

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 July 12, 2021 Park Place Meeting Center – 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 Park Place Meeting Center at 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: Pam Burdick

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

IV. PUBLIC COMMENTS – On the agenda

Clerk/Treasurer Rande Listerman read a letter into the record from *Mary Schumaker -549 S, Clymer Street*. The letter is address to the Village Council asking them to vote yes for the Ordinance No. 3 of 2021 Medical Marijuana and Marijuana Establishments Ordinance. The entire contents of the letter can be reviewed in the Clerk's Office at the Village Hall.

Dan Harris at 410 Petoskey Street – I am an employer and the letter read into the record is pretty much sums up what I was going to say here tonight. You have a beautiful community. I am a lawyer by trade for 20 years and I serve on the Petoskey DDA and the Downtown Management Board. I started working in the Cannabis trade four years ago. I am a partner in a Marijuana Facility called the Woods in Detroit and another one in Cheboygan and currently we have a facility under construction in the Sioux and are looking at number of other locations. I wanted to make a few comments about my experience in this and why it would be a good fit for your community. Part of the reason it was passed is to do away with the “Black Market”. If you chose to have allow facilities in your community the regulation of it by the State of Michigan is very strict. The benefit to the community is the 10% share of the tax revenue from the state. Significant donations that come back to the community besides the tax dollars from the facilities. It creates jobs. As you know in Michigan you “Opt. In or Opt. Out” Most communities 3 years ago opted out. Now communities are looking at “Opting In”. As more communities do “Opt. In” the business owner will have more locations to choose from. Self-restricting by the Zoning Ordinance is the best way for the local unit to regulate the industry in their area.

Zander Keiswetter introduced himself as one of the partners with Dan Harris.

Dean Jessop 417 Chester Street – President of the Sport Fishing Association they have a concern regarding the fee structure for Park Place Meeting Space and what the Sport Fishing Association will be required to pay for rental of the space for their event.

Jeff Hodges your concerns will be addressed on the agenda tonight.

V. APPROVAL OF THE AGENDA

President Hodges requested an approval of the agenda. *Motion* Angell-Powell supported by Ressel-Hodan to approve the agenda with one change, remove under New Business, Item No. G Resolution No. 2021-07-26 Park Place Meeting Place Fee Schedule and leave the policy for “Qualifications for Identifying an organization that can use Park Place without a usage fee.”

VOICE VOTE: YES: 6 NAYS: 0. ABSENT: Pam Burdick.
Motion approved 6 – 0.

VI. CONSENT AGENDA

- A. Approval of Minutes: Regular Council Meeting on June 14, 2021.
- B. Disbursements Village: Accounts Payable - \$172,301.01; Payroll - \$90,063.47.
- C. Disbursements from Township: Fire Department - \$35,150.47.
- D. Commission & Board Reports: Planning Commission Minutes.
- E. Requests for Village Property use:
 - 1. Village Green - General Assembly Big Band, Monday, July 26th, 2021 @ 7-8:30 P.M.
 - 2. Chamber of Commerce -Pentwater’s Farmers Market, 9/2, 9/9, 9/16 @ 9A.M. – 2 P.M.
 - 3. Pentwater Women’s Club – Raffle Tickets, 7/15, 22, 29, 8/5, 12, 19 @ 8-9 P.M.

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

ROLL CALL VOTE: AYES: Angell Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.
NAYS: 0. ABSENT: Burdick. 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 with two additions. After working with JWC – the Monster Muffin for over a year we were able to reach a settlement on the Fish Grinder. Due to the age of the unit they tried to make a part to adapt to the unit for repair. It is not working so at their expense they are replacing the entire grinder which would cost between \$80,000 to \$90,000. Storm Drain on Chester Street has been replaced there are two catch basins in the area. The other drain will be completed at a later date. The parking lot at Park Place will be resealed and striped at the end of this month. We will notify everyone with a 24-hour to 48-hour notice before the work

begins. Village Manager will send a follow up letter to the requests from the Public Comments during June's meeting.

- B. Clerk/Treasurer - Report submitted in writing.
Motion by Ressel-Hodan, supported by Palmer to approve the financials as presented.
ROLL CALL VOTE: AYES: Angell Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.
NAYS: 0. ABSENT: Burdick. Consent agenda items 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 – Minutes submitted in writing.
- B. Finances – No meeting, no report.
- C. Ordinances – Minutes submitted in writing.
- D. Personnel – No meeting, no report.
- E. Planning/Economic Development – No meeting, no report.
- F. Services – No meeting, no, report.

XI. UNFINISHED BUSINESS

- A. Resolution No. 2021-06-25 Requiring Oceana County Drain Commissioner to Review of Development Site Plans.
Motion not adopted for lack of support.

