared the recommendation coming from the Planning and Economic Development Committee.

1. Open the application period for 60 days starting on February 14, 2023, and ending on April 14, 2023.

2. The sixty-seven current license holders will have an opportunity to renew their license for 2023 Season.

3. New applicants will need to apply for a 2023 permit in the same 60-day time period for the 2023 season. They will be required to pay the \$200 Application fee along with the last two years of application fees if they were in operation which is an additional \$150.

4. All permits are non-transferable, as permits issued under the current Ordinance are specific to the current property owner, property address and the associated MI Sales Tax ID.

5. After the 60-days which ends on April 14, 2023, no more permits will be issued unless by Resolution of the Village Council.

6. . The Committee will come back with a final comprehensive report to be reviewed by the Planning and Economic Development Committee in November of 2023 so a Recommendation can be made to the Village Council.

7. The Village Administrative Staff will communicate the changes via email to the current permit holders and on the Village Website, and a Public Notice will be placed in the Oceana Herald Newspaper.

Motion by Nugent, supported by Griffis to approve the recommendation from the Planning & Economic Development Committee on the Short-Term Rental Ordinance Moratorium.

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

I. Sewer Credit for 136 E Park Street and 1W. Lowell Street.

Motion by Nugent, supported by Griffis to approve the Sewer Credits for Mears State Park at 1 W Lowell Street in the amount of \$4,172.00 and Bonnie Allor at 136 E Park Street in the amount of \$2,880.50 from the January 1, 2023 Billing Cycle.

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

J. Approve the Fire Department Annual Elections.

Motion by Palmer, supported by Griffis to approve the Pentwater Fire Department Annual Elections as presented in the Fire Department minutes from February 1st, 2023.

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

K. Social District.

The Council sent the issue to the Ordinance Committee for review and recommendation.

L. Launch Ramp Dock Replacement.

Motion by Palmer, supported by Nugent to approve the quote from Adams Marine to replace the Launch Ramp Dock with a 6-foot by 60-foot dock built on skids to be pulled in and out seasonally and adjusted for water depth in the amount of \$29,880.00 with a credit of \$5,000.00 given for allowing Adams Marine parking in front of the seawall. The total cost is \$24,880.00.

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

XIV. PUBLIC COMMENTS:

Amy LaBarge, 605 E. Sixth St. – As you are aware we could not hear on zoom for the first 15 minutes who should we contact if there are technical issues? In regard to, the Social District I am guessing many from the public are not aware of the concept so some education may be needed.

XV. COUNCIL COMMENTS:

None.

XVI. CLOSED SESSION

Motion by Bluhm, supported by O'Connor to go into Closed Session at 7:33 P.M. to discuss pending litigation with the Village Attorney Brian Monton. Included in the attendance of the Closed Session are the Village Manager Chris Brown and the Clerk/Treasurer Rande Listerman.

ROLL CALL VOTE: AYES: Bluhm, Griffis, Nugent, O'Connor, Palmer, and Hodges.
NAYS: 0. ABSENT: Angell Powell, Dan Nugent (out of room). Motion approved 5 - 0.

Motion by Palmer, supported by Bluhm to adjourn the Closed Session at 8:22 P.M.
ROLL CALL VOTE: AYES: Bluhm, Griffis, Nugent, O'Connor, Palmer, and Hodges.
NAYS: 0. ABSENT: Angell Powell. Motion approved 6 - 0.

XVII. ADJOURNMENT

President Jeff Hodges adjourned the meeting 8:22 P.M.

Respectfully submitted,

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

Date