

**VILLAGE OF FRUITPORT  
REGULAR COUNCIL MEETING  
February 18<sup>th</sup>, 2019**

**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, Jay Bolt, Jeff Guiles, Carl Rothenberger and Bill Overkamp. Also, present Dave Bossenbroek, Village attorney and Jeremy Statler DPW Supervisor

**5. Approval of previous meeting minutes from February 4<sup>th</sup> Budget meeting and February 11<sup>th</sup> information session.**

Motion made by Bill to approve the minutes from the February 4<sup>th</sup> budget meeting, supported by Jeff. With a unanimous vote, the motion carried. Motion made by Bill to approve the minutes from the February 11<sup>th</sup> information session, supported by Jeff. With a unanimous vote, the motion carried.

**6. Approve the agenda for the February 18<sup>th</sup> Council meeting**

Motion made by Donna to approve the February 18<sup>th</sup> agenda, supported by Bill. With a unanimous vote, the motion carried.

**7. Public Comment**

Bruce Gaultney from the Regulators Motor Cycle Club advised his club would like to donate two commercial grade children's spring motorcycles for Pomona Park. They have done some research but have asked the Village if they have a suggested vendor to purchase the equipment from. Jeremy Statler, DPW Supervisor will check into and get back with Bruce.

Greg McElrath, Fruitport Township resident, asked the council to leave the cattails alone in Pomona Park. He stated he grew up on Spring Lake and is very educated on the information and eco-system. He spoke about bio-diversity and the algae bloom.

**8. Correspondence (Ann)**

The council received Amy Haack's resignation letter. Roger made a motion to accept her resignation, supported by Bill. With a unanimous vote, the motion carried.

An email was received from Calvary Church who will be moving to Bethel Baptist Church in Fruitport requesting to pray for the Village council. Ann asked everyone to consider any issues that they are facing to be considered for the 40-day prayer request.

**9. Reports from Officers (Each Council Member)**

Donna advised the library is doing well.

**Jeff** had nothing

**Jay** gave an update on the Planning Commission. They have a tentative approved site plan for 300 N. 3<sup>rd</sup> Avenue. The Zoning Code and changes have been approved by the Planning Commission and a date set for the Public Hearing. The Public Hearing will take place on Tuesday April 9<sup>th</sup> at 7pm. The meeting will take place at the DPW Garage.

**Bill** had nothing to report.

**Carl** had nothing to report.

**Roger** asked to change the council meeting in March from March 18<sup>th</sup> to March 25<sup>th</sup>. Roger made a motion to change the council meeting date to March 25<sup>th</sup>, supported by Bill. With a unanimous vote, the motion carried.

#### **10. 300 N. 3<sup>rd</sup> Avenue**

Jay reviewed the Engineering Design meeting notes with the Council. Each council member received a copy of it.

#### **11. 2020 3<sup>rd</sup> Avenue Project**

a. **Information session update.** Ann reviewed the questioned brought up in the session and answers received by our attorney and other sources.

Question: Do you get more than one vote if you own more land or have a higher REU.

Answer: One vote per parcel.

Question: Was the language of the petition approved by the council.

Answer: No, there is not a requirement for council approval.

Question: The quoted breakdown of monthly and yearly cost does it include interest?

Answer: The quotes did not include the interest.

Question: How does the sewer affect ground water?

Answer: Varies by community how this is handled.

b. **New Road Grand Funding**

Jeremy reviewed the new TEDF Category B funding for road improvements in cities and villages with a population of 10,000 or fewer. The council discussed the grant application. Resolution made by Carl to authorize Prein & Newhoff to make a grant application for the Category B funding up to \$250,000.00 and to authorize Roger Vanderstelt and Ann LaCroix to sign the application, supported by Jeff. Roll call AYES: Pope, Röthenberger, Overkamp, Bolt, Guiles and Vanderstelt. NAYES: None (See attached Resolution 2019-2)

#### **12. Kayak Launch**

Discussion took place about Concept #3 of the Kayak launch quotes. Carl made a motion for the Village contribution of \$75,000.00 to be funded over the next 2 years for Concept #3 pending grant approval, supported by Bill. Roll call AYES: Pope, Rothenberger, Overkamp, Bolt, Guiles and Vanderstelt NAYES: None

#### **13. Planning Commission Annual Report**

Jay gave an update of the Planning Commission Annual Report. Each council member received a copy.

