FERRYSBURG CITY COUNCIL MEETING

AGENDA

MONDAY, OCTOBER 4, 2021
7:00 P.M

FERRYSBURG CITY HALL
17520 RIDGE AVENUE, FERRYSBURG, MI 49409

1. Call to Order: Mayor Hopp

2. Roll Call: Hopp, DeWitt, O’Donnell, Carlson, Blease, Montgomery, Sias

3. Invocation by Mayor Hopp

4. Pledge of Allegiance

5. Public Comments:

This time on the agenda is for any citizen to direct brief comments or questions to the City Council. Time for public comments will be given when an agenda item is discussed. If you have a comment or question, please raise your hand to be recognized by the Mayor, and after being recognized by the Mayor, please give your name, and address for the record, and proceed with your comment or question. Please limit your comments to three (3) minutes.
6. Consideration for Approval of Consent Agenda:
   
a. Approve the September 20, 2021, City Council meeting minutes as printed.

7. New Business:
   
a. Adopt Ordinance no. 318, an ordinance to amend City Code, Chapter 154 Zoning, Article 3, General Provisions, to include a new Section 3.370, Accessory Non-Commercial Solar Energy Systems. The proposed section will allow and regulate building and ground-mounted systems in all zoning districts.

b. Discussion, and to take action if appropriate, to place on the November 1, 2021, City Council agenda, consideration to adopt a proposed resolution regarding leasing a portion of the premises at 17520 Ridge Avenue, which resolution shall remain on file with the City Clerk for not less than 15 days prior to consideration by the City Council and that a summary of the minutes of the October 4, 2021, meeting of the City Council be published in the Grand Haven Tribune.

c. Discussion, and to take action if appropriate, to schedule a work session as a regular agenda item on October 18.

d. Consideration for adjournment to a closed session to conduct the evaluation of the City Manager’s performance for 2020-2021. (Roll call vote).

e. Consideration for reconvening in open session.

f. Consideration for setting the City Manager’s salary for 2021-2022.

g.

8. Public Comments:

9. Reports: City Manager

   City Council Members

   Mayor

10. Adjournment
CITY OF FERRYSBURG
CITY COUNCIL MINUTES
SEPTEMBER 20, 2021

The meeting was called to order by Mayor Pro-Tem O'Donnell 7:00 p.m. Mayor Pro-Tem O'Donnell gave the invocation. Mayor Pro-Tem O'Donnell led those present in the pledge of allegiance.


Also present: City Manager Bessinger, and four citizens.

21-141 Moved by Council Member DeWitt, seconded by Council Member Blease, to excuse Mayor Hopp. The motion passed unanimously.

21-142 Moved by Council Member Blease, seconded by Council Member DeWitt, to approve the August 16, 2021, City Council meeting minutes as printed. The motion passed unanimously.

21-143 Moved by Council Member Blease, seconded by Council Member DeWitt, to approve designating Mayor Hopp as the City's voting delegate and Mayor Pro-Tem O'Donnell as the City's voting alternate delegate at the Municipal League Annual Meeting. The motion passed unanimously.

21-144 Moved by Council Member Blease, seconded by Council Member DeWitt, to approve a License Agreement between the City of Ferrysburg and James Sleeper and Linda Rae Clark to continue maintaining a 26-inch-high white rail fence within the right of way on North Shore Drive, and to authorize the Mayor and City Clerk to sign the Agreement. The motion passed unanimously.

21-145 Moved by Council Member Blease, seconded by Council Member DeWitt, to approve a recommendation from Fire Chief Mike Olthof to appoint Josh VanOpynen to the position of Lieutenant. The motion passed unanimously.

21-146 Ordinance no. 318, an ordinance to amend City Code, Chapter 154 Zoning, Article 3, General Provisions, to include a new Section 3.370, Accessory Non-Commercial Solar Energy Systems. The proposed section will allow and regulate building and ground-mounted systems in all zoning districts was introduced on first reading.

21-147 Moved by Council Member DeWitt, seconded by Council Member Blease, to adopt a resolution placing 168th Avenue in the 2023-2026 Transportation Improvement Plan (TIP). The motion passed unanimously.
21-148 Moved by Council Member Sias, seconded by Council Member DeWitt, to table Change Order No. 1 for $9,450.00 for the City Hall restrooms. The motion passed unanimously.

