

**VILLAGE OF FRUITPORT
REGULAR COUNCIL MEETING
May 21, 2018**

1. Call to order

President Roger Vanderstelt called the meeting to order at 6:59pm

2. Pledge

3. Prayer

4. Roll call

Present: Roger Vanderstelt, Donna Pope, Amy Haack, Carl Rothenberger, Bill Overkamp and Jay Bolt.

5. Approval of previous meeting minutes from April 16th regular council meeting

Motion made by Amy to approve the minutes from the April 16th regular council meeting, supported by Donna. With a unanimous vote, the motion carried.

6. Approve the agenda for the May 21 Council meeting

Motion made by Amy to approve the agenda with the addition of item 17a Additional funding from the state of Michigan allocation of the funds, supported by Carl. With a unanimous vote, the motion carried.

7. Public Comment

Cecil Colthorp, 275 Lake Street questioned the village regulations for upkeep of residence. Unoccupied homes are a concern of his. Roger explained that Michigan Township Services is contracted to perform that work for us. Carl suggested that Cecil give us the property addresses of his concern and we will notify MTS.

Rodger Bagnieschi, 230 Lake Street shared his concern over the 2 stumps not ground down in front of his property. He will no longer maintain the area. Roger Vanderstelt advised we will look at it.

8. Correspondence (Ann)

Ann distributed copies of the Old-Fashioned Days schedule. She advised that our 2-year audit recently took place, and all went well. It will be finalized in the next couple of weeks.

9. Reports from Officers (Each Council Member)

Donna gave an update on the library. There is a book sale during Old Fashioned Days.

Jay advised that the clerk will email Planning Commission meeting minutes to the council.

Jay also shared a copy of a U of M study for the councils' information.

He advised there will be a Michigan Municipal League Conference in Grand Rapids this September.

The PC is approximately one-third of the way through the process of updating the Zoning Ordinances. He distributed copies of proposed changes citing many examples of the suggested

changes and area where there are no changes made. Jay also discussed the public hearing that will need to take place. He asked that the council look at Section 8.01 Intent and Purpose regarding the Business District and give feedback. He also explained that our sign portion of the ordinance is outdated and would like council feedback on it at the next council meeting.

Amy attended the Fruitport Community Schools groundbreaking ceremony. Approximately 200 people attended. There were 7 speakers at the event. It was a very nice ceremony. Amy also shared that she has been working on the Personnel Regulations and Procedures Manual that will be discussed later in the meeting.

Carl had nothing to report

Bill had nothing to report

Roger gave an update on the boat daily and annual permit sales. He advised that we have taken in enough money to repay the General Fund the \$1500.00 loan to cover winter expenses.

10. 270 Pine (Owner Mark Oldenburg)

Mark provided 2 surveys. The survey dated March 28 will be considered Survey A. The survey dated May 17 will be considered Survey B. Amy opened by thanking Mark for his patience during this process. Amy prefers Survey B. Jay questioned if Mark had a preference. Mark prefers Survey A but is okay with Survey B. Amy made a motion to grant the easement to 270 Pine Street as described in Survey B, supported by Bill. Roll call AYES: Vanderstelt, Pope, Haack, Rothenberger, Overkamp and Bolt NAYES: None

Mark questioned if he needs to do anything. Dave Bossenbroek, Village attorney agreed to handle it. Survey B is attached to the minutes.

11. Village contribution towards the new Fruitport Township Speed and Messaging Trailer

Ann suggested a \$1000.00 donation towards the speed and messaging trailer. This suggestion was based on our current budget and the size of the Village in relation to the size of the Township. A discussion took place. Motion made by Amy to contribute \$1000.00 to Fruitport Township towards the Speed and Messaging Trailer, supported by Donna. Roll call AYES: Vanderstelt, Pope, Haack, Rothenberger, Overkamp and Bolt NAYES: None

12. Men's Bathroom Partition update

Roger advised that the bathrooms have been cleaned up and the partitions have been installed. He will follow up with the Lions' Club for their donation towards the partitions.

13. 755 Tractor auction update

Roger advised the auction of the 755 tractor will take place in June.

14. Resurface Brooks Road update

Roger advised that the Brooks road resurfacing is approximately 2 weeks behind due to weather.

15. Park Street chip and seal discussion

Roger didn't have an update on the Park Street chip and seal. Amy advised that Park street will be rated next Thursday during the Village Road ratings process. Jay questioned resurfacing the dirt parking area portion on the north side of Park near the bank. Carl questioned Bridge road too. Roger will check with the contractor.

16. Boat Launch information station

Roger advised that the bids were not received prior to the meeting. It will be tabled until the next meeting.

