

CITY OF COOPERSVILLE
REGULAR MEETING OF THE CITY OF COOPERSVILLE CITY COUNCIL
CITY HALL, 289 DANFORTH ST.; COOPERSVILLE, MICHIGAN

July 11, 2022

Present: Council Member Bush
Council Member Degeus
Council Member Gavin
Council Member Gerard
Council Member Lampe
Council Member Weise
Mayor Young

Absent: NONE

Additions/Corrections to Agenda

Motion by Council Member Bush with second by Council Member Gavin to approve the correction to the consent agenda, 7. Item C, to change the Payment #2 to Northwest Kent Mechanical to \$27,847.00. Motion carried unanimously. (2022 – 066)

Scheduled Guests and Public Hearings

Public Hearing-Southside Bar & Grill Requesting a Temporary Variance to Noise Ordinance for August 12th & 13th

Motion by Council Member Lampe with second by Council Member Gavin to open the public hearing at 7:02 P.M. Motion carried unanimously. (2022 – 067)

Some Council Members asked if there were any issues in the past during this event? Staff responded that there have not been any since Southside has been granted the Temporary Noise Variance for the past few years.

Being no further discussion, a Motion was made by Council Member Gavin with second by Council Member Bush to close the public hearing at 7:05 P.M. Motion carried unanimously. (2022 – 068)

Scheduled Guest – Updates on the Muskegon Pipeline by Prein & Newhof and the OCRC

Mark Prein, from Prein & Newhof, presented the update on the proposed force main/pipeline project. Mr. Prein explained the purpose of the pipeline and the fact that Continental Dairy needs to increase the current amount of capacity. Mr. Prein stated that Muskegon Wastewater has a forty-four (44) million-gallon capacity and they are currently only using about eleven (11) million gallons per day.

Mandy of Lakeshore Advantage stated that there is a significant amount of interest at the state level, in this project. They are working with Muskegon Economic Development on this also and they are very optimistic on securing any grant money right now.

Pat Staskiewicz, Public Utilities Director for OCRC stated that the offer by Muskegon is worth reviewing. Legislatures are very interested in this project. Mr. Staskiewicz stated that it is a big expense which comes with several pros and cons such as, not having to deal with EGLE. Every user or authority will have a representative on the board for the pipeline. Mr. Staskiewicz stated that there are many more details to be worked out in the coming months, but this is a great opportunity.

The capacity of loads, or waste that would be allowed to be sent to Muskegon by the users would be controlled by a local ordinance.

Scheduled Guests and Public Hearings continued

Scheduled Guest – Drain Project Updates – Ottawa County Drain Commissioner Joe Bush

Joe Bush, Ottawa County Drain Commissioner presented an update to the Council on the Meadow Green Estates Project. Mr. Bush stated that the area was very wet when they started the project which caused an initial delay. Mr. Bush has met with several of the residents and listened to their concerns and issues. The project is now complete. Mr. Bush stated that they are currently working at the Community Trails at the school and the quality of the water in the ponds.

Resident Chad Kaminski of Creekside Drive in Eagle Ridge Estates stated that his yard is still not done properly from work that the Drain Commissioners office did four (4) years ago. Mr. Bush stated that they repaired Mr. Kaminski's sidewalk at the expense of the city and Ottawa County. They have reseeded his lawn three (3) times and the third time they split seeded it. Mr. Bush just had Shippers look at it again. Mr. Bush stated that they have met all of Mr. Kaminski's expectations. Mr. Kaminski disagreed that his expectations have been met and he stated that he has retained an Attorney and he will sue the city and the county.

Citizens Input and Suggestions

LeAnn Peoria, Resident spoke stating that she supports the Noise Variance for Southside, the Bike Trail, and many other events but she does not know why we have the ordinance that we have for food trucks/vendors, and she hopes that the Council will look into this.

Terri Wagner Resident of 138 Creekside Drive presented pictures of her yard and trees that she planted in the road right-of-way. Ms. Wagner stated that she wanted to appeal the ordinance on trees not being allowed to be planted in the right-of-way as she received a letter from the city, stating, that she must remove the trees she planted in the right-of-way by July 16th. Resident Ted Posobiec also spoke in support of Ms. Wagner keeping her trees or at least not being required to remove them until the fall which is when trees should be planted or re-planted.

Chad Kaminski, Resident of Creekside Drive spoke again regarding the issues he has with the Ottawa County Drain Commissioner. Chad said that he does not want anyone on his property from the city or the county or he will press charges for trespassing. If someone wants to see him, or his property, they must knock on his door.

