



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

**Thursday, June 11, 2015**

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

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

Members Present: Daniel Clark, Perry Hopkins, Molly Nixon (arrived 6:20 p.m.,) Rose Ellen Powell, Robert Truesdale, Pamela Conley, Gerald Hall.

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

The City Manager reviewed agenda items with Councilors. Among the items discussed were: the proposed agreement between the City and Red Flannel Festival; the proposed trademark agreement between the City and Red Flannel Festival; a welcome sign to be placed on the White Pine Trail; Main Street traffic control and a report from the Friends of Skinner Field.

Clark raised a concern regarding a recent water shutoff. Councilors stated they wanted to be notified of such happenings when they occurred.

**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. ROLL CALL:

Mr. Daniel Clark	Present
Mr. Perry Hopkins	Present
Mrs. Molly Nixon	Present
Mrs. Rose Ellen Powell	Present
Mr. Robert Truesdale	Present
Mrs. Pamela Conley, Mayor Pro Tem	Present
Mr. Gerald Hall, Mayor	Present

3. PUBLIC FORUM.

Donna Clark, Library Director, spoke of her appreciation for the help she has received for the library and the Summer Reading Program.

Rose Powell, asked permission to return a poster depicting Red Flannel Day to the artist who created it and hoped it could one day hang in City Hall again.

Sally Howland, owner of The Cedar Chest, said she had been in business for the past 13 years and was a firm believer in the importance of red flannels to the community; but if you post another businesses' emblem in City Hall you should post any businesses emblem.

4. There were no public hearings.
5. **Motion by Conley, supported by Clark, to approve the agenda with the addition of Item J under New Business to include waiving Policy No. 12 to act on approving the Chamber of Commerce's Summer Celebration as a Community Event at first consideration and to approve the Summer Celebration as a Community Event.**

**VOTE: 7 – 0, Motion Carried.**

6. **Motion by Clark, supported by Hopkins, to approve the Consent Agenda consisting of the following:**
  - A. approval of the minutes of the Regular meeting of May 14, 2015 and the Special Meetings of May 28, 2015 and May 29, 2015.
  - B. approval of the Checks Paid Prior #s 37770 – 37808 totaling \$122,596.97; the June Accounts Payable #s 37809 – 37829 totaling \$23,098.26 and Electronic Transfers totaling \$995.27. The total of all checks and transfers was \$146,690.50.
  - C. Resolution No. 2015 – 19, a resolution adding delinquent unpaid invoices to the 2015 Summer Tax Roll.
  - D. Resolution No. 2015 – 20, a resolution adding delinquent water and sewer accounts to the 2015 Summer Tax Roll.
  - E. adding a \$10.00 permit fee for an Outdoor Seating Permit to the 2015/16 Fee Schedule.

**VOTE: 7 – 0, Motion Carried.**

7. Informational Items offered were:
  - A. The Right Place Monthly Newsletter.
  - B. a May 22, 2015 letter from Charter Communications.
  - C. minutes from the April 21, 2015 Community Building Development Team.
  - D. a communication from Kathy Bremmer.
  - E. an email communication from Kathy Bremmer (**attached item A.**)

8. UNFINISHED BUSINESS.

- A. **Motion by Hopkins, supported by Nixon, to approve a Letter of Agreement between the City of Cedar Springs and the Cedar Springs Museum and Historical Society regarding a financial contribution.**

**VOTE: 7 – 0, Motion Carried.**

- B. Motion by Nixon, supported by Clark, to approve 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.**

**VOTE: 7 – 0, Motion Carried.**

- C. Motion by Conley, supported by Nixon, to grant tentative approval to the Community Building Development Team to construct a proposed amphitheatre along Cedar Creek on City-owned property subject to the City’s normal and customary processes, including, but not limited to, agreements allowing access to City property to perform pre-construction due diligence, site plan review, inspection by the City or its agents, payment of necessary fees and special land use requests.**

**VOTE: 7 – 0, Motion Carried.**

- D. Motion by Conley, supported by Hopkins, to grant tentative approval to the Community Building Development Team to construct a proposed rain garden, sculpture and wetland delineation on City-owned property subject to the City’s normal and customary processes, including, but not limited to, agreements allowing access to City property to perform pre-construction due diligence, site plan review, inspection by the City or its agents, payment of necessary fees and special land use requests.**

