

**VILLAGE OF FRUITPORT
REGULAR COUNCIL MEETING
NOVEMBER 19, 2018**

1. Call to Order

President Roger Vanderstelt called the meeting to order at 7:00pm

2. Pledge

3. Prayer

4. Roll call

Present: Roger Vanderstelt, Donna Pope, Amy Haack, Jay Bolt, Jeff Guiles, Carl Rothenberger and Bill Overkamp. Also present: Jeremy Statler, DPW Supervisor and Dave Bossenbroek, Village attorney

5. Approval of previous meeting minutes from October 15th council meeting and November 5th Public Hearing

Motion made by Jeff to approve the minutes from the October 15th council meeting, supported by Bill. With a unanimous vote, the motion carried.

Motion made by Amy to approve the minutes from the November 5th Public Hearing, supported by Jeff. With a unanimous vote the motion carried.

6. Approve the agenda for the November 19th Council meeting

Motion made by Amy to approve the agenda for the November 19th council meeting, supported by Carl. With a unanimous vote, the motion carried.

7. Public Comment

See attachment.

8. Correspondence (Ann)

Ann read letters from Kent Briggs and Rich Viveen (see attachment).

9. Reports from Officers (Each Council Member)

Donna thanked everyone for their support of the library millage vote.

Jeff had nothing to report.

Amy reiterated her stance from the October 15th council meeting on the sewer project. She stated that at this time there is not imminent environmental reason and considering the high cost to residents and business owners she does not support sewers.

Jay gave an update on the Planning Commission's review of the Land Use Ordinances. He anticipates the final review of the Land Use Ordinances at the December Planning Commission meeting. The changes will likely be presented to council at the February council meeting.

Jay also advised that Michael Michelli will be resigning at the end of December and DeVere

Bendixen will resign after the Land Use Ordinances have been completed. We have a candidate for one of the open positions and will need to recruit another Planning Commission member to fill the other position.

Carl advised he has been on the council since 2009. The council values the input from the Community therefore there was a Public Hearing regarding the sewers. This started because of the road project for 3rd Avenue. The council has done much research and is presenting the information to gain public input. He stated everyone's opinion is valued.

Carl discussed two items from the Personnel Committee meeting. Carl made a motion to extend the 457 Retirement to all employees, it is voluntary and at no cost to the Village, supported by Bill. Roll call AYES: Pope, Haack, Rothenberger, Overkamp, Bolt, Guiles and Vanderstelt. NAYES: None.

Carl made a motion to change the call out pay from a minimum of 2 hours of regular pay to a minimum of 2 hours at time and one half, supported by Amy. Roll call AYES: Pope, Haack, Rothenberger, Overkamp, Bolt, Guiles and Vanderstelt. NAYES: None. (See attached for Personnel Policy revisions).

Bill had nothing to report.

Roger advised that we need to fill the vacant position on the ZBA Committee. Roger also clarified that we need a Village resident and a Township resident to fill the 2 positions on the Planning Commission.

10. Boat launch information station update

Jeremy advised that the station is almost complete. They need plates to install the collection box and the moving of the current station will be done soon.

11. Boat launch 2018 season financial information.

Ann gave a breakdown of the income and expenses for the boat launch. Income exceeded last year's revenue. The boat launch information station expense came in under budget.

Roger discussed the patrolling of the boat launch area by himself, Bill Overkamp and Margo Hawkins in efforts to make sure everyone is purchasing the required permits.

12. 2020 3rd Avenue Project

Roger gave an overview of the 2-potential projects. The first being the reconstruction of 3rd Avenue and second installing sewers. He explained that the road funding is entirely separate from the funding required for the sewer system. He advised that we have received grant money for the road but there is no available grant money for the sewer project. A question was asked about installing a dry sewer at the time of the road reconstruction. Amy stepped in and advised that she had investigated all aspects of the sewer system and that a dry pipe would be a negative. If the pipe isn't used it may become unusable. The council is moving forward with the road reconstruction project and the financing required.