17. Additional funding received from the State of Michigan

A discussion took place about the additional funds received from the State of Michigan. Ann advised that the funds are usually split between Major and Local Streets. They can be allocated in either or both funds. The money is currently held in the General Fund Due to Other Funds account. Discussion of the fund distribution will be discussed at a future meeting.

18. Personnel Regulations and Procedures Manual

Amy discussed the Personnel Regulations Manual. She said that when the Personnel Committee met in March to discuss employee evaluations and wage increases there were a lot of unanswered questions regarding employee rules and procedures. She went on to state that there was a lot of confusion as to current employee work agreements, who was covered by these agreements, and what document was the most recent work agreement, and where are the current employee work agreements filed both electronically and hard copies. Due to all of this, it was the decision of the Personnel Committee to develop an updated Personnel Regulations Manual. She stated the Personnel Committee's goal was to help solve rule and procedure misinterpretations. She stated that the manual was reviewed by a labor relations attorney, who is a colleague of the attorney of the Village of Fruitport, and the manual was deemed legally appropriate with some slight modifications (which were made) and the addition of an appendix regarding a Social Security Number Privacy Policy which she then added using a template provided by the village attorney. She went on to state that the Personnel Committee met a number of times to discuss the manual in various draft stages. Amy stated that the manual was a culmination of extensive input received from other Personnel Committee members, Roger Vanderstelt and Carl Rothenberger using a template as a starting point. Amy also stated that she sought guidance for certain procedures from the Clerk/Treasurer regarding payroll and insurance type information. Amy made a motion to approve the manual as presented, supported by Carl. A discussion took place. Roll call AYES: Pope, Haack, Rothenberger and Overkamp NAYES: Vanderstelt and Bolt. With a majority vote the motion carried.

19. Warrants

Ann advised that the bill for the Lighting Project was revised and is billed at the bid amount. Carl made a motion to discontinue the fax line, supported by Will. With a unanimous vote the motion carried.

Motion made by Carl to approve the warrants, supported by Roger. Roll call AYES: Vanderstelt, Pope, Haack, Rothenberger, Overkamp and Bolt NAYES: None

20. Adjourn

Motion made by Donna to adjourn at 8:14pm, supported by Carl. With a unanimous vote, the motion carried.

Respectfully submitted by,

Ann LaCroix
Clerk

Survey B

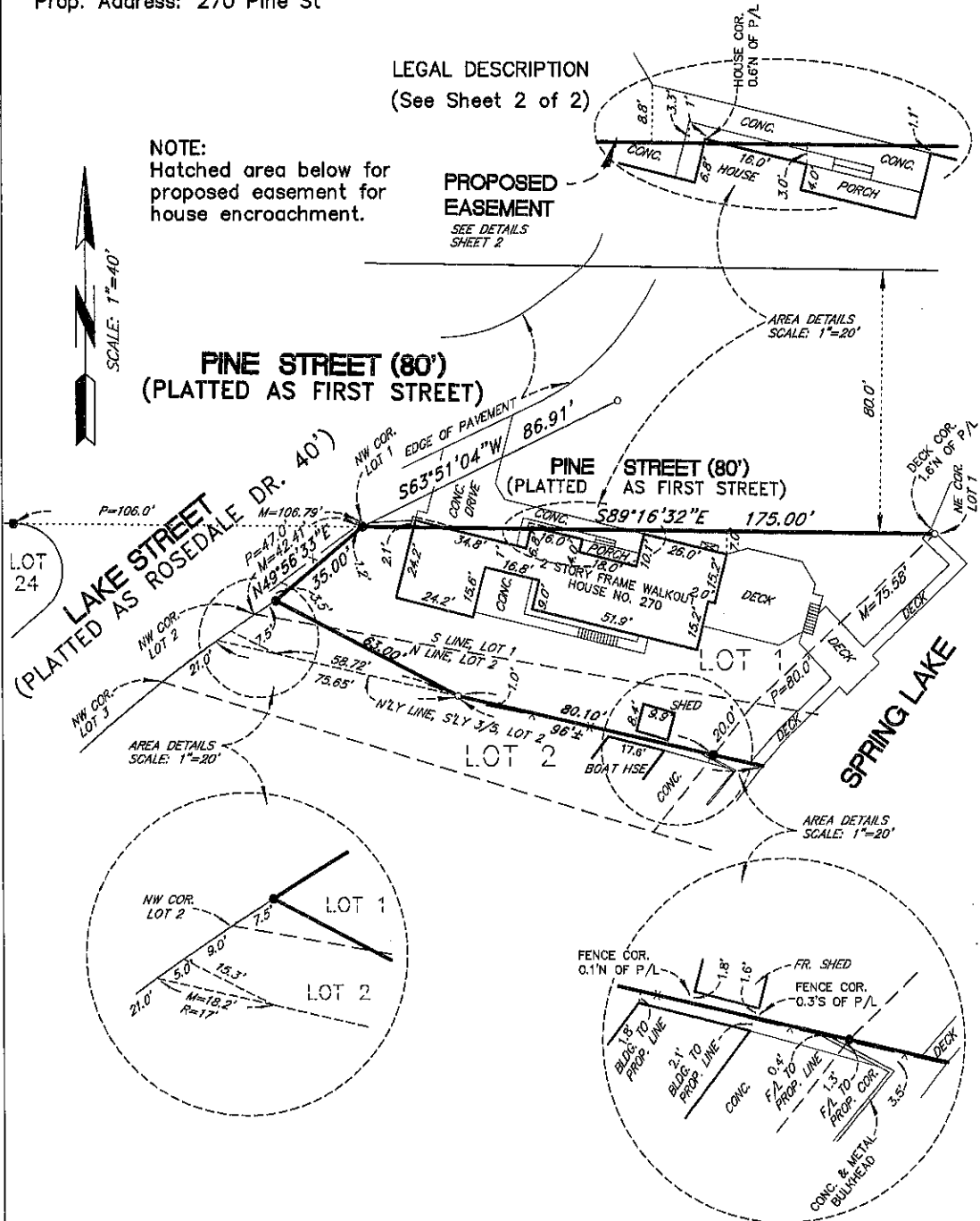
Project No. 171362-A
 Date: November 22, 2017
 For: Mark Oldenburg
 6195 Belmont Ave
 Belmont, MI 49306
 Prop. Address: 270 Pine St

