



## City of Watervliet

City of Watervliet Zoning Board of Appeals Meeting Minutes  
July 11, 2023 at 5:30 PM.

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Meeting was called to order by Deah Muth at 5:31 P.M.

### **Pledge of Allegiance was led by David Brinker**

**Present:** Deah Muth, David Brinker, Duane Cobb, Zachary Smith and Rebecca Oliphant. Also in Attendance: City Manager Danielle Tiedeman, City Clerk Melanie Marvin, Zoning Administrator, Bob Lohr and City Engineer Alan Smaka

### **Approval of Agenda:**

**Motion:** Rebecca Oliphant motioned to approve the agenda. Motion was supported by Duane Cobb.

### **Roll Call Vote:**

Ayes: Brinker, Cobb, Smith, Oliphant, Muth

Nays:

**Motion Carried.**

**Public Comments:** Greg Neisley spoke on behalf of Ben Neidlinger who was present in the audience. Luke and Wendy Strunk spoke.

**Motion:** David Brinker motioned to move out of the public meeting and move into the public hearing. Motion was supported by Zachary Smith.

### **Roll Call Vote:**

Ayes: Brinker, Cobb, Smith, Oliphant and Muth

Nays:

**Motion Carried.**

**Zoning Board of Appeals moved into a public hearing at 5:39pm.**

### **New Business – Action/Discussion Items**

**Discussion of Zoning Violation and Possible Correction – Attachment #1**

All involved parties spoke relating to the zoning violation that had occurred as described on the "Application for Variance" that had subsequently been filed in an effort to get the necessary variance that would allow Mr. and Mrs. Strunk to keep their window addition that had been completed on their property. Mr. Bob Lohr, zoning administrator spoke and explained that the violation was not intentional and was the result of his error in reviewing the building plans that had been presented by Mr. and Mrs. Strunk when they obtained the required permits for their construction project. City engineer, Alan Smaka also spoke on the subject and further explained that while the variance was not being considered as a way of lending favor to Mr. and Mrs. Strunk but was being presented as a remedy for an error made on behalf of the City.

When all concerned parties had been given an opportunity to speak and ask questions, zoning board member Duane Cobb asked Mr. Neidlinger what would make the situation right with him.

Discussions ended at 5:53pm.

**Motion:** A motion was made by Duane Cobb to move out of the public hearing and move back into the public meeting. Motion was supported by David Brinker.

**Roll Call Vote:**

Ayes: Cobb, Brinker, Oliphant, Smith and Muth

Nays:

**Motion Carried.**

**Zoning Board of Appeals moved into a Public Meeting at 5:53pm.**

**Motion:** A motion was made by David Brinker to approve the Application for Variance. Motion was supported by Duane Cobb.

**Roll Call Vote:**

Ayes: Cobb, Brinker, Oliphant, Smith and Muth

Nays:

**Motion Carried.**

**Motion:** A motion to adjourn was made by Zachary Smith at 5:56pm. Motion was supported by Rebecca Oliphant.

**Roll Call Vote:**

Ayes: Brinker, Cobb, Smith, Oliphant and Muth

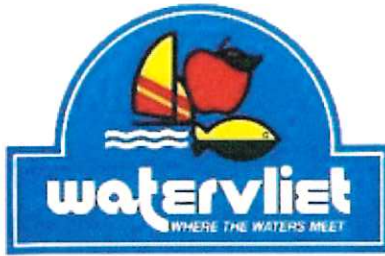
Nays:

**Motion Carried.**

Meeting was adjourned at 5:56pm.



Clerk, Melanie Marvin



**City of Watervliet**  
Regular Commission Meeting Minutes  
July 11, 2023 at 6:00 PM.

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Meeting was called to order by Mayor Muth at 6:00 P.M.

**Pledge of Allegiance was led by Commissioner David Brinker.**

**Present:** Commissioner David Brinker, Commissioner Rebecca Oliphant, Commissioner Zach Smith, Commissioner Duane Cobb and Mayor Muth. Also in Attendance: City Manager Danielle Tiedeman and City Clerk Melanie Marvin.

Absent: Commissioner Bill Whitney, Jr.

**Approval of Agenda:**

**Motion:** Commissioner Cobb motioned to approve the agenda. Motion was supported by Commissioner Oliphant.

**Roll Call Vote:**

Ayes: Brinker, Cobb, Smith, Oliphant, and Mayor Muth

Nays:

Absent: Whitney

**Motion Carried.**

**Public Comments:** George Schubkegel of Riverside Drive asked if the city has an ordinance regarding dog walking.

**Approval of Meeting Minutes for the June 6, 2023 Budget Hearing, June 6, 2023 Regular Commission Meeting and the June 20, 2023 Special Commission Meeting: - Attachment #1, #2 & #3**

**Motion:** Commissioner Cobb motioned to approve the meeting minutes from the June 6, 2023 Budget Hearing, the June 6, 2023 Regular Commission meeting and the June 20, 2023 Special Commission meeting. Motion was supported by Commissioner Oliphant.

**Roll Call Vote:**

Ayes: Brinker, Smith, Oliphant, Cobb, and Mayor Muth

Nays:



Absent: Whitney

**Motion Carried.**

**Approval of Payables/Payroll for June 2023 - Attachment #4**

**Motion:** Commissioner Brinker motioned to approve Payables and Payroll for the month of June 2023 in the amount of \$194,072.07. Motion was supported by Commissioner Cobb.