Next a discussion took place about the sewer project. Jay reiterated we had a responsibility to see if the Village businesses and residents affected want sewers or not. The council is not pushing the idea they are looking for public input to make an informed decision.

The Village attorney Dave had several questions for the council regarding how the Village is going to tie into the existing sewer system, who will maintain it, the financing and debt service.

The council discussed tabling the decision until these questions can be resolved. Jeff made a motion to table the decision until a Workshop meeting on December 10th at 7pm, supported by Will. Roll call AYES: Pope, Haack, Overkamp, Bolt, Guiles and Vanderstelt. NAYES: None. Not present: Rothenberger who left at 7:53pm

13. Public Comment

See attachment.

14. Warrants

Motion made by Donna to approve the warrants, supported by Bill. Roll call AYES: Pope, Haack, Overkamp, Bolt, Guiles, and Vanderstelt NAYES: None

15. Adjourn

Donna made a motion to adjourn the meeting at 8:25pm, supported by Jeff. With a unanimous vote, the motion carried.

Respectfully submitted by,

Ann LaCroix
Clerk

PUBLIC COMMENTS NOVEMBER 19TH COUNCIL MEETING

1. Randy Klingel, 2850 Roosevelt, Muskegon questioned what is driving the sewer expansion. He doesn't see the need for it. He is concerned that the expense will affect the value of the properties in a negative way. He suggested that the expenses be shared.
2. Eric Klingel, 68 S 3rd, concerned about the possible \$49,000 expense for his property. This is debt for him and he would want to pay off as soon as possible. It is an unnecessary expense. His property has an expensive septic tank. His costs will go up including an increased water bill. He said please don't put on our property. Septic is working fine, and he sees no need.
3. Eli Cooper, 142 N 3rd, said he thinks most feel it is too much for a single-family home. He said he thinks the quality of life will go down if commercial increases it's not the Village we have been living in. It's a small town. Doesn't see it helping the Village and it's too much money unless a grant covers $\frac{3}{4}$ of the cost.
4. Paul Little, 69 S 2nd, he recently purchased the property sign company. He is not opposed but as a business owner, property owner, rental there should be some government financing to go with this. It will add to his tax base and already struggling to pay that. If it goes forward will need financing. He is concerned why we are doing this. We need a good solution for all if we truly need it.
5. Jerry Lundberg, 42 S 3rd, said he has lived here 71 years. A lot of the residents are older and you're going to put them under. This is a big deal for an older community. He said we are going to pay the bulk of it and it will put a lot of people on the hook.
6. Bob Pace, 50 N 3rd, said he can't afford it. Will have to postpone his retirement. He questioned if it will be big enough for new commercial.
7. Jim Cooper, 104&90 Park, he couldn't make the hearing. He said on the north side of town they were given the option of hooking up. Roger responded that the township opted for that but can make it mandatory with an 18-month notice given. He said it's too expensive for everyone, no incentive and so high. He'd pass on it.
8. Bob Hexel, 24 S 3rd, owner of Ye Old Tavern, he has 3 units. It's going to cost him a lot. He can probably afford it. He's met with Jeremy and said the prices are better than his other location.
9. Jim Pancy, 10 S 3rd, asked if a new business came in and they have a high REU will the extra costs be divided up amongst the others. If we don't bring in sewers, we will have a higher tax burden. If businesses come in it will give us a better tax base.

2nd PUBLIC COMMENTS

1. Jeremy Statler, 182 5th, questioned the public what an affordable cost for the sewer is.
2. Randy Klingel, 2850 Roosevelt, Muskegon, said he testified on a sewer main extension in Whitehall. He had a property listed that still hasn't sold because of the added cost of the sewer. He understands now is the time to decide.
3. Eli Cooper, 142 N 3rd, questioned the dry pipe and if it will deteriorate. Also, questioned if there would be any grant money later.
4. Eric Klingel, 68 S 3rd, questioned where the lift station would be located.

