

**VILLAGE OF FRUITPORT  
REGULAR COUNCIL MEETING  
MARCH 25, 2019**

**1. Call to Order**

President Roger Vanderstelt called the meeting to order at 7:05pm

**2. Pledge**

**3. Prayer**

**4. Roll call**

Present: Roger Vanderstelt, Donna Pope, Amy Haack, Jeff Guiles, Carl Rothenberger and Bill Overkamp. Absent: Jay Bolt Also, present Dave Bossenbroek, Village attorney and Matt Hulst, Engineer from Prein & Newhof

**5. Approve the agenda for the March 25th Council meeting**

Motion made by Jeff to approve the March 25<sup>th</sup> agenda, supported by Amy. With a unanimous vote, the motion carried.

**6. Public Comment**

Eli Cooper, 142 N 3<sup>rd</sup>, questioned the sewer project status he was advised it will be discussed later in the meeting.

**7. Correspondence (Ann)**

None

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

**Donna** advised the library is doing well.

**Jeff** will start working on reviewing the sidewalk and trees with our DPW Staff

**Amy** has been working on the road project and kayak launch project that will be discussed later in the meeting.

**Bill** had nothing to report.

**Carl** gave an update on the hiring of the DPW Supervisor. The interviews took place last week. Carl, Bill, Roger and Matt Farrar, Muskegon County DPW Director interviewed the candidates. The Personnel Committee is recommending the hiring of current employee Justin Clish to the position of DPW Supervisor. The recommended salary is \$19.00 per hour to start and after a 120-day probation period will be raised to \$19.50 per hour. He will receive a stipend of \$50.00 per month for his cell phone. Carl made a motion to hire Justin at the rates suggested, supported by Bill. Roll call AYES: Pope, Haack, Rothenberger, Overkamp, Guiles and Vanderstelt NAYES: None

Carl made an additional motion to post a DPW Worker job on Indeed and the MML web-site with a pay range of \$13.00 to \$16.00 per hour, supported by Amy. Roll call AYES: Pope, Haack, Rothenberger, Overkamp, Guiles and Vanderstelt. NAYES: None

Roger had nothing to report.

**9. 2020 3<sup>rd</sup> Avenue Project**

**a. Sewer petition**

Dave Bossenbroek, Village attorney discussed the petition received in favor of sewers for the 2020 3<sup>rd</sup> Ave Project. The numbers show that there is not enough support in favor of the sewers. Motion made by Amy to continue the road project without sewers, supported by Jeff. Roll call AYES: Pope, Haack, Rothenberger, Overkamp, Guiles and Vanderstelt  
NAYES: None

Amy and Carl both thanked Jim Pancy for his efforts in the sewer petition.

**b. Engineering Cost Projection**

Amy directed the council to review the new probable costs sheets for both the road restructuring and resurfacing. She also went over a breakdown of current Village funds allocated for the project and potential additional Village funds in the upcoming fiscal years. Amy asked Matt Hulst, Engineer from Prein and Newhof to discuss the options. Matt explained why it would be beneficial to the Village to make a decision within the next month so that Prein & Newhof could start the process. Matt discussed both options. The council asked multiple questions and a discussion took place. A discussion took place about the application for Cat B funding. At a previous meeting a resolution was passed to apply for Cat B funding for the total reconstruction with sewers. Motion made by Amy to amend the Category B funding resolution to authorize Prein & Newhof to make a grant application for the Category B funding up to \$250,000.00 for road resurfacing on Third Avenue and to authorize Roger Vanderstelt and Ann LaCroix to sign the application, supported by Carl. Roll call AYES: Pope, Haack, Rothenberger, Overkamp, Guiles and Vanderstelt. NAYES: None (See attached revised Resolution 2019-2)

**10. Lions Club Old Fashioned Days Fireworks permit, Street Closure and Traffic Order**

Roger reviewed the 3 requests from the Lions Club. A discussion took place about Street Closure dates. The council agreed to hold off on approving Street Closures and the Traffic Order until the next meeting and discussing with the Lions' Club. Motion made by Roger to approve the Lions' Club Request for a Fireworks permit, supported by Jeff. With a unanimous vote, the motion carried.

