



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

Goal Setting Workshop

**Thursday, April 3, 2014
6:30 p.m.**

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

1. The Meeting was Called to Order by Mayor **Mark Fankhauser** at 6:30 p.m. The Pledge of Allegiance was recited.

2. ROLL CALL:

Mr. Ken Benham	Present
Mrs. Ashley Bremmer	Arrived 7:30 p.m.
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.

Mark Laws, 54 S. First St., stated he has witnessed a decrease in what residents receive in return for their tax dollars. The residents deserved financial accountability and better decision making. He cited various, in his opinion, failings of the City.

City Manager **Thad Taylor** explained why the City did not receive the fire grant **Laws** mentioned because the federal government had been shut down and the grant was not available at the time. He inquired where **Laws** had heard the comments from Sheriff **Larry Stelma** regarding savings to be realized should the City combine police services with the County. **Taylor** stated the sheriff had not contacted him.

Truesdale said he had called the sheriff to discuss the issue and felt that there were different "routes" to be taken with savings in the police department and felt they should be explored.

Police Chief **Roger Parent** stated that should the City switch to the County for police services, there would be a downgrade in service and residents would not get what they have now.

4. **Motion by Troost, supported by Benham, to approve the agenda.**

VOTE: 6 – 0, Motion Carried.

5. NEW BUSINESS.

A. Goal Setting discussion:

Taylor stated that he wanted to get the City Council together with staff as the Council moves forward with obtainable and sustainable goals. He asked Councilors to state any type of goal on their “wish list.” He would compile the list and the Council would later whittle the list down as to priorities.

The list included:

- New Library.
- Fire barn relocation.
- Community building.
- Main Street infrastructure.
- Water main looping by the High School.
- Façade incentive program.
- Age friendly (elder friendly) community.
- Sidewalks.
- Effective public transportation.
- Skate park.
- Local business events on City website.
- Using social media.
- Opportunities to integrate technology.
- Annual town-wide picnic.
- A forum for dispute resolution between landlords and renters.
- Bike lanes on roads.
- Increase marked crossings for pedestrians.
- Paving the City’s last gravel road.
- A DPW building.
- Construction of another City well.
- Wastewater treatment plant maintenance.
- City street sweeper.
- New downtown banners.
- Employee safety issues with City Hall.
- Cemetery assessment.
- New fire truck.
- Mentor fire department personnel for in-department training.
- Discussions on how to improve fire services.
- Cataloguing City property.
- Identifying City property for development.
- Develop an economic development package.
- Continue support of local, regional and state organizations for economic development.
- Investigate options available for community block grant funding.

- Sidewalk needs assessment.
- Street needs assessment.
- Water, sanitary, storm systems assessment and a means on how to replace, repair and maintain them.
- Better job of planning for future needs.
- Look at City buildings and decide if they are adequate for needs.
- Pave all City parking lots, determine how many spaces are available.
- Install way finding signage.
- Increase code enforcement.
- Investigate façade grants for the downtown.
- Maximize outdoor seating, flowers. Make the downtown “inviting.”
- Downtown banners for various seasons.
- Conduct a community survey,
- Conduct a formalized goal setting process and involve the stakeholders in the community.
- Improve the fiscal condition of the City.
- Need succession planning for department heads.
- Increase training opportunities.
- Increase regional cooperation.
- Morley Park pavilion.
- Splash Park.

Taylor stated he would bring all the ideas presented that evening to the next Council meeting where there could be more discussion and continued discussion at the budget workshop.

6. Any other business to come before the City Council.

A. Additional discussion on Open Meetings Act violation.

Clark said he became aware of a conflict in judicial precedence regarding the Council’s action at the March 13th meeting in which the Council voted to have an investigation of a possible violation of the Open Meetings Act which occurred in July, 2013. He felt this was a conflict with the recall election. The conflict was in putting together two areas that shouldn’t be brought together – the electoral process and judicial process. A municipality should not spend public monies on recall issues, he said. He wanted the City Council to rescind the earlier motion and do more research on the subject. He had provided Councilors with research he had conducted.

