1. **Call to Order**

   President Powers called the meeting to order at 7:00 p.m.

2. **Pledge of Allegiance**

3. **Roll Call**

   **Present:** Duer, Miller, Powers, TePastte, Van Strate.

   **Absent:** Hanks and Petrus

   Motion by **TePastte**, second from Duer, to excuse the absence of Council Members Hanks and Petrus.

   Yes: 5  No: 0

4. **Approval of the Agenda**

   Motion by **TePastte** second from **Duer**, to approve the agenda as presented.

   Yes: 5  No: 0

5. **Consent Agenda**

   A. Approved the payment of the bills (checks numbered 61835 to 61870 and electronic payments 213 to 220) in the amount of $337,832.82.

   B. Approved the minutes for the July 12, 2021 work session and the July 19, 2021 council meeting.

   C. Approved the 1st Amendment to the Agreement with ARM Holding Co. LLC

   D. Approved the purchase of a Smart Trailer in an amount not to exceed $7,280.

   E. Approved a service agreement with Ottawa County for GARE analytical and training services for an amount not to exceed $250.

   F. Approved a contract with Edgewater Resources an amount not to exceed $41,500.
Motion by TePastte, second from Duer, to approve the Consent Agenda as presented.

Yes: 5  No: 0

6. General Business

A. S. Cutler Street Surfacing

Subject: Two bids were received for this project. The low bid was from Tiles Excavating for $65,137.00.

Burns shared a breakdown Hinga had created of how each fund would be contributing to the cost of surfacing S. Cutler Street and recommended that Council approve a contract with Tiles Excavating for this project. Council had no further discussion.

Motion Van Strate, second from Duer, to approve a contract with Tiles Excavating for the paving of S. Cutler Street for an amount not to exceed $65,137.00.

Yes: 5  No: 0

B. Fireworks Permit

Subject: A permit application for a private fireworks display was received from Julie Weisler for August 27, 2021. All fireworks permits are subject to review and approval by the local governing body.

Burns provided an overview of the Fireworks Permit application and explained that there were questions by the Fireworks vendor as to whether the Village’s Ordinance mandated this, so a Legal opinion was provided by Scholten Fant through a letter dated August 11, 2021. Council discussed this application and agreed that conditional approval was needed for this application, and they would like to discuss future applications at the next Work Session.

Motion by TePastte, second from Duer, to approve a onetime permit for a private fireworks display from applicant Julie Weisler on August 27, 2021 subject to the following conditions:

1. The display last no longer than 30 minutes
2. End no later than 10:15 p.m.
3. Neighbors within 300 feet of the display must be notified
4. Village will provide a public notice of the event through social media.

Yes: 4  No: 1 (Van Strate)

C. Public Hearing to Adopt Ordinance 369

Subject: Ordinance 369 is an Ordinance to amend certain provisions of Chapter 334 of the Code of Ordinances, which provides for a service charge in lieu of taxes for a proposed dwelling project for persons of low or moderate income.
President **Powers** opened the public hearing at 7:19 p.m.

Joann Paul, 11288 Oak Grove Rd. Grand Haven, a board member of Four Points spoke in support of the Samaritas PILOT request.

Tom Craig, 319 Mark, asked for clarification on what a payment in lieu of taxes meant to him as a resident. Attorney **Sullivan** and Manager **Burns** provided an explanation.

**Burns** shared a written comment from the Ottawa County Housing Commission in support of the Samaritas PILOT request.

Motion by **TePastte**, second from **Miller**, to close the public hearing at 7:28 p.m.

Yes: 5  No: 0

President **Powers** asked that Samaritas developers leave as many trees as possible and keep asphalt as minimal as possible.

Motion by **TePastte**, second from **Miller**, to adopt Ordinance 369, an Ordinance to amend certain provisions of Chapter 334 of the Code of Ordinances, which provides for a service charge in lieu of taxes for a proposed swelling project for person of low or moderate income.

Yes: 5  No: 0

**D. Public Hearing to Adopt Ordinance 370**

**Subject:** Ordinance 370 is an Ordinance to amend the Code of Ordinances by adding a new chapter which shall be designated as Chapter 203, entitled bird and waterfowl feeding.

President **Powers** opened the public hearing at 7:30 p.m.

There was no public comment.

Motion by **TePastte**, second from **Miller**, to close the public hearing at 7:31 p.m.

Yes: 5  No: 0

**Council** had no further discussion.

Motion by **TePastte**, second from **Miller**, to adopt Ordinance 370 and Ordinance to amend the Code of Ordinances by adding a new chapter which shall be designated as Chapter 203, entitled bird and waterfowl feeding.

Yes: 5  No: 0

**E. Public Hearing to Adopt Ordinance 371**

**Subject:** Ordinance 371 is an Ordinance to amend Chapter 256 concerning peddling and soliciting.

President **Powers** opened the public hearing at 7:32 p.m.
There was no public comment.

Motion by Van Strate, second from Miller, to close the public hearing at 7:33 p.m.

    Yes: 5  No: 0

Council had no further discussion.

Motion by TePastte, second from Miller to adopt Ordinance 371, an Ordinance to amend Chapter 256 concerning peddling and soliciting.

    Yes: 5  No: 0

7. Department Reports
   A. Village Manager
   B. Assistant to the Manager
   C. Clerk/Treasurer/Finance Director
   D. DDA
   E. OCSO
   F. Fire/911
   G. DPW
   H. Zoning/Planning
   I. Water (none included)
   J. Sewer (none included)
   K. Minutes from Various Board & Committees
      1. Planning Commission (04/27/21)
      2. DDA (05/13, 05/27, 06/10, 06/24, 07/08, 07/22)
      3. Parks & Recreation (05/03/21 & 06/07/21)
      4. Historic Conservation Commission (06/08/21)

8. Old Business and Reports by the Village Council – N/A

9. New Business and Reports by Village Council – N/A

10. Status Report: Village Attorney – President Powers asked who had the control of the DDA’s money in regard to the Tanglefoot Bond issue. Attorney Sullivan said that Village Council had the final say in how money was spent, that the DDA didn’t have total discretion to any way they want, they can only spend money on something Council has approved.

11. Statement of Citizens

    Tom Craig asked what was happening with the old Township Hall property. Burns explained that an agreement had been drafted with Geerlings Development and preliminary plans were for a housing on second and third stories and retail on the main floor.

    Mr. Craig asked about the property in the Post Office parking lot. Burns said that the developer had run into some timing issues due to COVID, but they would be bringing their site plans to the Planning Commission in September.
12. Adjournment

Motion by Van Strate, second from Duer, Village Council adjourned the meeting at 7:43 p.m.

Yes: 5  No: 0

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Mark Powers, President          Maryann Fonkert, Deputy Clerk