



VILLAGE OF SUTTONS BAY
VILLAGE COUNCIL REGULAR MEETING
MINUTES OF JUNE 20, 2022

The meeting was called to order at 5:30 p.m., by President Lutke.

Present: Bahle, Case, Christensen, Long, Lutke, Smith and Suppes

Staff present: Fay, Larrea and Petroskey

Consent Agenda

Case moved, Bahle seconded, CARRIED, to approve the consent agenda as presented. The Village Council meeting minutes of May 16, 2022, are approved. The payment of invoices is approved. Council accepted the 2021 FYE Audit as presented.

Ayes: 7, No: 0.

Agenda Approval

Suppes moved, Smith seconded, CARRIED, to approve the agenda as presented.

Ayes: 7, No: 0.

Public Comment/Written Communications

Written public comments were received from Beau Webb, Jackie Freeman, Steven Morency (Port Sutton Community Board of Representatives), and Gary and Lee Cheadle. The written comments can be found in this meeting packet.

Public comments were heard from Bill Crackel, Larry Mawby, Lois Bahle, Kirk Moll, Pat Yoder, Sharon Sutterfield, Kate Thornhill, Ron Cruickshank and Sue Chapman.

VSF Report 2022-37 Harbor Heights PUD Amendment

Bahle moved, Suppes seconded, CARRIED, that the Findings of Facts for Harbor Heights AMENDMENT 2022-01, as attached to Report 2022-37 and being made a part of this motion, be adopted. Ayes: 7, No: 0.

Bahle moved, Suppes seconded, CARRIED, that PUD Amendment 2022-01 and also known as Harbor Heights, be approved, subject to the following conditions:

Ayes: 6, No: 1.

1. All current copies of agency reviews and approvals be provided to the Village.
2. All current fees and expenses charged to the Applicant, shall be paid prior to the PUD amendment becoming effective.
3. Copies of all recorded easements will be provided to the Village, as required.
4. Engineered plans be reviewed and approved by the Village engineer for compliance.
5. Two (2) sets of 24x36 sealed plan sets and two (2) 11x17 copies and one electronic copy be provided to the Village office for permitting.
6. Staff will prepare a Report and Decision Order agreement within 10 days of Village Councils decision for signature, notarization and filing with the Leelanau County Register of Deeds.
7. All required escrows shall be in place prior to the commencement of the project.
8. All infrastructure fees shall be paid prior to the commencement of the project.
9. Land Use Permits for units 1-32 shall not be issued until all infrastructure is installed, inspected, connected and approved by the Village.
10. All roadways, easements, or otherwise that will be affected by the installation of utilities shall be replaced and/or repaired to their original state prior to the issuance of land use permits for units 1-32 or within an agreed upon time.
11. Duester Road shall remain open as to provide access to Duester Park and the DPW maintenance barn.
 - a. Temporary closure of Duester Road may be considered for a limited time provided it is agreed upon in writing.
12. The Duester Park parking area is a recreational parking lot and shall not to be used to support the construction of the project including: staging of equipment, parking or maneuvering of construction vehicles, storage of infrastructure or otherwise, unless a written agreement is in place.

VSB Report 2023-41 Short Term Rental Moratorium

Bahle moved, Case seconded, FAILED, to adopt Ordinance #24 as amended, amending Section 1. Moratorium Period to read 90 days from the effective date of this ordinance instead of 180 days, and with additional language stating, "This moratorium shall not apply to any applications complete and properly filed before the date of publication", with an affirmative unanimous roll call vote. Ayes: 0, No: 7.

Long moved, Smith seconded, CARRIED, to adopt Ordinance #24 with the following amendments: Section 1. Moratorium Period to read 90 days instead of 180 days, and adding language to Section 2., "This moratorium shall not apply to any applications that have been filed prior to 5:00 p.m. today", with an affirmative unanimous roll call vote. Ayes: 7, No: 0.

VSB Report 2022-38 ADU Amendment

Long moved, Smith seconded, CARRIED, to table this agenda item until such time as the Short-Term Rental Ordinance has been addressed. Ayes: 7, No: 0.

VSB Report 2022-35 FV Contract – Three Way Stop

Bahle moved, Smith seconded, CARRIED, that the Village Council authorize the Manager to enter into the agreement as presented with Fleis & Vandenbrink, for the amount of \$6,000. Ayes: 6, No: 1.

VSB Report 2022-39 Waterwheel Park Engineering Proposal

Bahle moved, Case seconded, CARRIED, to approve the proposal from MACHIN Engineering in the amount of \$15,000. Ayes: 7, No: 0.

Special Committee Reports/Staff Reports

A Zoning Administrator report was received from Leslie Couturier and can be found in this meeting packet.

Larrea stated he will email to Council his updated work plan in the next few days.

Good of the Order

Smith asked for clarification of the decision to keep the street lights on Broadway Street on for safety reasons.

Case stated the rain gardens need attention and that the DPW department was doing an excellent job. He stated the service panel at Marina Park needs attended too. Case asked for a timeline on Waterwheel Park.

Long appreciates that Council can disagree and that it does not become personal, from a resident perspective as well as a governmental body perspective.

Public comment

Public comments were received from Bill Crackel, Lois Bahle, Kirk Moll, Pat Yoder, Judy Yoder, Sharon Sutterfield, and a written comment from Larry Mawby read by the Clerk.

The meeting adjourned at 7:15 p.m.

Meeting minutes submitted by Shar Fay, Clerk.