**14. Village Fee Schedule**

The Fruitport Township Fee schedule was presented to council. Jay advised that the Planning Commission recommends the Village adopt the same fee schedule. Resolution made by Jay to adopt the fee schedule as presented, supported by Donna. Roll call AYES: Pope, Rothenberger, Overkamp, Bolt, Guiles and Vanderstelt. NAYES: None (See attached Resolution 2019-1)

**15. Lions' Club Easter Egg Hunt request**

Donna made a motion to grant the Lions' Club request for their Easter Egg Hunt on April 20th supported by Carl. With a unanimous vote the motion carried.

**16. Closed Session**

Motion made by Roger to close the regular meeting at 7:58pm, supported by Carl. Roll Call AYES: Pope, Rothenberger, Overkamp, Bolt, Guiles and Vanderstelt. NAYES: None

Motion made by Roger to open the closed session at 7:59pm to discuss a personnel issue, supported by Carl. Roll Call: AYES: Pope, Rothenberger, Overkamp, Bolt, Guiles and Vanderstelt NAYES: None

Motion made by Carl to close the closes session at 8:04pm, supported by Bill. Roll Call AYES: Pope, Rothenberger, Overkamp, Bolt, Guiles and Vanderstelt. NAYES: None

Motion made by Carl to open regular meeting at 8:05pm, supported by Bill. Roll Call AYES: Pope, Rothenberger, Overkamp, Bolt, Guiles and Vanderstelt. NAYES: None

Motion made by Carl for council to accept and approve as presented in the closed session, supported by Bill. Roll call AYES: Pope, Rothenberger, Overkamp, Bolt and Vanderstelt. NAYES: Guiles

**17. Public Comment**

None

**18. Warrants**

Motion made by Roger to approve the warrants, supported by Donna. Roll Call AYES: Pope, Rothenberger, Overkamp, Bolt, Guiles and Vanderstelt. NAYES: None

**19. Adjourn**

Motion made by Donna to adjourn at 8:12pm, supported by Carl. With a unanimous vote, the motion carried.

Respectfully submitted by,

Ann LaCroix  
Clerk

VILLAGE OF FRUITPORT, MICHIGAN

RESOLUTION NO. 2019-1

A RESOLUTION OF THE FRUITPORT VILLAGE COUNCIL TO APPROVE "PLANNING AND ZONING FEES" SCHEDULE

The following resolution was offered by Council Member Jay Bolt and supported by Council Member Donna Pope.

**WHEREAS**, the Village of Fruitport Zoning Ordinance section 16.03 requires the Village Council to adopt a resolution to establish a schedule of fees, charges and expenses; and

**WHEREAS**, the previously issued fee schedule in January 2015 by the Village of Fruitport is outdated and the Fruitport Village Planning Commission recommends future use of the more comprehensive Fruitport Township fee schedule; and

**WHEREAS**, the Fruitport Charter Township has a schedule of "Planning and Zoning Fees – 2018", updated to 02-26-2018; and

**WHEREAS**, the duly appointed Village Zoning Administrator and Village Treasurer are responsible to administer the collection procedure of said fees in accordance with the Village of Fruitport Zoning Ordinance;

**NOW THEREFORE, BE IT RESOLVED THAT THE FRUITPORT VILLAGE COUNCIL** authorizes the implementation and use of the above cited "Planning and Zoning Fees – 2018" Schedule to assist in administering the financial and collection affairs of the Fruitport Village Zoning Ordinance; and

**FURTHER, BE IT RESOLVED**, that if the current Fruitport Charter Township "Planning and Zoning Fees – 2018" schedule is amended or changed, the Village Zoning Administrator or Clerk/Treasurer shall notify the Village Council.