**11. Resolution for Decertification of a portion of Lake Street**

Roger explained that 225 feet of Lake Street needs to be decertified. Resolution offered by Roger, supported by Jeff. Roll Call AYES: Pope, Haack, Rothenberger, Overkamp, Guiles and Vanderstelt. NAYES: None (See attached copy of resolution.)

**12. Pomona Park Kayak Launch & Parking Concept Public Hearing**

Motion made by Carl to close the regular meeting at 7:40pm, supported by Jeff. With a unanimous vote, the motion carried.

Motion made by Carl to open the Pomona Park Kayak Launch & Parking Concept Public Hearing at 7:41pm, supported by Jeff. With a unanimous vote, the motion carried.

Matt Hulst gave a presentation of the approved concept for the Pomona Park Kayak Launch & Parking Concept. It is part of the Water Trail Network. The total cost is 200,000.00. The Village contribution is \$75,000.00.

Public Comment made by Eli Cooper, 142 N 3<sup>rd</sup>, who questioned if the new entrance will be closer to the Bridge. He was directed to the diagram and said it looks good.

Motion made by Bill to close the hearing at 7:52pm, supported by Jeff. With a unanimous vote, the motion carried.

Motion made by Carl to open the regular meeting at 7:52pm, supported by Bill. With a unanimous vote, the motion carried.

### **13. Resolution for the MNTRF Trust Fund Grant**

Resolution made by Carl for the MNTRF Grant (See attached), supported by Bill. Roll Call AYES: Pope, Haack, Rothenberger, Overkamp, Guiles and Vanderstelt. NAYES: None

### **14. Budget Hearing**

Motion made by Carl to close the regular meeting at 7:57pm, supported by Jeff. With a unanimous vote, the motion carried.

Motion made by Carl to open the Budget Hearing at 7:58pm, supported by Jeff. With a unanimous vote, the motion carried.

Roger asked council if there were any questions about the 2019-2020 budget that was discussed in the budget meeting. There were none. He asked if there is any Public Comment. There was none.

Motion made by Jeff to close the Budget Hearing at 8:04pm, supported by Bill. With a unanimous vote, the motion carried.

Motion made by Jeff to open the regular meeting at 8:05pm, supported by Carl. With a unanimous vote, the motion carried.

### **15. 2019-2020 Budget Adoption**

Motion made by Roger to approve the budget as presented, supported by Carl. Roll Call AYES: Pope, Haack, Rothenberger, Overkamp, Guiles and Vanderstelt. NAYES: None

Budget resolution offered by Roger (See attached), supported by Carl. Roll Call AYES: Pope, Haack, Rothenberger, Overkamp, Guiles and Vanderstelt. NAYES: None

### **16. Public Comment**

Jerry Lundberg, 88 S. 3<sup>rd</sup>, questioned the sewer petition changing from one vote per parcel to square footage of the property being a determining factor. The council and attorney responded to the question. Jerry thanked the Council.

### **17. Warrants**

Motion made by Amy to approve the warrants with the exception of the Fruitport Township attorney bill, supported by Donna. Roll Call AYES: Pope, Haack, Rothenberger, Overkamp, Guiles and Vanderstelt. NAYES: None

**18. Adjournment**

Donna made a motion to adjourn at 8:16pm, supported by Jeff. With a unanimous vote, the motion carried.

Respectfully submitted by,

Ann LaCroix  
Clerk

RESOLUTION FOR  
DECERTIFICATION/VACATION OF 225 Ft of LAKE STREET

NOW THEREFORE IT IS RESOLVED:

At a regular meeting of the Village Council of Fruitport, Michigan, held at the DPW garage on March 25, 2019, the following resolution was offered by member Roger Vanderstelt, and supported by member Jeff Guiles.

Whereas the Village of Fruitport does wish to decertify/vacate a portion of Lake Street. This decertification/vacation of Lake Street is located east of Sixth Avenue for a total of decertification/vacation length of 225 feet.

Resolution duly adopted.