**VOTE: 7 – 0, Motion Carried.**

- E. Motion by Powell, supported by Conley, to grant tentative approval to the Community Building Development Team to construct a proposed boardwalk on City-owned property subject to the City’s normal and customary processes, including, but not limited to, agreements allowing access to City property to perform pre-construction due diligence, site plan review, inspection by the city or it agents, payment of necessary fees and special land use request.**

**VOTE: 7 – 0, Motion Carried.**

- F. Motion by Clark, supported by Hopkins, to approve a contract with Hometown Decoration and Display, LLC for winter holiday decorations for 2015, 2016 and 2017.**

**VOTE: 7 – 0, Motion Carried.**

- G. Motion by Conley, supported by Clark, to approve Resolution No. 2015 – 13, approving a new Freedom of Information Policy for the City of Cedar Springs.**

**VOTE: 7 – 0, Motion Carried.**

- H. Motion to consider a proposed agreement between the city of Cedar Springs and the Red Flannel Festival.  
Discussion:**

Taylor recommended that the Council's Ad Hoc Committee meet again to address the concerns raised by the City Attorney in a privileged and confidential communication.

Hopkins wanted to give the public time to comment on the proposed agreement.

**Motion by Nixon, supported by Clark, to waive attorney/client privilege to publically discuss the attorney's privileged and confidential communication.**

**VOTE: 7 – 0, Motion Carried.**

Taylor then read the communication. Among the concerns raised were: no cost containment was in the agreement; one legislative body cannot bind another legislative body as the agreement does with termination language; the City cannot donate money; naming the City as additional insured language; language calls for the RFF to provide costs and it cannot impose costs on the City and non-elected officials cannot make decisions for the City. Taylor said these were significant concerns. The contract as written did not have the best interests of the City.

**Motion by Nixon, supported by Powell, to table the agreement until further discussion with the Red Flannel Festival.**

**VOTE: 7 – 0, Motion Carried.**

- I. **Motion by Nixon, supported by Truesdale, to table a proposed trademark agreement between the City of Cedar Springs and the Red Flannel Festival pending further discussion with the Red Flannel Festival.**

**VOTE: 7 – 0, Motion Carried.**

- J. Discussion regarding a welcome sign to be placed on the White Pine Trail: Powell wanted to see a "welcome to the City of Cedar Springs" sign placed by the White Pine Trail. Hopkins said the Downtown Development Authority and Chamber of Commerce were working to put something together and it would be ready by September.

- K. **Motion by Nixon, supported by Conley, to accept a medallion from the Red Flannel Festival in honor of former Mayor Ronny Merlington.**

Taylor stated that accepting and displaying the medallion in City Hall would be a violation of the cease and desist order imposed upon the City by the Red Flannel Festival a few years ago.

Clark stated the City had permission to hang the medallion.

Nixon said the medallion was not a part of the agreement with the Red Flannel Festival and was owned by the Red Flannel Festival and not property of the City.

Michele Tracy, president of the RFF, stated the medallion belonged to the Red Flannel Festival and it (the RFF) was giving permission to hang it in City Hall.

**VOTE: 7 – 0, Motion Carried.**

L. There was no Mayoral Business.

9. NEW BUSINESS.

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

**VOTE: 7 – 0, Motion Carried.**

1. **A motion by Hopkins to deny the request died for a lack of support.**

**Motion by Nixon, supported by Clark, to approve the appeal with redacted information.**

**VOTE: 5 – 2 (Hall, Hopkins) Motion Carried.**

B. **Motion by Clark, supported by Nixon, to waive Council Policy No. 12 to act on changing the legal status from MABAS – Michigan to Mutual Aid Box Alarm System at first consideration.**

**VOTE: 7 – 0, Motion Carried.**

1. **Motion by Powell, supported by Clark, to change the legal status from MABAS – Michigan to Mutual Aid Box Alarm System.**

**VOTE: 7 – 0, Motion Carried.**

C. **Motion by Hopkins, supported by Conley, to waive Council Policy No. 12 to act on budget amendments at first consideration.**

**VOTE: 7 – 0, Motion Carried.**

1. **Motion by Clark, supported by Hopkins, to approve Resolution No. 2015 – 18, a resolution to amend the City of Cedar Springs' 2014 – 15 Annual Budget.**

