

**Allegan City Council**  
**Minutes**  
**Allegan, MI 49010, March 27, 2017**

Call to Order: Mayor McKenzie called the regular Allegan City Council meeting to order at 7:00 P.M.

Pledge of Allegiance was given by all present.

Prayer was given

**Roll Call:**

Present: Stotmeister, Morgan, Leverage, Manning, Ingalsbee, Tripp, Mayor McKenzie

Absent: None

Others Present: City Manager Joel Dye, Utilities Facilities Director Doug Sweeris, Promotions Coordinator Parker Johnson, Promotions Assistant Tammy Gorby, City Clerk Danielle Bird

**Approval of Minutes:**

Motion made by Council Member Tripp and supported by Mayor Pro tem Stotmeister to approve the council meeting minutes from March 13, 2017. Motion Passed 7-0.

**Mayor's Report:**

None

**City Manager's Report:**

City Manager Joel Dye said his report is throughout the agenda. He attended his first Cabaret with his wife and they both were very impressed. He said Allegan has great local talent

**A. Petitions and Public Comment:**

1. A request from Lori Antkoviak, Safe Harbor Advocacy Center to place "Pinwheels" in the flower pots of Downtown Allegan as a visual reminder that April is Child Abuse Awareness Month.

Council Member Ingalsbee made a motion, supported by Council Member Tripp to allow Safe Harbor to place "Pinwheels" in the flower pots of Downtown Allegan for Child Abuse Awareness Month. Motion Passed 7-0

2. A request from Christ Community Church to use the Mahan Gazebo on Sunday, July 2, 2017 from 8:30 am- 12:00 pm to hold a worship service for the community.

Council Member Leverage made a motion, supported by Council Member Ingalsbee to allow Christ Community Church to use Mahan Gazebo on Sunday, July 2, 2017 from 8:30am – 12:00 pm to hold a worship service for the community. Motion Passed 7-0

## **B. Communications:**

### 1. Report on Wastewater Receiving Hours.

It was requested that City Council reduce the hours of Septage Receiving from 6:00 am to 8:00 pm. from the residents that signed a petition. Upon receiving the petition, City Council asked staff to review the issue and report back to Council on the findings.

Staff reported over the past month Septage Receiving has received: 153 Loads, 5 loads average per day; 102 (66%) were delivered between 8pm and 6am, average of 3.3 per day; 67 (44%) loads were delivered between 11pm and 7am, average of 2.2 per day; There has been \$52,849.60 generated in revenue.

The area is zoned for Manufacturing immediately east of the plant which means, there will be truck traffic, while the properties further east near River and North Street are zoned residential. North Street is a Class A Road a Section 28-101 designates River St. and North St west of River St as a truck route.

The PD also conducted a traffic study which highlighted that the top semi speed was 19 MPH and none of the officers reported any noise concerns.

Douglas Langhorst 319 Sherman St, asked if the revenue was gross or net?

Staff stated the revenue helps pay for operational costs.

Deb said, it sounds like the staff has talked with the companies and drivers as well as post notes at the Plant.

Mike corrective action has been done for the study.

Patrick wanted to know if it would be some kind of hardship on the company to deliver before 8Pm. Also to notify the residents of a good place to go to ask and get questions answered.

Rachel wanted to clarify how residents don't have truck traffic in front of their houses.

Nancy stated she lives on Marshall and residents have to learn to deal with the traffic.

Doug Sweeris Utilities Facilities Director stated that the houses on North St east of River and closer to N. Main don't have the truck traffic. He also said if the plant stopped receiving Septage drivers after 8Pm they would go somewhere else, because most of them do not pick up their loads until 4pm or after.

Council Member Ingalsbee made a motion, supported by Mayor Pro tem Stotmeister to not make any changes and maintain the 24 hour Service at the Wastewater Plant. Motion Passed 7-0

## 2. Mill District Easement to MDOT for M-222 Access

Staff recommends that Council approve the easement donation to MDOT for restoration purposes in the future to the M222 River Bank if needed and authorize the Mayor and City Clerk to sign the necessary paperwork associated.

Deb is the easement all City Owned Property? Can people walk on it?

Joel this is public and private property. This is a hull road does not need to be maintained.

Paula Mintek 350 Kalamazoo, this area is on the radar for Parks. Is the easement just for the width of road that MDOT built?

Bob Miller 152 Mill District, He is concerned about 4-wheeler traffic and wondered if the City has thought of this.

Staff vehicles can only be on Hull road. This will just need to be observed and policed. The road is only wide enough for one vehicle at a time.

Mayor Pro tem Stotmeister made a motion, supported by Council Member Ingalsbee to approve the easement in the Mill District to allow access to the M-222 River Bank for restoration purposes in the future if needed. Motion Passed 7-0

## 3. Event Reservation Fees

Staff recommends that the City no longer collect a deposit on the Reservations for the Gazebo, Pavilion and Stage.

