

CITY OF SCOTTVILLE
COMMISSION MEETING AGENDA
Optimist Hall, 105 Green St. Scottville, MI 49454

1498th Regular Meeting, Monday, June 7th 2021, 6:30 PM

GATHERINGS OF PUBLIC BODIES AND ATTENDEES OF MEETINGS ARE HELD BY PUBLIC BODIES IN COMPLIANCE WITH THE OPEN MEETINGS ACT, MCL 15.261 ET SEQ. AS A CONDITION OF HOSTING A GATHERING UNDER CURRENT MDHHS GUIDELINES, OCCUPANCY AT ESTABLISHMENTS MUST NOT EXCEED THE GREATER OF : (1) 50% OF THE LIMITS ESTABLISHED BY THE STATE FIRE MARSHAL OR A LOCAL FIRE MARSHAL (OR 30 PERSONS PER 1,000 SQUARE FEET IF NO APPLICABLE FIRE MARSHAL EXISTS); OR (2) 25 PERSONS

AGENDA

This meeting will be in person. No Videoconference (Zoom) available.

1. Call to Order at 6:30 PM
2. Pledge of Allegiance
3. Roll Call
4. Additions to the Agenda
5. Approval of Agenda
6. Approval of the Consent Agenda

All matters listed under item 6, Consent Agenda are considered routine by the Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion of an item is required, it will be removed from the Consent Agenda and considered separately.

- A. Approval of Previous Meeting Minutes
- B. Public Hearing Minutes
- C. Approval of Bills in the amount of \$44,135.81.

Recommendation: Council Member may now make a motion to approve the Consent Agenda

7. Correspondence
8. Department Reports
 - a. City Manager
 - b. Police Chief
 - c. City Attorney
 - d. Mayor
 - e. Treasurer
 - f. Committee Reports/Board Report
 - Building, Grounds & Infrastructure
 - Finance
 - Ordinance

- Personnel, Rules & Ethics
- Planning Board
- Parks & Rec Board
- Public Safety

9. Unfinished Business

a.

10. New Business

a. Chicken Ordinance First Reading to Amend Section 153.045 of Title XV

11. Public Comment

Those addressing Council are asked to provide their name and address and will be limited to three minutes of speaking time. Council will hear all comments for future consideration but will not have a response at this time. Letters submitted to Council will not be publicly read. Thank you for your cooperation.

12. Council Members Comments

13. Adjournment

Public Hearing
5/17/21 6pm
Optimist Hall
105 Green St

Mayor Spencer called the Public hearing to order 5/17/21@ 6pm.

Present at Roll Call

Benyo

Claveau

Cole

Graham

Mayor Spencer

Also, in attendance; Chief Murphy, City Manager Newkirk, and Attorney Alvarado.

Absent; Alway, Yeomans, and Clerk Lester.

Additions; None

Motion, by Cole with support from Claveau to approve the agenda as presented.

Motion Carried.

Unfinished Business; None

New Business;

a. Proposed Budget and millage:

Mayor Spencer opened the floor for questions regarding the proposed/presented budget/millage.

None.

Public Comment ; None

Council Member Comment ; None

Motion, by Benyo with support from Claveau to adjourn.

6:07pm

Motion Carried.

OFFICIAL PROCEEDINGS OF THE CITY COMMISSION OF THE CITY OF
SCOTTVILLE, MICHIGAN.

The 1497th Regular Commission meeting of the Scottville City Commission was held at the Optimist Hall 105 Green St: on May 17, 2021. Called to order at 6:30pm by Mayor Marcy M. Spencer.

Present at Roll Call

Bruce Claveau

Sally Cole

Ryan Graham

Brian Benyo

Mayor Marcy Spencer

Absent: Alway, Yeomans and Lester.

Additions/Deletions to Agenda

ADD: New Business; Item E; Rental Inspector Agreement with City of Ludington.

21-80 **Approval of Agenda**

Motion, by Claveau with support from Benyo to approve the agenda with noted additions.

21-81 **Approval of Consent Agenda**

Motion, by Benyo with support from Claveau to approve the consent agenda.

Correspondence

Letters received regarding the following items.

Notice to sue from City resident

Rate increase at Riverside Park

City Manager candidate selection process

City Employee Behavior while off duty

Department Reports

a. City Manager

Newkirk reported the DPW has been busy with Spring chores. McPhail Field, Riverside Park and Brookside Cemetery have opened for the season. May Special Election went well. Interviews for the vacant DPW position will begin 6/1/21. Many zoning permits for home repairs and projects have been submitted by residents.

