



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

Thursday, August 13, 2015

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

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

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

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

The City Manager reviewed agenda items with Councilmembers.

Councilors discussed additions to the agenda.

**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	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, gave an update on the success of the Summer Reading Program.

Sally Howland, 61 N. Main St., owner of The Cedar Chest, encouraged the Council to consider temporarily waiving certain fees for downtown merchants.

4. PUBLIC HEARING.

- A. **Motion by Clark, supported by Conley, to open a Public Hearing on the conditional transfer of property located within Solon Township to the City of Cedar Springs.
Property address 13900 White Creek Ave. Parcel No. 41-02-36-100-035.**

VOTE: 7 – 0, Motion Carried.

The Public Hearing opened at 7:10 p.m.

1. Staff Comments:

City Manager **Thad Taylor** stated the City had received a letter from CD Barnes Construction asking for the transfer of the property from the Township to the City for the purposes of receiving water and sanitary sewer services. The construction company is the agent working on behalf of Fouroost, LLC, the buyer/developer of the property. The property is located within Phase 2 of the Development Cooperation Agreement between the City and Solon Township and may be transferred consistent with the conditions of the Agreement. The Township was notified by letter of the request and public hearing and has not responded, **Taylor** said.

2. Public Comments:

Todd Oosting, CD Barnes representative, stated three retail shops would be located on site. Two have been identified: a Mexican restaurant, Loco Burrito and Big Bees Coffee.

3. **Motion by Conley, supported by Hopkins, to close the Public Hearing.**

VOTE: 7 – 0, Motion Carried.

The Public Hearing closed at 7:15 p.m.

5. **Motion by Conley, supported by Powell, to approve the agenda with the following additions:**

8E. Discussion on where to hang the Red Flannel medallion.

9I. Discussion on the relocation of the Fire Barn.

9J. Discussion on the construction of the new library.

9K. Community Building Development Team presentation.

VOTE: 7 – 0, Motion Carried.

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

A. **approval of the minutes of the Regular Meeting of July 9, 2015.**

B. **approval of the Checks Paid Prior #s 37891 – 37981 totaling \$323,761.57; the July Accounts Payable #s 37982 – 38002 totaling \$114,513.51 and Electronic transfer totaling \$4,302.46. The total of all checks and transfers is \$442,577.54.**

VOTE: 7 – 0, Motion Carried.

7. Correspondence from the following was offered:
 - A. Minutes of the 6-16-15 Community Building Development Team meeting.
 - B. AT&T Annual Video Report.
 - C. MML Annual Meeting Notice.
 - D. Right Place Update.
 - E. Kent County Health Department Health Matters Newsletter.

8. UNFINISHED BUSINESS.

- A. **Motion by Nixon, supported by Clark, to approve Policy No. 14, a policy regarding the Public Inspection of Assessing Records.**

VOTE: 7 – 0, Motion Carried.

- B. **Motion by Hopkins, supported by Truesdale, to approve a license agreement between the City of Cedar Springs and Yankee Zephyr Racing Promotions.**

VOTE: 7 – 0, Motion Carried.

- C. Discussion regarding waiving fees for sidewalk display and other permitting fees in the downtown:

Nixon said signage was more important than saying “we’re open.” It’s important to our businesses; we should streamline the process at our end and felt fees should be waived.

Motion by Conley, supported by Clark, to have Hopkins recused from the discussion as he had a financial interest in the outcome as he was a Main Street business owner.

Taylor stated it would be more appropriate for Hopkins to ask to abstain not for the City Council to make the request. This was a discussion and a vote on the subject would not be taken that evening, he said.

Hopkins said if it would save flack, he had no problem from abstaining.

Conley called the question.

VOTE: 6 – 0, (Hopkins did not vote) Motion Carried.

Clark asked for a ballpark figure on what such fees brought into the City.

Taylor responded they were minimal.

Powell stated that as proof of insurance was necessary, a reduction in fees to \$10 might be a way to go.

Conley stated business owners still needed to apply for permits and asked how much time was involved in processing the permits.

Taylor said he was more concerned with the perception of charging different amounts for the same permit in different locations of the City. He wanted to check with the City Attorney about the legality of that.

Conley agreed the fee structure should be across the board for everyone. If fees were eliminated, there would be no incentive to persons to apply for the permits, she said.

Clark asked if the intention was to encourage new business owners or if waiving or reducing fees would be for all business owners.

Hall stated it should be for everyone.

There was consensus for the City Manager to check the legalities with the City Attorney and come back with the information at the September meeting. The permits under consideration are: sandwich board signs, outdoor display and outdoor seating.