21-149 Members discussed replacing the sidewalk along Dogwood Drive from 174th Avenue to Mohawk Drive as part of the Dogwood Drive street project in 2022. The consensus of members was to replace the sidewalk with an 8’ path as part of the Dogwood Drive street project.

The City Manager, the City Council Members, and the Mayor Pro Tem reported on several current items.

The meeting was adjourned at 7:55 PM.

Respectfully submitted,

______________________________  ____________________________
Tim O’Donnell                    Craig Bessinger
Mayor Pro Tem                    Acting City Clerk
Ordinance No. _____
City of Ferrysburg

An Ordinance to amend the City Code by amending Chapter 154, Zoning, Article 3, General Provisions, to include a new Section 3.370, to allow and regulate accessory non-commercial solar energy systems.

THE CITY OF FERRYSBURG ORDAINS:

Section 1. Chapter 154 Zoning, Article 3, General Provisions, is hereby amended to include the following new Section 3.370, to read in its entirety as follows:

Section 3.370 Accessory Non-Commercial Solar Energy Systems
a) Applicability

1) This section authorizes and regulates accessory non-commercial building-mounted and ground-mounted solar energy systems.

2) This section does not regulate commercial solar energy systems. Commercial solar energy systems for the purpose of generating revenue are prohibited.

3) This section does not apply to smaller-scale solar energy collectors mounted on fences, poles, or on the ground with collector surface areas less than five (5) square feet and less than six (6) feet above the ground.

b) Application and Review

1) In addition to all other required application contents for zoning and building permits, the following shall be provided:
    a. System renderings and plans.
    b. Power generation specifications and historic annual usage data for the subject property.

2) Accessory non-commercial solar energy systems shall be reviewed by the Zoning Administrator and Building Official, and permits shall be issued administratively upon demonstration of compliance.

c) Accessory Non-Commercial Building-Mounted Solar Energy Systems

1) Zoning Districts. Systems are permitted in all zoning districts.

2) Setbacks. All components comply with required building setbacks applicable to the building in which they are attached.

3) Height. Systems shall not project more than three feet above the highest point of the roof and shall not exceed the maximum building height limitation for the applicable zoning district by more than three (3) feet.
d) Accessory Non-Commercial Ground-Mounted Solar Energy Systems

1) Lot Coverage. Systems shall count against the maximum lot coverage required by the Zoning Ordinance.

2) Glare and Reflection. The exterior surfaces of solar energy collectors shall be substantially non-reflective of light. A system shall not be installed or located in a manner that directs considerable glare onto neighboring dwellings or adjacent streets. At the request of the Zoning Administrator, the applicant shall prepare a glare analysis to demonstrate compliance with this standard.

3) Installation. Systems shall be installed, maintained, and used only in accordance with the manufacturer's directions. Upon request, a copy shall be submitted to the City before installation.

4) Wires. All wires shall be buried underground. Overhead wires are prohibited.

5) Setbacks. Accessory non-commercial ground-mounted solar energy systems shall be subject to the setbacks required for principal buildings. Measurement shall be taken from the outermost edge of the support structure or solar panel, whichever is closer to the property line, to the applicable property line.

6) Maximum Number. One (1) accessory non-commercial ground-mounted solar energy system and its associated support structure are permitted per lot or parcel.

7) Maximum Size. Systems shall be designed and sized to produce no more than 125 percent of the annual kWh usage or 1,500 square feet, whichever is less.

8) Maximum Height. The maximum height of a system at its highest point, or at full tilt, shall be 12 feet. Height is measured from the natural grade below the system to the highest point of the panels or any part of the support structure, whichever is greater.

9) Abandonment. Systems that cease to produce energy continuously for 12 months will be considered abandoned unless the property owner provides a plan to reinstate the operation before the end of the 12-month period. If a plan is provided, a 12-month extension for reinstatement may be granted by the Zoning Administrator.

10) Removal. The property owner shall remove the support structure, panels, and all equipment and restore the site to its condition prior to the installation of the system within one (1) year of abandonment.

11) Location. Systems are permitted in side and rear yards. Front yard placement is prohibited.
Section 2. This Ordinance was approved and adopted by the City Council on the____day of____________, 2021 and shall take effect upon publication in the Grand Haven Tribune, a newspaper of general circulation in the City of Ferrysburg.

