

CITY OF NORTON SHORES
CITY COUNCIL MEETING
Amended - June 20, 2023

A regular meeting of the Norton Shores City Council was held on Tuesday, June 20, 2023 at 5:30 p.m. at the Norton Shores Branch Library Community Room, 705 Seminole Road. Pastor Vandermolen delivered the invocation.

Present: Mayor Nelund and Council Members Hylland, Jurkas, Kasher, Morgenstern and Olson; also, Doug Hughes, Mark Meyers, Shelly Stibitz, Anthony Chandler, Chris Lyonnais, Jon Gale, and Bob Gagnon

Absent: Council Members Flanders, Moulatsiotis and Sowa

Correspondence

Police Chief Gale introduced promoted Police Corporal Emily Blum and new Police Officer Jake Ternik to the Mayor and City Council.

Public Comment – Agenda

Mayor Nelund addressed the crowd in regards to the property on Seminole. He stated that in his 13 years as mayor, he has never been so disappointed by members of the community for accusing him and city council of miscellaneous allegations. Mayor Nelund reminded the public that the agenda item that was voted down in October was based on re-zoning, while the agenda item presented on the current agenda was based on the special use permit standards.

Council Member Hylland addressed the crowd as to how the current special use permit standards are not working or not being utilized properly, which led staff and the city attorney to decide to introduce a change in the standards to be clear and concise. Amending the ordinance would reduce the city's chances in potential legal litigation.

Vicky Schneider, 1707 Ritter; Mitch Zaleski, 3878 Fairway Drive; Karen Gould, 3754 Fairway; Linda Hopper, 3869 Fairway; Richard Borgeson, 3746 Harris Dr; Nancy Stier, 4932 Greenfield; Raymond Neff, 3685 Fairway Dr; Jim Hopper, 3869 Fairway Dr; David Wikman, 3799 Fairway Dr; Greg Patricio, 3585 Rood; and Joyce Cantrall, 3683 Fairway spoke regarding their concerns on agenda item 11d, Introduce Zoning Ordinance Amendment – Sec. 48-66, Div 2, "Special Land Use Permits." Linda Hopper presented petitions with 345 signatures urging City Council to vote no on the Planning Commission's recommendation to amend the special use zoning standards.

23-088

Minutes

Council Member Jurkas moved to approve minutes from the June 6 council meeting. The motion was supported by Council Member Kasher and carried unanimously.

23-089 Consent

Council Member Morgenstern moved to approve the Consent Agenda which consisted of: a) Department Reports for 1) Police, 2) Fire, 3) Public Works, 4) Administrative Services, and 5) Library; and b) Bid Authorization – PFAS Watermains. The motion was supported by Council Member Jurkas and carried unanimously.

23-090 Adopt Ordinance Amendment – Water Availability Fees – Homes affected by PFAS Contamination

Council Member Hylland moved to approve the ordinance revision to Chapter 44 Utilities, Article II Water Distribution System. Sec 44-62 (b) (3) Allocating Water Funds for Homes Affected by Per- and Polyfluoroalkyl Substances (PFAS). The motion was supported by Council Member Kasher and carried unanimously by a roll call vote.

23-091 Approve MPTC Employee Group Pay Plan

Council Member Jurkas moved to approve the annual pay plan for Management, Professional, Technical and Clerical (MPTC) employees as presented. The motion was supported by Council Member Morgenstern and carried unanimously.

23-092 Special Use Permit – 5109 Harvey St., GreenbergFarrow

Council Member Kasher moved to approve the special land use application to GreenbergFarrow, who is representing Valvoline Oil Change, to open an oil change facility at 5109 Harvey Street. The motion was supported by Council Member Jurkas. Council Member Hylland moved to amend the motion to adopt the Planning Commission’s findings of the 11 standards. The motion was supported by Council Member Jurkas and carried unanimously.

23-093 Special Use Permit – 2127 W. Sherman Blvd., DeMuro

Council Member Hylland moved to approve the special land use application to Ben DeMuro, the purchasing party, to renovate the existing building into a residential rental property at 2127 W. Sherman Blvd. The motion was supported by Council Member Morgenstern and carried unanimously.

23-094 Introduce Zoning Ordinance Amendment – Sec. 48-66, Div 2, “Special Land Use Permits”

Council Member Hylland moved to introduce the zoning ordinance amendment to Section 48-66, Division 2, “Special Land Use Permits” with the five standards as recommended by the Planning Commission. The motion was supported by Council Member Morgenstern. Council Member Hylland made a motion to table the introduction of the amendment to rephrase the second standard to include

examples, the third standard to include the phrase “undue concentration of population,” and the fifth standard to be answered on a yes/no basis. The motion was supported by Council Member Kasher and carried unanimously.

23-095 Approve Water/Sewer Rate Adjustments

Council Member Morgenstern moved to approve the recommendations to: 1) increase the water rate from \$4.43/1,000 gallons to \$5.94/1,000 and reduce the water debt rate from \$17.56 per Residential Equivalent Unit (REU) to \$10.01/REU; 2) increase the sewer charge for treatment from \$4.38/1,000 gallons of water used to \$4.86/1,000 gallons and reduce the sewer debt rate from \$14.30/REU to \$10.80/REU; and 3) adjust the Water and Sewer Rules and Regulations Fee Schedule based on these charges effective on the July 2023 billing. The motion was supported by Council Member Kasher and carried unanimously.

23-096 Approve Use Agreement – MFA Northshore Soccer Club

Council Member Hylland moved to authorize the Mayor and City Clerk to execute an agreement with the Michigan Sports Academy’s youth soccer association, Michigan Futbol Academy, for a term ending December 31, 2027. The motion was supported by Council Member Olson and carried unanimously.

23-097 Closed Session – Teamsters Collective Bargaining

Council Member Kasher moved to go into closed session at 6:51 pm to discuss proposed Teamsters collective bargaining agreement. The motion was supported by Council Member Jurkas and carried unanimously by a roll call vote.

The regular City Council meeting resumed at 7:17 pm.

23-098 Teamsters Collective Bargaining Agreement

Council Member Jurkas moved to authorize the Mayor and City Clerk to execute a three-year extension to the collective bargaining agreement between the Teamsters Local 214 employees and the City, now expiring June 30, 2026. The motion was supported by Council Member Morgenstern and carried unanimously.

General Public Comment

Linda Hopper, 3869 Fairway, voiced concerns about not being able to speak on the fifth standard when the Zoning Ordinance Amendment returns at the next Council Meeting. Mayor Gary Nelund reminded her of the public comment period for agenda items before they are approved.

Steve Dix, 3463 Norton Woods Dr, thanked Council for their due diligence and listening to residents’ concerns.

Douglas Wood, 3801 Harris Dr, asked if Mayor's comments would be included in the minutes. Mayor Gary Nelund confirmed that they are available.

City Administrator, Mark Meyers, informed council about the discussions that have been happening in regards to the Muskegon Heights Water Filtration Plant.

City Clerk, Shelly Stibitz, announced her retirement date of June 30th, 2023.

Meeting adjourned at 7:27 p.m.



Shelly Stibitz, City Clerk