Newkirk commented on the letter submitted referencing a situation involving a current City employee that generated a police report. The incident occurred outside of City limits, on the employee's own time. The Prosecuting Attorney dismissed the case without charge. The employee was reprimanded accordingly and referred to outside counseling services. The Personnel Committee and Newkirk consider the matter closed.

b. Police Chief

Murphy and Spencer have been working closely with Newkirk to bring the CM up to date on the happenings within the city. Office and DPW staff have been readily available to ease the transition between Murphy and Newkirk. The city has been bustling with good vibes!

- c. Attorney

Alvarado has also been working closely with Newkirk to bring him up to date on current legal matters. He has executed 3 FOIA requests. He commented on a specific letter from communications; submitted by a resident announcing intent to sue The City of Scottville. His legal counsel provides the "intent to sue" does not adhere to Michigan law, which is reserved for personal injury/malpractice suites, not administrative cases.
- d. Mayor

None
- e. Treasurer

None
- f. Committee/Board Reports
 - 1. Ordinance

Spencer reported the group discussed outdoor storage in the CBD, updating forms for the City's website, and the rental inspection agreement with the City of Ludington.
 - 2. Parks/Recreation

Graham reported the group discussed public comments regarding fee increases at the park, and the execution of the Riverside Hiking Trail upgrades

Unfinished Business

- a. Riverside Rate Change 2022

Public feedback noted issues with 2 presented items, Seasonal rate increase and number of Seasonal sites. Spencer offered the reasoning for the price increase being overdue repairs to the park. The in-ground infrastructure systems are in dire need of attention. Benyo commented our fee schedule including the increases is still quite comparable to other Campgrounds. Graham suggested maybe a 60/40 increase noting such a large increase all at once rather than a gradual increase is the cause for concern to most campers.

Motion, by Benyo with support from Graham to increase the seasonal rate at Riverside Park from \$2250 to \$2750 for the 2022 season.

Roll Call Vote

Nay: Spencer, Claveau, Cole

Yay: Benyo, Graham

Motion Fails.
- 21-82 Motion, by Spencer with support from Claveau to increase the seasonal rate at Riverside Park from \$2250 to \$2550 for the 2022 season.
- Roll Call Vote
- Nay:
- Yay: Claveau, Cole, Spencer Graham, Benyo.
- Motion Carried

- 21-83 Motion, by Spencer with support from Benyo to approve items 2-6; monthly nightly weekly and winter storage rates presented from Parks & Recreation. Item 7; number of seasonal sites shall remain as is, 13 sites.
Motion Carried.
- 21-84 b. Adoption of Budget by Resolution 21-12
Motion, by Claveau with support from Graham to approve resolution 21-12 as presented.
Motion Carried.

New Business

- 21-85 a. Chicken Request 114 S Elm
Motion, by Benyo with support from Claveau to approve the request as presented.
Motion Carried.
- 21-86 b. Special Assessment Resolution 21-11 on Delinquent Utility Billing Accounts
Per legal counsel, Governor Whitmer has announced municipalities will be receiving funding through the second portion of the CARES ACT. He suggested waiting to see what funding is allocated to be used towards utility billing accounts affected by COVID-19.
Motion, by Benyo with support from Graham to table Resolution 21-11.
Motion Carried.
- 21-87 c. MCC Fireworks Request (Prom 5/28/21)
Tuka reached out to Newkirk asking permission for a licensed Firework Operator to put on a show at the MCC Community Field for Prom.
Motion, by Benyo with support from Claveau to allow MCC to have a firework show 5/28/21.
Motion Carried.
- 21-88 d. MDOT Resolution for Street Administrator Designation
Motion, by Spencer with support from Cole to designate O'Neil James Newkirk III as the Street Administrator through MDOT.
Motion Carried.
- 21-89 e. City of Ludington Shared Rental Inspector Agreement
Upon approval from the COS this item will be presented to the COL for Commission approval.
Motion, by Benyo with support from Claveau to approve the draft agreement as presented.

