



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

Thursday, October 9, 2014

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

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

Members Present: Ken Benham, Ashley Bremmer, Daniel Clark, Robert Truesdale, Patricia Troost, Mark Fankhauser.

Members Absent: Gerald Hall.

Also Present: City Manager Thad Taylor, City Clerk Linda Christensen, Finance Director Deb Brunett, DPW Director Tom Stressman, Interim Police Chief Chad Potts, Fire Chief Marty Fraser.

The City Manager reviewed agenda items with Councilors.

**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	Absent
	Mr. Robert Truesdale	Present
	Mayor Pro Tem Mrs. Patricia Troost	Present
	Mayor Mr. Mark Fankhauser	Present

3. PUBLIC FORUM.

Rose Powell, 316 W. Cherry St., expressed her heartfelt appreciation for the volunteers who have supported the Red Flannel Festival for the past 75 years. She asked if the City Manager had the authority to waive ordinances such as the sale and consumption of alcohol on public property.

Thad Taylor, City Manager responded that he could not waive city ordinances. The only body that could do so was the City Council, he said.

Steve McBride, 139 7th St., stated he was asked by the City to give a quote on concrete. He said he dropped the quote off at City Hall and it “magically disappeared.” He appreciated the opportunity to bid and did not refuse to bid as is stated in the board packet.

DPW Director **Tom Stressman** stated that the individual in charge of seeking bids said that McBride refused to bid because of his conflict with the City.

Scott Troost, 149 Johnston St., thanked Councilmember **Ken Benham** for his years of service to the City. He addressed remarks to Councilmember **Robert Truesdale** calling him out for personal attacks he had made on City Councilmembers and staff.

Truesdale said he had been humbled and had apologized in the Cedar Springs Post and stated that he knew he had caused problems for Councilor **Patricia Troost**.

Troost stated that they had a nasty past and it was time to move forward. I have no personal agenda, she said. She read a prepared statement and asked that it be read into the record of the meeting. (**Attached Item A**)

Kathy Bremmer, 205 E. Maple St., asked **Truesdale** to make it clear to his wife that it was not her (**Bremmer**) who had circulated the email about **Troost**. You should publically endorse **Patty (Troost)** and **Ashley (Bremmer)**, she told **Truesdale**. It would go a long way to put all the conflict behind them. Red Flannel people sit in the audience and just wait for something to pick on, she said. It is time to work for the community and get over the Red Flannel logo.

4. PUBLIC HEARINGS.

A. **Motion by Troost, supported by Clark, to open a public hearing on an Industrial Facilities Exemption Certificate as requested by CS Tool Engineering.**

VOTE: 6 – 0, Motion Carried.

The Public Hearing opened at 7:51 p.m.

B. **Taylor** stated that Industrial Facilities Tax Advisory Committee met October 1, 2014 to consider the request. The State of Michigan had a formula for reimbursing the City for the personal property tax loss resulting from the passage of the elimination of the personal property tax proposal on the August ballot. That formula adds IFT's into the calculation. For the current year, the City will be reimbursed \$35,444.58 which is slightly lower than the actual loss in revenue to the City, he explained. If the IFT is granted the City's loss next year would be \$2,600.41. The City would realize this loss each year over the 12-year life of the IFT for a total loss of \$31,204.92. In addition, the City would lose the tax dollars over the 12-year life span amounting to an additional \$50,838.82. The IFT committee was recommending denial of the request, **Taylor** said.

C. Public comments:

Kathy Bremmer, a member of the Tax Advisory Committee, stated that this was a difficult decision to make. The City was always trying to have growth; but with the State formula being used, the committee had to deny the request.

D. Motion by Troost, supported by Benham, to close the Public Hearing.

VOTE: 6 – 0, Motion Carried.

The Public Hearing closed at 7:55 p.m.

E. Motion by Clark, supported by Troost, to open a public hearing on Ordinance No. 189, an ordinance to amend the City Code by adding a new article to Appendix A, which new article shall be designated as Article IV, Sections I through XVI, entitled “Uniform Video Service Local Franchise Agreement.”

VOTE: 6 – 0, Motion Carried.

The Public Hearing opened at 7:57 p.m.