Dear fellow neighbors and friends. This letter serves to advise that the proposed sewer assessment will cripple an already struggling rental business that has for many years continued to provide badly needed affordable housing while operating in the red. With eight units contributing gross income of 44,000 with added cost for trash maintenance water and taxes it makes no business sense to maintain ownership in the property even unencumbered by debt. On a per unit bases we would have to raise the rent by 100 each month for each unit again operating with no contribution to debt or even a remote possibility for ROI as the current tax basis is valued at \$300,000. Having built these eight units with my own hands and having invested over 500,000 it is senseless to spend needless money furthering in debt out municipality for my specific units as our septic systems are doubled in capacity per code and operating safely and perfectly. Please don't burden a small business owner with needless expense to try and cover expenses that the Main Street proponents require to continue to follow an already flawed master plan with a shrinking economy and tax base population. Let's rethink who were charging for the benefits of this proposal and be fair as I and others opposed stand to lose as well as those impoverished living and working in my units due to a ridiculous and uncompetitive City wish list.

Best Regards,

Richard S Viveen.
50 – 52 Oaks

Dear Village Board,

I would like to express my views concerning the assessment for the proposed sewer extension for the Village of Fruitport which effects our houses at 216 N. 3rd Avenue and 33 Beech Street. First let me say that I can see the benefit to the Village at large to have a sewer system installed to allow for the future growth of the Commercial District, but this is where we differ. As the commercialization of the main street of the Village is the primary reason for this installation, I question the ethical and legal reasons for only assessing the properties that run along the route instead of the entire village. I can't say with 100% certainty but if the remainder of the residential properties along the route are in the same situation that we are, we could update our individual septic systems several times over for far less than the assessment we will pay over the next 20 years. Once again this goes back to the benefit that is primarily for the commercial properties along the route.

Now, addressing the issue of the installation cost. If I understand correctly, this installation will be a primary system which means larger pipes and lift stations for which we are being assessed disproportionately to future extensions. If at some point in the future crossroads are added and tied into the main they will be laterals with smaller pipes and therefore less expensive and they will receive the same benefit you say we are receiving at a much larger cost. If you choose to go forward with this I would ask that you look into a more equitable means of distributing the cost for at least the residential properties along the route.

On a second note, I also understand that our house at 33 Beech Street may also be included in the assessment. If this is the case I would like to know if every house that is one property off 3rd Avenue are also being included and if not what criteria was used to determine ours was. This has a significant impact on our finances as the total assessment with hookups would exceed \$45,000.00 for which there would be no ability to recover the costs on our property values. It is our intent to sell one or both of these properties in the near future which leads us to somewhat of a conundrum. If we try to sell it soon we must disclose the assessment but if we keep it until the project begins then we lose \$25,000 of the value in each of our houses. What would the individuals on the Board do??

In closing I would like to definitively state that we are opposed to this installation if you maintain the current assessment structure, and if this cannot be resolved in a more equitable manner, we would ask that you vote no on this project.

Kent Briggs

PERSONNEL POLICY UPDATES PER MOTIONS MADE AT 11-19-2018 COUNCIL MEETING

Page 18 under Voluntary Deductions

Change from:

Full-time employees may choose to request payroll deductions for:

1. 403B Deferred Compensation Plan – Future Possibility
2. Health insurance premium deduction

To:

All employees may choose to request payroll deductions for:

3. 457 Supplemental Retirement Program
4. Health insurance premium deduction

Page 11 under Rate of Pay

Change from:

Employees called in for duty for emergencies by the Street Administrator or law enforcement (911) shall receive a guaranteed minimum of two (2) hours pay at their regular time hourly rate.

To:

Employees called in for duty for emergencies by the Street Administrator or law enforcement (911) shall receive a guaranteed minimum of two (2) hours pay at one and one half pay of their regular hourly rate