



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

Thursday, August 21, 2014

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

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

Members Present: Ken Benham, Dan Clark, Jerry Hall, Robert Truesdale, Patricia Troost, Mark Fankhauser.

Members Absent: Ashley Bremmer.

Also Present: City Manager Thad Taylor, City Clerk Linda Christensen, Finance Director Deb Brunett, DPW Employee Bill Larose, Police Chief Roger Parent, Fire Chief Marty Fraser.

Members discussed agenda items with the City Manager.

**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.

Michele Andres, Red Flannel Festival Chairperson, stated the Red Flannel Festival was only 43 days away. New activities were being planned for the seventy-fifth anniversary celebration.

Brian Woodard, 12 S. Grant St., stated he had a high water bill as a result of a major leak at his rental home. He asked for an exemption of the sewer part of his water bill.

The City Manager was directed to investigate the situation and provide information to the Council for them to make a decision at a future time.

Shawn Kiphart, representing the Friends of Skinner Field, apologized for not going through the proper channels with regard to scheduling events at the field.

Chad Potts, Cedar Springs Police Officer, asked the Council to make a decision regarding outsource policing services to Kent County. The officers and employees deserved clear direction, he said.

Louise King, President of the Cedar Springs Friends of the Library, gave background information on the group's request to be recognized as a nonprofit organization to conduct raffles.

Peggy Bliss, representing the owner of 251 Beech St., provided information on the empty lot next to the residence which the family would like to sell; but was finding difficult because of prohibitive water and sewer tap in fees.

Mary Ann Bliss Devries, also representing 251 E. Beech St., said with an empty lot, the City received minimum taxes; but if a house was built on the lot, it would receive more taxes, thus providing a benefit to the City.

John Barber, 196 W. Muskegon St., asked if outsourcing police services was saying the City didn't need a police department. He asked if the cost savings would mean a repeal of property taxes for residents. He was skeptical that a few County employees could do what the City's police department has done.

Jennifer Wood, a resident of 22 Mile Road, asked if the City went with Kent County would it improve services to residents outside the City.

Fankhauser responded that what was before the City Council was to provide police services to residents within the boundaries of the City. Anything outside the City limits was the responsibility of the Kent County Sheriff's Department and would not be a part of a contract the City would enact with the County.

Kathy Bremmer, 205 E. Maple St., stated the City needed all the information regarding potential savings before it made a decision on outsourcing police services. The Library had hired an architect for its new building and the Community Building Development Team wanted to build an amphitheater on the same property. Good things were happening, she said.

Pam Conley, 120 S. Fifth St., asked why a leasing contract was needed for a Friends group, specifically Friends of Skinner Field.

Taylor stated the group would be leasing the property from the City thereby needing a contract.

Ben Barber, 196 W. Muskegon St., stated he had a problem with getting rid of the police department.

4. PUBLIC HEARING.

- A. **Motion by Hall, supported by Clark, to open a public hearing to amend the City of Cedar Springs' Brownfield Plan for Cedar Springs Brewing Co. LLC's Redevelopment Project.**

VOTE: 7 – 0, Motion Carried.

The Public Hearing opened at 7:35 p.m.

- B. **Taylor** stated the Brownfield Redevelopment Authority had approved the request from Cedar Springs Brewing Company LLC for an amendment to the City's Brownfield Plan. The company, which has an option to buy 95 N. Main St., plans to demolish the building and construct a brewery and dining facility. It expects to create 6-12 full-time and 12-25 part-time positions with a capital investment of \$1.85 million. The business is also seeking tax increment financing from real property taxes estimated at \$106,250 over 10 years.

- C. Public Comments.

Kathy Bremmer inquired about Tax Increment Financing.

- D. **Motion by Troost, supported by Bremmer, to close the Public Hearing.**

VOTE: 7 – 0, Motion Carried.

The Public Hearing closed at 7:38 p.m.

5. **Motion by Troost, supported by Benham, to approve the agenda with the addition of a Closed Session to discuss attorney correspondence as Item II.**

VOTE: 7 – 0, Motion Carried.

6. **Motion by Benham, supported by Hall, to approve the Consent Agenda consisting of the following:**

- A. **approval of the minutes of the Regular Meeting of July 10, 2014 and the Special Meeting of July 22, 2014.**
- B. **approval of the Checks Paid Prior #s 36746 – 36830 totaling \$137,882.62; the July Accounts Payable #s 36831 – 36878 totaling \$155,943.03 and Electronic Transfers totaling \$3,739.12. The total of all checks and transfers was \$297,564.77.**

VOTE: 7 – 0, Motion Carried.

7. Correspondence included:

- A. an August 6, 2014 notice regarding the MML annual meeting.
- B. an August 13, 2014 letter from Charter Communications regarding an increase in service fees.
- C. a public notice from Consumer's Energy regarding an upcoming public hearing.

