

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 12, 2024 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 P.M. from Park Place Meeting Center at 310 North Rush Street.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Present: Phil Frame, Jared Griffis, Dan Nugent, Kathy O'Connor, Don Palmer, and Jeff Hodges.

Absent: Dave Bluhm.

Also, present: Village Manager Chris Brown, Clerk/Treasurer Rande Listerman, Police Chief Laude Hartrum & Zoning Administrator/Rec Director Kate Anderson, Deputy Clerk/Treasurer Renee VanNortwick and Accounting Clerk John Bartlett.

IV. PUBLIC COMMENTS - On the agenda

None.

V. APPROVAL OF THE AGENDA

President Hodges requested an approval of the agenda. *Motion* by Palmer supported by Frame to approve the agenda as presented.

Voice Vote: Yes: 6. No: 0. Absent: 0. Motion approved 6 - 0.

VI. CONSENT AGENDA

- A. Approval of Minutes: Regular Council Meeting on January 8, 2024.
- B. Disbursements Village: Accounts Payable - \$111,564.89; Payroll - \$90,683.88.
- C. Disbursements from Township: Fire Department - \$1,117.00.
- D. Commission & Board Reports: Planning Commission, DDA and Park & Rec Board.
- E. Requests for Village Property use:
 - 1. Centenary UMC Church Services - Sundays June 23rd - Sept. 1st. 8:30 am to Noon.

Motion by O'Conner, supported by Frame to approve the consent agenda items as presented.

Roll Call Vote: Yes: Frame, Griffis, Nugent, O'Connor, Palmer, and Hodges.

No: 0. Absent: Bluhm. Consent agenda approved 6 - 0.

VII. ANNOUNCEMENTS

- A. Comments from the President.
Happy Valentines Day and 1st day of Lent.

VIII. CORRESPONDENCE

- *Correspondence directed to the Village Clerk will be received, filed, and emailed to the Village Council.*
 1. Chris Conroy.

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 Griffis to receive the January 2023 financials as presented.
Roll Call Vote: Yes: Frame, Griffis, Nugent, O'Connor, Palmer, and Hodges.
No: 0. ABSENT: Bluhm. 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.

- G. Park Place - Report submitted in writing.

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. Service – Minutes submitted in writing.

XI. PUBLIC HEARING

None.

XII. UNFINISHED BUSINESS

None.

XIII. NEW BUSINESS

A. Pentwater Fire Department Millage Renewal Presentation.

Fire Chief Jonathan Hughart shared with the Council that the Fire Department will request a Resolution, that is being drafted by the township attorney, be added to the agenda at the March council meeting regarding a millage increase for the Fire Department to be placed on the ballot for the August election. Also, in March the election of the Fire Department officers needs to be added to the agenda for approval.

B. Ordinance No. 1 of 2024 Amend the Village of Pentwater's Zoning Ord. Sect. 12.04. *Motion* by Frame, supported by _____ to approve Ordinance No. 1 of 2024 Amend the Village of Pentwater's Zoning Ord. Sect 12.04

Motion failed for lack of support.

C. Consideration for text amendment change Section 3.05.D and Section 6.04.

Trustee O'Connor asked Brian Monton for clarification on Chris Conroy's opinion letter regarding the appeal process for a denied variance.

Attorney Brian Monton responded the amendment to the ordinance is purely a legislative function and so it is within the discretion of a legislature to amend their ordinances. The courts are hesitant to get involved in those kinds of legislative decisions. The request for a variance is a more limited request and it is specific to the property involved and its unique characteristics. It involves the departure from the ordinance and its requirements. What is before you is a petition to amend the zoning ordinance for every property in this district through the whole village. The Planning Commission made its own findings you should considered the findings separate from Chris Conroy, citizen opinion letter. Reminder, the amendment to the Zoning Ordinance has no bearing on the request for a variance which was denied by the Planning Commission.

Discussion was held and the Village Council asked Zoning Official Kate Anderson to investigate the issue to consider having a study completed and what the cost estimate would be to bring back to the Village Council in March.

Motion by Palmer, supported by Griffis to approve postponing Item C. pending a report next month from the Zoning Official Kate Anderson.