Public Comment

Tom Rotta
Tom Bingham
Sharon Bingham
Bill Lehrbass

Council Member Comments

None

- 21-90 Adjourn
Motion, by Benyo with support from Claveau to adjourn.
Motion Carried 7:28PM



Listing of Invoices Scheduled for Payment

FOR CHECKS TO BE DATED 6-7-2021

VENDOR	INVOICE NBR	DESCRIPTION	FUND	Amount
CONSUMERS ENERGY	201451788889	105 E STATE	DDA OPERATIO	\$105.56
BLUE CROSS BLUE SHIELD	5-15-2021	PAYROLL DEDUCTIBLE	GENERAL FUND	\$192.37
TGG SOLUTIONS	6-1-2021	DISABILITY INS	GENERAL FUND	\$193.25
MI MUN. WORKERS COMP.	2634206	WORKES COMP	GENERAL FUND	\$7,886.00
DISTRICT HEALTH DEPART	5-20-21	WATER SAMPLE	GENERAL FUND	\$20.00
PRIORITY HEALTH	6-1-21	INSURANCE	GENERAL FUND	\$3,779.57
CARDMEMBER SERVICE	5-24-21	POLICE SUPPLIES, CITY HALL, RIVERSIDE	MOTOR POOL F	\$3,172.01
JAMES C G WILLIAMS TRUS	MAIS-000120-0000-0	UB refund for account: MAIS-000120-0000	WATER SUPPLY	\$55.40
GEDRAITIS, KATIE	SCOT-000406-0000-	UB refund for account: SCOT-000406-000	GARBAGE AND	\$20.53
JACKPINE BUSINESS CENT	465031-0	BUSINESS CARD	GENERAL FUND	\$18.99
MAGEE INSURANCE GROU	7-2021	BOND RENEWAL	GENERAL FUND	\$200.00
MASON COUNTY PRESS	6046	ADVERTISING	GENERAL FUND	\$99.00
HOME CITY ICE COMPANY	4-22-21	ICE RIVERSIDE PARK	GENERAL FUND	\$366.50
URBAN VINYL	072	SIGNS RIVERSIDE PARK	GENERAL FUND	\$205.63
LARSON'S ACE HARDWARE	49235	POLICE DEPT	GENERAL FUND	\$177.73
CARTER LUMBER	251314162	RIVERSIDE PARK SUPPLIES	GENERAL FUND	\$20.17
JENNIFER FARIS	5-12-21	FLOWERS RIVERSIDE	GENERAL FUND	\$60.00
HERMAN LAMBRIGHT	1055	FISH STATION	GENERAL FUND	\$400.00
PITNEY BOWES	38091997	LEASED EQUIPMENT	GENERAL FUND	\$355.99
JACKPINE BUSINESS CENT	464783-0	OFFICE SUPPLIES	GENERAL FUND	\$43.75
SPECTRUM BUSINESS	5-2021	CABLE RIVERSIDE PARK	GENERAL FUND	\$719.73
STATE OF MI -MI STATE P	551-586290	TOKEN FEE	GENERAL FUND	\$30.00
JUSTIN COOLMAN	5-20-21	RIVERSIDE PARK SUPPLIES	GENERAL FUND	\$28.61
SCHOLTEN PLUMBING	3194	RIVERSIDE PARK	GENERAL FUND	\$791.52
MALBURG'S SANITATION S	210552	MCPHAIL REPAIR	GENERAL FUND	\$300.00
STRONG INDUSTRIAL SUP	1444953,144376,144	CITY HALL, MCPHAIL	GENERAL FUND	\$236.58
FASTENAL	MILUD172274	DPW SUPPLIES	GENERAL FUND	\$17.84
LARSON'S ACE HARDWARE	49675	CEMETERY WATER REPAIR	GENERAL FUND	\$17.36
JENNIFER FARIS	5-26-21	RIVERSIDE PARK SUPPLIES	GENERAL FUND	\$6.00
VERIZON WIRELESS	9880084630	PHONES	GENERAL FUND	\$327.42
TNT ENTERPRIZE	5-26-21	MCPHAIL FIELD	GENERAL FUND	\$200.00
TNT ENTERPRIZE	5-25-21	CEMETERY	GENERAL FUND	\$900.00
TNT ENTERPRIZE	5-24-21	SUB STATION	GENERAL FUND	\$60.00
TNT ENTERPRIZE	5-23-21	LOT MOWING	GENERAL FUND	\$1,215.00
MILLER WELDIING SUPPLY	000230349	DPW SUPPLIES	GENERAL FUND	\$53.00
PARTS PLUS OF MASON C	12612	SHOP SUPPLIES	GENERAL FUND	\$17.25
QUALITY KLEEN	5739	CLEANING SERVICE	GENERAL FUND	\$262.50



