

VILLAGE OF FRUITPORT  
REGULAR SESSION, ZONING HEARING  
APRIL 17,2006

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.

Minutes: Motion made by D. Pope to approve minutes from March 20, 2006 meeting. Motion seconded by D. Osborne. Roll call: All ayes. Motion passed.

VISITORS: Ed Bayne, Peach Street, had questions regarding the enforcement of housing code ordinances. He stated several properties in the Village of Fruitport are in disrepair and wanted to know how the issues were handled. D. Bendixen explained that as he was made aware of these properties letters were sent regarding the violations and if repairs were not made the issue would be eventually turned over to the attorney for further action; the time line for final action could take several weeks to over a month. E. Bayne also had questions regarding sidewalk repairs. Sidewalk repair is an ongoing project within the Village. E. Bayne also requested more police presence in the Village to help deter crime. B. Raymond will discuss this with the Police Department.

CORRESPONDENCE: None.

COMMITTEE REPORTS:

Donna Pope (Insurance/Personnel): None.

Chris Ostrowski (DPW/Streets): General maintenance is being done.

DeVere Bendixen (Health/Welfare): Working with MTS to get houses in the Village repaired. One case of disrepair will be referred to attorney for action.

Jerry Alger (Special Projects): Work is progressing on Historical Markers.

Dawn Osborne (Special Projects): None.

Bruce Raymond (parks/Public Safety): Police report for March included 46 incidents including general assistance, suspicious situations, traffic accidents, assault, larcenies (most at school), property damage, and civil matters.

Park: Permits have been issued to allow repairs of soil erosion at boat launch/park area. Straw mats have been installed and work is continuing.

Ken Johnston (Zoning): MCRC has not had time to schedule the traffic study at Beech Street and 8<sup>TH</sup> Avenue.

Trees have been planted in park area on 3<sup>RD</sup> Avenue; K. Johnston will donate an irrigation controller for the watering system.

Carolyn Lemler (Clerk/Treasurer): None.

#### OLD BUSINESS:

Fruitport District Library: Tim Tubergeon, County Library Representative, will attend the May 2006 meeting to update the Council on the progress of the County Library system.

Pomona Park Restroom Update: Septic tanks have been installed; plumber has hooked up water lines; electrician has done electrical hook ups. Handicap pathway from 4<sup>TH</sup> Avenue parking lot has been started; final paving will occur after the building construction is done.

8<sup>TH</sup> Avenue Breakwall Update: Mark Lee from Prein & Newhof has inspected the site for engineering concerns. Money is available thru the state Coastal Grant Program. DEQ Permits will be applied for and K. Johnston will submit Grant Request to the state for money to do the project. If awarded the Grant would cover 50% of costs.

#### 8PM REGULAR SESSION CLOSED AND ZONING VARIANCE HEARING OPENED

Application has been made by Tim Westrate, 398 Lake Street for a height variance to construct a garage on his property at 398 Lake Street. Zoning code allows for a 15 foot tall building; T. Westrate requests a variance to allow a height up to 22 foot at roof peak. Letters were sent to surrounding neighbors, notice was published in the Muskegon Chronicle, and notices were posted around the Village of Fruitport.

No correspondence or calls were received regarding the application.

#### 8:10 PM ZONING VARIANCE HEARING CLOSED AND REGULAR SESSION REOPENED

Motion made by K. Johnston that the Fruitport Village Council grants a height variance for an accessory building up to 22 feet at 398 Lake Street, Village of Fruitport, per plan submitted. Motion seconded by B. Raymond. Roll call: All ayes. Motion passed.

#### NEW BUSINESS:

Circle Drive Drains: Circle Drive has two leeching drains that are no longer sufficient to handle storm water. K. Johnston and Mark Lee, Prein & Newhof Engineering, have done a preliminary study of the problem. The best solution would be to apply for a permit from Muskegon County and DEQ to construct an outlet for these catch basins to allow the storm water to run off into the lake. An easement would need to be obtained from property owner Chris Ostrowski to construct the discharge pipeline. Cost estimates for the work will be presented at the May meeting.

Old Fashioned Days Traffic Order: Motion by B. Raymond in accordance with Ordinance No. 100,

as amended, the undersigned, after advisement from the Muskegon County Sheriff's Department, the Fruitport Township Police Department and the Village of Fruitport Police Committee Chairperson, does hereby direct that:

There shall be no parking allowed from 6am to 5pm on either the east or west side of 3<sup>RD</sup> Avenue from Pontaluna Road south to Park Street during the Old Fashioned Days' Parade on May 29,2006 (Memorial Day Parade).

Violators will be towed away at their own expense.

This traffic control order shall be effective immediately upon filing with the Village Clerk and shall expire on May 30,2006.

Motion seconded by D. Pope. Roll call: All ayes. Motion passed.

Budget Notes: There was no money allocated for the hiring of temporary on call employees to cover for absences of regular DPW employees for the summer months. If an employee needs time off, projects will continue or be rescheduled as needed. The only exception would be for the cleaning of Park and Boat Launch Restrooms if the regular DPW employees are not available for weekend duty.

Committee Assignments:

Bruce Raymond	Public Safety, Parks and Boat Launch
Donna Pope	Personnel and Insurance
Chris Ostrowski	Street Administrator. Parks and Boat Launch
Jerry Alger	DPW, Special Projects
DeVere Bendixen	Garbage and Recycling, Ordinance Enforcement
Ken Johnston	Zoning, Capital Improvements

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

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

Meeting adjourned at 8:40p.m.

Good Luck and Best Wishes to Dawn Osborne.

Respectfully submitted by  
Carolyn A Lemler  
Village Clerk 865-3234