



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

Thursday, September 10, 2015

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

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

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

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

The City Manager reviewed agenda items with Councilors. Among the items discussed included City Attorney concerns regarding the proposed Use Agreement with the Community Building Development Team and the addition of a mayoral appointment to the agenda.

**Meeting
7:07 p.m.**

1. The Meeting was Called to Order by Mayor **Gerald Hall** at 7:07 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.

Pete McGregor, State Senator, gave his cell phone number out for anyone who wished to get in touch with him.

Kurt Mabie, Community Building Development Team President, stated the group had purchased 157 N. Main St. and would be demolishing the home located on the site.

Donna Clark, Library Director, stated the Library was in partnership with the Red Flannel Festival and Elliott's Amusement by giving coupons for Festival activities to those children who read for a certain number of hours.

Duane McIntyre, Duane McIntyre Builders, expressed concerns with the proposed Planned Unit Development ordinance.

Sue Wolfe, Community Building Development Team member, presented Councilors with a letter and packet of information regarding a proposed new zoning ordinance they wished the City to enact for the site of their proposed building plans.

Mark Laws, 54 S. 1st St., said the DPW workers looked like they were having fun as they were hanging the Red Flannel banners; the Planning Commission had been given a lack of information regarding proposed bylaw changes the Council wished for them to reconsider; recited information given to the Planning Commission regarding how hard it was to do business with City Hall officials.

Kathy Bremmer, 205 E. Maple St., quoted the Finance Director's monthly report in which it was stated the City's Fund Balance was "dangerously low," giving an example of the agreement to cover Red Flannel Festival expenses saying many of the services had previously been covered by volunteers; but now taxpayers were on the hook for approximately \$11,000.00. She felt it was because several of the councilors had a personal interest in the festival. This decision and others made it obvious they were partial to the Red Flannel Festival and that violated the Ethics Policy, she stated. (attached Item A)

Perry Hopkins, Councilmember, stated everyone was eager to heal the community; but when he brought something to the Council – something that was discussed at a Michigan Municipal League Summit meeting that several officials had attended and was something that was being done in other communities to help downtown businesses; why couldn't it be done here? He wasn't allowed to speak on the issue. You get to vote on your passion he told Councilmembers, but I can't vote on mine.

David Ringler, CS Brewing Company, stated his business was coming along; he stated the mayor, city manager and city council had welcomed him and there were a lot of wonderful things happening in Cedar Springs; complimented McGregor saying he had been of outstanding help to him as he negotiated getting his business rolling.

Louise King, 186 E. Ash St., stated that long before she was born, Cedar Springs was the Red Flannel Town and it always will be. She was on their side.

4. There were no public hearings.
5. **Motion by Nixon, supported by Hopkins, to approve the agenda and to move Item E under Unfinished Business, annual update by the Friends of Skinner Field, to Item S under New Business.**

VOTE: 7 – 0, Motion Carried.

6. CONSENT AGENDA.

Motion by Clark, supported by Conley, to approve the Consent Agenda consisting of the following:

- A. approval of the minutes of the Regular Meeting of August 13, 2015.**
- B. approval of the Checks Paid Prior #s 38003 – 38065 totaling \$639,668.39; the September Accounts Payable #s 37982 – 38002 totaling \$15,374.45 and Electronic Transfers totaling \$3,956.62. The total of all checks and transfers was \$658,999.46.**

VOTE: 7 – 0, Motion Carried.

7. The following Correspondence was offered:

- A. Right Place Update.
- B. July 21, 2015 Community Building Development Team minutes.

8. UNFINISHED BUSINESS.

- A. Motion by Nixon, supported by Conley, to waive permit fees for sandwich board signs, outdoor display and outdoor seating in the downtown for the next two years.**

AMENDED MOTION: Motion by Nixon, supported by Conley to waive permit fees for sandwich board signs, outdoor display and outdoor seating within the jurisdiction of Cedar Springs for the next two years.

AMENDED MOTION : Motion by Nixon, supported by Conley to waive permit fees for sandwich board signs, outdoor display and outdoor seating within the jurisdiction of Cedar Springs for the next two years beginning January 1, 2016.

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

- B. Motion by Clark, supported by Hopkins, to approve Ordinance No. 190, an ordinance to amend Article IX. Planned Unit Development; Section 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 Section 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 as a second reading.**

VOTE: 7 – 0, Motion Carried.

Hall requested that the concerns raised by **McIntyre** during the Public Forum be sent back to the Planning Commission for its review.

- C. **Motion by Clark, supported by Hopkins, to approve Ordinance No, 191, an ordinance to amend Section 10-1 of Chapter 10, Article 1 of the City Code of the City of Cedar Springs as a second reading.**

VOTE: 7 – 0, Motion Carried.

- D. **Motion by Hopkins, supported by Conley, to enter into a Use Agreement with the Community Building Development Team as presented.**

Taylor addressed concerns raised by the City Attorney including:

- Sections 5 and 9 regarding charging fees. What constitutes administrative review? Did this include waiving fees for PCI, DEQ, the Planner and Engineer reviews?
- An endowment fund for future expenses has not been addressed.
- Who pays the performance bond?
- Exhibits were not prepared or attached to the document.

Mabie stated the Community Building Development Team would do what was best for the community.

AMENDED MOTION: Motion by Hopkins, supported by Conley, to approve the Community Building Development Team Use Agreement contingent upon the exhibits being drafted and attached to the document.

VOTE: 7 – 0, Motion Carried.

- E. **Mayoral Business Matters:**

1. Mayor **Hall** had a proclamation read designating September 19, 2015 as "Prisoner of War/Missing in Action Recognition Day."

