



CITY COMMISSION MEETING MINUTES

City Hall, 125 South Maple Street, Fennville, MI 49408
Monday, August 17, 2020
7:00 p.m.

MINUTES

1. Call to Order by Mayor Pantelleria at 7:00 p.m.

Present: Almquist, Bolles, Jamros, Hayden, Machen, Pantelleria, Suerth
Absent: None

2. Pledge of Allegiance

Pledge of Allegiance was recited.

3. Approval of Agenda

Approval of Agenda as presented and adding Item 7. c. Approve Resolution to Tentatively Award a Construction Contract for Wastewater System Improvements

4. Public Comments

- Judge Margaret Bakker presented the Commission with information about the services provided by the Allegan County Legal Assistance Center and asked the City to distribute the information to the residents.

5. Approval of the following City Commission Minutes:

- a. Regular Meeting: August 3, 2020

Moved by Suerth, seconded by Jamros, to approve the Minutes of August 3, 2020 as presented.
Voted Yes: All. Motion carried.

6. Reports & Minutes

None

NEW BUSINESS

7. The City Commission will be asked to take the following actions regarding the SRF Projects:

- a. Award the bid for the Wastewater System Improvements Project to Kamminga & Roodvoets, Inc in the amount of \$3,311,617.50.
- b. Approve Ordinance 2020-08: A Bond Authorizing Ordinance for the SRF Projects.
- c. Approve Resolution to Tentatively Award a Construction Contract for Wastewater System Improvements. [The Resolution negates the need for item 7.a.]

Background Information

Tonight the City Commission is being asked to take the final actions regarding the SRF sewer projects. The first of those actions is to award the bid to Kamminga & Roodvoets, Inc. The City opened bids for the project on Friday, July 31, 2020. Due to a variety of circumstances we only received one bid and it was slightly over budget. However, the company is extremely reputable and we were able to work together on a variety of value engineering concepts to reduce the cost and come more in line with the engineer's estimate and our bonding limits. It is staff and the engineer's recommendation to award the bid to Kamminga & Roodvoets. Dana Burd will be present to review the project and answer any questions the Commission might have.

The second action the City Commission is being asked to take is to approve the bond authorizing resolution. This is the final step the Commission must take and will commit the city to funding the project and will allow for the closing to occur. Based on the timeline, work can begin as early as October. Please remember, similar to the water bonding, in accordance with state law this ordinance can be approved in the same meeting in which it is presented.

Dana Burd presented an overview of the project and the alternates considered since the bid was approximately \$400,000 over budget.

Moved by Jamros, seconded by Pantelleria, to approve Resolution to Tentatively Award a Construction Contract for Wastewater System Improvements in the amount of \$3,210,247.50 to Kamminga & Roodvoets, Inc. Voted Yes: All. Motion carried.

Moved by Suerth, seconded by Pantelleria, to approve Ordinance No. 2020-08 an Ordinance authorizing the issuance of Wastewater System Improvement Revenue Bonds by the City of Fennville. Voted Yes: All. Motion carried.

8. The City Commission will be asked to approve Resolution 2020-10: A Resolution allowing for an Installment Purchase Agreement for the purchase of a plow truck.

Background Information

During this year's budget, the City Commission included an allowance for purchasing a new plow truck through financing. Staff has met with Truck and Trailer Specialties to design and price a new truck and the next stage is securing financing.

The City will be working with Baker Tilly to issue an RFP for banking services with the hope to get a competitive interest rate. The resolution being presented tonight would allow for the Installment Purchase Agreement to be completed immediately upon receipt of bids as long as they fall within certain criteria.

The new plow truck has been priced at approximately \$162,000 and the plan is to sell the old plow truck.

Moved by Suerth, seconded by Almquist, to approve Resolution 2020-10: A Resolution allowing for an Installment Purchase Agreement for the purchase of a plow truck. Voted Yes: All. Motion carried.

9. The City Commission will be asked to authorize the City Administrator to enter into a contract with Triterra to perform the CDBG Environmental Assessment for the MEDC Grant Program in the amount of \$2,500.

Background Information

Part of the MEDC Grant process requires that an Environmental Assessment of the project area be completed. Our Grant Administrator solicited proposals for the work and is recommending we award the contract to Triterra in the amount of \$2,500. The will work with our consultant to coordinate and complete the work.

The amount of the contract will be reimbursed 100% by the MEDC as part of the grant process.

Moved by Machan, seconded by Almquist, to authorize the City Administrator to enter into a contract with Triterra to perform the CDBG Environmental Assessment for the MEDC Grant Program in the amount of \$2,500.

10. The City Commission will be asked to take the following actions regarding marihuana establishments within the City of Fennville:

- a. Introduce Ordinance 2020-09: An Ordinance to prohibit medical marihuana facilities in the Central Business District.
- b. Introduce Ordinance 2020-10: An Ordinance to establish regulations on medical marihuana establishments within the City of Fennville.
- c. Introduce Ordinance 2020-11: An Ordinance to amend regulations on adult use marihuana establishments within the City of Fennville.