Deb asked if there has been a problem with vandalism in the past.

Charles the whole idea of the deposit was to make people clean up after themselves.

Patrick is there anything in the contract that states the person renting are responsible for any damages that may occur.

Douglas Langhorst 319 Sherman wanted to know if the flat fee is across the board.

Staff stated that than an organization can ask council to waive the fee. The contract also states that the person can be held responsible for any damages that may occur. There has been no known problem with damages from rentals in the past.

Rachel stated they are public parks that anyone can come and use them at any time they are not reserved. There is no way to prove who didn't clean up.

Council Member Leverage made a motion, supported by Council Member Ingalsbee to stop taking deposits and collect the reservation fee at the time of reservation. Stotmeister, Leverage, Manning, Ingalsbee, Mayor McKenzie are in favor. Morgan and Tripp opposed. Motion Carries 5-2

4. Plat Amendment Approval – Land Transfer between Lots 03-51-300-169-10 and 03-51-300-169-11 which are located off Old Pine Road

Staff recommends the land transfer of the lots mentioned on Old Pine Road.

Mayor Pro tem Stotmeister made a motion, supported by Council Member Manning to approve the Plot Amendment Approval- Land Transfer between lots 03-51-300-169-10 and 03-51-300-169-11 which are located off Old Pine Road. Motion Passed 7-0.

5. Plat Amendment Approval - Division of Parent Parcel 03-51-130-001-00 which is located off Western and Sherman Streets

The zoning administrator recommends that Council approve the division of the parcel consisting of mostly roadways. This would create a new parcel without the road in the middle.

Dr. Hodge said that Blessed Sacrament Church is looking to purchase part of the area. Joel confirmed that is not the area the Church is looking at.

Bob Miller 152 Mill District Is this property contiguous with the Cemetery. Is there enough land to develop the cemetery in the further?

Paula Mintek 350 Kalamazoo, asked Joel to show on the Map where the “Welcome Allegan” sign is on the property. There is a growth of trees that were planted for a memorial in Joe Sweets father.

Brenda Waigand is concerned that the City will sell this property. This is the worst possible area to develop with all the schools and trying to turn left is very dangerous.

Cynthia Langhorst 309 Sherman, She avoids going to this intersection due to the amount of traffic.

Douglas Langhorst 309 Sherman, Will this decision of the property division allow for potential sale.

Betty McDaniel this property has been for sale several times over the past 20 years.

Pat Broadhurst Grand Ravine Dr. Just wants to understand what is being asked.

Mike Manning council is just voting on unfinished business. If the time comes to sell the piece, council will look at that.

Joel explained that both lots will still be owned the City, but in two triangle pieces. He stated that property dissecting public roads is not good planning. The next step would be a 30 day bid process if anyone wants to purchase then council would have to approve the bid, before it went to zoning and planning.

Nancy clarified that Subway was in the bowling alley when they approached the City about purchasing this piece years ago.

Council Member Ingalsbee made a motion, supported by Mayor Pro tem Stotmeister to approve Plat Amendment Approval - Division of Parent Parcel 03-51-130-001-00 which is located off Western and Sherman Streets. Motion Passed 7-0

## 6. Adopting Farmers Market Relocation

It is recommended that Council accept the relocation of the Farmers Market to Locust St. This would completely shut down the street each Thursday from May through October, 6am to 3pm.

Parker and Tammy want to unite the Market with downtown merchants. There is more parking and public restrooms are available. They contacted the three largest farmers, then the merchants. They received a good response from the DDA and the merchants.

Dr. Hodge went over the email he submitted to staff. He has a medical office and this change would not be good for his customer. As parking spots are not policed.

Rachel inquired about the hours is medical office is open. He is open 8am-5pm.

Deb asked where the handicapped spots were located. Could they park in front of Locust for temporary spaces?

Nancy asked where the Handicapped spots were located on Trowbridge. She stated the Dr.Hodge's medical office doesn't have an issue getting people in. The merchants do and that is her focus.

Amanda Hodge added if the market could be on Saturday?

Staff stated the farmers have other Markets that they attend on Saturdays.

Mike how many store fronts are there? He said that Hair's End loses 30% revenue on days that Locust St is closed. Have they considered Trowbridge?

Doug Langhorst wondered why they are trying to reinvent the wheel. The Artisans Market on Brady is working have they considered this. Rachel wasn't that on Sunday? Doug was talking about the flow of traffic.

Bob Miller agrees w/ Doug Langhorst.

Dan Alexander according to his service contract with his insurance company there needs to be handicapped spots in front of his location. He encourages the foot traffic, but no one enforces the long term/short term parking. His business has a lot of elderly come into his business and with Locust being shut down this has the potential of his customers going somewhere else.

