



**Minutes of the Regular Meeting of the
Cedar Springs City Council
Thursday, May 14, 2015**

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

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

Members Present: Perry Hopkins, Rose Ellen Powell, Pamela Conley, Gerald Hall.
Members Absent: Robert Truesdale, Daniel Clark, Molly Nixon.

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

The City Manager reviewed agenda items with Councilmembers.

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

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

2. <u>ROLL CALL</u>	Mr. Daniel Clark	Excused
	Mr. Perry Hopkins	Present
	Mrs. Molly Nixon	Excused
	Mrs. Rose Ellen Powell	Present
	Mr. Robert Truesdale	Excused
	Mrs. Pamela Conley, Mayor Pro Tem	Present
	Mr. Gerald Hall, Mayor	Present

Motion by Conley, supported by Hopkins, to excuse the absences of Clark, Truesdale and Nixon.

VOTE: 4 – 0, Motion Carried.

3. PUBLIC FORUM.

Shawn Kiphart, 1575 21 Mile Road, nobody loves the tradition of Red Flannel Day more than he did; but he thinks monies to be given to the Festival should be determined each year at budget time. The way he sees it, the RFF is looking for a blank check and an agreement that is virtually impossible to rescind.

Kurt Mable, CS Community Building Development Team is hosting National Trail Day May 30th from 12:00 p.m. to 4:00 p.m. at the Long Lake Pavilion.

Patricia Troost, 184 Johnston St., isn't sure why the Council was looking at a new agreement with the Red Flannel Festival when there are so many needs in the community for water and sewer improvements, sidewalk and road improvements.

Steve McBride, 139 7th St., everything is positive in the town; thanked the Council for its transparency and getting the town's pride back.

Mark Fankhauser, 91 W. Muskegon St., thanked the Sheriff Department for patrolling the streets; he was a long standing Red Flannel Festival volunteer and had served as a Key Stone Kop for 21 years; he had a concern binding future councils to a unanimous vote to rescind the agreement; the RFF should be self-sufficient and pay their own way; the City's money should be spent on things that are important like policing, sidewalks, infrastructure and sewers. If you are going to use City money to pay for a Festival, don't strap me as a taxpayer of Cedar Springs.

Kathy Bremmer, 205 Maple St., has concerns with the Red Flannel Festival meetings; they should be open to the public; if the taxpayers are going to contribute to the Red Flannel Festival, the RFF should be open with their financials and post when the meetings are held.

4. PUBLIC HEARING.

A. **Motion by Powell, supported by Hopkins to open a Public Hearing on the proposed 2015/2016 Fiscal Year Budget.**

VOTE: 4 – 0, Motion Carried.

The Public Hearing opened at 7:18 p.m.

B. Staff Comments:

City Manager **Thad Taylor** explained modifications to the budget which included \$10,000.00 for the Fire Study with Solon Township; \$500.00 for Earth Day; \$100.00 for beautification awards and \$3,000.00 for restoration of the antique fire truck.

Powell said she could not justify putting \$17,000 toward paving the parking lot by the old community building.

Taylor stated that as a part of the site plan review process for the CS Brewing Co., the Planning Commission had used that parking lot to meet the parking space requirements. It would also be used by other businesses, he said.

Finance Director **Deb Brunett** said the City would realize a savings in the coming budget with health care costs. A four percent increase had been budgeted; but the figures had come in at one percent.

C. Public Comments:

Fankhauser stated the budget was realistic and he liked the fact that \$3,000.00 had been added for the restoration of the antique fire truck.

D. Motion by Conley, supported by Hopkins, to close the public hearing.

VOTE: 4 – 0, Motion Carried.

The Public Hearing closed at 7:31 p.m.

5. Motion by Hopkins, supported by Powell, to approve the agenda.

VOTE: 4 – 0, Motion Carried.

6. Motion by Hopkins, supported by Conley, to approve the consent agenda consisting of the following:

- A. approval of the minutes of the Regular meeting of April 9, 2015 and the Special Meetings of April 30, 2015 and May 7, 2015.**
- B. approval of the Checks Paid Prior #s 37650 – 37734 totaling \$207,933.27; the May Accounts Payable #s 37735 – 37769 totaling \$46,567.23 and Electronic Transfers totaling \$560.93. The total of all checks and transfers was \$255,061.43.**

VOTE: 4 – 0, Motion Carried.

7. Informational Items included:

- A. a April 30, 2015 letter from Charter Communications.**
- B. the Right Place monthly update.**

8. UNFINISHED BUSINESS.

- A. SECOND CONSIDERATION: Motion by Conley, supported by Hopkins, to approve Resolution No. 2015 – 14, a resolution to adopt the 2015 – 16 Fiscal Year Budget.**

VOTE: 4 – 0, Motion Carried.

