



**Minutes of the Regular Meeting of the
Cedar Springs City Council**

Thursday, February 13, 2014

**Cedar Springs City Hall
66 S. Main Street
Cedar Springs, Michigan**

**Workshop
6:15 p.m.**

Members Present: Ken Benham, Ashley Bremmer (arrived 6:45 p.m.), Daniel Clark, Gerald Hall, Robert Truesdale, Patricia Troost, Mark Fankhauser.

Also Present: City Manager Thad Taylor, Finance Director Debra Brunett, City Clerk Linda Christensen, DPW Director Tom Stressman, Fire Chief Marty Fraser.

The City Manager reviewed agenda items with Councilors. Councilor Truesdale provided an update on happenings with the Community Building Team.

**Meeting
7:00 p.m.**

1. The Meeting was Called to Order by Mayor **Mark Fankhauser** at 7:00 p.m. The Pledge of Allegiance was recited.

2. <u>ROLL CALL:</u>	Mr. Ken Benham	Present
	Mrs. Ashley Bremmer	Present
	Mr. Daniel Clark	Present
	Mr. Gerald Hall	Present
	Mr. Robert Truesdale	Present
	Mayor Pro Tem Mrs. Patricia Troost	Present
	Mayor Mr. Mark Fankhauser	Present

3. PUBLIC FORUM.

Kurt Mabie, Community Building Team, gave an update on what is happening with the Community Building Team. He stated the group has raised approximately \$453,000 and by June expects to reach \$700,000. There is a lot of community support for this project, he said.

4. There were no public hearings.
5. **Motion by Bremmer, supported by Troost, to approve the agenda.**

VOTE: 7 – 0, Motion Carried.

6. **Motion by Benham, supported by Bremmer, to approve the Consent Agenda consisting of the following:**
 - A. approval of the minutes of the Regular Meeting of January 9, 2014.
 - B. approval of the Checks Paid Prior #s 36169 – 36264 totaling \$192,402.57; the February Accounts Payable #s 36265 – 36297 totaling \$43,175.96 and Electronic Transfers totaling \$2,284.91. The total of all checks and transfers was \$239,863.44.
 - C. Resolution No. 2014 – 05, approving En Gedi for a charitable gaming license for an auction/fundraiser March 22, 2014.
 - D. Resolution No. 2014 – 06, to purchase, acquire and construct improvements to the water supply system and to publish a notice of intent to issue revenue bonds.
 - E. Resolution No. 2014 – 07, to purchase, acquire and construct improvements to the sanitary sewer system and to publish a notice of intent to issue revenue bonds.

VOTE: 7 – 0, Motion Carried.

7. There was no correspondence.

8. UNFINISHED BUSINESS.

- A. **Kevin Galloway**, an Eagle Scout contender, was present to provide an update on his proposed Eagle Scout Project – the construction of a 20 by 36-foot pavilion at Morley Park. He stated the project will cost approximately \$17,000. He asked for financial support from the City and will also be asking for donations and seeking grant and in-kind services. City Manager **Thad Taylor** suggested Councilmembers consider possible funding revenues during the coming fiscal year budgeting process.
- B. **Motion by Troost, supported by Clark, to approve Ordinance No. 186, an ordinance to amend Chapter 22, Article II, Section 22-26 and Chapter 22, Article V, Section 22-97 of the City Code of the City of Cedar Springs, as a second reading.**

VOTE: 7 – 0, Motion Carried.

- C. Mayoral Business Matters:
Mayor **Fankhauser** recognized Cedar Springs Fire Fighters **David Segard** and **Greg Bowen** for 20 years of service to the City.

9. NEW BUSINESS.

- A. **Motion by Hall, supported by Troost, to approve the purchase of a Benchtop Meter and LBOD Probe from Hach Company for the Wastewater Treatment Plant in the amount of \$2,081.35.**

VOTE: 7 – 0, Motion Carried.

- B. **Motion by Troost, supported by Benham, to approve Resolution No. 2014 – 04, a resolution approving the CS Chamber of Commerce’s New Year’s Eve Celebration as a Community Event.**

- C. Discussion regarding a request from CS Mobile Estates to reduce its water/sewer penalty for late payment:

Taylor stated he had received a letter from the owners of the trailer park requesting its late fee of \$1,016.54 be reduced. The owners claimed the inclement weather was responsible for the bill being received late as their usual practice is to send payment by way of Fed Ex Overnight Priority Mail the day before the bill is due. Because of the bad weather Fed Ex was unable to deliver the payment as usual and the payment was assessed the late penalty because it was received a day late.