Brenda Waigand doesn't think people will shop because they have fresh produce.

Dianne from Something Sweet says she appreciates everyone's comments and hopes they can all work together to make it better for everyone. Allegan does have a parking problem. Retail needs to grow and Allegan hasn't progressed in her 17 years of business. She doesn't have parking either and would appreciate any input.

Paula Mintek She doesn't believe people will see the Market on Locust St. How is there more parking and why not try Brady.

Joel we have done a site analysis. 300' from Cutler St there are 127 spaces and 300' from Locust there are 245 parking spaces in the Locust Area. He will discuss with Chief Hoyer on parking enforcement. This will be a One Season trial from May to October.

Mike – Have we researched enough and what other options are there?

Deb – Andy from Ace is in favor of the location change. It will benefit is business. Also need to consider the merchants that were at the merchant meeting. Nancy – Hears the concerns from Dan and Dr. Hodge. Most staff park in front of their business and stay there for the day. We need to try new things and help everyone, but retail is here concern now.

Patrick – Will the handicap behind the Pharmacy and Allegan Eye Care help them at all if parking was enforced? Dr. Hodge and Dan stated they would not pass the audit. Patrick was hoping to come up with a better comprise.

Rachel – How does this effect insurance. They stated that the contracts are very vague and it says handicapped accessible.

Stacie – Other cities do it why can't we.

Mike – he applauds the idea and would like to see more foot traffic. All services need to be looked at and what is causing more good than bad.

Mayor Pro tem Stotmeister made a motion, supported by Council Ingalsbee to relocate the Famers Market.

Council Member Leverage made a motion to amend, supported by Council Member Tripp to temporarily relocate the Famers Market to Locust St for a one year trial and closing Locust St from 6am-3pm. Ingalsbee, Tripp, Leverage, Stotmeister and Mayor McKenzie in Favor. Manning and Morgan opposed. Motion Carries 5-2

### **C. Hearings:**

1. Trust Fund Grant with the DNR for expanding the River Front Park

Mayor McKenzie opened the Public Hearing at 8:50pm to consider the Trust Fund Grant with the DNR for expanding the River Front Park and adopt the resolution.

It is recommended from staff that council adopt the resolution directing supporting the submission of a grant application to the Michigan Department of Natural Resources Trust Fund (MDNRTF) to improve the Riverfront Park.

Brenda Waigand 330 Herkimer St – Is all for the improvements and will help on any committee. She does have background in this area.

Douglas Langhorst 309 N Sherman St – Is this more of a sequester. Will this stop any future development while the grant application is being processed?

Joel – The application process will take 12-18 Months. The application will be submitted in April and wait to hear back from the State.

Betty McDaniel 502 Marshall – The redevelopment is great. More green space and a nice splash pad and the least amount of parking spaces affected. She feels the splash pad needs to be larger and not go with the smaller one.

Julie Emmons 182 Goodwin – Her family is in support of this.

John Hanse – Owns two buildings on the Riverfront. This will take away more parking spaces for them. Are there any plans on getting more spaces and since the drive on the east end was removed it is more difficult for parking.

Joel – The PD has stated that there are more empty spaces than filled ones on the Riverfront.

Mike – The City needs to find a location for Multi-Level parking.

Bob Miller 152 Mill District – Asked to clarify the smaller splash pad and where the rest rooms will be located.

Deb – The funds from the Sinking Fund have to be spent on the Riverfront.

Dianna Nordblom 416 Marshall – Great idea and it keeps the kids active and outside.

Pat Broadhurst – In support of a smaller splash pad and need enough parking for the businesses.

Patrick – Parking has to be there and how much to maintain it.

Nancy – Right now we are only going for the Grant.

Joel – We will put in the application. There is nothing out of the ordinary to maintain the splash pad. They will get costs once the process is closer.

Council Member Leverage made a motion, supported by Mayor Pro tem Stotmeister to submit the application for the Trust Fund Grant with the DNR for expanding the River Front Park and adopt the resolution. Motion Passed 7-0

Mayor McKenzie closed the Public Hearing at 9:04pm



**D. Programs:**

None

**E. Resolutions:**

None

**F. Ordinances**

1. Zoning Ordinance 451 of 2017: Article XVII-Zoning Ordinance 1705 Private Swimming Pools: Amending

This is a 1<sup>st</sup> reading to amend 1705 Private Swimming Pools and to clarify what is in the current one.

Council Member Tripp made a motion, supported by Council Member Morgan to set the Public Hearing for April 10<sup>th</sup>. Motion Passed 7-0

2. Zoning Ordinance 452 of 2017: An Ordinance to Amend the Zoning Map of the City of Allegan in the Mill District from M1 Manufacturing to C1 Central Business District

This is a 1<sup>st</sup> reading to rezone several properties in the Mill District from M-1 to C-1 per the City's Master Plan.