Date: March 25, 2019

Village Clerk – Ann LaCroix

Certified to be a true copy

Date: March 26, 2019

Village Clerk Ann LaCroix

**MNRTF GRANT  
RESOLUTION 2019-3**

WHEREAS, Village of Fruitport supports the submission of an application titled Pomona Park Kayak Launch and Parking Concept to the MDNR Trust Fund Grant Program for development of a Kayak Launch at Pomona Park; and,

WHEREAS, the proposed application is supported by the Community's 5-year Approved Parks and Recreation Plan

OR Current Annual Capital Improvement Plan; and,

WHEREAS, The Village of Fruitport is hereby making a financial commitment to the project in the amount of \$75,000.00 matching funds, in cash and/or force account; and,

NOW THEREFORE, BE IT RESOLVED that the Village of Fruitport hereby authorizes submission of a MNRTF Grant Program Application for \$125,000.00 and further resolves to make available its financial obligation amount of \$75,000.00 (37.5%) of a total \$200,000.00 project cost, during the 2020-2021 fiscal year.

AYES: Pope, Haack, Rothenberger, Overkamp, Guiles and Vanderstelt

NAYES: None

ABSENT: Bolt

MOTION APPROVED

I HEREBY CERTIFY, the foregoing is a Resolution duly made and passed by the council of the Village of Fruitport at their regular meeting held on March 25th, 2019 at 7pm at 45 N. 2<sup>nd</sup> Avenue, Fruitport, MI, with a quorum present.

  
Ann LaCroix Clerk

Dated: 3-26-2019

## **BUDGET RESOLUTION:**

It is hereby resolved that the budget presented and discussed on March 25, 2019, at a meeting of the Fruitport Village Council, be adopted as the official budget and financial guide for the General Fund, Major Street Fund, Local Street Fund, and Debt Service Fund for the fiscal year beginning April 1, 2019 and ending March 31, 2020. FURTHER: This resolution, when adopted, shall become an Appropriation Authorization whereby the Village Council shall take the necessary steps to receive and raise funds required to pay the financial obligations of the Village of Fruitport as spelled out in the aforementioned budget. Further: This resolution, when adopted, shall be the authorization for the Clerk/Treasurer to spread against the assessment rolls of the Village of Fruitport, a levy of 5.5000 mills for general operating funds, to be collected in the normal manner of collecting taxes. Said taxes shall become part of funds appropriated by this Council to help pay the financial obligations of the Village of Fruitport for the fiscal year 2019/2020. FURTHER: This resolution shall declare Ann LaCroix as the Chief Financial Officer of the Village of Fruitport for the fiscal year 2019/2020. As such, she/he shall be charged with the responsibility of overseeing the budget to maintain control of both expenditures and appropriations and to make the necessary recommendations to avoid deficits.

Support Resolution \_\_\_\_\_

Motion made by R. Vanderstelt that the Clerk/Treasurer be authorized to transfer funds as necessary to pay garbage bills, utility bills, Fuelman bills, insurance bills, wages, FICA, Federal withholding, State withholding, other bills that would result in late fees, when due, plus the purchase of postage stamps, office supplies, and extra costs for mailing correspondence.

Seconded by C. Rothenberger. Roll Call AYES: Pope, Haack, Rothenberger, Overkamp, Guiles and Vanderstelt. NAYES: None

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

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 March 25<sup>th</sup>, 2019 at 7pm.

PRESENT: ROGER VANDERSTELT, DONNA POPE, CARL ROTHENBERGER, WILLIAM OVERKAMP, AMY HAACK AND JEFFREY GUILLES.

ABSENT: JAY BOLT

The following preamble and resolution were offered by Amy Haack and supported by Carl Rothenberger.

WHEREAS, the Village of Fruitport is applying for \$250,000.00 in funding through MDOT from the Transportation Economic Development Category B Program for road resurfacing 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, AMY HAACK AND JEFFREY GUILLES.

AYES: ROGER VANDERSTELT, DONNA POPE, CARL ROTHENBERGER, WILLIAM OVERKAMP, AMY HAACK AND JEFFREY GUILLES.

NAYES: NONE

ABSENT: JAY BOLT



RESOLUTION DECLARED ADOPTED

ANN LACROIX  
CLERK

**CERTIFICATION**

The forgoing resolution was certified at a regular meeting of the Village of Fruitport held on March 25th, 2019

*Ann LaCroix*  
Ann LaCroix, Clerk

Dated: 3-26-19