

# 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 OCTOBER 12, 2020 VIA ELECTRONIC ZOOM

### I. CALL TO ORDER

President Jeff Hodges called the regular meeting of the Pentwater Village Council to order at 6:00 pm. from the Community Room at Village Hall via Zoom.

### II. PLEDGE OF ALLEGIANCE

### III. ROLL CALL

Present: Michelle Angell-Powell, Pam Burdick (connection issues 8:05 P.M., Jared Griffis Dan Nugent Don Palmer (connection issues 6:08 P.M.), Claudia Ressel-Hodan, Jeff Hodges.  
Absent: None.

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

### IV. PUBLIC COMMENTS – On the agenda

*Trustee Claudia Ressel-Hodan* would like the public to know that her no vote at the September 14th Regular Council Meeting on the “Consent Agenda” did not reflect her true feelings. Her no vote was based on the discussion regarding the request from the Pentwater Chamber of Commerce for use of the Village Green in 2021 for several events and having the application pulled from the “Consent Agenda” until the hours of each event in 2021 were listed and resubmitted. Trustee Ressel-Hodan asked that the Clerk state the proper procedure for approval of items on the “Consent Agenda”.

*Clerk/Treasurer Rande Listerman* stated as part of parliamentary procedure all items on the “Consent Agenda” are approved in one motion. If discussion is needed regarding a “Consent Agenda” item, the item should be removed and added to “New Business” when the agenda is presented to the Village Council for approval.

### V. APPROVAL OF THE AGENDA

President Hodges requested an approval of the agenda. *Motion* by Angell-Powell, supported by Burdick to approve the agenda.

ROLL CALL VOTE: AYES: Angell-Powell, Burdick, Griffis, Nugent, Ressel-Hodan, and Hodges.  
NAYS: 0. ABSENT: Palmer (Due to zoom connection issues.) Motion approved 6 - 0.

### VI. CONSENT AGENDA

- A. Approval of Minutes: June 8 & Special Council Meeting July 13, 2020 Special Joint Meeting with Pentwater Township on July 27, 2020. Both were via Zoom.
- B. Disbursements Village: Accounts Payable - \$128,398.29; Payroll - \$84,554.16.
- C. Disbursements from Township Fire Department – \$38,319.87.

D. Commission & Board Reports: Planning Commission.

E. Requests for Village Green Property use:

a. Pentwater DDA – Christmas Market, Saturday, November 28<sup>th</sup> 12:00-2:00 P.M.

*Motion* by Burdick second by Ressel-Hodan to approve the consent agenda items as presented.

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

NAYS: 0. ABSENT: 0. Consent agenda items approved.

## **VII. ANNOUNCEMENTS**

None

## **VIII. VILLAGE DEPARTMENT REPORTS**

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

A. Village Manager - Report submitted in writing.

B. Clerk/Treasurer - Report submitted in writing.

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

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

NAYS: 0. ABSENT: 0. Motion approved.

C. Fire Chief – Report submitted in writing.

D. Zoning Administrator – Report submitted in writing.

E. Parks & Rec Director – Report submitted in writing.

## **IX. PUBLIC HEARING**

None.

## **X. COMMITTEE REPORTS**

A. Building & Grounds – No meeting, no report.

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.

## **XI. UNFINISHED BUSINESS**

### **A. North End Park Update.**

Park & Rec Director Kate Anderson gave an overview of her report on the additional funding she has been applying for towards the balance of the purchase of the Adult Fitness and Child Handicap Accessible Equipment. Discussion was held about also using the \$40,000 in funds put aside by the Village in the Parks & Rec Capital Improvement Fund. Village Manager Chris Brown also suggested to Council that some of the funds from the sale of the parcel number 64-044-560-089-50 could be applied towards the total cost of improvement.

*Motion* by Palmer, second by Nugent to approve the acceptance of the North End Park Grant from Sinclair in the amount of \$22,532.39 which is applied towards the purchase and installation of Adult Fitness and Children Play Equipment with handicap accessibility with a total cost of \$102,502.39. The General Fund will loan the balance of the funds to the North End Park Phase #1 plan given time for the grant awards, donations and fundraising to be applied to the balance of amount needed for the project. ROLL CALL VOTE: AYES: Angell-Powell, Burdick, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges. NAYS: 0. ABSENT: 0. Motion Approved.