**VOTE: 7 – 0, Motion Carried.**

D. **Motion by Clark, supported by Conley, to waive Council Policy No. 12 to act on Resolution No. 2015 – 21 at first consideration.**

**VOTE: 7 – 0, Motion Carried.**

1. **Motion by Powell, supported by Nixon, to approve Resolution No. 2015 – 21, a resolution authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving and or extending its sewer facility to serve an area lawfully within its jurisdiction.**

**VOTE: 7 – 0, Motion Carried.**

- E. **Motion by Clark, supported by Nixon, to waive Council Policy No. 12 to act on Resolution No. 2015 – 22 at first consideration.**

**VOTE: 7 – 0, Motion Carried.**

1. **Motion by Clark, supported by Powell, to approve Resolution No. 2015 – 22, a resolution authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving and or extending its water facility to serve an area lawfully within its jurisdiction to serve.**

**VOTE; 7 – 0, Motion Carried.**

- F. First Consideration: **Motion by Powell, supported by Conley, to not exercise a Right of First Refusal and allow property located at 288 N. Main Street to go to auction.**

**VOTE: 7 – 0, Motion Carried.**

- G. Comments were heard regarding using property at Maple and 2nd Streets for a City parking lot.

- H. Discussion took place regarding traffic control on Main Street. Consensus was that while there seemed to be a lack of car accidents on Main Street, an option needed to be found to make the area more pedestrian friendly.

- I. There was consensus for asking the Friends of Skinner Field for an update on activities at the field at the July Council meeting.

- J. **Motion by Clark, supported by Conley, to waive Council Policy No. 12 to act on approving the CS Chamber of Commerce’s July Sidewalk Sales as a Community Event at first consideration.**

**VOTE: 7 – 0, Motion Carried.**

Hopkins asked to abstain from voting as he was the Chamber President.

**Motion by Conley, supported by Nixon, to allow Hopkins to abstain from voting.**

**VOTE: 6 – 0 Motion Carried.**

1. **Motion by Clark, supported by Nixon, to approve the CS Chamber of Commerce’s July Sidewalk Sales as a Community Event.**

**VOTE: 6 – 0, Motion Carried.**

10. CITY MANAGER'S REPORT.

A. General Information and Special Projects discussed included the following:

- USDA project update.
- June 24 loan closing date for the USDA projects.
- July 8 open house for residents regarding the upcoming projects.
- Open Meeting Act evaluation forms.
- Solon Township Fire Study update.
- July 11-18 vacation.

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. Finance Officer/Treasurer.
  - a. Cash Summary Report.
  - b. Revenue/Expenditure Report.
5. Professional Code Inspections.
6. Code Enforcement Log.
7. Minutes from the following were offered:
  - a. the April 27, 2015 DDA Meeting.
  - b. the April 27, 2015 CS Library Board Meeting.

11. COUNCIL COMMENTS.

Clark – gave Greg Bowen kudos for taking on extra responsibilities at the fire barn.

Powell – people knew when they voted in November that she, Pam and Molly were supporters of the Red Flannel Festival. They were elected with 1,038 votes. That says it.

Conley – thanked Donna Clark for coming to the meeting and telling everyone about the Summer Reading Program; thanked Shirley Merlington for coming to the meeting; she was glad the Council had the opportunity to honor him.

Hopkins - reminded everyone about the Renaissance Faire to be held the coming weekend; hoped everyone would come out and have fun; hoped that with comments that were said in the public forum and after talking about the Red Flannel Festival that everyone realized we were here for the best interests of the community as a whole.

Truesdale – it was unfortunate what had happened between the City and the Red Flannel Festival; people had come into his shop and said that the Red Flannel Festival was the only thing the City had going for it; if there was a poll taken over who wants the RFF, it would be unanimous.

Nixon – was continually overwhelmed by all the special groups in Cedar Springs; in the negotiations with the Red Flannel Festival – even with the language missteps – she had been impressed with how everyone wanted to work together and came to the table with the community at heart.

Hall – thanked everyone for being at the meeting that night; everything that is going on is the democratic process; there were a lot of exciting things happening in the future.

12. The meeting adjourned at 9:42 p.m.

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Linda Christensen, City clerk

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Gerald Hall, Mayor