8. UNFINISHED BUSINESS.

- A. **Motion by Benham, supported by Bremmer, to approve Ordinance No. 188, an ordinance to amend Chapter 40, Signs, of the City of Cedar Springs' Code of Ordinances as a second reading.**

VOTE: 7 – 0, Motion Carried.

- B. **Motion by Troost, supported by Bremmer, to approve a \$10.00 Outdoor Seating Permit Fee.**

VOTE: 7 – 0, Motion Carried.

- C. **Motion by Troost, supported by Clark, to approve the Mayoral appointment of Patsy Baar to an unexpired term on the CS Area Parks and Recreation Board, expiring December 31, 2014,**

VOTE: 7 – 0, Motion Carried.

9. NEW BUSINESS.

- A. **Motion by Troost, supported by Benham, to approve an amendment to the City of Cedar Springs' Brownfield Plan for Cedar Springs Brewing Company LLC Redevelopment Project.**

VOTE: 7 – 0, Motion Carried.

- B. **Motion by Troost, supported by Bremmer, to approve Resolution No. 2014 – 20, a resolution approving a pass through agreement for the proposed redevelopment of 95 N. Main St.**

VOTE: 7 – 0, Motion Carried.

- C. **Motion by Troost, supported by Bremmer, to approve a Purchase Agreement for 95 N. Main St.**

VOTE: 7 – 0, Motion Carried.

Dave Ringler, owner of CS Brewing Company, expressed his thanks to City employees, the Planning Commission, Mayor and Mayor Pro Tem for their help in moving the project forward.

- D. **Motion by Hall, supported by Clark, to approve a street sweeping bid from Tri-Us Services, in the amount of \$430/mile for a total of \$4,300.00.**

VOTE: 7 – 0, Motion Carried.

- E. **Motion by Troost, supported by Hall, to approve the purchase of a new sewer jet trailer from AIS Construction Equipment in the amount of \$43,600.00.**

VOTE: 7 – 0, Motion Carried.

- F. **Motion by Troost, supported by Clark, to approve the purchase of 100 gallons of street marking paint from Sherwin Williams at the price of \$17.99/gallon.**

VOTE: 7 – 0, Motion Carried.

- G. **Motion by Hall, supported by Troost, to approve the purchase of water meters from Michigan Meter Technology Group in the amount of \$17,131.00.**

VOTE: 7 – 0, Motion Carried.

- H. **Motion by Troost, supported by Clark, to approve the purchase of six ISI Viking Air Bottles from Douglass Safety Systems LLC in an amount not-to-exceed \$5,910.00.**

VOTE: 7 – 0, Motion Carried.

- I. **Motion by Benham, supported by Troost, to approve the purchase of four I-Com portable radios from T & W Electronics Inc. in an amount not-to-exceed \$5,910.00.**

VOTE: 7 – 0, Motion Carried.

- J. **Motion by Troost, supported by Clark, to approve Resolution No. 2014 – 29, a resolution approving the CS Friends of the Library’s request to be recognized as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses.**

VOTE: 7 – 0, Motion Carried.

- K. Request from the Tom and Evelyn Bliss Family Trust for reconsideration of water and sewer tap in fees:

Taylor stated he was contacted by members of the Bliss family regarding 251 E. Beech St., an undeveloped City lot which the family is trying to sell. As an undeveloped lot, there is no water or sewer servicing the property although water and sewer service is available to be tapped into. According to the family one developer has declined to purchase the lot due to the high cost to connect to the water and sewer. The family was requesting the Council to make the water and sewer fees more affordable. The City’s ordinances require costs to connect to the City’s water and sewer system to be borne by the property owner, **Taylor** explained. The Ordinances allow a waiver of the water tap in fee if the City Council and County Board of Public Works deem the cost to be an unreasonable hardship on the owner. In this particular case, **Taylor** said, the owner has not established that the cost of the water tap in fee is an unreasonable hardship; but rather a difficulty to sell the property. **Benham** stated that this was a tough situation. It would be nice to have another parcel to be added to the City’s taxes; but yet the City’s ordinances needed to be abided.

Fankhauser said a realistic approach needed to be looked at. The City needed to stand firm with its current policies. No hardship had been presented or met.

Motion by Hall, supported by Troost, to deny a request from the Tom and Evelyn Bliss Family Trust for reconsideration of water and sewer tap in fees.

VOTE: 7 – 0, Motion Carried.

- L. Discussion regarding approval for an additional stipend for the Acting Police Chief:

Hall felt this was setting a precedent; when a DPW employee was appointed Acting DPW Superintendent during Hall's tenure as DPW Superintendent, he wasn't given an additional stipend, he said.

Taylor said additional vacation time had been awarded to various employees when they had been put in acting department head positions.

Truesdale said he felt this was setting a precedent.