F. Taylor explained that AT&T had filed for a Video Service Local Franchise Agreement on August 26, 2014 using a standard form agreement approved by and required for use by the State of Michigan. The City is somewhat restricted in terms of what it can require or ask of a cable provider and is bound to utilize the Uniform Franchise Agreement. The State also required the municipality 15 business days from the receipt of filing in which to advise the provider is the application is complete. The City has treated adoption of franchise agreements through adoption of an ordinance. Because of the time constraints, staff was recommending the adoption of the ordinance as an emergency ordinance thereby bypassing the required two readings and meeting the time constraints the City was under to pass the agreement.

G. There were no public comments.

H. Motion by Troost, supported by Bremmer, to close the Public Hearing.

VOTE: 6 – 0, Motion Carried.

The Public Hearing closed at 7:59 p.m.

5. Motion by Troost, supported by Benham, to approve the agenda with the elimination of Item F under New Business and the addition of a closed session as Item L under New Business to conduct a performance evaluation of the City Manager as requested by the City Manager to be done in a closed session under Section 8 (a) of the Open Meetings Act “to consider a periodic personnel evaluation of a public officer, employee, staff member or individual agent, if the named person request a closed hearing.”

VOTE: 6 – 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 September 11, 2014 and the Special Meeting of September 18, 2014.

B. approval of the Checks Paid Prior #s 36966 – 37051 totaling \$1,749,903.10; the September Accounts Payable #s 37052 – 37072

totaling \$29,023.27 and Electronic Transfers totaling \$2,257.64. The total of all checks and transfers was \$1,781,184.01.

- C. Resolution No. 2014 – 32, a resolution approving Election Inspectors for the November 4, 2014 General Election.
- D. approval of the MML Liability & Property Pool Board of Director's Ballot.

VOTE: 6 – 0, Motion Carried.

7. Correspondence consisted of The Right Place Monthly Update.

8. UNFINISHED BUSINESS.

A. Mayoral Business Matters:

1. Mayor **Fankhauser** read a proclamation honoring **Ken Benham's** eight years of service as a Councilmember.
2. **Fankhauser** read a letter from the State Bureau of Elections dismissing a complaint filed by Mark Laws against the City Council, City Manager and City Attorney alleging a violation of the Michigan Campaign Finance Act. It was important for everyone to realize that we all have rights, **Fankhauser** said. **Laws** exercised his rights as a citizen and due process did take place, he said.

B. **Motion by Troost, supported by Clark, to approve a contract with the Kent County Sheriff's Department for police services:**

Discussion:

Taylor reviewed terms of the proposed contract. Among the items discussed were:

- Police officers will enforce the ordinances of the City.
- Twenty-four coverage with a patrol sergeant providing 40 hour/week supervision. In the event the sergeant is absent, deputies will be supervised by qualified off-site sheriff personnel.
- Police personnel will begin and end their day in the Cedar Springs' office with flexibility built into the contract.
- Office space will be made available in City Hall.
- Deputies assigned to Cedar Springs will be provided as part of the County's Township Pool Program ensuring stable monthly and annual costs to the City.
- Five year contract.
- Those full-time officers employed by the Cedar Springs Police Department may apply for positions within the Kent County Sheriff's Department and will be employed as deputies contingent upon law enforcement hiring practices. It is the intention of both the City and County to retain the current Cedar Springs police officers within the Cedar Springs unit; but it is not a guarantee.
- The sergeant in charge of Cedar Springs will brief the City Manager on a regular basis and provide the Council with written monthly reports.
- When a citizen calls for a police officer, regardless of the reason, a police officer will respond to the call.
- Requests for unlocking of vehicles will be answered and addressed.
- Requests for private party accidents will be answered and addressed.

Jon Hess, Kent County Under Sheriff, stated the contract was the result of a lot of hard work and reflected comments and concerns addressed at the citizen meeting in July. All of the Cedar Springs officers will receive welcome packages within the week, should the Council decide to accept the contract, he said. During the transition period a mentor from the Sheriff's Department will be available to officers. There would also be a transition ceremony scheduled at which time the Cedar Springs Police Department would be disbanded with transition ceremonies for those officers joining the Kent County Sheriff's Department.