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VENDOR	INVOICE NBR	DESCRIPTION	FUND	Amount
HOME DEPOT CREDIT SER	5-28-2021	RIVERSIDE PARK, WATER, DPW, POLICE	GENERAL FUND	\$427.33
SYNCWAVE LLC	6-1	INTERNET, PHONES	GENERAL FUND	\$615.53
LARSON'S ACE HARDWARE	49909	MCPHAIL FIELD SUPPLIES	GENERAL FUND	\$55.73
AMANDE POWELL	6-1-2021	RENTAL DEPOSIT REFUND	DDA OPERATIO	\$250.00
GREG BARNETT	5-30-21	ASSESSOR	GENERAL FUND	\$636.00
CONSUMERS ENERGY	201362846325	1026 W US 10	GENERAL FUND	\$28.94
CONSUMERS ENERGY	201362846329	114 S MAIN	GENERAL FUND	\$28.95
CONSUMERS ENERGY	201362846321	146 S MAIN	GENERAL FUND	\$28.65
CONSUMERS ENERGY	201362846322	700 S SCOTTVILLE	GENERAL FUND	\$178.24
CONSUMERS ENERGY	201362846323	202 E 5TH	SEWAGE DISPO	\$281.68
CONSUMERS ENERGY	201362846324	1605 W US 10	GENERAL FUND	\$30.14
CONSUMERS ENERGY	201362846327	209 W STATE	GENERAL FUND	\$112.31
CONSUMERS ENERGY	201362846328	209 W STATE	GENERAL FUND	\$30.89
CONSUMERS ENERGY	201095930280	700 S SCOTTVILLE	GENERAL FUND	\$831.49
CONSUMERS ENERGY	201362846326	209 W STATE	GENERAL FUND	\$28.65
CONSUMERS ENERGY	201362846330	605 S SCOTTVILLE	SEWAGE DISPO	\$46.06
CONSUMERS ENERGY	201362846331	85 E REEDS	GENERAL FUND	\$61.19
CONSUMERS ENERGY	201362846320	650 S MAIN	GENERAL FUND	\$39.27
CONSUMERS ENERGY	201095930279	703 S SCOTTVILLE	GENERAL FUND	\$394.49
LARSON'S ACE HARDWARE	49935	MCPHAIL SUPPLIES	GENERAL FUND	\$10.35
VICTORIA CARROLL	6-1-21	CLEANING SUPPLIES	DDA OPERATIO	\$15.90
VICTORIA CARROLL	5-30-21	RENTAL AGENT	DDA OPERATIO	\$175.00
LARRY CARROLL	5-30-21	CLEANING DDA HALL	DDA OPERATIO	\$165.00
DMC UNLIMITED	05222107	COMPUTER REPAIRS	GENERAL FUND	\$671.80
GUSTAFSON'S GREENHOU	5-2021	FLOWER BASKET	DDA OPERATIO	\$1,236.00
CHRIS CARR MECHANICAL	3127	SERVICE AT OPTIMIST	DDA OPERATIO	\$704.25
GREATAMERICA FINANCIA	6-1-21	LEASED EQUIP	GENERAL FUND	\$622.32
SUMMIT COMPANIES	121004331	FIRE EXTINGUISHERS	GENERAL FUND	\$161.00
SUMMIT COMPANIES	121004330	FIRE EXTINGUISHER DPW	GENERAL FUND	\$152.05
RIETH-RILEY CONSTRUCTI	588631	CRUSHER DUST	GENERAL FUND	\$261.08
WEX BANK	6-2021	FUEL	MOTOR POOL F	\$1,742.27
AFLAC	6-2021	PAYROLL DEDUCTIBLE	GENERAL FUND	\$406.82
TNT ENTERPRIZE	6-2-2021	MCPHAIL FIELD	GENERAL FUND	\$200.00
TNT ENTERPRIZE	6-1-2021	FIRE WOOD	GENERAL FUND	\$800.00
TNT ENTERPRIZE	6-2021	SUB STATION	SEWAGE DISPO	\$30.00
TNT ENTERPRIZE	6-4-2021	CODE MOW	GENERAL FUND	\$564.00
CONSUMERS ENERGY	201896756678	601 W 1ST	GENERAL FUND	\$159.76



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FOR CHECKS TO BE DATED 6-7-2021