Fankhauser said the City had already set a precedent by awarding additional vacation time in the past.

Motion by Troost, supported by Benham, to approve an additional stipend for the Acting Police Chief.

VOTE: 7 – 0, Motion Carried.

- M. Discussion regarding pursuing a contract for police services with the Kent County Sheriff's Department:

Fankhauser said the Council needed to arrive at a definitive course of action to flush out what was best for the citizens of the City.

Truesdale said he was disappointed in the rumors going around the City on this issue. We have never questioned the police force as to what their wishes are, he said. He said he had never received any recommendation or input from the officers.

Troost asked if he had asked police officers how they felt. You can't expect people to come to you. We are the employer here, she said.

Hall said there was a lot of skepticism going around and he would like to see a contract draft. The Council didn't have a hard number or a contract to base a decision on. We need to get our facts, he said.

Fankhauser said the City needed to move forward to flush out exactly what the sheriff was offering. The Council could not base its decision on presumptions or fears. He would like to have the Council authorize the City Manager to move forward to look at outsourcing police services with Kent County so that the Council could have solid facts on which to base a decision.

Bremmer stated people have opinions one way or the other; but the Council had to do what was in the best interests of the City. We need to go ahead and see what the contract proposal from the County was.

Clark asked if the City could afford to spend the money on current police services given the economic circumstances of the community. Cedar Springs currently had 2.7 officers per resident. We have to look at options to lower the cost of living, he said.

Troost said we have a lot of problems in this community with domestics and bar fights. The Kent County Sheriff's Department has a huge list of resources that could help the City's residents, she added.

Benham said that the City's officers do a lot of social work and added that the City had kicked into its reserve funds by \$40,000 in the last couple of years.

Motion by Hall, supported by Clark, to pursue a contract for police services with the Kent County Sheriff's Department.

VOTE: 7 – 0, Motion Carried.

10. CITY MANAGER'S REPORT.

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

- New code enforcement officer hired.
- Update on Skinner Field.
- Removal of fuel tanks and installation of new ones at the Wesco Station.
- Upcoming vacation time
- Update on the passing of Proposal 1 at the August Primary and what it will mean to the City.
- Dental and vision insurance cost increases to be offset by no increase in health care costs.

B. Monthly Department Reports were offered by the following:

1. Department of Public Works.
 - a. Infrastructure Alternative's operational & 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.
 - a. Rental Registration Report.
7. Minutes from the following boards were offered:
 - a. the June 23, 2014 CS Library Board Meeting.
 - b. the July 7, 2014 CS Area Parks & Recreation Board Meeting and the August 4, 2014 Director's Report.

11. **Motion by Troost, supported by Benham to adjourn to Executive Session to discuss a written, legal opinion of the City Attorney.**

VOTE: 7 – 0, Motion Carried.

The Council adjourned to closed session at 9:30 p.m.

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

VOTE: 7 – 0, Motion Carried.

The Council returned to Open Session at 9:51 p.m.

13, **Motion by Troost , supported by Bremmer, to approve a new employee contract with the City Manager.**

Truesdale said he did not have enough time to digest the contract in order to make a decision that evening.

Clark stated he was not comfortable with a three-year extension.

VOTE: 4 – 3 (Clark, Hall, Truesdale) Motion Carried.

14. COUNCIL COMMENTS.

Truesdale stated in his files he has reprimands by the City Manager for going around him. He didn't feel comfortable talking to the employees. He'd like to know if it's true the officers are in favor of this new challenge. He felt the city manager and police chief should have done a survey to let him know how the officers felt.

Taylor responded he did not feel comfortable speaking for the officers.

Truesdale said the Council should have more freedom to talk to those employees who wanted to talk to them. It would give the Council an idea of how the City was being run.

Fankhauser said the police department was a union and as such its labor representative should speak on behalf of the bargaining unit.

Truesdale said it was a matter of being in the loop and not getting reports off the street. We all need to work closer together so we all know what is going on.

Troost said the reason employees didn't talk to him was because trust had been broken. There is no more trust, she said.

Clark said he needed clarification on the leadership policy. He felt limited by the leadership policy. He couldn't go to City employees without approval from the City Manager. I want to have the opportunity to talk to employees. I want clarity on how much leeway we have on approaching City employees.

Benham said if he wanted to know what was going on, he made an appointment with the City Manager and came in and talked to him.

Clark questioned the time line regarding information that had been disseminated to police officers with regard to outsourcing police services.

Troost thanked everyone for coming to the meeting and thanked **Roger Parent** for his years of service.

Benham thanked **Roger Parent** for his service.

Clark thanked the City for telling him he used too much water.

Hall thanked **Roger Parent** for his service.

Fankhauser thanked **Roger Parent** for his years of service, thanked Councilmembers for its frank discussion that evening.

15. The meeting adjourned at 10:20 p.m.