Michele Young, Kent County Chief Deputy, outlined costs explaining Cedar Springs would become a member of the Township Pool. Cedar Springs would realize 15.8% of the contract hours of that pool, she said with a projected savings of \$119,000 a year. The County wanted to offer the same kind of service the City currently offers.

Clark stated he was a little disappointed in the cost savings going with the County. It was not as much as he had expected. He felt the whole process had been accelerated and he was not ready to vote on the contract that evening.

Fankhauser said the Council had many difficult decisions to make and this was one of them.

Truesdale said he was ready to vote on the contract.

Bremmer stated she worked for the Sheriff Department and asked to be excused from the vote as she felt it would be a conflict of interest to cast a vote.

Vote to excuse Bremmer from the vote: 6 – 0, Carried.

Vote on the motion to approve a contract with the Kent County Sheriff's Department for police services:

VOTE: 5 – 0, 1 abstention Motion Carried.

9. NEW BUSINESS.

- A. **Tom Holloway** and **Kathy Bremmer**, Community Building Development Team members, presented plans on the possibility of constructing an amphitheater on City property north of Maple Street and east of the White Pine Trail.

Kurt Mabie, Community Building Development Team, said data was still being gathered and more information would be coming in the future.

- B. **Motion by Bremmer, supported by Clark, to approve a request from Big Boy Restaurant to waive the late fees for the September utility billing cycle.**

Discussion:

Taylor said payment was received September 10, 2014 two days later than the September 8 due date. The City imposed a 10% late fee totaling \$116.64. Big Boy claimed it mailed the payment September 3 well in advance of the due date. Staff immediately processes payments, Taylor said; but did not save the envelope to verify when the payment was received.

Benham said he was in favor of waiving the fee because the envelope in which the check was mailed was not saved and the City did not have proof when it was mailed.

Truesdale said this had happened in the past and felt the City should go by the posting date. He suggested keeping envelopes 30 to 60 days.

Bremmer said if that was going to happen, the City needed to set a future date for it to start.

Fankhauser pointed out that it is printed on the bill that failure to be received in the office by the due date, would result in a late fee being accessed.

VOTE: 0 – 6, Motion Denied.

- C. **Motion by Benham, supported by Bremmer, to approve the Industrial Facilities Tax Advisory Committee’s recommendation for an Industrial Facilities Tax Exemption for CS Tool Engineering.**

VOTE: 0 – 6, Motion Denied.

Motion by Clark, supported by Benham, to reconsider the vote.

VOTE: 6 – 0, Motion Carried.

Motion by Benham, supported by Bremmer, to approve the Industrial Facilities Tax Advisory Committee’s recommendation for an Industrial Facilities Tax Exemption for CS Tool Engineering.

(The Tax Advisory Committee’s recommendation was to DENY the request.)

VOTE: 6 – 0, Motion Carried.

- D. **Nichole DeMol**, Trout Unlimited, presented plans to perform wetland restoration at designated sites in the City.

Motion by Troost, supported by Benham, to grant permission for Trout Unlimited to perform wetland restoration at identified City sites; to draft a letter of support for grant applications and to approve a \$2,000 match for Trout Unlimited grant applications.

VOTE: 5 – 1 (Fankhauser,) Motion Carried.

- E. **Motion by Troost, supported by Benham, to approve Resolution No. 2014 – 33, approving a local governing body resolution for a charitable gaming license for CS Athletic Boosters.**

VOTE: 6 – 0, Motion Carried.

- F. **Motion by Bremmer, supported by Troost, to approve a request for 15 minute parking on Main Street.**

Taylor stated he had received a request from the owners of Geek Worx and the Liquor Hut for 15 minute parking in front of their businesses claiming customers are in and out of their businesses in 15 minutes. Their concern was that in the future, customers from the CS Brewing Company could

occupy the spaces in front of their businesses for long periods of time. Convenient short term parking was important to them, he said.

VOTE: 1 (Truesdale) – 5, Motion Denied.

- G. Motion by Bremmer, supported by Troost, to approve a Franchise Agreement with AT&T.**

VOTE: 6 – 0, Motion Carried.