- D. Motion by Conley, supported by Powell, to approve the mayoral appointment of Dave Ringler to the DDA Board of Directors.**

VOTE: 7 – 0, Motion Carried.

- E. Motion by Conley, supported by Powell, to hang the Red Flannel medallion on the northwest wall of the City Hall Chambers.**

VOTE: 7 – 0, Motion Carried.

9. NEW BUSINESS.

- A. Motion by Conley, supported by Hopkins, to waive Policy No. 12 to act on the conditional transfer of property within Solon Township to the City of Cedar Springs at first consideration.**

VOTE: 7 – 0, Motion Carried.

- 1. Motion by Nixon, supported by Conley, to approve Resolution No. 2015 – 26, a resolution approving City water and sanitary sewer service to and affecting the conditional transfer of certain real property from the jurisdiction of Solon township to the jurisdiction of the City pursuant to the Development Cooperation Agreement between the City and Township dated as of December 30, 1999.**

VOTE: 7 – 0, Motion Carried.

- B. Motion by Clark, supported by Nixon, to waive Policy No. 12 to act on an agreement between the Cedar Springs Fire Department and Hose Testing Specialties, Inc. at first consideration.**

VOTE: 7 – 0, Motion Carried.

- 1. Motion by Nixon, supported by Clark, to approve an agreement between the Cedar Springs Fire Department and National Hose Testing Specialties, Inc. in an amount not-to-exceed \$2,352.00.**

VOTE: 7 – 0, Motion Carried.

- C. Motion by Conley, supported by Hopkins, to waive Policy No. 12 to act on approval of Fire Department truck repairs at first consideration.**

VOTE: 7 – 0, Motion Carried.

1. **Motion by Conley, supported by Powell, to approve a bid from Apparatus Central Repair for repairs to Fire Department trucks in an amount not-to-exceed \$2,700.00.**

VOTE: 7 – 0, Motion Carried.

- D. Discussion regarding amendments to the Planning Commission bylaws: **Conley** questioned the method for getting on the Planning Commission agenda.

Councilors suggested language to be added: persons wishing to be on the agenda should meet with City employees to make sure that plans are completed properly before being added to the agenda. They also requested the language change go back to the Planning Commission for further consideration.

- E. A first reading was held regarding Ordinance No. 190, an ordinance to amend Article IX. Planned Unit Development; Sections 40-598; Purpose; 40-599; Principal Permitted Uses; 40-600; Special Land Uses; 40-601; Qualifying Conditions; 40-602; Application and Review Procedure Preliminary PUD Site Plan and Final PUD Site Plan and adding Sections 40-603; Preliminary PUD Site Plan Submittal Requirements; 40-604; Standards for Approval of Preliminary PUD Site Plans; 40-605; Final PUD Submitted Requirements; 40-606; Standards for Approval of Final Site Plan; 40-608; Validity of Approved Final PUD Site Plan; 40-609; Amendments to Approved Final PUD Site Plan and 40-610; Appeals and Variances.

- F. A first reading was held regarding Ordinance No. 191, an ordinance to amend Section 10-1 of Chapter 10, Article 1 of the City Code of Cedar Springs.

- G. **Motion by Conley, supported by Hopkins, to waive Policy No. 12 to act on the purchase of a Bio Chemical Oxygen Demand (B.O.D.) incubator for the waste water treatment plant at first consideration.**

VOTE: 7 – 0, Motion Carried.

- 1, **Motion by Nixon, supported by Clark, to approve a bid for a B.O.D. incubator for the waste water treatment plant lab from North Central Laboratories in an amount not-to-exceed \$3,708.00.**

VOTE: 7 – 0, Motion Carried.

- H. **Motion by Conley, supported by Clark, to waive Policy No. 12 to act on SCADA bids at first consideration.**

VOTE: 7 – 0, Motion Carried.

1. **Motion by Conley, supported by Hopkins, to approve a bid from Windemuller to upgrade the City's SCADA water supply system in an amount not-to-exceed \$58,950.00.**

VOTE: 7 – 0, Motion Carried.