Sheet 1 of 3
 Revised: March 28, 2018
 Revised: April 16, 2018
 (desc. of prop. esm't)
 Revised: May 17, 2018

LEGAL DESCRIPTION
 (See Sheet 2 of 2)

NOTE:
 Hatched area below for
 proposed easement for
 house encroachment.

PROPOSED
 EASEMENT
 SEE DETAILS
 SHEET 2



I hereby certify that the buildings and improvements are located entirely thereon and that said buildings and improvements are within the property lines and that there are no existing encroachments upon the lands and property described unless otherwise shown hereon.

LEGEND

- o - IRON STAKE - SET
- - IRON FOUND
- - WOOD STAKE
- R - RECORDED DIMENSION
- D - DEED DIMENSION
- P - PLATTED DIMENSION
- M - MEASURED DIMENSION
- C - CENTERLINE
- x-x - FENCE LINE

Roosien & Associates
 SURVEYING AND ENGINEERING

5055 PLAINFIELD AVENUE, NE
 GRAND RAPIDS, MICHIGAN 49525
 TELE. (616) 361-7220
 FAX (616) 361-1822



BY *Kevin Roosien*

Project No.171362-A
Date: November 22, 2017
For: Mark Oldenburg
6195 Belmont Ave
Belmont, MI 49306

Prop. Address: 270 Pine St

Sheet 2 of 3
Revised: March 28, 2018
Revised: April 16, 2018
(desc. of prop. esm't)
Revised: May 17, 2018

LEGAL DESCRIPTION PER WOODLAND TITLE AGENCY, LLC, TITLE COMMITMENT NO. 611034541WTA:

Lot 1 and the North 2/5 of Lot 2, EXCEPT Beginning at a point 21 feet Northeasterly from corner of Lots 2 and 3 on the Easterly line of Rosedale Drive, thence Southeasterly 17 feet making an angle of 121°35' with above 21 foot Easterly line of Rosedale Drive or angle of 58°25' in the triangle parcel, thence Northwesterly at an angle of 16°31' 15 feet to the Easterly line of Rosedale Drive, thence Southwesterly (recorded as Southeasterly) along said drive 5 feet to the Place of Beginning, making an angle of 105°4', Plat of Rosedale Park, Village of Fruitport, Muskegon County, Michigan, as recorded in Liber 8 of Plats on Page 22, Muskegon County Records.

EXCEPT: Part of Lots and 1 and 2, described as: Commencing at the Northwest corner of said Lot 2, thence Northeasterly 7.5 feet along the Westerly line of said Lot 1; thence Southeasterly 63.0 feet to a point on the Northerly line of the Southerly 3/5 of said Lot 2, which is 75.65 feet Southeasterly from the Westerly line of said Lot 2, thence Northwesterly 58.72 feet along the Northerly line of the Southerly 3/5 of said Lot 2; thence Northwesterly 15.3 feet to a point on the Westerly line of said Lot 2, which is 9.0 feet Southwesterly of the Northwest corner of said Lot 2, thence Northeasterly 9.0 feet along the Westerly line of said Lot 2 to the Place of Beginning, being a Part of Rosedale Park, as recorded in Liber 8 of Plats on page 22.