- B. SECOND CONSIDERATION: Motion by Conley, supported by Powell, to approve Resolution No. 2015 – 15, a resolution to establish the millage rate for real and personal property in the City of Cedar Springs for the Fiscal Year 2015 – 16.**

VOTE: 4 – 0, Motion Carried.

- C. SECOND CONSIDERATION: Motion by Powell, supported by Hopkins, to approve Resolution No. 2015 – 16, a resolution to establish the fee schedule for the Fiscal Year 2015 – 16.**

VOTE: 4 – 0, Motion Carried.

- D. SECOND CONSIDERATION: City Engineer **Mike Berrevoets** stated after reviewing the bids for the USDA project slated for this summer, the low bidder was Dean's Landscaping and Excavating.**

Motion by Conley, supported by Powell, to award the bid for the USDA project to Dean's Landscaping and Excavating at a cost of

\$2,580,020.70, contingent upon USDA, City Engineer and City Attorney approval and execution of a contract.

VOTE: 4 – 0, Motion Carried.

E. **SECOND CONSIDERATION**: A motion to reinstate the Council Finance Committee died due to a lack of support.

F. **SECOND CONSIDERATION**: Motion by Conley, supported by Hopkins, to approve a Standard Operating Policy for the recording of Council meetings.

VOTE: 4 – 0, Motion Carried.

G. There was no Mayoral Business Matters.

9. **NEW BUSINESS.**

A. Motion by Hopkins, supported by Conley, to waive Council Policy No. 12 to act on a FOIA appeal at first consideration.

VOTE: 4 – 0, Motion Carried.

Motion by Hopkins, supported by Conley, to approve a FOIA appeal from Todd Powley.

VOTE: 4 – 0, Motion Carried.

B. **FIRST CONSIDERATION**: Motion by Hopkins, supported by Powell, to approve a contract with Hometown Decoration and Display, LLC for winter holiday decorations for 2015, 2016 and 2017.

VOTE: 4 – 0, Motion Carried.

C. **FIRST CONSIDERATION**: Motion by Conley, supported by Powell, to approve Resolution No. 2015 – 13, a resolution approving a new Freedom of Information Policy for the City of Cedar Springs.

VOTE: 4 – 0, Motion Carried.

D. Motion by Conley, supported by Hopkins, to waive Council Policy No. 12 to act on a Dispatch Agreement between Kent County and the City of Cedar Springs for dispatch services.

VOTE: 4 – 0, Motion Carried.

Motion by Conley, supported by Powell, to approve a Dispatch Agreement between Kent County and the City of Cedar Springs for dispatch services.

VOTE: 4 – 0, Motion Carried.

- E. **FIRST CONSIDERATION:** Discussion regarding a financial contribution to the Cedar Springs Historical Museum:

Taylor stated he had met with representatives from the museum board of directors who explained it was becoming increasingly difficult to fund operations of the museum and asked for financial assistance from the City. He contacted the City Attorney who said under MCL 399.171 the City had the authority to expend public funds for the purpose of fostering an activity or project which the Council determines advances the historic interests of the City. He recommended a written agreement between the City and museum containing language that the City would agree to a set amount so long as the museum continued to plan and offer historical programs for the residents of the City. Also, the City had not currently allocated any monies for the museum, and to do so, the monies would need to come from the fund balance.

Hopkins said he would like to see the City give the same amount as Solon Township, which was \$4,000.00.

Conley said she wanted to hear what the specific needs were for the museum.

Fred Gunnell, president of the CS Historical Society said monies were needed for the water and sewer bill, electricity and general operations.

It was the consensus of the Council to recommend approval of the concept and to have the City Manager work with the City Attorney to draft an agreement between the City and Museum that would require an annual report on the museum's activities.

- F. **Motion by Hopkins, supported by Conley, to waive Council Policy No. 12, to act on Resolution No. 2015 – 17, approving the Cedar Springs Area Parks & Recreation's Concerts in the Park as a Community Event.**

VOTE: 4 – 0, Motion Carried.

Motion by Hopkins, supported by Conley, to approve Resolution No. 2015 – 17, approving the Cedar Springs Area Parks & Recreation's Concerts in the Park as a Community Event.

VOTE: 4 – 0, Motion Carried.

- G. **FIRST CONSIDERATION:** Discussion regarding a proposal from the Cedar Springs Community Building Development Team to trade property at 158 Pine Street for City-owned property located at 116 Fifth Street:

It was the consensus of the Council for the City Manager to work with the Community Building Development Team and the City Attorney and to come back at the June meeting with more information.

