

CITY OF NORTON SHORES
CITY COUNCIL WORK SESSION
February 24, 2014

AGENDA 60
DATE 3.4.14

A rescheduled work session of the Norton Shores City Council was held on Monday, February 24, 2014 at 5:30 p.m. at the Norton Shores City Hall, 4814 Henry Street.

Present: Mayor Pro Tem Martines, Council Members Beecham, Dolack, Flanders, Jurkas, Kinney, Moulatsiotis and Ostrom; also Mark Meyers, Carrie Larks, Mike Huston, Jerry Bartoszek, Jon Gale, Bob Gagnon and Doug Hughes

Excused: Mayor Nelund

1. Quota Liquor License Request – Celebration Banquets, LLC – Cinema Carousel Theatre

City Administrator Mark Meyers presented an application from Celebration Banquets LLC for the Cinema Carousel Theatre at 4289 Grand Haven Road for a new Quota Class C Liquor License. The application substantially meets the City's policy for issuance of a license with regard to location, experience, financial status, minimum investment and seating. Council members agreed that the proposal meets the City's criteria and the business will provide a unique opportunity in the community.

Mr. Meyers introduced Kenyon Shane from Celebration Banquets LLC and explained the project and request. Mr. Meyers reviewed the applicant's plan in relation to the Quota Liquor License Policy. The application does meet the criteria and it is a unique project. Mr. Shane explained the company's experience with similar projects and security measures instituted with the new facilities. Mr. Meyers explained that a required background check of the applicant by the Police Department is underway and formal approval should be conditioned on satisfactory outcome of the investigation.

Council recommended the request be brought forward to the next Council meeting.

2. Storm Water Runoff/Post Construction Control

Public Works Director Jerry Bartoszek presented a proposed ordinance to address requirements to control storm water runoff and the maintenance of storm water facilities following construction of significant projects resulting in earth changes. The ordinance would be adopted by the County of Muskegon and endorsed by resolution from the MS4 (Municipal Separate Storm Sewer Systems) communities that are required to meet EPA Phase II Storm Water regulations. The proposal has been reviewed and recommended by the Muskegon Area Municipal Storm Water Committee.

Council Member Dolack asked what would happen if an entity did not support it. Mr. Bartoszek stated a municipality could adopt their own ordinance but the purpose of the municipal resolutions and adoption of an ordinance at the County level is consistency. Council recommended the resolution be brought forward to the next Council meeting.

3. Water and Sewer Regulations

Mr. Bartoszek proposed an update to the Water & Sewer Rules and Regulations as it has not been done for at least 20 years. The proposed changes reflect established practices and provide conformance with the Michigan Plumbing Code and Public Act 178 as amended. Council Member Jurkas asked if we required copper piping. Mr. Bartoszek said it is recommended but not required. Council recommended the amended regulations be brought forward to the next Council meeting.

4. Development Financial Viability

Mr. Bartoszek presented a draft of an amendment to the Zoning Ordinance that would require developers requesting special use permits to submit documentation indicating financial viability of the project as part of the application. If adopted, the ordinance would solely apply to special use permits as principal zoning uses are automatically allowed by request with the Planning Commission only reviewing the site layout and details. For special use permits approval of the use and site plan are at the discretion of the Planning Commission and City Council. Financial viability could be part of the criteria for granting or denying a use, similar to the market study provisions of the ordinance which are only used when a special use permit is required. City Administrator Mark Meyers mentioned this is in addition to what a developer is currently required to submit to ensure infrastructure needs are met through a performance bond or letter of credit. Council recommended the proposed amendment be brought forward for Planning Commission and Council consideration.

5. Lake Harbor Road Traffic Control Order

At the request of Council Member Gary Ostrom, further discussion was held regarding speed limits, signage and road striping on Lake Harbor Road. Based on a citizen complaint and subsequent Council member request, staff initiated a traffic study of Lake Harbor Road between Pontaluna and Seminole Roads. Data was analyzed and applied to State law requirements for establishing speed limits. Changes to the speed limit, no passing zone changes and additions to bicycle and pedestrian signage were recommended based on the study. Traffic crash and enforcement data as also provided, however, current State law does not consider traffic crash or enforcement data in the criteria for establishing speed limits. A resolution to approve the Traffic Control Order to implement the changes failed on a 4-4 tie vote at the November 19, 2013 Council meeting. One Council member was absent. In addition, because the current posted speed limits along Lake Harbor Road between Pontaluna Road and Seminole Road are inconsistent with State law, speeding violations written may be dismissed in court. Council recommended the traffic control order be brought forward to the next Council meeting for reconsideration.

The meeting adjourned at 6:30 p.m.


Carrie A. Larks, Acting City Clerk