



## MINUTES

### Regular Meeting of Newaygo City Council

### January 11, 2021

#### CALL TO ORDER

Mayor Fedell called the meeting to order at 7:00 PM. The meeting was held at City Hall located at 28 N. State Road, Newaygo, MI 49337 and via teleconference due to the MDHHS COVID-19 Emergency Order.

Presiding officer: Mayor Fedell

Secretary: Clerk, Kim Goodin

Roll Call: Present at City Hall: Black, Burns, Fedell, Hikade, Walerczyk  
Present via teleconference: Ederer, Johnson  
Absent: None

Motion by Burns, second by Walerczyk to approve the amended agenda adding "B" Principal Shopping District (PSD) under Reserved Time. AIF/MC

#### PUBLIC COMMENTS

#### CONSENT AGENDA

Motion by Hikade, second by Black to approve the Consent Agenda which includes the regular council minutes from 12/14/2020 and accounts payable of \$31,789.42, \$23,786.17, \$270.34, \$27,110.90, \$1,357.66, \$1,106.33, \$139,414.82, \$58.10, and \$6,670.12 Roll Call: Yeas: Black, Burns, Ederer, Fedell, Hikade, Johnson, Walerczyk  
Absent: None Nay: None. CARRIED

#### RESERVED TIME

Schneider went over the budget in detail; discussed some highlights and explained some revenues and expenditures. He stated that the budget is overall right where it should be and explained a couple of fluctuations.

Fedell gave a brief explanation of the PSD functions, the services (snowplowing, sidewalk maintenance, trash pick-up, etc) that the PSD businesses receive, how the businesses in the PSD are charged, and stated that the businesses from River Street to the M37 Bridge are in the PSD. He said that PSD Fees are invoiced quarterly to all businesses in the PSD District. Fedell said that the fund balance in the PSD is \$47,300 and no advertising money was spent in 2020 from the fund balance. He said that he and Schneider discussed waiving the 1<sup>st</sup> quarter PSD fees to the businesses to help the businesses during this time with COVID-19. Fedell stated this would be a decision the PSD Board would need to make, but was looking for Council thoughts. He said that none of this money comes from the taxes paid by residents or businesses, but is entirely from the PSD fees paid by the businesses in the PSD. Schneider stated that the City had not turned any residential or business water off, charged utility bill late fees, or charged utility bill non-payment fees since prior to the start of COVID-19 in March 2020. Fedell stated that should the PSD Board approve waiving the fees that a letter will be sent to all businesses in the PSD. Consensus of the Board was in support of waiving the 1<sup>st</sup> quarter PSD fees.

Motion by Burns, second by Walerczyk to approve waiving the 1<sup>st</sup> quarter of 2021 PSD fees. Roll Call: Yeas: Black, Burns, Ederer, Fedell, Hikade, Johnson, Walerczyk Absent: None Nay: None. CARRIED

#### COMMITTEE & BOARD REPORTS

Scott Faulkner, Economic and Community Development Coordinator, discussed information in packets explaining various NEDO project updates. He gave an update on the Disc Golf Course and stated that approximately half of the funding was raised and that the City would be applying for a MEDC Patronicity Grant to assist with the

remaining funding. Faulkner stated that initial Marketing and Branding ideas would be presented at the end of the month. He gave an update on Christian Healthcare Centers and said that site plans may be coming to the Planning Commission in the spring.

### **DEPARTMENT REPORTS**

Chief Andres stated that everything was going good in the Police Department

Ron Wight, DPW Superintendent, stated that they are working to finalize the sewer project.