Fankhauser said his concern was that the recall was a catalyst brought about by an alluded event that involved the entire Council. He felt that the integrity of the Council had been called into the fray and by calling for an investigation, that allusion would be laid to rest. There would be a financial impact; but felt it would not be significant.

Taylor said in talking with State Police personnel, he was told they conducted open meetings act violation investigations; but only if after the evidence was reviewed by the prosecutor’s office and the prosecutor agreed there was reason to proceed with an investigation.

Fankhauser added that his belief for an investigation was heightened after a resident stated at last month’s meeting that other members of the Council would have been added to the recall; but could not be recalled because of time limits in their terms of office. If nothing comes of the investigation, so be

it; but if something was done wrong, we and taxpayers will know it and the mistake will not be made again.

Truesdale stated that there would be attorney costs and they didn't align with the City's financial condition. He wanted to move on, he said.

Troost said things had been brought to light. She could not understand how an investigation could be interpreted as support for the recall. An investigation would be undertaken by an outside source. The Council needed an outside source to do an investigation to see if it had done something wrong.

Clark said he was in favor of the City Council having a good image in the community; but his concern was not the image, but money. He didn't know where the costs were going to go. The Council could be fined. The real issue is if the Council is in compliance with the electoral or judicial process, said.

Troost stated this was a legal matter. If the Open Meetings Act was violated, it is a misdemeanor. An investigation was not supporting the recall.

Clark argued the investigation could go forward; but not with public money.

Taylor stated the City's Attorney had been asked if such an investigation was a legal use of the City's money. The City Attorney had responded "without a doubt, yes," he said. He had also cited examples of the City Council's "powers" as outlined in the City Charter.

Clark said there was no question the Council had the power to do so; but questioned if it was a good use of public funds. He said he would concede the investigation had nothing to do with the recall.

Fankhauser again stated his reason for seeking an investigation was to ensure the integrity of the City Council. If something was done wrong, we should address it and see that it doesn't happen again, added.

Benham said he didn't think anyone wanted to spend money needlessly; but he felt it was the Council's duty to show the residents they were doing what should be done.

Motion by Clark, supported by Truesdale, to amend the March 13, 2014 motion for investigation of the July 11, 2013 closed session, by inserting the sentence: all investigative activities will be stopped by Manager Taylor as soon as possible on April 4, 2014 and not restarted until such time as further information is considered and Council will have time to meet and vote.

Discussion of Motion:

Clark said he just wanted to take a little more time.

Bremmer asked if he was agreeable to an investigation after the recall.

Clark responded an investigation should not come from the City Council.

Troost stated if a City Councilmember violated a law, it should be investigated. An investigation would show if the City Council acted honorably or dishonorably. The public needed to know.

Clark responded it should not come from a public body.

Fankhauser said he respected the City Attorney's opinion and that he (the City Attorney) spoke on the City's behalf.

Hall said he felt more legal opinion was necessary.

ROLL CALL VOTE:	Hall	No
	Clark	Yes
	Bremmer	No
	Fankhauser	No
	Truesdale	No
	Troost	No
	Benham	No

Vote: 1 – 6, Motion Defeated.

7. COUNCIL COMMENTS.

Benham – thanked the City for allowing him to go to Lansing and attend the MML Conference.

Troost – thanked everyone for coming to the meeting that night, She was excited about the future.

Fankhauser – thanked everyone for allowing him to attend the MML Conference; it had been a good educational session. Thanked the City Council for the lively discussion that evening. He took pride in engaging in that type of conversation.

Truesdale – said it was not his intention to have voted the way he did. He hadn't understood the motion.

Clark – thanked the City for allowing him to go to Lansing for the conference. It had been a great opportunity. He was happy to see the light pole back up on Maple Street. He was disappointed in the position taken by the City Council that night. He was considering his possibilities of venting his opinion in the newspaper and internet. They were putting themselves in opposition to state law.

Fankhauser – said it was important as elected officials when a motion was put before them to understand how to vote. The Council had had a frank discussion and the motion was defeated.

8. The meeting adjourned at 8:57 p.m.

Linda Christensen, City Clerk

Mark Fankhauser, Mayor