FERRYSBURG CITY COUNCIL MEETING

AGENDA

MONDAY, APRIL 4, 2022
7:00 P.M

FERRYSBURG CITY HALL
17520 RIDGE AVENUE, FERRYSBURG, MI 49409

1. Call to Order: Mayor Blease

2. Roll Call: Blease, O’Donnell, Carlson, Montgomery, Sias, Murdoch, Cate

3. Invocation by Council Member Cate

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 March 21, 2022, City Council meeting minutes as printed.

7. New Business:
   a. Presentation: Rebecca Hopp, Smith’s Bayou Historical Marker QR Code Project.
   b. Discussion, and to take action if appropriate, to adopt Ordinance. No. 320, an Ordinance to amend the City Code by amending Chapter 154, Zoning, to amend Section 2.20 and 3.270 b)1) to measure waterfront setbacks from the ordinary high-water mark and to define the term.
   c. Discussion, and to take action if appropriate, to approve an amendment to the City’s personnel manual, Section 6.1.1, Independence Day.
   d. Discussion, and to take action if appropriate, to schedule a work session as a regular agenda item on April 18.

8. Public Comments:

9. Reports: City Manager
   City Council Members
   Mayor

10. Adjournment
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The meeting was called to order by Mayor Blease at 7:00 PM. Council Member Cate gave the invocation. Mayor Blease led those present in the pledge of allegiance.


Also present: City Manager Bessinger, City Clerk Wagenmaker, Pam Blough of PM Blough, Inc, Roger Bergman, Ottawa County Commissioner, and 2 citizens.

22-041 Moved by Council Member Carlson, seconded by Council Member O'Donnell, to approve the March 7, 2022, City Council meeting minutes as printed. The motion passed unanimously.

22-042 Mayor Blease opened a public hearing at 7:12 PM to discuss the proposed development project at Fire Barn Park.

Rebecca Hopp, 16868 Cecelia Lane, provided information regarding the proposed grant application.

Pam Blough, PM Blough, Inc, reviewed the grant application process and answered questions from City Council Members.

Emily Stearley, 16269 Suffolk Drive, spoke in support of filing the proposed grant application.

Mayor Blease closed the public hearing at 7:17 PM.

22-043 Moved by Council Member Montgomery, seconded by Council Member Carlson, to approve a resolution approving the submittal of a Michigan Natural Resources Trust Fund (MNRFT) grant application for the development of a new Universally Accessible pathway through the park and connecting to the play area, new asphalt parking lot with ADA parking spaces, and renovation of the ballfield into an open lawn play space. Roll call vote: 6 yeas, 1 nay (O'Donnell), motion passed.

22-044 Moved by Council Member O'Donnell, seconded by Council Member Sias, to approve a proposal from Fleis & Vandenbrink Engineering, Inc, for $4,400 for 2022 City Bridge Inspection services.

22-045 Ordinance No. 320, an ordinance to amend City Code by amending Chapter 154, Zoning, to amend Section 2.20 and 3.270 b1) to measure waterfront setbacks from the ordinary high-water mark and to define the term was introduced on first reading.

22-046 Moved by Council Member O'Donnell, seconded by Council Member Cate, to not approve a $7,319.70 surcharge to purchase the 2023 Peterbilt 348 Chassis. Roll call vote: 2 yeas (O'Donnell and Cate), 5 nays, motion failed.
CITY OF FERRYSBURG
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22-047 Moved by Council Member Montgomery, seconded by Council Member Carlson, to approve a $7,319.70 surcharge to purchase the 2023 Peterbilt 348 Chassis. Roll call vote: 5 yeas, 2 nays (O’Donnell and Cate), motion passed.

22-048 Moved by Council Member Carlson, seconded by Council Member Montgomery, to approve a five-year street sweeping contract with Sani Sweep, Inc, for street sweeping, payment for 2022: $14,400. The motion passed unanimously.

22-049 Council Members discussed the burning ordinance. The consensus of members was to have the Planning Commission review the current ordinance.

22-050 Council Members discussed the 2022 – 2023 City Budget. City Manager Bessinger presented highlights of the upcoming budget.

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

The meeting was adjourned at 9:01 PM.

Respectfully submitted,

______________________________  ________________________________
Scott Blease                Jessie Wagenmaker
Mayor                       City Clerk
March 15, 2022

TO: Mayor and City Council Members

FROM: Craig Bessinger, City Manager

RE: Proposed Ordinance No. 320

Attached is the current language for determining the rear yard setback for waterfront properties. Setbacks for rear yards is typically 40’. On a waterfront property the rear yard setback is determined by taking an average of the rear yard setback from adjacent properties.

There are some properties within the City whereas the rear property line is submerged underwater. The proposed ordinance would require the waterfront setback to be measured from the ordinary high-water mark.