_________________________________
Rebecca Hopp, Mayor

_________________________________
Jessie Wagenmaker, City Clerk

CERTIFICATION

I, the undersigned City Clerk of the City of Ferrysburg, Ottawa County, Michigan, do hereby certify that the above Ordinance, or a summary thereof, was published in the Grand Haven Tribune, a newspaper of general circulation in the City on____________________, 2021.

Dated:______________, 2021

_________________________________
Caution! This email is from an external address and may contain links. Use caution when following links as they could open malicious web sites.

Good morning Craig,

Could I get on the council agenda for a 2 year extension? The lease is up in May of 2022.

I am deeply appreciative of the lease forgiveness during the height of CoVid. I would not have been able to make it as Basis income went to 0.

The last increase from $700 to $850 was at the time OK because I had the Boot Scooters helping me with their Saturday night use of the gym. That only happened a few times before CoVid, and they have since been unable to go back indoors. They do not know themselves if they will return indoors.

If there is such a thing as a reduction in a lease, I would be thrilled but at the very least I am hoping for a maintenance of the $850 amount.

Thank you Craig.

Coach Jim McGannon
616 402-1600
RESOLUTION
of the
FERRYSBURG CITY COUNCIL
regarding
LEASE OF PORTION OF 17520 Ridge AVENUE

WHEREAS, the City entered into a Lease Agreement with Basketball Basic on August 16, 2010, and

WHEREAS, the Lease Agreement has been extended six (6) times and the current extension expires April 30, 2022, and

WHEREAS, Basketball Basics has requested a two (2) year extension, and

WHEREAS, the City has complied with the notification requirements of City Charter Section 5.31:1.

NOW THEREFORE, IT IS RESOLVED that the City Council recognizes a positive relationship between Basketball Basics and the City, and

BE IT FURTHER RESOLVED City Council accepts the offer of Basketball Basics, LLC, to lease a portion of the premises at 17520 Ridge Avenue as provided in the attached proposed lease and authorizes the Mayor and City Clerk to execute the lease on behalf of the City.

Offered by Council Member _______.

Seconded by Council Member _______.

Yeas: _

Nays: _

Absent: _

Certification
The foregoing Resolution was adopted by the Ferrysburg City Council at a regular meeting held on the _th day of _____, 20__.

October 4, 2021

Jessie Wagonmaker, City Clerk
SEVENTH LEASE EXTENSION AGREEMENT

This Sixth Lease Extension Agreement is made between the CITY OF FERRYSBURG, a Michigan municipal corporation, of 17520 Ridge Avenue, Ferrysburg, Michigan 49409 ("the City"), and BASKETBALL BASICS, LLC, a Michigan Limited Liability Company, 18643 N. Fruitport Road, Spring Lake, Michigan 49456 ("Basketball Basics").

Recitals

The City and Basketball Basics entered into a Lease agreement ("the Lease Agreement") regarding the lease of space by Basketball Basics in the City Hall building located at 17520 Ridge Avenue in the City of Ferrysburg ("the Premises"). The lease has been modified and extended and currently terminates on April 1, 2022. The parties enter into this Seventh Lease Extension Agreement to memorialize the terms upon which the lease will be extended to terminate on April 1, 2024.

Extension Agreement

1. Section 2, is modified to provide the following:

   2. Extension Term. The extension term will commence April 1, 2022, and will continue through April 1, 2024, at which time it will terminate.

2. All terms of the Lease Agreement, as heretofore modified, will continue during the Extension Term.

CITY OF FERRYSBURG

Date: ____________________  By: ____________________

Rebecca Hopp, Mayor

Date: ____________________  By: ____________________

Jessie Wagenmaker, City Clerk
BASKETBALL BASICS, LLC

Date: ____________________  By: ____________________

Jim McGannon, Member

Personal Guarantee

Jim McGannon personally guarantees the performance of the obligation of Basketball Basics, LLC of the terms and conditions of the Lease Agreement as modified above.

Date: ____________________  ____________________

Jim McGannon
September 29, 2021

TO: Mayor and City Council Members

FROM: Craig Bessinger, City Manager

RE: Work Session

By policy, City Council is to consider at its first monthly meeting whether or not to schedule a work session for a special City Council meeting, or to include a work session as an agenda item at the next regular meeting.

Suggested topics for the work session:

- Council Communication
- Strategic Plan Update

C: Debbie Wierenga, City Clerk