- H. Motion by Clark, supported by Troost, to approve Ordinance No. 189, an ordinance to amend the City Code by adding a new article to Appendix A, which new article shall be designated as Article IV, Section I through XVI, entitled “Uniform Video Service Local Franchise Agreement,” as an emergency ordinance.**

VOTE: 6 – 0, Motion Carried.

- I. Motion by Troost, supported by Bremmer, to approve a bid from Brechting Concrete in the amount of \$3,299.00 to replace the driveway into the shop area of City Hall.**

VOTE: 4 – 2, (Truesdale, Clark,) Motion Carried.

- J. Motion by Clark, supported by Troost, to table consideration of City-owned property available for economic development for a future meeting.**

VOTE: 6 – 0, Motion Carried.

- K. Motion by Troost, supported by Bremmer, to adjourn to Closed Session for the purpose of conducting a performance evaluation of the City Manager as requested by the City Manager to be done in a closed session under Section 8 (a) of the Open Meetings Act “to consider a periodic personnel evaluation of a public officer, employee, staff member or individual agent, if the named person requests a closed hearing.”**

VOTE: 6 – 0, Motion Carried.

The Council adjourned to closed session at 11:12 p.m.

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

VOTE: 6 – 0, Motion Carried.

The Council returned to Open Session at 12:01 p.m.

Fankhauser distributed copies of the City Manager’s evaluation in which he received an overall rating of 4.0, which is above average.

10. The City Manager's Report and Monthly Department Reports were offered from the following:
 1. Department of Public Works.
 - 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. Code Enforcement Log.
 7. Minutes from the following boards and commissions:
 - a. the September 3, 2014 Tax Advisory Committee Meeting.
 - b. the July 28, 2014 and August 13, 2014 CS Library Board Meetings.

11. COUNCIL COMMENTS.

Bremmer - may not be here at the next meeting; thanked the City and Ken Benham for his service.

Clark – would miss Benham's smile.

Troost – thanked everyone for staying so late and thanked the Council for allowing her to get things out in the open.

Benham – it had been a pleasure serving on the Council the last eight years; he had met a lot of people; thanked the department heads for putting up with him; asked the future council to keep in mind what is best for the City.

Fankhauser – thanked Ken Benham for his years of service to the City and City Council; if this was his last meeting, he wanted to thank everyone; it was his intent when he got on the City Council not to come to the Council with an agenda; it had been a pleasure; he wanted to go on record for conducting the longest and shortest Council meetings.

12. The Meeting adjourned at 12:06 p.m.

Linda Christensen, City Clerk

Mark Fankhauser, Mayor

ITEM A

Closing Statements by Mayor Pro-Tem Patricia Troost - October 9, 2014

I have thought long and hard about how I wanted to close tonight for my closing council statements. Ken, I just want to say that I appreciate all that you have taught me and your comments and insight to items that I did not think about or even know. I appreciate your patience as I continue to learn and grow within the council setting. Thank you for always answering my questions, even if we didn't agree, you would still listen to me and hear what I had to say and if we didn't agree, you have never held our differences against me, you are going to be truly missed, more than I think you even know!

As this may or may not be my last council meeting as a council member, I do not want anyone to think that what they have heard is the truth and for those that really know me, know that I am a people person, I love to help and be a servant to others, as I believe that is why we are here. I have a soft heart and what has been said about me and the rumors and actions that members and non-members of our community have taken against me, I wonder how some of you sleep at night. I am here to make the record straight, what you're saying about me in ideal gossip, the paper and on social media sites is not true and you seem to think that you have the community of Cedar Springs in mind, when in fact all you have done is divided it more and threw this you have done nothing for our community.

I first want to address the statements that I have attacked Co-Council Member Bob Truesdale & his wife, Betty on several occasions, which is **simply not true**. Bob, yes, I have become very frustrated with you, because on many occasions you have stated that you think you have voted wrong, that you didn't understand the Motion on the floor or that you know what the right way was to vote. You have fallen asleep, you have not read or understand our council packets or why we are discussing matters that in some cases we have been discussing for several months and had special meetings on and then you ask why we are talking about this. You have others retrieve your council e-mails for you and in turn you have now given this person privy information to matters that on may occasions were attorney client privilege and for me all of this is very exasperating!

