



## **CITY COMMISSION MEETING MINUTES**

**City Hall, 222 South Maple Street, Fennville, MI 49408**  
**Monday, November 18, 2019**  
**7:00 p.m.**

**Before the regular meeting commenced, there will be a short swearing in ceremony for the recently elected City Commissioners: Erik Almquist, Jim Hayden, John Jamros and Shawn Machan.**

### **1. Call to Order/Roll Call**

The Meeting was called to order by City Administrator Amanda Morgan at 7:00 p.m.

Present: Almquist, Hayden, Jamros, Machan, Suerth, Pantelleria

Absent: Brien

### **2. Pledge of Allegiance**

The Pledge of Allegiance was recited.

### **3. The City Commission will be asked to make nominations for the seats of Mayor and Mayor Pro-Tem.**

Almquist nominated Tom Pantelleria to serve as the Mayor. Seconded by Jamros. Pantelleria accepted the nomination.

Voted Yes:All. Motion carried.

Mayor Pantelleria took over the proceedings of the meeting and nominated Jim Suerth to serve as the Mayor Pro-Tem. Seconded by Almquist.

Voted Yes: All. Motion carried.

### **4. Approval of Agenda**

Agenda approved as presented.

### **5. Public Comments**

Dan Rastall was present on behalf of the school's recreation program. He discussed several items including the need to fix the drainage issues at the City's ball field at Paradise Park and the need for continued funding and support of the recreation program.

### **6. Approval of the following City Commission Minutes:**

- a. Regular Meeting: November 4, 2019

Moved by Suerth, seconded by Pantelleria, to approve the City Commission meeting minutes from November 4, 2019 with the addition to the comments by Diana Decker that

“The Commission asked for the attorney to draft a statement speaking to the City’s liability in regards to information provided by contractors.”

Voted Yes: All. Motion carried.

The City Attorney spoke to the issue regarding information provided by Michigan Township Services. He stated that the City is not liable for the information provided by contractors.

## **7. Reports & Minutes**

- a. MTS Report – October 2019

The report was reviewed.

## **UNFINISHED BUSINESS**

### **8. The City Commission will be asked to consider the following options related to the Recreational Marihuana legislations:**

- a. **Consider introducing an ordinance to prohibit recreational marihuana establishments in the City of Fennville.**
- b. **Consider introducing an ordinance to prohibit recreational marihuana establishments and consumption in public places in the City of Fennville.**
- c. **Consider directing the Planning Commission to develop rules and regulations on recreational marijuana within the City of Fennville.**

*Background Information* Now that the Election has passed, the new Commission was again asked to consider the options related to Recreation Marihuana.

Earlier this year the City Commission had a brief discussion about the recent changes to the recreational marihuana legislation. At that time the Commission decided to wait until the rules and regulations had been finalized before taking any action.

The attorney informed us during the last meeting that the State will begin accepting applications for recreational marihuana facilities on November 1. The City’s rules and regulations adopted as of the date the application is filed will be what the State follows for issuing the license. With the State beginning to accept applications the Commissioners asked the attorney to draw up a draft ordinance for opting out and also asked that all the options be placed on the agenda for discussion.

During the meeting, the City Commission will be asked to move forward with one of the following:

- Consider introducing an ordinance to prohibit recreational marihuana establishments in the City of Fennville.
- Consider introducing an ordinance to prohibit recreational marihuana establishments and consumption in public places in the City of Fennville.
- Consider directing the Planning Commission to develop rules and regulations on recreational marihuana within the City of Fennville.

If the Commission moves forward with one of the two ordinances, the ordinance will need to be introduced during the first meeting in December with final adoption at the following commission meeting.

If the Commission does not move forward with opting out, they should consider directing the Planning Commission to develop rules and regulations regarding the establishments within the City. The City Administrator would work to schedule a special meeting of the Planning Commission to begin these discussion as soon as possible. The Planning Commission would work to draft thorough policies under the City Attorney's guidance, but will also work to draft the policies quickly given the fact that the State has already begun accepting applications.

Moved by Almquist, seconded by Jamros, to direct the Planning Commission to develop rules and regulations on recreational marihuana within the City of Fennville.

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

**9. The City Commission will be asked to approve Resolution 2019-07: A Resolution to Adopt a Recreation Plan for the City of Fennville.**

*Background Information:* In 2017 the Planning Commission worked to update the 5-year Recreation Plan and the updated plan was submitted to the DNR in early 2018. Shortly after the document was submitted, the City received notice from the DNR that unfortunately the plan was deficient in several items and was not approved.

The City Commission has indicated that they would like to make planning for park improvements a priority over the coming fiscal year. As those designs are completed, we will be looking into grant opportunities to aid in funding those improvements. However, to be eligible to receive grants from the DNR, the City needs to have a completed 5-year Recreation Plan on file. The Planning Commission was again being asked to work through updating the document and addressing the deficiencies identified by the DNR.

