

CITY OF NORTON SHORES  
CITY COUNCIL MEETING  
April 19, 2022

A regular meeting of the Norton Shores City Council was held on Tuesday, April 19, 2022 at 5:30 p.m. at the Norton Shores Branch Library Community Room, 705 Seminole Road. Council Member Morgenstern delivered the invocation.

Present: Mayor Nelund and Council Members Flanders, Kasher, Morgenstern, Moulatsiotis, Olson and Sowa; also, Mark Meyers, Doug Hughes, Shelly Stibitz, Anthony Chandler, Chris Lyonnais, Jim Murphy, Jon Gale and Joe Kinnucan

Absent: Council Members Hylland and Jurkas

Public Comment – Agenda:

Lilly Payette, 6570 Lake Harbor; Delmas Griffes, 6523 Henry Street; Lori Swift-Smith, 6499 Henry Street; Lillian Dotzlaf, 6562 Lake Harbor Road; Cari Draft, 6551 Henry Street; voiced concerns related to increased traffic and possible drainage issues with development of property at Henry Street and Pontaluna Road (Item 11b).

22-041 Minutes

Council Member Morgenstern moved to approve the March 15 council minutes. The motion was supported by Council Member Flanders and carried unanimously.

22-042 Council Member Moulatsiotis moved to approve the March 22 work session minutes. The motion was supported by Council Member Sowa and carried unanimously.

22-043 Consent

Council Member Moulatsiotis moved to approve the Consent Agenda which consisted of: a) Department Reports for Police, Fire, Public Works, Administrative Services and the Library, b) CDBG Lien Release – 2249 Charles Street, c) Extend Contract – Fire Hydrant Painting, d) Recognize Municipal Clerks Week, e) Special Liquor License Approval – Arts and Drafts Festival, f) Intersection Solicitation – Child Abuse Council and g) Approve Conditional Building Permit – 1285 E. Pontaluna Road, Tysman Mini Storage. The motion was supported by Council Member Kasher and carried unanimously with Council Member Olson abstaining.

22-044 Industrial Facilities Tax Exemption, Seal Bond, Inc., 1251 E. Mt. Garfield Road

Clerk Stibitz certified the April 3 publishing and mailing of notices.

A public hearing was held. Scott Carmichael, President of Seal Bond, and Morgan Carroll, Greater Muskegon Economic Development, shared details about the company's products and stated that the City would see an increased employment opportunity if the tax abatement is granted.

Council Member Flanders moved to approve an Industrial Tax Exemption request for Seal Bond, Inc. for real and personal property at 1251 E. Mt. Garfield Road for the maximum exemption period of 12 years. The motion was supported by Council Member Morgenstern and carried unanimously.

22-045 Community Development Block Grant 2022 Annual Action Plan

Clerk Stibitz certified the April 10 publication.

A public hearing was held. There were no comments.

Council Member Moulatsiotis moved to approve the continuation of the 30-day comment period regarding the proposed Community Development Block Grant 2022 Annual Action Plan. The motion was supported by Council Member Olson and carried unanimously.

22-046 Special Use Permit – 4650 Rood Road, Day Care Usage

Council Member Morgenstern moved to approved the special land use application to Cassandra Wilson to have a day care center at 4650 Rood Road as per the submitted plans, with the following conditions; 1) The applicant receives approval from the State of Michigan to operate a day care facility, 2) No more than ten children may be accommodated in any house located in a single-family residential area, 3) A separate room or rooms containing a minimum of 150 square feet per child must be available for use by children, 4) Adequate driveway space to accommodate four cars must be available, 5) No employees may be hired in a day care center located in a residential neighborhood, 6) All other provisions pertaining to any home occupation applicable to a day care center shall be observed and 7) Any ordinance violations must be investigated and resolved if necessary. The motion was supported by Council Member Kasher and carried unanimously.

22-047 Special Use Permit – Henry at Pontaluna, Parkview Estates Site Condominiums

Council Member Morgenstern moved to approve the special land use application from Stillwater Capital, acting as the purchasing party, to have R-4 Single Family Residential dimensional requirements in the R-5 Single Family Residential zoning district as per the submitted plans. Council members discussed the concerns shared earlier in the meeting and the (now expired) special use permit in 2005 to have R-4 requirements in this R-5 zoned district.

Council Member Flanders moved to postpone action on the special land use application. The motion was supported by Council Member Morgenstern and carried 4/3 with Council Members Kasher, Moulatsiotis and Olson against.

22-048 Special Use Permit – 5905 Grand Haven Rd., Ste 300, MKE Custom Machining, LLC

Council Member Moulatsiotis moved to approve the special land use application to MKE Custom Machining LLC, with owner permission, to have light machining operations in the Planned Unit Development (PUD) zoning district as per the submitted plans. The motion was supported by Council Member Kasher and carried unanimously.

22-049 Special Use Permit – 3455 Tanglewood Drive, Equipment Share

Council Member Flanders moved to approve the special land use application to Equipment Share to open their new branch at 3455 Tanglewood Drive as per the submitted plans and with the condition that City staff approve the following; 1) The fire suppression system in the existing building, 2) The specifications for the oil separator, if needed, 3) Traffic data for the proposed use and 4) Potential review by the Muskegon County Water Resources Commissioner and/or EGLE. The motion was supported by Council Member Olson and carried unanimously.