Bob I do not believe that you even realize that when Ken called you that afternoon in July 2013 and he told you that some of the council members wanted to talk to you about your recent actions and how you wanted it handled, and you stated that you didn't see the need, but if it was going to happen you wanted it to be in closed session. That was you asking to go into closed session. At that time, you were also the Mayor - you called for and accepted the Motion to go into closed session and you voted for it, I am not sure if you recall this, but the vote was 7-0.

I also want to remind you, that we were elected at the same time, this was yours and also my first closed session and after Ken had called me, **I actually went and looked up what was expected of me with regards to a closed session** and read the complete Closed Session Act; I'm sorry you didn't do that, but you as a Council Member and most of all being Mayor and the leader of our meetings - you should have done the same, as this was and is still your responsibility to always be prepared. I am sorry that this was lost in all of this, but, Mark, Ashley, Ken, Pam, Charlie, Linda,

Thad and I all know what was stated in that closed session and what really happened! We know how the meeting began and ended. Closed Sessions are sealed and you broke that and you also let untruths and rumors feaster and sadly I believe **you started to believe these lies as your own truth**, but the other 8 of us know what really happened. If you only would have looked up the requirements of closed session you would have seen what was required of you and what you could have done.

Opens Meeting Act 267 of 1976 15.268 § 8 (a):

To consider the dismissal, suspension or discipline of, or to hear complaints or charges brought against or to consider a periodic personnel evaluation of a public officer, employee, staff member or individual agent, if the named person requests a closed hearing. A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open session.

Thirdly, because I brought out the fact that your wife was one of the people that had passed out the petitions for Recall against Ashley and I and I became very upset when the absurdity of your statement that you never wanted things to come to this – was in my opinion a flat out **misrepresentation of the facts**. But because I called you out on it - so to speak on this – is now considered an attack on her. **Each and every time I have seen you and your wife I have been nothing but courtesy and going out of my way to work above all of this and to keep doing what I know is right**. If at all either of you took those actions as an attack I apologize as I would **never want anyone to feel or experience what I have experienced this last year** as it has been nothing **but pure evil and from a group** that keep saying they have the best interest of Cedar Springs at heart.

I also want to apologize to everyone for my exasperations that I may have shown at council meeting. What has transpired in the last year has been **very frustrating** and yes at times I have been very angry, and I get **very passionate**, when I **know there are lies and falsehoods being stating and repeated so many times that now it is told as truth - from this I may have let that get the best of me from time to time and I am truly sorry for that**.

But I am not perfect and I make mistakes and I don't know everything and I am trying to do the best job I can do for everyone and I work very hard for all of you and I come prepared to every meeting ready to discuss and vote to bring our City forward and together.

I also and am not sure if some of you are aware of this, but I am a person, I do have feelings and what you and others have done to Ashley and I, is wrong and deep down you know what has been said about me and the bullying and gossiping is wrong and because some of our fellow council members have done nothing to stop it and in fact I do feel that you have endorsed these individuals actions.

In all of these ugly statements made against me, I am still trying to figure out where I have attacked anyone especially you Bob and your wife. Why I am not allowed to respond to the attacks and allegations against me?

Bob I ask for you to recall a recent letter from Betty that was in the post in which she states that you never wanted that appalling e-mail that you sent to me last year to be made public, that it was a private e-mail that you later apologized for in another e-mail; but Bob you handed it out to the public and you also gave a copy to all the business owners. I don't believe you remember that, but I do.

I believe when you did this, it was done out of your **anger and hurt pride** and even though you **have never asked me in person or face to face for forgiveness**, I want you to know that my actions last December, during our special meeting, when I stood up and walked over to you, and I shook your hand and **I told you in public, and in front of everyone and more importantly had truly meant that I forgave you** and I wanted to continue to work with you and to let's move forward. But by what has transpired within this last year, and **what I really thought was a mutually act of compassion, forgiveness and solidarity** I now know that those actions were only **true for one person -me.**

If you truly look back, Bob it has not been me that has been the on the attack. Anyone. can see that if they review the articles or statements in The Cedar Springs Post and on social media sites. Bob, if you think that your actions have been honorable then I think you have nothing to worry about, but then my advice to you is you need to look again as to what that really means, because I do not believe that you have acted honorably through all of this towards me.