VENDOR	INVOICE NBR	DESCRIPTION	FUND	Amount
CONSUMERS ENERGY	201184902041	1050N MAIN	GENERAL FUND	\$92.88
DMC UNLIMITED	05292116	COMPUTER REPAIR POLICE	GENERAL FUND	\$75.00
LUDINGTON DAILY NEWS	5-31-2021	ADVERTISING	DDA OPERATIO	\$2,457.24
751 PARTS CO INC	6-2021	EQUIP REPAIR	MOTOR POOL F	\$61.37
CONSUMERS ENERGY	206346130848	STREET LIGHT	GENERAL FUND	\$1,761.10
CONSUMERS ENERGY	205545393459	STREET LIGHTS	GENERAL FUND	\$371.19
CONSUMERS ENERGY	206346130847	105 N MAIN	GENERAL FUND	\$30.89
CONSUMERS ENERGY	206346130849	105 N MAIN	MAJOR STREET	\$47.33
MASON COUNTY DPW	2021 ANNUAL	ANNUAL CONSULTING FEE	GARBAGE AND	\$4,500.41
TOTAL OF SCHEDULED CHECK RUN:				\$44,135.81

BACKYARD CHICKEN PERMIT APPLICATION
City of Scottville
105 N. Main, Scottville, MI 49454
Phone: (231) 757-4749 Website: www.cityofscottville.org

1. Project Information

Address/location of property: _____

Parcel Number: _____ Zoning District: _____

2. Applicant

3. Property Owner

Name: _____ Name: _____

Address: _____ Address: _____

Phone#: _____ Phone#: _____

Email: _____ Email: _____

4. Required Details on Scaled Drawing

- | | |
|---|--|
| - Locations of all structures on Property | -Enclosure building materials |
| - Location of chicken enclosure | -Setbacks from property lines to enclosure |
| - Size and height of enclosure | -Predator barrier details |

5. Proposed number of Chickens: (Not more than 6) _____

6. Authorization from Property Owner (if applicant is not property owner; see page 3 of application)

7. Required Fee: \$ 35

By Signing below, the applicant agrees to perform the described work in accordance with all applicable sections of the City of Scottville Code of Ordinances. Signer will insure that all inspection requests are made a minimum of 24 hours prior to the requested time.

Signature of Applicant: _____ Date: _____

Print Name: _____

This permit has been reviewed and the following determination has been made:

Approved _____ Denied _____
Zoning Administrator _____ Date _____

Comments: _____

CONSENT OF PROPERTY OWNER
(REQUIRED IF APPLICANT IS NOT THE PROPERTY OWNER)

Backyard Chicken Permit Application

I, _____ OF THE STATE OF _____ AND
COUNTY OF _____ STATE THE FOLLOWING:

1. That I am the owner of real estate located at _____
2. That I have read and examined the Backyard Chicken Permit Application made to the
City of Scottville by _____
3. That I have no objections to, and consent to the request(s) described in the Application
made to the City of Scottville.

Signature of Property Owner _____

Print Name _____

Date _____

No person shall keep chickens unless they obtain a backyard chicken permit and comply with the following conditions:

1. The keeping of chickens is permitted only on lots where the principal use is a single family dwelling.
2. The maximum number of chickens permitted per property shall be six (6) **Roosters are prohibited.**
3. Chickens must be maintained in a fully enclosed, roofed structure at all times.
4. The enclosure must be constructed of permanent residential building materials suited for the purpose intended, and in a manner which serves to enhance the aesthetic appearance of the neighborhood or surrounding area.
5. All areas accessible to the chickens, including the coop and run, shall be contained in a single structure not to exceed sixty (60) square feet in footprint and eight (8) feet in height measured from the grade. The minimum run size per chicken shall be eight (8) square feet.
6. The enclosure must have chicken wire or similar material embedded twelve (12) inches into the ground around the enclosure to deter predators from digging under the enclosure wall.
7. The enclosure shall be located in the rear yard and at least eight (8) feet from side and rear property lines, and where public sidewalk is present at least ten (10) feet distant from it.
8. The enclosure must be maintained in a clean and orderly fashion.
9. Chicken feed must be kept in a vermin-proof sealed container.
10. Slaughtering of chickens is not permitted.
11. The applicant shall pay the fee required by the fee resolution periodically adopted by the City Council.
12. Applications for backyard chicken permits shall be submitted to and permits shall be issued by the City of Scottville.
13. An initial backyard chicken permit shall be valid for 1 year, renewed yearly on April 1.
14. Upon sale or transfer of property, the chickens and enclosure must be removed from the premises within sixty (60) days.
15. Permit is not transferable
16. Applications for a backyard chicken permit, suspensions, and revocations shall be handled in the manner provided in chapter 153