XII. NEW BUSINESS

- A. Council Trustee Pam Burdick Resignation.
Motion by Palmer, supported by Angell-Powell to accept Trustee Pam Burdick's resignation with best wishes and thank you for your service to Pentwater.
ROLL CALL VOTE: AYES: Angell Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.
NAYS: 0. ABSENT: 0. Motion approved 6 - 0.
- B. C & I Electrical Pay Application No. 8 – Final Waterway Grant

Motion by Angell-Powell, supported by Palmer to approve C & I Electrical Final Pay Application No. 8 in the amount of \$16,133.80 for the Marina's Waterway Grant.
ROLL CALL VOTE: AYES: Angell Powell, Griffis, Nugent, Ressel-Hodan, Palmer and Hodges.

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

C. Ordinance No. 115 Medical Marijuana and Marijuana Establishments Ordinance.

Motion by Angell-Powell, supported by Palmer to approve Ordinance No. 2021-03 Medical Marijuana and Marijuana Establishments Ordinance as presented.

Discussion was held and Trustee Ressel-Hodan stated she will be voting the way those that elected requested not her personal views.

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

NAYS: Ressel-Hodan. ABSENT: 0. Motion approved 5 - 1.

D. Ordinance No. 1 of 2021 Amendment to Section 10.99.

Motion by Ressel-Hodan, supported by Angell-Powell to approve Ordinance No. 1 of 2021 Amendment to Section 10.99.

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

NAYS: Palmer. ABSENT: 0. Motion approved 5 - 1.

E. Ordinance No. 2 of 2021 Addressing Flood Plain Management Provisions of the State Construction Code.

Motion by Angell-Powell, supported by Palmer to approve Ordinance No. 2 of 2021 Addressing Flood Plain Management Provisions of the State Construction Code.

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

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

F. Resolution No. 2021-07-25 Acceptance of America Rescue Plan Act Funds.

Motion by Angell-Powell, supported by Ressel-Hodan to approve Resolution No. 2021 07-25 Acceptance of America Rescue Plan Act Funds.

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

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

G. Resolution No. 2021-07-26 Park Place Meeting Place Fee Schedule.

Building and Grounds will review the Park Place Meeting Place Fee Schedule and bring the fee schedule back to the Village Council at, a later date.

Motion by Ressel-Hodan, supported by Nugent to give Village Manager the authority to waive the current fee for Park Place Meeting Center based on a Organization filling out the application to waive the fees for usage.

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

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

H. Assurances of Compliance with Title VI of the Civil Rights Act of 1964.

Motion by Palmer, supported by Angell-Powell to authorize the Village Manager to sign The Assurances of Compliance with Title VI of the Civil Rights Act of 1964.

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

Motion approved 6 – 0.

I. Discussion on Clean Water Plant Operations.

Village Manager Chris Brown discussed the annual permit inspection at the Clean Water Plant with EGLE. The Village Manager will be advertising for a “B” Operator for the plan to bring back to council the cost comparison of a direct employee of the Village or outsourcing the operation of the plant.

XIII. PUBLIC COMMENTS:

Sara Kraner 311 N. Rush Street – When the Planning Commission considers the Zoning on the Marijuana Facilities. I want you to remember Pentwater Downtown District is a product. When you look at the shoreline guides the coastal towns are a product. I have heard people have said “Not in my backyard”. So please consider the placement of the Facility.

George Cornell 40 Fifth Street - Appreciate the efforts made on the Fish Cleaning Station and getting this resolved.

Steve Pfeiffer 82 East Lowell Street - Can you give us an update on the conceptual plans that created in 2019 for by Fleis and Vandenbrink?

Village Manager Chris Brown - The “Complete Street” is a conceptual plan for the Master Plan that is coming out at the end of 2021. We still need to figure out how we are going to fund the project. It will be a 3 to 5 year window before we would address some of these issues.

Brett Lohrmann 528 Chester Street - Thank you for the action on the items I submitted last month. Can I get a written response on the status of the other items?

Village Manager Chris Brown will send a written response to the items submitted.

Dean Jessop 420 Chester Street - Still has questions regarding what the Park Place Meeting Center Fee Schedule.

Trustee Michelle Angell-Powell – Assured Dean Jessop that we said the Sports Fishing Association met the criteria. We just approved the qualifications and gave the authority to the Village Manager Chris Brown to waive the fee until we finalize the Qualification Policy and Fee Schedule Resolution.

XIV. CLOSED SESSION:

None

XV. ADJOURNMENT

President Hodges adjourn the meeting 7:46 P.M.

Respectfully submitted,

Rande Listerman, MiCPT, CPFA, CPFIM
Clerk/Treasurer

Date