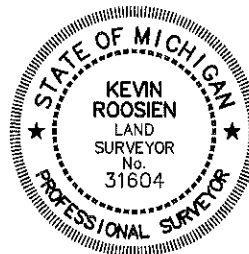
I hereby certify that the buildings and Improvements are located entirely thereon and that said buildings and Improvements are within the property lines and that there are no existing encroachments upon the lands and property described unless otherwise shown hereon.

LEGEND

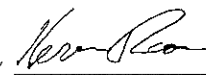
- - IRON STAKE - SET
- - IRON FOUND
- - WOOD STAKE
- R - RECORDED DIMENSION
- D - DEED DIMENSION
- P - PLATTED DIMENSION
- M - MEASURED DIMENSION
- ⊕ - CENTERLINE
- x-x - FENCE LINE

**Roosien & Associates**
SURVEYING AND ENGINEERING

5055 PLAINFIELD AVENUE, NE
GRAND RAPIDS, MICHIGAN 49525
TELE. (616) 361-7220
FAX (616) 361-1822



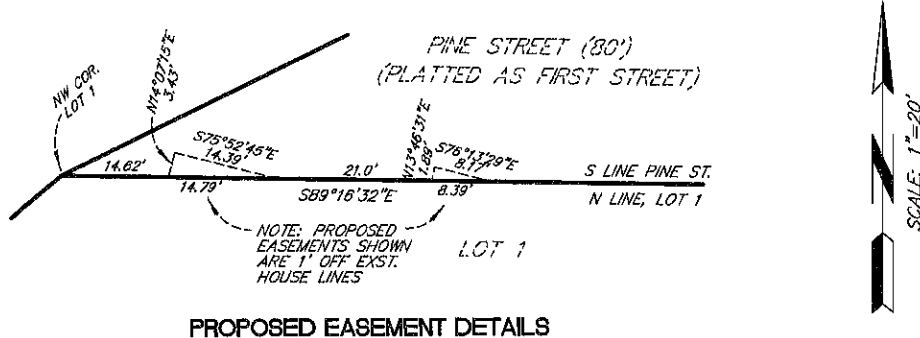
BY



Project No. 171362-A
 Date: November 22, 2017
 For: Mark Oldenburg
 6195 Belmont Ave
 Belmont, MI 49306
 Prop. Address: 270 Pine St




Sheet 3 of 3
 Revised: March 28, 2018
 Revised: April 16, 2018
 (desc. of prop. esm't)
 Revised: May 17, 2018

PROPOSED EASEMENT DESCRIPTIONS 1' OFF EXISTING HOUSE LINES: Two easements for house encroachments in that part of Pine Street (80 feet wide) (platted as First Street) in the Plat of Rosedale Park, Village of Fruitport, Muskegon County, Michigan, as recorded in Liber 8 of Plats on Page 22, Muskegon County Records, described as Commencing at the Northwest corner of Lot 1 of said plat; thence S89°16'32"E 14.62 feet along the North line of said Lot 1 (also being the South line of said Pine Street) to the Place of Beginning of said easement; thence N14°07'15"E 3.43 feet; thence S75°52'45"E 14.39 feet; thence N89°16'32"W 14.79 feet along said North line to the Place of Beginning. ALSO, an additional easement described as commencing at said NW corner of Lot 1; thence S89°16'32"E 50.41 feet along the North line of said Lot 1 to the Place of Beginning of said easement; thence N13°46'31"E 1.89 feet; thence S76°13'29"E 8.17 feet; thence N89°16'32"W 8.39 feet along said North line to the Place of Beginning.



PROPOSED EASEMENT DETAILS

I hereby certify that the buildings and improvements are located entirely thereon and that said buildings and improvements are within the property lines and that there are no existing encroachments upon the lands and property described unless otherwise shown hereon.

<p>LEGEND</p> <ul style="list-style-type: none"> ○ - IRON STAKE - SET ● - IRON FOUND □ - WOOD STAKE R - RECORDED DIMENSION D - DEED DIMENSION P - PLATTED DIMENSION M - MEASURED DIMENSION ⊕ - CENTERLINE xx - FENCE LINE 	 <p>Roosien & Associates SURVEYING AND ENGINEERING</p> <p>5055 PLAINFIELD AVENUE, NE GRAND RAPIDS, MICHIGAN 49525 TELE. (616) 361-7220 FAX (616) 361-1822</p>		<p>BY </p>
---	---	--	---