He asked Council for direction as other bills had been received late and assessed the penalty for late payment. Was it fair to other citizens who had also been unable to make it in because of the weather to assess them a penalty, but waive it for the trailer park, he asked.

Troost said she felt for them; but sometimes you have to deal with the consequences and a lack of planning on their account. One takes a chance using Fed Ex as all their mail goes to a central location before processing. She wasn’t sure people realized that.

Fankhauser said he had reservations and felt the City would be setting a precedent if it absolved one person and not all the others who were also late.

Clark said he tended to be more lenient; by Fed Ex’s own admission the mailing was delayed because of inclement weather. He did not see the argument was valid that all citizens should have the penalty reduced. He didn’t know their stories and he was inclined to waive the late fee for the trailer park, this time.

Benham said no matter what way the Council voted, it was going to look bad. The City, however, had a policy set; citizens knew when the water bill was coming and when it is due every month. The mail went out that day, I know because I delivered it, he said.

Truesdale said he concurred with Clark. He felt it was an Act of God and felt the fee should be waived as a one-time gift.

Hall said the City had a policy in place and the City should stick with it.

Bremmer felt if the penalty was waived for the trailer park, it should be waived for everyone else who was late.

Fankhauser stated he would be upset if the Council gives a waiver to the trailer park and didn’t afford the same to everyone who was late. The State of Michigan was not declared a state of emergency because of the weather. The owners of the trailer park are aware there is a late fee and it should be assessed, he explained.

Motion by Benham, supported by Bremmer, to consider a request from CS Mobile Estates to reduce its water/sewer penalty for late payment.

Fankhauser asked for a point of clarification as to what a yes or no vote meant.

The City Clerk confirmed a no vote was a refusal of the request.

VOTE: 2 (Clark, Truesdale) – 5, Motion Carried.

10. CITY MANAGER'S REPORT.

A. General information and special projects discussed included the following:

- Board of Review dates.
- USDA Grant Request for Police Vehicle was not funded.
- Cossin Fund disbursement.
- New City logo now in use.
- Water system breaks.
- MML Workmen's Comp multiplier went down for the City.
- Possible Goal Setting workshop in March.

B. Monthly department reports were heard from the following:

1. Department of Public Works.

DPW Director **Tom Stressman** said because of the heavy snowfall this year, the DPW was way over its budget. About the only thing that would be addressed this budget year were potholes in the spring. Anything else would have to wait until the new budget year beginning July 1, he said.

a. Infrastructure Alternative's operational and maintenance report.

2. Police Department.

3. Fire Department.

4. City Clerk.

5. Finance Officer/Treasurer.

a. Cash Summary Report.

b. Revenue/Expenditure Report.

6. Professional code Inspections.

7. Minutes from the following board and commission meetings were reviewed:

a. the January 27, 2014 DDA meeting.

b. the February 4, 2014 Planning Commission meeting.

c. CS Area Parks & Recreation minutes and Director's Reports.

d. the November 25, 2013 CS Library Board meeting.

11. **Motion by Troost, supported by Hall, to adjourn to Closed Session to discuss collective bargaining agreement negotiations.**

VOTE: 7 – 0, Motion Carried.

The Council retired to Closed Session at 8:20 p.m.

12. **Motion by Benham, supported by Troost, to return to Open Session.**

VOTE: 7 – 0, Motion Carried.

The Council returned to Open Session at 9:08 p.m.

13. COUNCIL COMMENTS.

Hall – We would have set a very dangerous precedent if we had waived the late fee on the water bill that was discussed that evening. It wouldn't have been fair to the residents who pay on time.

Benham – concurred with Jerry; we would have started something if we had approved it.

Fankhauser – thanked Kevin Galloway for his presentation. It was encouraging to see what he wanted to do. He appreciated recognizing the fire fighters who had given so much to the City over the years and thanked the City for allowing him to attend the MML Elected Official's Academy.

Clark – thanked the City for allowing him to attend the MML academy he had recently attended

14. The Meeting adjourned at 9:10 p.m.

Linda Christensen, City Clerk

Mark Fankhauser, Mayor.