## **XII. NEW BUSINESS**

### **A. Village of Pentwater 2019-2020 Audit Review.**

Auditor Bill Hirshman presented the audit overview to the Village Council.

Trustee Palmer asked Mr. Hirshman to explain the process regarding the council needs to approve staff salaries. The Auditor recommended the salaries and hourly rates are approved by the Council before the beginning of the fiscal year and amended as needed throughout the year and recorded in the minutes.

Trustee Griffis asked Mr. Hirshman to explain the recommendation for management to seek outside assistance in the closing of the year end books.

Mr. Hirshman explained that the auditor can help point the management's staff before audit in the right direction on how to book payables, receivables, depreciation and reversing entries so they can remain independent when the audit is performed.

Clerk/Treasurer Listerman stated she has spoken with Mr. Hirshman regarding having his staff assist with training the proper procedures for booking the payables, receivables, depreciation and reversing entries at the end of the next fiscal year before the audit is performed so the Village can create a "How To" guideline to be used in the future.

Mr. Hirshman the financial statements are clearly management responsibility. Rande has been very willing to change any procedures and we are looking forward to working with her next year.

*Motion* by Palmer, second by Griffis to approve the 2019/2020 Audit Review as presented Bill Hirshman from Roslund, Prestage and Company.

ROLL CALL VOTE: AYES: Angell-Powell, Burdick, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges. NAYS: 0. ABSENT: 0. Motion approved.

### **B. 2019-2020 Marina Deficit Elimination Plan; Resolution No. 2020-10-16**

*Motion* by Palmer second by Ressel-Hodan to approve Resolution No. 2020-10-16 2019-2020 Marina Deficit Elimination Plan as written.

ROLL CALL VOTE: AYES: Angell-Powell, Burdick, Griffis, Nugent, Ressel-Hodan, Palmer

and Hodges. NAYS: 0. ABSENT 0: Motion approved.

C. 56<sup>th</sup> Avenue.

Discussion was held regarding placing the property on 56<sup>th</sup> Avenue up for public bid. Trustee Pam Burdick – Are we thinking of putting any restrictions on what the property can be used for? Can they build a bunch of short-term rentals out there? Can we have deed restrictions?

Village Manager Chris Brown – We can deed restrict the timeline for a project.

Trustee Dan Nugent – Our goal is to get someone to build on it?

Trustee Don Palmer – Going back to the original plan. How was the bid process done when the timber contract was sent out?

Village Manager Chris Brown – In the bid process in the May packet included the (3) Bids which included the description about how they would complete the project.

Trustee Don Palmer - How were the bids secured?

Village Manager Chris Brown - We had a timber broker secure the three bids. The council picked the highest bid at the May 2020 Council Meeting.

Trustee Don Palmer - Bidding versus putting it up for sale with a realtor?

Village Manager Chris Brown- We can do this in two ways put it up for sale by Ordinance or put it up for public bid. Michigan Municipal League recommends putting property up for public bid.

Trustee Don Palmer - Access to that property, is it being secured so no dumping is done on the property?

Village Manager Chris Brown - Dumping cannot occur on the property. We have an ordinance that addresses that issue.

*Motion* by Burdick second by Nugent to approve placing parcel No. 64-044-560-089-50 out for public bid with the right to refuse, any and all, offers and the property needs to have construction started in 36 months or there is the option for the property to revert back to the Village.

ROLL CALL VOTE: AYES: Angell-Powell, Burdick, Griffis, Nugent, Ressel-Hodan, and Hodges. NAYS: Palmer. ABSENT: 0. Motion approved 6 - 1.

D. Approval of Request for Bids 327 S. Hancock Street.

Discussion was held regarding the details of the Request for Bids of 327 S. Hancock.

Keith Edwards asked if there is a package that will be made available to the prospective bidders.

*Motion* by Ressel-Hodan second by Angell-Powell to approve the draft of the Request for Bids at 327 South Hancock Street with the following additions: 1. Performance Bond 2. Minimum Acceptable Bid of a \$1.00. 3. Bids can be received up to January 14, 2021 4. Bids opened on January 15<sup>th</sup>, 2021 by the Township Clerk with the Village Clerk as a witness.