- H. **FIRST CONSIDERATION:** Discussion regarding a request from the Cedar Springs Community Building Development Team regarding a Use Agreement for a proposed amphitheatre to be constructed along Cedar Creek on City-owned property:

It was the consensus of the Council to have the City Manager work with the Cedar Springs Community Building Development Team to work out details of a potential use agreement.

- I. **FIRST CONSIDERATION:** Discussion regarding a request from the Cedar Springs Community Building Development Team regarding a Use Agreement for rain gardens, sculpture and wetland delineation on City-owned property.

It was the consensus of the Council to have the City Manager work with the Cedar Springs Community Building Development Team to work out details of a potential use agreement.

- J. **FIRST CONSIDERATION:** Discussion regarding a request from the Cedar Springs Community Building Development Team regarding a Use Agreement between the City and the DDA for a proposed boardwalk on City-owned property.

It was the consensus of the Council for the City Manager to work with the Cedar Springs Community Building Development Team and come back to the Council with a concept.

- K. **FIRST CONSIDERATION:** Discussion regarding a proposed agreement between the City of Cedar Springs and the Red Flannel Festival.
Powell stated that surrounding communities provide all in-kind services for their festivals.
Conley said the agreement did not put a cap on what was needed as they didn't have the numbers. The Festival would pay for the beer tent, she said.
Powell said that people come to the City and they should be safe while they are here.
Hopkins said if the taxpayers were going to pay for the festival, the question should be on the ballot for them to approve or not. What the City paid for one event, should be spent for every event. If the only way to rescind the agreement was by a unanimous vote of the Council, its approval should also be by a unanimous vote of the Council, he added.
Taylor said he had concerns with the agreement in terms of there was no way to determine the costs or cost containment and that it called for a unanimous vote of future City Councils to get out of the agreement. He also felt there should be a requirement for an annual report to the Council and there should be a 30-day window in terms of supplying required forms to the City. He also questioned language under "Costs of the Festival" stipulating a written estimate of the costs to be provided by the RFF. He questioned how the Festival knew what the costs would be that would be provided by the City. The City needed to know what services the Festival wanted, he said. There was also language stipulating police services in the agreement even though the City was no longer providing police services.
Conley said she would take the concerns back to the Festival for further discussion.

- L. **FIRST CONSIDERATION:** Discussion regarding a proposed trademark agreement between the City of Cedar Springs and the Red Flannel Festival.
Conley said the Festival was offering all of its trademarks to the City in place of the City offering in-kind services to the Festival.

Hopkins said he was willing to work with in-kind services; but wanted the trademarks left out of it. That was a done deal. The City had a new logo and felt to use RFF trademarks at this stage, was a step backwards.

- M. Discussion regarding a welcome sign to be placed on the White Pine Trail:
Powell said she felt there should be some kind of community recognition at the staging area welcoming people to the City.
Hopkins was to look at the sign currently in place at Cherry Street and report back to the Council.

- N. **Motion by Hopkins, supported by Powell, to waive Council Policy 12 to act on tree trimming/cutting bids at first consideration.**

VOTE: 4 – 0, Motion Carried.

Motion by Hopkins, supported by Conley, to approve a bid from Quality Tree Service for trimming and/or removing City trees at a cost not-to-exceed \$6,700.00.

VOTE: 4 – 0, Motion Carried.

10. CITY MANAGER'S REPORT.

- A. General Information and Special Projects discussed included:
- Open Meeting Act and Parliamentary Procedure Training May 28.
 - Solon Township Fire Department Study to begin in June or July.
 - DPW staff is concentrating on the cemetery readying it for Memorial Day.
 - Vacation day coming up.
 - City Hall will be closed May 25 in observance of Memorial Day.
 - The City will be hosting Clean Air Action Day May 26 through June 1.
 - City personnel will be attending a suburban summit at Fifth Third Ballpark May 19.
- B. Monthly Department Reports were presented 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. Code Enforcement Log.
 8. Boards and Commission Minutes:
 - a. March 23, 2015 CS Library Board Meeting.

11. COUNCIL COMMENTS.

Powell – glad to see everybody here; things are happening here.

Hopkins – thanked everyone who came out; thanked the police department for the traffic study; encouraged taxpayers to give them feedback on things that were on the agenda.

Conley – thanked the Clerk for running the recent election; thanked everyone who showed up; wanted them to tell the council what they wanted to see happen.

Hall – thanked everyone who was at the meeting; exciting things were happening here; some tough decisions needed to be made that needed a big chunk of money; the Council would be looking at a millage for roads.

12. The Meeting adjourned at 9:25 p.m.

Linda Christensen, City Clerk

Gerald Hall, Mayor