The Planning Commission reviewed the proposed ordinance at their November and December meetings and held a public hearing on the proposed ordinance at the February meeting and at their March meeting made a recommendation to City Council to adopt the proposed ordinance.

cc: Jessie Wagenmaker, City Clerk
Ordinance No. ____
City of Ferrysburg

An Ordinance to amend the City Code by amending Chapter 154, Zoning, to amend Section 2.20 and 3.270 b)1) to measure waterfront setbacks from the ordinary high-water mark and to define the term.

THE CITY OF FERRYSBURG ORDAINS:

Section 1. Chapter 154 Zoning, Section 2.20, is hereby amended to include the following definition inserted in alphabetical order:

ORDINARY HIGH-WATER MARK is the line between upland and bottomland that persists through successive changes in water levels, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil, and the vegetation. On an inland lake that has a level established by law, it means the high established level. On Lake Michigan, it means the elevation set by Section 32502 of the Natural Resources and Environmental Protection Act, PA 451 of 1994, or as revised by the State of Michigan.

Section 2. Chapter 154 Zoning, Section 3.270 b) 1)-3), is hereby amended to read in its entirety as follows:

1) The required waterfront setback shall be measured from the ordinary high-water mark on a waterfront lot to an imaginary line across the width of the lot, which represents the minimum required waterfront setback distance for the applicable zoning district established by Section 9.150. However, where an average setback line greater than required by Section 9.150 has been established by existing principal buildings on the same side of the street, and within two hundred (200) feet of the proposed building, the average established setback shall apply.

2) In no case shall the required waterfront setback be less than the rear setback required by the applicable zoning district measured from the rear property line, regardless of if the rear property line is above or below the current water level.
Section 3. This Ordinance was approved and adopted by the City Council on the ___ day of __________, 2022 and shall take effect upon publication in the Grand Haven Tribune, a newspaper of general circulation in the City of Ferrysburg.

__________________________________
Scott Blease, 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 _________________, 2022.

Dated: _______________, 2022
Grand River, or any other body of water.

1) The required waterfront setback shall be measured from the rear waterfront lot line on a waterfront lot to an imaginary line across the width of the lot, which represents the minimum required waterfront setback distance for the applicable zoning district established by Section 9.150. However, where an average setback line greater than required by Section 9.150 has been established by existing principal buildings on the same side of the street, and within two hundred (200) feet of the proposed building, the average established setback shall apply.

2) In no case shall the required waterfront setback be less than the rear setback required by the applicable zoning district.

3) If the rear lot line abuts a commonly owned beach area parcel, the setback and average established setback shall be measured from the rear lot lines.

![Diagram of Waterfront Setbacks](image)

**Figure 3-12: Waterfront Setbacks**

[Ordinance No. 310, 1/6/20]

**Section 3.280 Sales on Residentially Zoned Properties**

a) In any residential zoning district established by this Ordinance, outdoor display of items for sale on any portion of a lot or parcel shall be subject to the standards of this section. For purposes of this section, a residential lot or parcel shall consist of one (1) or more lots or parcels of record or one (1) or more metes and bounds descriptions, so long as the lots, parcels, or descriptions are contiguous and in common ownership. As used herein, the term "common ownership" shall refer to the ownership of two or more contiguous lots or parcels by the same person or persons, by spouses, whether jointly or severally; by parents and children; or by different corporations or partnership where a controlling interest in both entities is owned by the persons described above.
March 23, 2022

TO: Mayor and City Council Members

FROM: Craig Bessinger, City Manager

RE: Personnel Manual

The personnel manual lists the 4th of July as a paid off Holiday.

The DPW crew is expected to work on the 4th of July to assist with setting up the park, traffic control, and other items associated with the Mayor’s Breakfast and 4th of July events.

Current practice is to pay time and a half for hours worked and include Holiday pay. There have been years when City Council has approved the DPW crew taking an alternate date off, e.g., 4th of July on a Saturday, the crew would work Friday July 3 and take the following Monday off (Holiday pay) allowing them to have 2 consecutive days off.

To compensate employees who must work on the 4th of July Holiday, the below amendment is requested to be added to the personnel manual.

6.1.1 INDEPENDENCE DAY

Any employee who works on the 4th of July Holiday will have the option to receive time and a half for hours work on the Holiday plus 8 hours of Holiday pay, or an employee can work on the 4th of July and receive time and a half for hours worked on the 4th of July and take 8 hours off within 10 working days before the 4th of July or 10 working days after the 4th of July and receive 8 hours Holiday pay. Not working on the 4th of July and the requested day off is subject to approval by the Public Works Supervisor.

c: Matt Schindlbeck, Public Services Supervisor
    Jessie Wagenmaker, City Clerk
March 30, 2022

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:

- 2022-2023 City Budget

C: Jessie Wagenmaker, City Clerk