Staff worked to address the following deficiencies and update the document to include:

- Map with City parks labeled.
- ADA Assessment for all City Parks.
- Documentation of public hearings.
- Required Certification Checklist
- Post Completion Self-Inspection Reports
- New Transmittal letters to County and regional planning for updated document.

The Planning Commission was asked to focus on providing the "Goals and Objectives" required within the plan and to hold the public hearing process. The new plan was required to be available to the public for comment for a 30 day period before the final approval can occur. The City Commission was given a copy of the plan in October for review. The next step in the process is for the City Commission to consider a resolution adopting the plan.

Moved by Pantelleria, seconded by Machan, to approve Resolution 2019-07: A Resolution to Adopt a Recreation Plan for the City of Fennville.

Voted Yes: All. Motion carried.

**NEW BUSINESS**

**10. The City Commission will be asked to approve the 2020 Meeting Calendar.**

*Background Information:* The Commission was presented a copy of the proposed 2020 Meeting Calendar. The calendar was developed based on previous year with City Commission meetings to occur on the 1st and 3rd Monday of each month. The exceptions during the 2020 calendar year are Martin Luther King Day and Labor Day for which the meetings were moved to the following Tuesday.

The only other notable change to the calendar is related to the Planning Commission meetings. In an effort to increase attendance due conflicting regular meeting times and to allow for the Zoning Administrator to be in attendance at more of the meetings, the Planning Commission voted to move the meeting date to the 1st Tuesday of each quarter versus the 2nd Monday as it had been before.

Moved by Machan, seconded by Almquist, to approve the 2020 meeting calendar as presented.

Voted Yes: All. Motion carried.

**11. The City Commission will be asked to authorize Prein&Newhof to proceed with Design Phase 2 for the SRF Projects.**

*Background Information:* The City engaged Prein&Newhof to complete the application process to EGLE for SRF Funding for the sewer infrastructure improvements. The professional services agreement approved at that time only included the application for funding. That application was submitted on July 1 and we are now awaiting a response from EGLE regarding funding.

After speaking with Dana Burd from Prein&Newhof, staff feels it would be beneficial to begin the next phase of design work while we await the response. Prein&Newhof has prepared the attached proposal and scope of services for the completion of the project.

With the pending nature of our disadvantaged status, the City Administrator asked them to divide the proposal into phases that we can authorize as we continue to move forward with the project. These phases allow us to proceed with design work but also gives us flexibility should we need to consider alternative funding methods. Each phase will require specific action from the Commission before moving forward.

In August, the City Commission approve the professional services agreement and phase 1 of the design services. Prein&Newhof are ready to begin Design Phase 2, but per the agreement, the City Commission must authorize that phase before they begin.

The Commission had questions related to the financial implications of approving the contract before finalizing the loan. The item will be tabled until the next meeting to get information from the financial advisor.

**12. Reports of Standing Committees:**

- a. Finance/Personnel: Appoint Jamros to the City Properties and Planning Committees. Pantelleria read a letter of resignation submitted by Danielle Brien. Moved by Pantelleria, seconded by Machan, accepted Brien's resignation. Voted Yes: All. Motion carried.  
The Commission has 60 days to fill the vacant seat; will publicly post the position for two weeks.
- b. City Services (Police, Ambulance & Fire): The Fire Department's new "Quick Attack" Truck has been delivered; the Fire Board meets Tues, 11/26/19.

- c. City Properties: City Administrator is purchasing a salt spreader and lift for the bobcat (to salt the sidewalks); purchases to be paid for by the DDA.
- d. Ordinances/Community Relations: Contact the Boy Scout's to clean up the City's founder's gravesite; contact former Mayors and have them attend a ribbon cutting ceremony for the new City Hall location.
- e. Planning: City Administrator will set a special meeting of the Planning Commission prior to their quarterly meeting in January 2020 to discuss recreational marihuana and manufactured housing placement.
- f. Administrative/DDA: The Holiday Celebration will be 12/7/19; Santa will be at the new City Hall location.

### **13. Miscellaneous**

Machan inquired if the sidewalks were cleared after the heavy snow fall on 11/12/19; sidewalks were cleared but the heavy snow fall made it difficult to keep them cleared.

### **14. City Attorney Report**

Nothing to report.

### **15. City Administrator Report**

The City Administrator briefly reviewed the following:

- New Personnel in DPW.
- Mailbox replacement regulations and snow removal tips.
- Fiber internet is being installed in the building.
- Reminder of Prein&Newhof Open House on 12/6/19 at Zeeland Township Hall.

### **16. Approval of Bills**

Moved by Machan, seconded by Suerth, to approve payment of the bills totaling \$49,662.41.

Voted Yes: All. Motion carried.

### **17. Adjournment**

Being no further business the meeting was adjourned at 8:14 p.m.

Respectfully submitted,

Deborah Perez  
City Clerk/Treasurer