Mayor Pro tem Stotmeister made a motion, supported by Council Member Ingalsbee to set the Public Hearing for April 10<sup>th</sup>. Motion Passed 7-0

3. Zoning Ordinance 453 of 2017: An Ordinance to Amend the Zoning Map of the City of Allegan from R1 Single Family Residential-Low Density District to R3 Multi Family Dwelling Units District

This is a 1<sup>st</sup> Reading to rezone several properties from R1 to R3 per the City's Master Plan

Council Member Morgan made a motion, supported by Council Member Ingalsbee to set the Public Hearing for April 10<sup>th</sup>. Motion Passed 7-0

4. Zoning Ordinance 454 of 2017: An Ordinance to Amend the Zoning Map of the City of Allegan from R1 and C3 to R3 Multi Family Dwelling Units Districts.

This is a 1<sup>st</sup> Reading to rezone several properties from R1 to R3 per the City's Master Plan.

Council Member Ingalsbee made a motion, supported by Council Member Morgan to set the Public Hearing for April 10<sup>th</sup>. Motion Passed 7-0

5. Zoning Ordinance 455 of 2017: An Ordinance to Amend the Zoning Map of the City of Allegan from C3 Restricted Commercial District to R3 Multi Family Dwelling Units District

This is a 1<sup>st</sup> Reading to rezone several properties from R1 to R3 per the City's Master Plan.

Mayor Pro tem Stotmeister made a motion, supported by Council Member Morgan to set the Public Hearing for April 10<sup>th</sup>. Motion Passed 7-0

6. Zoning Ordinance 456 of 2017: Article IX-Zoning Ordinance Section 905 Exterior Storage addition.

This is a 1<sup>st</sup> Reading to regulate exterior storage of personal belongings in the C1 District.

Council Member Ingalsbee made a motion, supported by Mayor Pro tem Stotmeister to set the Public Hearing for April 10<sup>th</sup>. Motion Passed 7-0

7. Zoning Ordinance 457 of 2017: Article IV-Zoning Ordinance 402.01 Table of Uses:

This is a 1<sup>st</sup> Reading to accept the Zoning Ordinance 457 of 2017: Article IV-Zoning Ordinance 402.01 Table of Uses:

Council Member Ingalsbee made a motion, supported by Mayor Pro tem Stotmeister to set the Public Hearing for April 10<sup>th</sup>. Morgan, Manning, Ingalsbee, Tripp, Stotmeister, Mayor McKenzie in favor. Leverence opposed. Motion Carries 6-1.

#### **G. Permits/Licenses/Agreements/Grants**

None

#### **H. Requests for Payments**

None

#### **I. Requests for Purchases, services and equipment**

Council Member Leverence, supported by Mayor Pro tem Stotmeister to approve the purchase from Morton Salt, Chicago, IL through the MI-Deal Program for road salt for the 2017/18 Season in the amount of \$27,500. Motion Passed 7-0

## **J. Reports/Minutes of Boards/Commissions**

None

## **K. Appointments**

None

### **Approval of Payroll and Accounts Payable:**

Mayor Pro tem Stotmeister made a motion, supported by Council Member Leverage made a motion to approve accounts payable in the amount of \$595,636.25 and payroll in the amount of \$93,488.04. Motion passed 7-0.

### **Difference Makers Report:**

Facilities Utilities Director Doug Sweeris the Bio Solids will be applied to fields once they dry out from the rain over the last four days. The Plant will have 1.25 million gallons of storage space available.

Promotions Coordinator Parker Johnson is working on Ladies Night out for April 21, 2017. Planning Bridgefest and working on a new Logo for Positively Allegan.

City Clerk Danielle Bird received a lot of information from MAMC institute training. Thanked council, Joel and Tracy for allowing that to happen.

### **Council Comments:**

Council Member Manning thanked the public for coming with their input. Need to look at parking and would like it put on the next agenda. Asked the downtown businesses to start compiling data for Thursday's now and when the Market starts.

Council Member Ingalsbee the SWAT vehicle at the expo was amazing. She would like to go for a ride in it.

Council Member Tripp the Expo was great. Hope everyone can work together and find common ground with the Farmer's Market relocation and that the empty stores will get filled.

Council Member Leverage – None

Council Member Morgan – None

Mayor Pro tem Stotmeister – Looking forward to the warm weather and all the events.

Mayor McKenzie asked Parker when Bridgefest was. June 10<sup>th</sup>.

**21. Adjournment:**  
10:20pm

Minutes respectfully submitted by,



Danielle Bird  
City Clerk