Bob, I may be wrong, but I do believe **deep down you have held a grudge against me** because I nominated Mark Fankhauser for Mayor, if you really look back over this last year, you know that **Mark has done an honorable and great job as Mayor and he knows how to hold himself and run a professional meeting.** Mark understands and knows the protocol that is required for our Council Meetings. Bob if you really think about this, **you know that you did not and still don't.** My nomination was not ever meant to be a jab against you - it was a decision for the better of **Council and the residents!**

Not all of us are met to be Mayor, we need to have confidence in our Mayor and the Mayor knows what he/she is doing and how to do it and Mark was and is still that person. Mark understands his role as Mayor and knows that he is only 1 vote, like all of us. But I also need you to know that I had lost faith in you as you never fully grasped what the role of Mayor is or how to bring everyone together. If you can remember, during the time that you were Mayor, the articles in the paper you wrote, the e-mails you sent and statements you made and still are making, you kept and keep feeding the so called fuel to the fire on the misconceptions people think and some now believe are actually real and you kept and keep the resentments and rumors going instead of stopping them. When you were Mayor you should have worked with all of us on matters that you were doing in secret and behind our backs and we had no knowledge of. You were consulting with the Sheriff to outsource

our police department, you were talking with architects to build and/or move the fire department, and you were instructing and trying to discipline city employees, while all in secret.

Bob in my opinion you truly do not have the capabilities or understanding to be on council let alone the Mayor. I am sorry if this hurts you, because this is not my intentions and by my respect for you, before now and I am sorry for, but I never had the guts to tell you this in person, but I need you to know this. I know you feel I betrayed you, I didn't vote for you to be Mayor the first time around as I felt then and still feel now that the Mayor seat needs to held by a person with the characteristics that Mark has and that was why I nominated him, me no one else. I was so worried when Charlie retired as I was looking for a leader someone that was actually going to be positive and could run our meetings professionally and Mark was and is that person.

No matter what, I want you to know that I will continue to try and work with you to make decisions that can change the face of our city for the better. I know the mercy that I have shown to both you and your wife through all of this - even with the knowledge of your roles and course of actions that have been taken against me and my reputation, but Bob and Betty I want you both to know that no matter what happens, I truly forgive you both and know that I have always tried to act honorably and with integrity and if you believe otherwise, I am truly sorry.

I do believe with the lengths that people have taken to try and ruin me believe that I was just going to give in and walk away, I want everyone to know that - that is not going to happen. I am not going to cower away from the bullying, no matter whatever happens I will continue to work for our City to move forward in any roll that will be.

I next want to address the rumors that I turned my back on Red Flannel, this is so far from the truth, and I would love someone to show me or tell me when I have ever voted against the Red Flannel? You can't because there is not one.

You have made statements that I used the Red Flannel for my campaign in 2012. This statement is so far from the truth as I did not even campaign the first time around. The only thing I ever responded to or that was printed was to a request made by Judy Reed from me, for an article in the paper - and to get the story straight on November 1, 2012 this is what was printed in the Cedar Springs Post:

Patricia Troost grew up in Howard City. She has lived in the City of Cedar Springs for 3 years and is a Paralegal at Reisinger Law Firm, PLLC, in Grand Rapids. She has been married to Scott Troost, for 25 years; and they have three adult children and four grandsons. Patricia said she is running because "there seems to be a lot of strife going on between the current council members and the residents of Cedar Springs and I am hoping to change that. Our City is going through a difficult time right now and I decided I could not just sit back and watch others determine the fate and future of our city." She said her main strength is having the ability to disagree and still hold a relationship with that person, and being willing to make the tough decisions that need to be made to bring goodwill and trust between the residents and the council. Patricia believes

the major challenges facing the city include the parking enforcement codes, and the issue the town's identity. She'd like discussions to begin again between the Red Flannel Board and the City.