Roll Call Vote: Yes: Frame, Griffis, Nugent, O'Connor, Palmer, and Hodges.

No: 0. Absent: Bluhm. Motion approved 6 – 0.

D. DWSRF Project - Lead Line Mgmt. Contract.

Motion by Palmer, supported by O'Connor to approve the proposal for assistance with the DWSRF water service material verification by Fleis & Vandenbrink in the amount of \$50,000.

Roll Call Vote: Yes: Frame, Griffis, Nugent, O'Connor, Palmer and Hodges.
No: 0. Absent: Bluhm. Motion approved 6 – 0.

E. Clean Water Plant Membrane Quote.

Motion by Palmer, supported by Griffis to approve the Clean Water Plant Membrane Replacement Quote from Kubota Membrane USA Corporation in the amount of \$255,280.00 plus installation.

Roll Call Vote: Yes: Frame, Griffis, Nugent, O'Connor, Palmer, and Hodges.
No: 0. Absent: Bluhm. Motion approved 6 – 0.

F. Sewer Credit Approvals - 449 W. Lowell and 51 N. Morris.

Motion by Palmer, supported by Nugent to approve the sewer credit for 449 W. Lowell St. in the amount of \$344.10 and 51 N. Morris St. in the amount of \$45.00.

Roll Call Vote: Yes: Frame, Griffis, Nugent, O'Connor, Palmer, and Hodges.
No: 0. Absent: Bluhm. Motion approved 6 – 0.

G. Police Department Patrol Car Quote.

Motion by Nugent, supported by Palmer to approve the purchase of 2024 Ford F-150 Police Responder 3.5: EcoBoost 4wd. in the amount of \$68,871.00. The General fund will pay for the vehicle and the Motor Pool will reimburse the General fund over five years.

Roll Call Vote: Yes: Nugent, O'Connor, Palmer, and Hodges.
No: Frame and Griffis. Absent: Bluhm. Motion approved 4 – 2.

H. Set Public Hearing for 2024-2025 Budget.

Motion by Nugent, supported by Palmer to set the Public Hearing for the 2024-2025 VOP Budget for March 11, 2024 @ 6:15 P.M.

Roll Call Vote: Yes: Frame, Griffis, Nugent, O'Connor, Palmer and Hodges.
No: 0. Absent: Bluhm. Motion approved 6 – 0.

I. Resolution No. 2024-02-01 Intent to Bond.

Motion by Palmer, supported by Frame to approve Resolution No. 2024-02-01 Intent to Issue Bonds with the intent to reimburse for the DWSRF Grant and loan program not to exceed \$3,770,000.

Roll Call Vote: Yes: Frame, Griffis, Nugent, O'Connor, Palmer, and Hodges.
No: 0. Absent: Bluhm. Motion approved 6 – 0.

J. Council Committees as a Whole.

Discussion was held about the Council Committees as a whole. No action was taken.

K. Art Sculpture – Water Maiden.

Motion by Frame, supported by O'Connor to approve the relocation of the Water Maiden Sculpture to the Bridge Street Park with illumination.

Roll Call Vote: Yes: Frame, Griffis, Nugent, O'Connor, Palmer and Hodges.

No: 0. Absent: Bluhm. Motion approved 6 – 0.

L. Municipal Analytics Report – Cityhood Transition Study.

Council has received and reviewed the Cityhood Transition Study by Municipal Analytics. The study will be placed on the Village Website for the public to review.

XIV. PUBLIC COMMENTS:

Mary Barker, Pentwater Library – February 12th is the library's 169th Birthday. When the library was created the elected clerk for the township was the librarian as part of their duties. Mr. Richmond was Pentwater's first librarian, and he still has family in Pentwater, Lucy Macher and Eva Gregwer.

Valerie Church-McHugh, 163 Green St. – feels the digital sign should be utilized more. It is an expensive piece of equipment.

Kendra Flynn, 606 N. Wayne – feels the same way about the sign. She also thinks we should plan out ahead of time where the artwork should be displayed around town and where the ones the village is gifted should go.

XV. COUNCIL COMMENTS:

None.

XVI. CLOSED SESSION

None.

XVII. ADJOURNMENT

President Jeff Hodges adjourned the meeting 7:24 P.M.

Respectfully submitted,

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

Date