**Roll Call Vote:**

Ayes: Oliphant, Smith, Brinker, Cobb and Mayor Muth

Nays:

Absent: Whitney

**Motion Carried.**

**Committee/Board Reports**

1. **Planning Commission** – No June 2023 meeting.
2. **Downtown Development Authority (DDA)** – Rebecca Oliphant gave a verbal report. Rebecca announced that the ribbon cutting for the Main Street Oasis Park on Thursday, July 13, 2023 at 6:00pm. The DDA has begun working on their TIF plan.
3. **PPLAWA (Sewer Board)** – Duane Cobb stated that there had not been a meeting since the previous commission meeting so there is nothing to report.
4. **Joint Fire Board** – Zach Smith stated that the June meeting had been cancelled.

**Department Reports**

1. **Department of Public Works** – Alan Smaka gave a verbal update stating that the Department of Public Works will be assisting with smoke testing that is scheduled to begin on July 18, 2023. The Paw Paw Ave./Riverside Drive project is finished with the exception of a few items on the punch list.
2. **Police Department** – Chief Sutherland gave a verbal report of the police department activities for the month of July.
3. **City Hall** – Clerk Marvin gave a verbal report of activity for the Clerk's office for the month of July. She stated that she has sent the AV ballot applications and AV ballots out. She is also in the process of moving into her new office upstairs.
4. **Water Department** – No report.
5. **Other Contractual** – Alan Smaka gave a verbal report.

**Old Business – None**

**New Business – Action/Discussion Items**

**Approval of Resolution 14-2023 (Approval of Michigan Gas Utilities Franchise Agreement) – Attachment #5**

**Motion:** Commissioner Oliphant motioned to approve Resolution 14-2023, approving the Franchise Agreement with Michigan Gas Utilities. Motion was supported by Commissioner Smith.

**Roll Call Vote:**

Ayes: Smith, Brinker, Oliphant, Cobb and Mayor Muth.

Nays:

Absent: Whitney

**Motion Carried.**

**Approval of Henderson Brothers Invoice (Attachment #6) and John Withrow Excavating Invoice (Attachment #7) – Attachments #6 and #7**

**Motion:** Commissioner Cobb motioned to approve the invoice from Henderson Brothers for \$2,800.00 and the invoice from John Withrow Excavating for \$3,061.00. Motion was supported by Commissioner Oliphant.

**Roll Call Vote:**

Ayes: Smith, Oliphant, Cobb, Brinker and Mayor Muth

Nays:

Absent: Whitney

**Motion Carried.**

**Approval of FixIt Computing Quotes and Double K Invoice – Attachments #8 & #9**

**Motion:** Commissioner Brinker motioned to approve quotes from FixIt Computing for an amount not to exceed \$110,000.00 and payment of the Double K Enterprises invoice in the amount of \$3,175.00. Motion was supported by Commissioner Cobb. (The quotes are for new computers, docking stations and upgraded server and several upgrades to the City's technology. ARPA funds will be used)

**Roll Call Vote:**

Ayes: Cobb, Oliphant, Smith, Brinker and Mayor Muth

Nays:

Absent: Whitney

**Motion Carried.**

**Approval of Peerless Midwest, Inc. Invoice - #10**

**Motion:** Commissioner Cobb motioned to approve the quote from Peerless Midwest in the amount of \$13,903.00 for the cost to abandon Well #3. Motion was supported by Commissioner Smith.

**Roll Call Vote:**

Ayes: Brinker, Smith, Oliphant, Cobb, and Mayor Muth

Nays:

Absent: Whitney

**Motion Carried.**

**Approval of School Resource Agreement – Attachment #11**

**Motion:** Commissioner Oliphant motioned to approve the School Resource Officer Agreement as presented. Motion was supported by Commissioner Smith.

**Roll Call Vote:**

Ayes: Brinker, Smith, Oliphant, Cobb, and Mayor Muth

Nays:

Absent: Whitney

**Motion Carried.**

**Approval of COLA Raises –**

**Motion:** Commissioner Smith motioned to approve 4.5% COLA raises for the employees who are not covered in the union contract or the police department pay rate schedule. Motion was supported by Commissioner Cobb.

**Roll Call Vote:**

**Ayes:** Smith, Oliphant, Cobb and Brinker

**Nays:**

**Absent:** Whitney

**Motion Carried.**

**Approval of Revised Office Hours – Attachment #12**

**Motion:** Commissioner Smith motioned to approve revising city hall office hours. Motion was supported by Commissioner Cobb.

**Roll Call Vote:**

**Ayes:** Smith, Oliphant, Brinker, Cobb and Mayor Muth

**Nays:**

**Absent:** Whitney

**Motion Carried.**

**Public Comments:** George Schubkegel, a resident on Riverside Drive expressed his hope that the project planned for the Northwest part of town will be done as soon as possible.

Mayor Muth reminded everyone about the ribbon cutting for Main Street Oasis scheduled for July 13<sup>th</sup>.

**City Manager's Report** – City Manager Tiedeman gave a verbal report. She stated that she working on expediting upgrades to the City's technology. She further stated that this will include a new server with increased capacity which will allow for a more efficient and secure way of storing documents.

**Motion:** Commissioner Oliphant motioned to adjourn the meeting at 6:51pm. Motion was supported by Commissioner Brinker.

**All in Favor. Motion Carried.**

Next commission meeting will be Tuesday, August 4, 2023 at 6:00pm.

**Meeting was adjourned at 6:51pm.**



Mayor, Deah Muth



Clerk, Melanie Marvin