ROLL CALL VOTE: AYES: Angell-Powell, Burdick, Griffis, Nugent, Ressel-Hodan, and Hodges. NAYS: Palmer. ABSENT: 0. Motion approved 6 - 1.

- E. Appointments to the Community Economic Development Committee.  
*Motion* by Ressel-Hodan, second by Griffis to approve the following appointments to the Community Economic Development Committee Ad hoc Committee. Amy LaBarge, Mary Schumaker, Ryan Williams and Jordan Aebig.  
 ROLL CALL VOTE: AYES: Angell-Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.  
 NAYS: 0. ABSENT: 0. Motion approved.
- F. Halloween Trick or Treat Hours.  
*Motion* by Palmer, second by Nugent to approve the Halloween Hours to be October 31, 2020 from 6 P.M. to 8 P.M. strongly suggest due diligence and adhere to CDC Guidelines.  
 ROLL CALL VOTE: AYES: Angell-Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.  
 NAYS: 0. ABSENT: Burdick. Motion approved 6-1.
- G. Zoning Ordinance Amendment for Zoning Variance Review Standards Sections 18.08 and 18.06.  
*Motion* by Palmer, second by Nugent to approve the Zoning Ordinance Amendment for Zoning Variance Review Standards Sections 18.08 and 18.06.  
 ROLL CALL VOTE: AYES: Angell-Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.  
 NAYS: 0. ABSENT: Burdick. Motion approved 6-1.
- H. 2<sup>nd</sup> Quarter Budget Amendments.  
*Motion* by Palmer, second by Nugent to approve Resolution No. 2020-10-17 Second Quarter Budget Amendments as written.  
 ROLL CALL VOTE: AYES: Angell-Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.  
 NAYS: 0. ABSENT: Burdick. Motion approved 6-1.

### **XIII. PUBLIC COMMENTS:**

*President Jeff Hodges* – Congratulations to Mary Schumaker and the DDA on the Art on the Table project. The artists did a wonderful job and I believe we have over \$5,000 for Public Art Displays. Hopefully this will become an annual event. Maybe we can do deck chairs next year.

*Trustee Don Palmer* – Congratulations to Eva and the Chamber on a wonderful Oktoberfest. It was the largest attendance that I can remember. Don't forget to vote on November 4th.

*Amy LaBarge, 605 E Sixth St.* – Keith can you give an update on the 6<sup>th</sup> Street long unfinished house that has now stopped progress again.

*Zoning Official Keith Edwards* – They still have a couple months left on the zoning permit. When the permit expires, we can issue request for zoning compliance. At least to remove the

*Sue Johnson, 318 Hanover St.*- With respect to leaf pickup, when you send the postcard perhaps you can add something about the recycle program. I have several neighbors that don't know the details. Also, Katie big thumbs up. I think what you are doing with the whole Rec Grant is awesome on the North End Park. I hope that the Township can share in your vision. I was told that the pickleball court was replacing the basketball court.

Rec Director Kate Anderson – No the basketball court is staying in it's location.

Chris Conroy, 560 S. Hancock Unit 21 – 1. I wanted to share a public thank you to Katie Anderson and the Rec Program for the Pickleball nets that allowed both Village and Township residents to enjoy pickleball this summer and fall.

2. Will the North End Park Phase 1 plans be published/posted to aid donor’s ability to visualize what their donations will go toward?

3. Community Internet Update- discussions continue regarding a fixed wireless LTE service network with SkyWeb, as well as updates from Truestream who may be ready to move forward into their pre-construction phase which translates to service to GTE customers within 24 months. Spectrum's construction manager for our area is also utilizing data gathered by Madison Ridge residents which is positive news.

Tomorrow, Oceana County/ Connect Michigan is hosting a community discussion 10/13 @ 3:30pm on rural broadband internet, and if it is as informative and comprehensive as the Benzie County Broadband Initiative discussion held on Oct 12 @ 7pm, we may be able to move forward with state grant opportunities associated with Bill 4288. A community group championing a high-speed internet Initiative is meeting on Oct 16th via zoom at 3:30pm.

**XIV. CLOSED SESSION:**

None

**XV. ADJOURNMENT**

Hodges adjourned the meeting 8:19 P.M.

Respectfully submitted,

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Rande Listerman, MiCPT, CPFA, CPFIM  
Clerk/Treasurer

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Date