Background Information

Based on recent City action regarding recreational marihuana, the Planning Commission discussed the medical marihuana regulations within the City. Based on action that was taken in 2013, medical marihuana establishments were only allowed as a home based business. Since the voters and City Commission have recently passed an ordinance allowing for recreational marihuana the Planning Commission felt the City should also allow for medical marihuana establishments as well. They considered the regulatory ordinance and a zoning ordinance amendment to restrict the sale in the Central Business District during their meeting in July. And held a public hearing regarding the item on August 11·2020. The Planning Commission voted to recommend the ordinance for Commission Action.

To enact on the allowance of medical marihuana, the City Commission is being asked to consider 3 ordinances. The first is to restrict the establishments in the Central Business District. The second is a regulatory and licensing ordinance that was drafted to mirror the recreational ordinance passed in February.

The third is an ordinance to amend the recreational regulatory ordinance. The Planning Commission felt that the City should allow for a maximum of 2 establishments regardless of if it was recreational or medical and wording to that effect must be in both ordinances.

Moved by Pantelleria, seconded by Suerth, to formally introduce Ordinance 2020-09: An Ordinance to prohibit medical marihuana facilities in the Central Business District.

Voted Yes: Machan, Suerth, Jamros, Almquist, Bolles, Pantelleria; Voted No: Hayden. Motion carried.

Moved by Pantelleria, seconded by Machan, to formally introduce Ordinance 2020-10: An Ordinance to establish regulations on medical marihuana establishments within the City of Fennville and amend the application fee to \$5,000.

Voted Yes: Suerth, Jamros, Almquist, Bolles, Machan, Pantelleria; Voted No: Hayden. Motion carried.

Moved by Pantelleria, seconded by Suerth, to formally introduce Ordinance 2020-11: An Ordinance to amend regulations on adult use marihuana establishments within the City of Fennville.

Voted Yes: Jamros, Almquist, Bolles, Machan, Suerth, Pantelleria; Voted No: Hayden. Motion carried.

11. The City Commission will receive an update from Commissioner Bolles on recent Planning Commission discussions.

Bolles updated the Commission on recent Planning Commission discussions including the placement of homes perpendicular to the front lot line and the limiting of storage unit facilities in the City limits. Bolles suggested the possibility of enacting future regulation for aesthetics regarding property within the City limits. The Planning Commission will meet on October 6, 2020 and they plan to recommend to the Commission that no more than one storage unit facility be allowed in the City limits.

12. Reports of Standing Committees:

- a. Finance/Personnel: Pantelleria will meet with City Administrator Morgan regarding the Personnel Policy.
- b. City Services (Police, Ambulance & Fire): Morgan is working on the paperwork to request funds through the Cares Act for hazard premium pay for the police and medical first responders. Mike Andry, the former Fire Chief, officially submitted his resignation on August 4, 2020 and will remain on staff as the Deputy Chief until he leaves the State. Machan presented the Commission with a presentation prepared by the Fire Chief for the purchase of a new (used) fire engine for the Fire Department. The payments would be \$34,000 for 10 years; the 10 year Capital Improvement Plan would shuffle projects to accommodate the new purchase/payment plan.
Moved by Suerth, seconded by Machan, to approve the Fire Department moving forward with the purchase of the new fire engine. Voted Yes: Almquist, Hayden, Bolles, Machan, Suerth; Voted No: Pantelleria. Motion carried.
- c. City Properties: A Consumers Energy tree grant has been applied for and if approved, the trees would be planted in October/November along Landsburg Road, Main Street and First Street..
- d. Ordinances/Community Relations: No report.
- e. Planning: No report [See Agenda item #11 above]
- f. Administrative/DDA: The DDA did not meet in August. Improvements to the City Hall parking lot will be discussed at the next meeting.

13. Miscellaneous:

MTS will be scheduling a DDRC meeting to review the new signage for the former HopN building. Discussion of parking in the public parking lots; currently there isn't any parking regulations for the City lots. The owners of the farm on M89 are having a problem with geese; Commissioner Jamros will contact them.

14. City Attorney Report: No report

15. City Administrator Report:

Construction on Main Street/M89 at 58th Street was completed and the road re-opened at 4:00 p.m.; 58th Street North will remain closed for a couple more weeks. Friday and Saturday (Aug 21 & 22, 2020) are the clean-up days with dumpsters in the parking lot at Main/Maple Street. Landsburg Road will repaved on Aug 18th. The Vision session at

Memorial Park was held; plans are available for review; input regarding the field uses is still needed from the school.

16. Approval of Bills

Moved by Machan, seconded by Jamros, to approve payment of the bills in the amount of \$53,077.70. Voted: Yes: All. Motion carried.

17. Adjournment

Meeting adjourned at 8:56 p.m.

Respectfully submitted,

Deborah Perez
Clerk/Treasurer