**NOW THEREFORE, BE IT FINALLY RESOLVED** that a copy of this approved Resolution be forwarded to the Fruitport Charter Township office, Village Planning Commission and made available to the Village Zoning Administrator and Village Clerk.

AYES 6  
NAYS 0  
ABSENT 0  
ABSTAIN 0

THIS RESOLUTION IS DECLARED ADOPTED ON THIS 18 DAY OF February. I ANN LACROIX, CLERK/TREASURER OF THE VILLAGE OF FRUITPORT, STATE OF MICHIGAN DO HEREBY CERTIFY THAT THE FOREGOING RESOLUTION NO. \_\_\_\_\_ WAS DULY ADOPTED BY THE FRUITPORT VILLAGE COUNCIL DURING ITS REGULAR MEETING HELD IN THE DPW BUILDING IN THE VILLAGE OF FRUITPORT ON Feb 18th.

Ann Lacroix

ANN LACROIX

FRUITPORT VILLAGE CLERK/TREASURER

Roger Vanderstelt

ROGER VANDERSTELT

FRUITPORT VILLAGE PRESIDENT

**VILLAGE OF FRUITPORT  
RESOLUTION NUMBER 2019-2**

A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR RECONSTRUCTION OF THIRD AVENUE. FUNDED BY THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND CATEGORY B PROGRAM.

Minutes of a regular meeting of the Village of Fruitport, Muskegon County, Michigan, held in The Village of Fruitport, 45 N. 2<sup>nd</sup> Avenue, Fruitport, MI, on 2-18-19 at 7pm.

PRESENT: ROGER VANDERSTELT, DONNA POPE, CARL ROTHENBERGER, WILLIAM OVERKAMP, JAY BOLT AND JEFFREY GUILLES.

ABSENT: NONE

The following preamble and resolution were offered by Carl Rothenberger and supported by William Overkamp.

WHEREAS, the Village of Fruitport is applying for \$250,000.00 in funding through MDOT from the Transportation Economic Development Category B Program to construct road reconstruction on Third Avenue.

WHEREAS, MDOT requires a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects.

NOW, THEREFORE, BE IT RESOLVED THAT the Village has authorized Roger Vanderstelt, President and Ann LaCroix, Clerk, to act as agent on behalf of the Village to request Transportation Economic Development Fund Category B Program funding, to act as the applicant's agents during the project development, and to sign a project agreement upon receipt of a funding award.

BE IT FURTHER RESOLVED THAT, the Village of Fruitport attests to the existence of, and commits to, providing at least \$250,000.00 toward the construction costs of the projects, and all costs for design, permit fees, administration costs, and cost overruns.

BE IT FURTHER RESOLVED THAT, the Village commits to owning operating, funding and implementing a maintenance program over the design life of the facilities constructed with Transportation Economic Development Fund Category B Program funding.

PRESENT: ROGER VANDERSTELT, DONNA POPE, CARL ROTHENBERGER, WILLIAM OVERKAMP, JAY BOLT AND JEFFREY GUILLES.

AYES: ROGER VANDERSTELT, DONNA POPE, CARL ROTHENBERGER, WILLIAM OVERKAMP, JAY BOLT AND JEFFREY GUILLES.

NAYES: NONE

ABSENT: NONE

RESOLUTION DECLARED ADOPTED

ANN LACROIX  
CLERK

**CERTIFICATION**

The forgoing resolution was certified at a regular meeting of the Village of Fruitport held on February 18th, 2019

Ann LaCroix  
Ann LaCroix, Clerk

Dated: 2-19-2019