### **UNFINISHED BUSINESS**

#### **NEW BUSINESS**

Motion by Hikade, second by Burns for the final approval of the preliminary plat for River Hills Estates #2 including the following exceptions: street width of 30ft instead of 32ft, 1 inch water service lines instead of 1.25 inch water service lines, vertical curve of 50ft instead of 100ft, and no landscaping around retention pond. The approval also allows for the following variances: 1. Sidewalks were not included in phase one of this subdivision. A variance is granted to not construct sidewalks in phase two of this subdivision. 2. As in phase one, this phase does not have the ability to connect to the public sanitary sewer system. A variance is granted to use on-site septic systems instead. The on-site septic systems will need to meet the requirements from the District #10 Health Department. 3. No street lights were installed in phase one. A variance is granted to not install street lights in phase two. 4. The plat is predominately wooded and minimal grading to construct the streets is proposed. A variance is granted to waive the requirement to place one street tree per lot. The approval is also contingent upon the proprietor meeting the following requirements from the Newaygo County Drain Commissioner: 1. A "certificate of adequate outlet" signed and sealed by a Registered Professional Engineer in the State of Michigan certifying that the existing detention basin was constructed in accordance with the original design, that there are no homes with basements or walk out levels at or below the 100 year elevation of the retention basin and that the retention basin is adequately infiltrating water to drain the basin with 72 hours of a 100 year storm event and that the basin will not adversely affect the groundwater elevation on adjacent properties. 2. A 433 agreement will need to be executed to establish a county drain and county drain infrastructure so that the system can be maintained and/or improved as necessary in the future. 3. The final plat must include all required easements to the newly established county drain. 4. The retention basin will need to be dedicated for the use of phase 2 and there will need to be adequate easements/agreements so that the drainage district can maintain and/or improve the basin as may be necessary in the future. The approval is also contingent upon the proprietor meeting the following requirements from the District #10 Health Department: 1. Each lot shall be reserved for single family residential use only. 2. Each lot shall be served by the City of Newaygo public water system. 3. Each unit shall be required to have an individual on-site wastewater treatment and disposal system. 4. Permits for on-site wastewater treatment and disposal systems on each unit shall be obtained from DHD #10 prior to the beginning of construction on that unit. Design and construction of the on-site wastewater disposal system for each unit shall be in accordance with the DHD #10 adopted sanitary code and the applicable Administrative Rules for On-site Water Supply and Sewage Disposal for Land Divisions and Subdivisions (R 560.401 to R 560.428) as amended in effect at the time of permit application submittal. 5. Only sanitary sewage waste shall be disposed of into the on-site wastewater disposal systems for each unit. All effluent from water treatment systems should not be allowed to drain into the on-site wastewater disposal systems. 6. Surface water drainage shall be directed away from on-site wastewater disposal systems through berming, diversion ditches, or storm water control systems. 7. DHD #10 reserves the right to alter or waive any deed restriction regarding public health if DHD #10 determines that public health will not be compromised by suction action. Roll Call: Yeas: Black, Burns, Ederer, Fedell, Hikade, Johnson, Walerczyk Absent: None Nay: None. CARRIED John Bitely, President of Sable Homes, stated that final approval of preliminary plat allows construction to begin. Schneider stated that tentative approval of the preliminary plat for river Hills Estates #2 along with above variances was approved by Council in September 2020.

Kamille Massey, River Country Chamber of Commerce Director of Events, discussed the possibility of having an Outdoor Social Zone in the City to help increase business with downtown restaurants and businesses. She said that the Chamber is looking for input from City Council. Officer Dornbos stated that he has been in contact with other Police Departments in the area that are doing similar programs and said that more research needs to be done with the State Liquor Control Commission, MDOT, and other Police Departments that have these types of programs since they often include open carry of alcoholic beverages. Council Members are in support of local businesses and shared their thoughts and concerns with this type of program and asked questions. Officer Dornbos and Massey said they will be doing additional research in the coming weeks and may come back to Council in the coming months.

Motion by, Hikade second by Burns to approve 2021 Council Committee Appointments. AIF/MC

Motion by, Black second by Hikade to approve Resolution 2021-02 approving the appointment of Jake Cooper and Reid Sherwood to the TIFA/LDFA Board. AIF/MC

Motion by Burns, second by Walerczyk to approve Resolution 2021-03 approving the reappointment of Jason Harris to the Principal Shopping District Board. AIF/MC

Motion by Hikade, second by Burns to approve Resolution 2021-04 approving the reappointment of Jason Harris to the Newaygo Economic Development Board. AIF/MC

Motion by Burns, second by Black to approve Sewer Project Change Order Number Thirteen. Roll Call: Yeas: Black, Burns, Ederer, Fedell, Hikade, Johnson, Walerczyk Absent: None Nay: None. CARRIED Schneider stated that there may be one more final change order in the coming months.

Motion by Hikade, second by Burns to approve Resolution 2021-01 adopting certain rules and regulations to govern parks of the City of Newaygo pursuant to section 46-4 of the City Code. Fedell stated the only section that changed in Resolution related to discharging of weapons section and that the City had worked with the attorney on wording.

### **PUBLIC COMMENTS**

### **COUNCIL MEMBER COMMENTS**

All Council Members discussed potential Social Zone.

Black asked if the City had received any contact from State Representatives and Schneider discussed conversations he recently had with representative VanSingel and a representative from Senator Bumstead's Office,

Motion by Hikade, second by Walerczyk to adjourn the meeting. AIF/MC

Meeting adjourned at 8:23 PM.

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Mayor – Ed Fedell

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Clerk – Kim Goodin