VILLAGE OF FRUITPORT
REGULAR SESSION
NOVEMBER 21,2005

Meeting called to order by President Ken Johnston at 7:30 p.m.

Pledge of Allegiance given.

Prayer offered by Jerry Alger.

Roll call: Donna Pope, Chris Ostrowski, DeVere Bendixen, Ken Johnston, Carolyn Lemler, Jerry Alger, Dawn Osborne, Bruce Raymond, Gary Britton, Village Attorney.

Minutes: Motion made by D. Pope to approve minutes from October 17, 2005 meeting. Motion seconded by C. Ostrowski. Roll call: All ayes. Motion passed.

VISITORS: Bill Cooper, Pine Street, Roger VanderStelt, 6TH Avenue, John VanEpps, Pine street and Brian Mathis, Dennis Avenue, were present to ask questions regarding the procedures for election sign placement and removal, Village of Fruitport informational letter sent to residents and other issues concerning the election of November 8, 2005. Signs in t'"e Village right of way were removed by DPW workers in compliance with the Village Ordinance regulating signs. The informational letter sent by the Village Council was a synopsis of the power point presentation made at the Public Hearing on October 18, 2005, addressing the issues of village disincorporation.

CORRESPONDENCE: Received a Thank-you note from the family of Helen Schoonbeck (D. Osborne's mother) thanking the CounCil for their thoughtfulness and concern. MDOT sent notification of listening sessions scheduled to review their Five Year Transportation Plan. Details are posted on Bulletin Board.
Muskegon Area District Library sent minutes of the second regular meeting. Also included was a completed, signed District Library Agreement for our files. Fruitport District sent a listing of bills for the previous quarter of the year.
Muskegon County Board of Canvassers sent notification of the election results for the November 8, 2005, Disincorporation of the Village of Fruitport Proposal which was the only Village issue on the ballot. Total votes cast 461 , 306 to vacate the Village of Fruitport, 155 votes to retain the Village of Fruitport; proposal needed to pass by a 2/3 majority of votes cast. Board of Canvassers declared issue to vacate Village had failed. Muskegon County Clerk's Office sent notification of a request for a recount of ballots cast in the November 8,2005, election. Recount is scheduled for November 29,2005, 8am at County Clerk's Office.

COMMITTEE REPORTS;

Donna Pope (Insurance/Personnel): None.

Chris Ostrowski (DPW /Streets): Have made eleven calls to company that is to paint the traffic markings on 3rd Avenue. DPW will be installing Christmas decorations this week. DPW employees will be wearing green safety vests when working; community service workers will wear blue safety vests when working for the Village.

DPW workers will be installing 'curb markers' to aid in snowplowing this winter season.

DeVere Bendixen (Health/Welfare): None.

Jerry Alger (Special Projects): None.

Dawn Osborne (Special Projects): None.

Bruce Raymond (parks/Public Safety): Police report for October had 43 incidents reported in the misdemeanor class.

Ken Johnston (Zoning): Spring Lake Lake Board has reported the alum treatment for Spring Lake has been completed. Will be meeting with Modular Systems, at their request, concerning an erosion problem Modular Systems is having with their property which abuts 4TH Avenue.

Carolyn Lemler (Clerk/Treasurer): Worksheets for next year's Village budget have been distributed; call if you need help. Will schedule work session in January.

OLD BUSINESS:

lot Set-back Modification: K. Johnston reported on the research done to amend the existing Zoning Ordinance to provide a setback on waterfront lots in residential districts A, B, and C. Proposed language would use an average setback of the adjacent or nearest principal structures but no less than the setback required now under the Zoning Ordinance. Bill Surridge, 3rd Avenue, asked if consideration could be given to property owners who are rebuilding on the same footprint of the current house on the lot in question. Attorney will work on wording and the first reading of the amended Ordinance will be at the December 19, 2005, meeting.

Tree Planting: Twelve new trees were planted in Pomona Park. The Village paid for the trees, planting time and equipment was donated by Ken Johnston, Great lakes landscaping.

Pomona Park Restroom Update: Lion's Club has installed septic drain field, foundation for building have been installed, electrical service is on site, and water lines are being run.

Village 3rd A venue Lot: Sign should be available in one week; irrigation lines have been installed courtesy of K. Johnston; flagpole and electrical work have been installed.

Brooks Road erosion update: Received notification from property owner that the erosion problem continues; K. Johnston will meet with homeowner to try and resolve this issue.

8th Avenue Dead-end repairs: Project is too small for a DEQ Grant; B. Raymond will research process to obtain DEQ permit for repairs and cost estimates for the repairs.

Adopt a Truck: C. Ostrowski wants to work with J. Alger to get the word out about the Adopt a Truck program and how residents can request the use of dump truck to load up yard clean up debris to be hauled away by DPW workers.

Bridge Guard Rails: J. Alger reminded the Council the guard rails on the two Village bridges need to be repaired; C. Ostrowski will get this scheduled.

NEW BUSINESS:

Budget Transfers: Motion made by D. Pope to transfer from General Fund Line Item Insurance and Bonds to Line Item Audit: $500.00. Motion seconded by D. Osborne. Roll call: All ayes. Motion passed.
Motion made by D. Pope to transfer from General Fund Line Item Sewer Project to Line Item DPW Tree Trimming: $6000.00. Motion seconded by C. Ostrowski. Roll call: All ayes. Motion passed.

Motion made by D. Pope to transfer from General Fund Line Item Contingencies to Line Item Parks Special Projects: $25,000.00. Motion seconded by D. Bendixen. Roll call: All ayes. Motion carried.

Outdoor Furnaces: Attorney sent copies of two sample Ordinances regarding the installation of outdoor furnaces in the Village of Fruitport. One Ordinance would regulate the installation of the outdoor furnace; the other Ordinance would ban the installation of outdoor furnaces in the Village. Council consensus was to ban the installation of outdoor furnaces in the Village of Fruitport. Attorney will complete the necessary work on the Ordinance for the Council to consider at the December meeting.

4TH Avenue Fishing Pier: B. Raymond requested Council input on installing the old Pomona Park restroom building roof over the existing handicap fishing pier. He has found that the roof will fit the pier and has talked to Mark Lee, Prein & Newhof Engineer about what the structural requirements would be. Council wanted to know what DEQ permits if any would be required and total cost estimate for the project. B. Raymond will continue to research this project and hopefully it can be included in next year's budget.

Village WEB site: discussion was held about setting up an official WEB site for the Village of Fruitport. More research is needed; this item was tabled for future meeting.

Motion made by D. Pope to approve warrants. Motion seconded by D. Bendixen. Roll call: All ayes. Motion carried.

Motion to adjourn made by D. Pope. Motion seconded by D. Osborne. Roll call: All ayes. Motion passed.

Meeting adjourned at 9:50p.m.

Respectfully submitted by
Carolyn A Lemler
Village Clerk 86,5.3234