



MINUTES

Monday, August 17, 2020
7:00 P.M.
Dial-in number (408) 650-3123
Access Code: 753-049-741
Spring Lake, Michigan

Pursuant to Executive Order No. 2020 – 129, the Village of Spring Lake will conduct its business via conference call to mitigate the spread of COVID-19.

1. Call to Order

President **Powers** called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

3. Roll Call

Present: Duer, Hanks, Miller, Petrus, Powers, TePastte, Van Strate.

Absent: None

4. Approval of the Agenda

Motion by **TePastte**, second from **Hanks**, to approve the agenda as presented.

Yes: 7 No: 0

5. Consent Agenda

- A. Approved the payment of the bills (checks numbered 61273 to 61320 and electronic payments 134 to 140) in the amount of \$329,558.57.
- B. Approved the minutes for the July 13, 2020 work session and the July 20, 2020 regular Council meeting.
- C. Approved the purchase of a digital reader board sign from Advanced Signs for an amount not to exceed \$21,019.00.
- D. Approved a proposal from Moore & Bruggink for design engineering for Barber School & Clock Tower parking lot resurfacing for an amount not to exceed \$3,950.00.
- E. Approved a proposal from Lakeshore Parking Lot Maintenance for crack sealing and striping of the parking lot located behind Village Hall for an amount not to exceed \$5,329.00.

- F. Approved an intergovernmental agreement with Crockery Township for assistance with the North Bank Trail SIB funding opportunities.
- G. Approved a budget amendment as presented.
- H. Approved Resolution 2020-11, a resolution establishing water rates for non-Village water customers.
- I. Approved the nomination of Fuel Bar & Refuge for the 2020 Business of the Year award.
- J. Approved Resolution 2020 - 16 a resolution to purchase, acquire and construct improvements to the sanitary sewer system and to publish notice of intent to issue revenue bonds
- K. Approved Resolution 2020 – 17 a resolution to purchase, acquire and construct improvements to the water system and to public notice of intent to issue revenue bonds.
- L. Approved an amendment to the Village Manager’s employment contract.
- M. Approved the hiring of Demario Johnson as the Assistant to the Village Manager.

Motion by **Miller**, second from **Petrus**, to approve the Consent Agenda as presented.

Yes: 7 No: 0

6. General Business

A. Public Hearing – Consideration of Malfeasance of a Planning Commissioner

Subject:

President **Powers** reviewed the violations which included a Short-Term Rental operation absent proper licensing, erecting a dock without proper permitting and destruction or public property. President **Powers** stated that Mr. Martinus had been noticed regarding these issues multiple times starting on April 14, 2020, May 26, 2020 and in July and August 2020, giving him multiple opportunities to remedy these issues. President **Powers** said he felt these violations were done in an infringement on public easement and property for a private benefit and that Council would not be doing their duty properly if they ignored such circumstances.

Motion by **Hanks**, second from **TePastte**, to open the public hearing at 7:12 p.m.

Yes: 7 No: 0

There were no comments of citizens regarding this particular matter.

Motion by **Van Strate**, second from **Miller**, to close the Public Hearing at 7:18 p.m.

Yes: 7 No: 0

Council had no further discussion regarding Mr. Richard Martinus.

Motion by **TePastte**, second from **Petrus**, to dismiss Planning Commissioner Richard Martinus, effective immediately.

Yes: 7 No: 0

B. Public Hearing, Ordinance 364 – a Restated Chapter 390, Zoning to Amend the Village of Spring Lake Code of Ordinances.

Subject: Over the course of the past 18 months staff has been working with Andy Moore of Williams & Works to address the shortcomings in our prior ordinance and the needs of the Village moving forward. On July 28, 2020 the Planning Commission held a public hearing regarding the adoption of the proposed Zoning Ordinance. The proposed Zoning Ordinance is now ready for Council review.

President **Powers** opened the public hearing at 7:21 p.m.

Andy Moore, Williams & Works, was present to answer any questions and shared a brief presentation of the changes to the Zoning Ordinance.

There was no public comment.

Motion by **Hanks**, second from **TePastte**, to close the Public Hearing at 7:30 p.m.

Yes: 7 No: 0

Council had no comments or further discussion regarding Ordinance 364.

Motion by **TePastte**, second from **Hanks**, to adopt Ordinance 364, a Restated Chapter 390, Zoning to amend the Village of Spring Lake Code of Ordinances.

Yes: 7 No: 0

7. Department Reports

A. Village Manager – **Burns** added that a port-a-potty has been delivered to Whistle Stop Park and a white privacy fence placed around it, new street signs have been ordered and she and Stanford-Butler met with the Lilley Cares Committee regarding Christmas events. **Burns** also shared that Fire Chief Brian Sipes has

- taken a position at Grand Haven Township as their Chief.
- B. Clerk/Treasurer/Finance Director
 - C. DDA
 - D. OCSO
 - E. Fire *none included
 - F. DPW
 - G. Water
 - H. Sewer *none included
 - I. Zoning *new this month
 - J. Minutes from Various Board & Committees
 - 1. Parks & Recreation, 07/06/20
 - 2. Planning Commission, 06/xx/20
 - 3. DDA, 07/14/20

8. Old Business and Reports by the Village Council – No old business

9. New Business and Reports by Village Council – Van Strate asked if anyone knew what was going on at the old butcher shop. **Burns** said the new owner pulled a demo permit and were in the process gutting the interior but she had not seen any plans.

10. Status Report: Village Attorney – No additions.

11. Statement of Citizens

Juanita Bocanegra, 707 Gardenridge, Holland, spoke to Council regarding running for office as the 58th District Judge.

Michelle Schoemer, 353 S Lake Ave, spoke regarding questions that have not been answered to her satisfaction regarding speed bumps on her private drive.

12. Adjournment

Motion by **Van Strate**, second from **Hanks**, Village Council adjourned the meeting at 7:42 p.m.

Yes: 7

No: 0

Mark Powers, Village President

Maryann Fonkert, Deputy Clerk