Consent Agenda

Motion by Council Member Bush with second by Council Member Weise to approve the Consent Agenda as presented. Motion carried unanimously. (2022 – 069)

- ***Minutes of the City Council meeting of June 13, 2022***
- ***Checks through 07/11/2022 totaling \$1,214,820.07***
- ***Northwest Kent Mechanical, Blower No. 3 Replacement- Payment 2 Totaling \$27,847.00***
- ***Northwest Kent Mechanical, Blower No. 3 Replacement- Payment 3 Totaling \$8,918.00***
- ***Georgetown Construction, Sunset/Greenfield Improvements- Payment 1 Totaling \$317,001.00***
- ***Council Information packet***

Petitions and Communications

Motion by Council Member Weise with second by Council Member Degeus to approve the request to Rezone 151 and 275 N. 68th Avenue from Agriculture to I-1 Light Industrial. Motion carried unanimously. (2022 – 070)

Motion by Council Member Lampe with second by Council Member Gavin to approve the design engineering to be done by Prein & Newhof for the River Street Reconstruction Project. Motion carried unanimously. (2022 – 071)

Motion by Council Member Gavin with second by Council Member Bush to approve the Resolution of Commitment and Support for the Bridge Bundle Program. Motion carried unanimously. (2022 – 072)

Petitions and Communications continued

Motion by Council Member Bush with second by Council Member Degeus to approve the Noise Ordinance Temporary Variance Application for Southside Beer Tent for August 12th and 13th. Motion carried unanimously. (2022 – 073)

Motion by Council Member Weise with second by Council Member Gerard to approve the Letter of Continued Support for the North Bank Trail. Motion carried unanimously. (2022 - 074)

Discussion was held on the current Food Truck/Food Vendors ordinance. Kimberly Borgman, City Clerk and Zoning Administrator explained that if food trucks or vendors are brought in under the umbrella of a Special Event then the food vendors are not required to fill out and submit the permit application for food vendors to the city. If they are part of a Special Event the event organizer is responsible for making sure the food vendors have the proper licensing from the County Health Department. Food Vendors are still required, per city ordinance to be a minimum of two hundred' away from any existing restaurant or food establishment unless they obtain permission from the food establishment owner to be within the two hundred feet required. If a food vendor wants to setup or sell food and they are not under the umbrella of a Special Event, then they must obtain the proper permits from the city which requires a one-time yearly fee of \$150.00.

City Manager, Dennis Luce stated that we should protect our local businesses that pay taxes here.

Discussion was held on the businesses granting permission in advance for a series of events that may be taking place where food vendors may be present. Kimberly Borgman stated that this would be allowed, if, it is listed on and submitted with the Special Events Application. Discussion was also held on changing the Special Events Application to ask if Food Trucks/Food Vendors will be present instead of asking if they will be serving food. Kimberly Borgman stated that Staff can make the changes to the application.

Council Member Bush requested that Staff review other municipalities Food Truck/Food Vendor ordinances to see what the required distances from existing food establishments are, as well as the distance from residential properties.

Motion by Council Member Degeus with second by Council Member Bush to approve the purchase of an ZXT 72" Mower totaling \$12,818.50. Motion carried unanimously. (2022 – 075)

Citizens Input and Suggestions

Resident, Terri Wagner, 138 Creekside Drive stated that the City Tree Ordinance should be changed to say, "trees cannot be placed in the right-of-way."

Resident, Tracey Muller of Eagle Ridge stated that she has lived there for a very long time and when Eagle Ridge was first built, they were encouraging residents to plant trees because the land use to be an airport and there were no trees. Ms. Muller stated that it is not common knowledge for someone to know that they cannot plant trees in the right-of-way or that they need permits so therefore the ordinance should be changed to say the "no trees can be planted in the right-of-way." Ms. Muller also stated that the common areas in the development are not being maintained.

Resident, Scott Schoolcraft of 568 Venna Place stated that the Muskegon Pipeline would be one of the most expensive decisions that Council will ever have to make, and he suggested that a sub-committee be formed before any decisions are made.

City Manager's Report

City Manager, Dennis Luce reported on the following:

*The new F150 Truck from Gorno Ford will be delivered tomorrow
Council Chambers will be getting painted soon
Light Pole on Randall Street is being taken care of
Blower #1 at the WWTP went out and a rebuilt one was installed*

City Clerk's Report

City Clerk Kimberly Borgman addressed Ms. Terri Wagner regarding the deadline to remove her trees from the right-of-way. Ms. Borgman requested for Ms. Wagner to call her tomorrow morning to discuss an extension until fall which would be the more appropriate time of the year to transplant the trees.

Kimberly Borgman also informed Council that things are ramping up for the August Election.

City Treasurer's Report

City Treasurer, Keri Beth Rogers informed the Council that there is a guardrail on ironwood that was damaged by a vehicle, and she is in the process of filing the claim to get reimbursed for the repairs.

Mayor Young's Comments

Mayor Young stated that he appreciates everyone's opinions and all the attendees that are present tonight

Attended the Kid's Fair at the Museum

Local Post Man Dan Anderson was commended for helping two young children that fell on their bicycles and were injured

Coopersville Creamery is awesome

Adjournment

Motion by Council Member Lampe with second by Council Member Weise to adjourn the meeting at 8:57 P.M.

Motion carried unanimously. (2022 - 076)

Duane Young, Mayor

Kimberly Borgman, City Clerk