I was 100% in for the Red Flannel Board and the City to come to an agreement and if anyone looks back **they will see that I did what I said I was going to do** and the talks **did begin again with the Red Flannel** and unfortunately there was not an agreement that could be made and there never was going to be. Why are you not looking to your Red Flannel Board Members as they are the ones that are not willing to work out an agreement? I did not take away our Red Flannel Logo that was taken away by the Red Flannel Board with their Cease and Deist, and I am still not sure why that seems to not matter to anyone here.

As with me and my fellow Council Members we were voted in to make the **hard decisions**, which we did! I am just **regretful** that an agreement could not be made and after going through the whole history of the logo and in preparing a 22 page time line, it had become apparent to me that an agreement would never come.

I then did what I said I was going to do – **I made the tough decision** and in November of 2013. I voted to go with the Ad Hoc's Committees recommendation to give our City their new Logo/Identity as we had been without an identity or logo for 15 months. What has transpired in the last year, I now know that the Red Flannel Board believed that I was going to give them whatever they wanted no matter what and even **to the detriment** to the Residents of Cedar Springs.

Believing at the time that we all are adults and we could work together and not knowing then what I know now, that I was actually being used and my newly friendship was actually a charade - I was a supposed to be a pawn for **members of one board trying to get a monopoly on City Council**. This backed fired as they did not consider that I actually had a brain and was going to vote what I believed was best for **ALL** of the residents of Cedar Springs and I actually wanted and want to be on City Council to make Cedar Springs a place where you want to grow up, start your family and retire.

After the vote in November of 2013, and innocently still not knowing that I was never really this person's friend that my role was actually as a pawn and because truly believing that I had a new friend, after the vote I sent an e-mail on November 15, 2013:

Hello Michele,

I tried to message you through Facebook, but I guess you befriended me. Which I was very surprised of. I am hoping that you will change your mind, because that was not ever what I wanted or thought.

I just want you to know that this had nothing to with me not supporting the Festival, because, I do 100%, with all I have and always will.

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My decision to go with a new logo had to do with the City moving ahead and nothing to do with my support with the Festival.

I was supporting the Festival in saying "yes, that is their Logo, that is their Trademark, our budget is not allowing us to pay them for it and they cannot just give their identity away for free and they need to protect it; so where do we go from here"?

Too many relationships have ended and too many neighbors against neighbors and I wanted the healing to begin.

The Festivals fund raising had been better this year, as last year it was down due to all the negative press and hoping that it will continue to get higher every year.

I just want you to know that this was not anything against the Festival and the Festival Board, because this was one of the hardest things that I had to do, I was in tears, most of the time that I spoke last night. "The Red Flannel Town" and your Logo is what I know that Cedar Springs is and will also will be, we just won't have it on our trucks or letter head anymore.

I also want you to know that I went through everything and put out a time line, went through the budget, trying to figure this out and where we can support all Community Events and not just the Festival.

I finally made my decision on how all parties can heal and how I can continue with still supporting both the Festival and the City residents and how to stop all the negative press, that would in my opinion hurt the City and the Festival which is the last thing I wanted to do.

I hope after you cool down and realize why I made the decision I did, and I wish I could have spoken to you or your board, we were told we could not as to keep the communication between your board, attorneys and City Manager only. Which I honored. Other Board members may not have, but I did.

I loved helping the Festival with the Judging of the Art and hope that you and your board will give me the honor of the same next year.

Again Michele, I made a decision on what I believed was the best for the residents of Cedar Springs and to the Festival. I cannot speak to the other Council members, I just knew my decision had to do with supporting both parties and I hope in time you and your board will see that.

Your friend,

Patty

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I want you all to know that I quickly found out that you cannot be a pawn with a brain, common sense and a friend all at the same time and a line that I never drew had been drawn.

On many social media sites, I have been told and was shown where people have stated and/or commented that I am a liar and that my responses are a lie on paper.

My response, to you and to the other members who believe your liable actions, all of you are sadly misguided and you have no clue as to what happens with council members.

Because of your mindsets, you believe that everyone is like you and makes decisions with alterative motives and you believe there is no way that some members actually vote for what we believe is right, we do not have one groups agenda on our minds, we have all of the residents in mind. It is very sad that you cannot see that.