- I. Discussion regarding relocation of the Fire Barn:
- Conley** stated as we are in the process of building a new library a discussion needed to take place regarding moving the Fire Barn. She asked **Kurt Mabie**, president of the Community Building Development Team if the offer that was made a few years ago was still on the table regarding a donation to build a new fire barn.
- Mabie** responded that \$130,000.00 has been set aside for that purpose.
- Nixon** asked if the Solon Township/City Fire Study currently underway would affect the borders of the fire department.
- Taylor** responded that the outcomes of the study were not yet known. The City needed to wait and see the results of the study; but it may be that the service area would need to be reconsidered or changed once the results of the study were known.
- Mabie** said that originally it was thought that a new fire barn could be built with the \$130,000.00 donation; but estimates now were closer to \$400,000.00.
- Nixon** asked if the fire barn were moved now, would it affect the outcome of the fire study.
- Marty Fraser**, Fire Chief, pointed out that regardless of the feasibility study, the Cedar Springs Fire Department had a contract with Nelson Township that needed to be considered in whatever happened. The fire barn needed to be relocated; but where it should be is presently unknown.
- Clark** suggested building two smaller buildings to service both Solon and Nelson Townships.
- Truesdale** said he was tired of stumbling blocks. What's wrong with doing our own thing, he asked. Why worry about Plainfield Township or Sand Lake? Studies can take forever. We need to consider ourselves and why worry about others. If there is money available, why aren't we moving ahead?
- Conley** said the Council needed to look at its options.
- J. Discussion of a new library:
- Tony Owen**, CS Library Board member, presented conceptual plans of the new library which he estimated construction costs at \$1.5 million. They currently had \$700,000.00 raised toward those costs, he said. The proposed construction was to take place on City-owned property and ownership of the building needed to be determined, he said. The library board could maintain functioning of the library; but did the City want to own the building, he asked. The library board hasn't determined how it wants to operate yet, he said.
- Conley** asked if he was looking for a straw poll to see if the City wanted to take over the building.
- Taylor** said it was more appropriate for the library to give the City options such as what they were looking for in terms of ownership of the property. The Council also needed to know what it would mean financially to the City in terms of cost.
- Powell** asked if research had been done on how other cities operate their libraries.
- Owen** said there were various ways they were handled.
- Hall** said the library board needed to make a decision on what it wanted.

- K. Community Building Development Team presentation:
Sue Wolfe, Community Building Development Team member, stated a use agreement had been given to the City last spring regarding the plans the group had for an amphitheatre, rain gardens, sculpture and boardwalk. She asked the City to consider owning the structures. They would be constructed as maintenance free as possible, she stated. She did not have a budget for operational costs; but did not think they would be very costly. As far as the amphitheatre, there would be costs for electricity; but felt they could be recouped if the City implemented fees to cover the costs. She was of the opinion CS Parks & Recreation might be receptive to booking the amphitheatre. The Community Building Development Team has been talking about setting aside \$25,000.00 for operational costs.
Taylor stated the City needed to know what ownership costs entailed so the City Council could evaluate the feasibility of taking these structures over.
Wolfe replied she didn't know how a budget could be put together.
The City Manager was directed to expedite the matter and present it to the Council at the September meeting.

10. CITY MANAGER'S REPORT.

- A. General Information and Special Projects discussed included the following:
1. Trout Unlimited Grant Application.
 2. Solon Township/City Fire Department Study.
 3. Cedar Springs Mobile Estates.
 4. Michigan Municipal League Annual Convention.
 5. Rural Water Rate Study.
 6. Hansen Realty ready to execute its option to purchase Parcel C.
- B. Monthly Department Reports were offered from 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.
 7. Code Enforcement Report.
 8. Minutes from the following boards and commissions:
 - a. the July 7, 2015 Planning Commission meeting.
 - b. the July 27, 2015 DDA meeting.
 - c. the June 22, 2015 Library Board meeting.

11. COUNCIL COMMENTS.

Clark – his water had been turned off that morning and he didn't hear about it from Dean's Excavating; the Council computers were not working and he wanted them fixed.

Powell – hoped the Council could help the Community Building Development Team and the library; was looking forward to everything that was going on.

Conley – thank you to everybody who is helping the community; there were a lot of fabulous people doing things or donating things for the community; it was helping society and the quality of life for our citizens.

Hopkins – thanked the Community Building Development Team for helping us to fulfill our master plan; the Planning Commission was starting to re-do the master plan next month; there were a lot of good things happening to better the quality of the town.

Truesdale – wanted to retract his statement that he might not be here when all this was going on. He planned on staying on the Council as long as the people kept voting him in office.

Nixon – thanked all the groups who were doing things out of the goodness of their hearts; hope we can find a way to say yes.

Hall – thanked everyone for coming to the meeting that night; there was a lot of discussion and a lot of things to do; this City Council had a lot of decisions to make in the next seven to ten months.

12. The meeting adjourned at 10:00 p.m.

Linda Christensen, City Clerk

Gerald Hall, City Clerk