22-050 Amend Special Use Permit – 1725 W. Sherman Blvd., A-Plus Storage

Council Member Flanders moved to approve a Special Use Permit Amendment to A-Plus Storage for eight additional storage unit buildings located at 1725 W. Sherman Blvd. with the following condition: 1) All staff revisions must be approved prior to building permits being issued. The motion was supported by Council Member Morgenstern and carried unanimously.

22-051 Bid Award – Library Ceiling Tile Replacement

Council Member Morgenstern moved to award the library ceiling tile replacement project to the low bidder, MC Enterprise North, LLC., of Muskegon, MI, for the total bid amount of \$42,870. The motion was supported by Council Member Sowa and carried unanimously.

22-052 Bid Award – Aggregate Materials

Council Member Moulatsiotis moved to award the bid for aggregate materials on an as-needed basis to the respective low bidders, as follows: Beckman Bros. and Verplank Trucking. The motion was supported by Council Member Olson and carried unanimously.

22-053 Bid Award – Bituminous Asphalt Mix

Council Member Moulatsiotis moved to award the bid for bituminous asphalt mixture to the low bidder, Asphalt Paving, Inc. of Muskegon, MI and Unique Paving Materials of Cleveland, OH. The motion was supported by Council Member Flanders and carried unanimously.

22-054 Bid Award – Liquid Calcium Chloride

Council Member Morgenstern moved to award the bid for liquid calcium chloride to the low bidder, Great Lakes Chloride of Grand Haven, MI. The motion was supported by Council Member Sowa and carried unanimously.

22-055 Bid Award – Lawn Mower, Parks and Recreation

Council Member Morgenstern moved to authorize the purchase of a John Deere mower with a high capacity 60-inch deck at a cost of \$9,812.92 from GreenMark Equipment, LLC of Holland, MI through the State's MiDeal program and amend the FY22 budget by \$6,500. The motion was supported by Council Member Sowa and carried unanimously.

22-056 Sole Source Purchase – Wet Well Lining

Council Member Moulatsiotis moved to approve the sole source purchase from Plummer's Environmental Services of Byron Center, MI for the wet well lining at the 4049 Nob Hill Drive and 1573 Judson Road lift stations at a cost of \$53,827. The motion was supported by Council Member Flanders and carried unanimously.

22-057 Introduce Zoning Ordinance Amendment – Chap. 48, Sec. 335-336, Farm and Agriculture

Council Member Sowa moved to introduce a Zoning Ordinance Amendment to Chapter 48, Sec. 335-336, to add the term Farm and clarify the definition of Agriculture. The motion was supported by Council Member Kasher. Council Member Olson requested revisions to further define Farm use by adding "primary income" and define what size property or plot determines Agriculture use. The motion to amend the Ordinance, with clarification, carried unanimously by roll call vote.

22-058 Amend Planning and Zoning Fee Schedule

Council Member Sowa moved to approve amendments to the Planning and Zoning Fee Schedule as presented. The motion was supported by Council Member Olson and carried unanimously by roll call vote.

22-059 Authorize Grant Agreement – Part 201 Environmental Remediation – Water Main Extension

Council Member Moulatsiotis moved to authorize the Mayor and City Clerk to sign the grant agreement with the Michigan Department of Environment, Great Lakes, and Energy to provide the city water supply to all eligible homes located on the following streets: a loop down Petrie Avenue and Wilson Avenue, west of Grand Haven Road, Seng Road, from Eugene Avenue to Hile Road, Kunz Street, from Eugene Avenue to Hile Road, the private road south of Porter Road, Sunny Ridge Street, south of Eugene Avenue, Aue Road, east of Miller Street, and Keller Drive, north of Randall Road with connections to city water utilities fully funded under the State of Michigan Part 201-Environmental Remediation funding. The motion was supported by Council Member Sowa and carried unanimously.

22-060 Treatment of Aquatic Weeds in Mona Lake

Council Member Moulatsiotis moved to approve extension of the contract with PLM Lake and Land Management for treatment of aquatic weeds in Mona Lake for an additional year to provide treatment in 2022. The treatment cost will be paid by the Mona Lake Improvement Association, less the City's match of half of the project, not to exceed the budgeted amount of \$3,000 per year. The motion was supported by Council Member Flanders and carried unanimously.

General Public Comment

Charlie Bush, 4650 Rood Road, informed Council that during the Planning Commission meeting there were negative comments regarding the condition of their property. At the time they did not own the property, however they recently took ownership of the property and have started to address the issues.

Billy Shanks, 3920 Braeburn, recently moved back to Norton Shores and feels as though the City should have activities in place to make new residents feel welcome and get to know each other. Council Member Flanders suggested a "new resident spot light" feature on social media.


Jenny L. McNeill introduced herself and informed Council that she is running for the Judge of 14<sup>th</sup> Circuit Court.

Christine Baker, 532 Pennoyer Ave, introduced herself as a candidate for the 88<sup>th</sup> District House seat which includes the majority of Norton Shores.

Ann Vandermolen, 3194 Roosevelt Road, is asking City leaders to support a prayer for children against child crimes and support her initiative to implore the Muskegon County Prosecuting Attorney D.J. Hilson to hold a press conference in Hackley Park to denounce violence against women and children.

Alison Purgiel, Norton Shores Branch Lead Librarian, provided Council with the 2021 Annual Report including statistics and current budget, the MADL 2022/2024 Strategic Plan with updated goals and strategies and a flyer about MADL's new "Humans of Muskegon" project. Alison also announced that she is retiring and this would be her last meeting.

Meeting adjourned at 7:24 p.m.

  
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Shelly Stibitz, City Clerk