Furthermore, in support of my response letter, I have all of the documents and records to support everything that has happened from the logo, recall and your personal assaults. You are so one sided you cannot even see the truth when it is right there in black and white.

I have the truth, you have the rumors and innuendoes and Ms. Powell you have also stated that you confronted me after my vote in November of 2013, which is also not true, you did not stay to talk to me and again where your lies and rumors have become your own truth I believe you do not actually remember what happen, because you sent the Mayor and I an e-mail which was a back-handed apology, and you wrote:

On Sun, Nov 17, 2013 at 5:52 PM, Rose Powell <roseep2000@yahoo.com> wrote:

So sorry, I had to leave city council meeting early Thurs. I really wanted to stay for the entire meeting. BUT, I was in terrible pain. It felt like I was being STABBED IN THE BACK by sharp knife that went straight through to my heart. Patty, your new pals are using you. You can cry everyday, and not shed a small fraction of tears fallen since our Red Flannel Town was attacked. See you next month.

But again, I am supposed to be the liar.

Now, in response to the more recent closed session, I do want to state that just because it is in the local paper that does not mean that it is truth. Judy Reed is not an attorney and I do not believe she is an authority on when council can and cannot go into closed session. A Closed session is allowed for *Attorney Client Privilege is being discussed* and if an Employee requests it again please review:

Opens Meeting Act 267 of 1976 15.268 § 8 (a):

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To consider the dismissal, suspension or discipline of, or to hear complaints or charges brought against or **to consider a periodic personnel evaluation of** a public officer, **employee**, staff member or individual agent, if the named person requests a closed hearing. A person requesting a closed hearing may rescind the request at any time, in which case the matter at issue shall be considered after the rescission only in open session.

Certain residents, non-residents and even current council members have been spouting that this council has been underhanded and hiding things. But you need to ask yourself as to where are you getting your information? Because you are getting your information from individuals that do not have the knowledge or the insight as to what we have been doing. They do not have the truth and are spinning things to make what they believe the truth.

If any member of the community asks me for something, I respond and if I can I try to respond right then and there, and if I don't know I do whatever I can to get them the answer and if they need the information, I provide it if I have it or can give it to them. I have always been truthful, upfront and explained every vote, I do not have any alternative motives, and only to do what I believe is the best thing for Cedar Springs as a whole and to move us forward.

Because you may not agree with the decision that we have made, does not make us dishonest and hiding things; and for the record this council **has never went illegally into closed sessions.** As past history, I want to make it very clear and so you all **know, closed sessions are sealed** and we are not to comment as this is a misdemeanor charge if done so.

Opens Meeting Act 267 of 1976 15.267 § 7 (2):

A separate set of minutes shall be taken by the clerk or the designated secretary of the public body at closed session. **These minutes shall be retained by the clerk of the public body are not available to the public** and shall **only be disclosed** if required by a civil action filed under section 10, 11 or 13. These minutes may be destroyed 1 year and 1 day after approval of the regular meeting at which the closed session was approved.

The Motion that was made to go into Closed Session was allowed on the bases to correspondence to the Mayor from the City's Attorney and at the request of an employee. But again certain members of the community believing that they should know everything and started rumors and false accusations against this Council.

In the end, I want you all to know and you know who you are, that through all of your stalking, harassment, accusations, falsehoods and bullying as made me more self-resilient than I ever knew I could be. I know I have kept my integrity and will not let anyone take that away from me and I can look at myself in the mirror and know that I have done the best job I know how to do.

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I do want residents to really look at the board members of the Red Flannel, and for something that is supposed to bring the community together, they have certainly put a huge wedge between everyone. I have learned what true malicious actions are, and when a non-elected board wants to have a monopoly for their own agenda within our local government, I think you need to ask yourself what is really happening here.

I want to say that the reason why I ran for Council, had everything to do with the community and I came in with an open mind and not with one agenda for one group and I will continue to do that no matter what happens in the November Elections and no matter who you vote for, I ask that you please come out and vote and to come to the council meetings and other board meetings within our City, we need all of us to work together and be the community that we all want to grow up in, to start a family in and to retire in and for Cedar Springs to truly be the City where we are cherishing our heritage and embracing our future.