Motion by Powell, supported by Conley, to appoint Rick Knapp, to an unexpired term on the CS Area Parks and Recreation Board.

VOTE: 7 – 0, Motion Carried.

9. **NEW BUSINESS.**

- A. **Motion by Conley, supported by Clark, to waive Policy No. 12 to act on the Purchase Agreement between the City of Cedar Springs and Hansen Realty, LLC at first consideration.**

VOTE: 7 – 0, Motion Carried.

1. **Motion by Conley, supported by Nixon, to approve a Purchase Agreement between the City of Cedar Springs and Hansen Realty, LLC for 6.4 acres of City property formally known as wastewater lagoons.**

VOTE: 7 – 0, Motion Carried.

- B. Motion by Clark, supported by Nixon, to waive Policy No. 12 to act on requests from Trout Unlimited to support its restoration of wetlands at North Park and to contribute \$2,000.00 toward matching grant funding at first consideration.**

VOTE: 7 – 0, Motion Carried.

Nicole DeMull, Trout Unlimited, stated they were planning a two acre restoration. There would be pond excavation, some soil would be removed and wetland plants would be planted. The area was historically a wetland, she said.

- 1. Motion by Hopkins, supported by Truesdale, to approve requests from Trout Unlimited to support its restoration of wetlands at North Park and to contribute \$2,000.00 toward matching grant funding.**

VOTE: 7 – 0, Motion Carried.

- C. Motion by Hopkins, supported by Clark, to waive Policy No. 12 to act on Resolution No. 2015 – 27, at first consideration.**

VOTE: 7 – 0, Motion Carried.

- 1. Motion by Hopkins, supported by Conley, to approve Resolution No. 2015 – 27, a resolution permitting the operation of golf carts on City streets during approved Community Events.**

VOTE: 7 – 0, Motion Carried.

- D. Motion by Conley, supported by Hopkins, to waive Policy No. 12 to act on a proposal for facilitation and a strategic planning process for the City at first consideration.**

VOTE: 7 – 0, Motion Carried.

- 1. Motion by Conley, supported by Hopkins, to approve the Council based proposal for facilitation and strategic planning for the City.**

VOTE: 6 – 1 (Truesdale) Motion Carried.

- E. Motion by Clark, supported by Hopkins, to waive Policy No. 12 to act on adding Nelson Township and the Village of Sparta as members of the Grand Valley Metropolitan Council at first consideration.**

VOTE: 5 – 2 (Powell, Truesdale) Motion Carried.

- 1. Motion by Hopkins, supported by Nixon, to approve Resolution No. 2015 – 28, a resolution to add Nelson Township and the Village of Sparta as member of the Grand Valley Metropolitan Council.**

VOTE: 7 – 0, Motion Carried.

- F. First consideration was given for a Second Amendment with Wolverine Skyhawk's Model Club.
- G. First consideration was given Ordinance No. 192, an ordinance to amend Chapter 18, Article III. Division 2, Subdivision III to add a new Section 18-140 to the City Code of the city of Cedar Springs as a first reading.
- H. First consideration was given recognizing the CS Chamber of Commerce's Downtown Trick or Treating October 31, 2015 as a Community Event.
- I. First consideration was given Ordinance No. 193, an ordinance to amend Chapter 24, Article II and III of the City Code of the City of Cedar Springs entitled: "Peddlers and Solicitors and Transient Merchants," as a first reading.
- J. First consideration was given to a Library Board Proposal: "Propose conceptually to the City of Cedar Springs the Library Board will build the new library building and turn it over to the City of Cedar Springs who will then own it. The Library Board will then lease the building."
Tony Owen, Library Board member, stated they needed the City's permission to build on City land. He also requested the costs from the City to maintain the current library building.
It was the consensus of the Council for the City Attorney to draft a Library Lease Agreement for the purpose of allowing the Library Board to build the library on City property. Once built, the library building will be turned over to the City and the building leased back to the library. The agreement is to be brought back to the Council for action.
- K. First consideration was given to a Library Board motion: The Library Board will work with the City of Cedar Springs to establish a new PUD, and/or work within an existing PUD for the property on which the new library may be built." Taylor stated the zoning the Community Building Development Team wanted would take several months and the framework for what the Library Board wanted was already in place with the City's PUD ordinance.
- L. Discussion: "to vote on naming Councilor Conley to being a communications rep for the Council," as requested by Councilor Conley.
Hall stated he had asked **Conley** to write articles in the local newspaper.
Conley said she was willing to do it; but wanted the blessing of the Council.
It was the consensus of the Council that having Conley serve as a communications rep for the Council was agreeable.
The item will be placed on next month's agenda for action.
- M. Discussion: "to create a committee to help the CS Public Library with their Capital Campaign and naming Councilors Clark and Conley to the committee," as requested by Councilor Conley.
Councilmembers who wished to serve on the committee were asked to contact Hall.

- N. Discussion: "to create a Fire Barn relocation committee," as requested by Councilor Conley.
The City Manager offered to put together a list of potential members to be named to the committee for next month's meeting.
- O. Discussion: "to remove the planter in front of the theatre, ASAP," as requested by Councilor Powell.
Powell stated in discussions with Len Allington, from The Kent Theatre group, that he felt the planter located in front of the building on Main Street was a tripping and fire hazard and wanted the planter downsized.
Taylor stated that the City had received tentative quotes to remove the planter and they were quite costly. He suggested budgeting for the project in next year's budget.
Fire Chief **Marty Fraser** indicated he had talked with the State Fire Marshall who would be looking into the situation.
- P. Discussion: "video all City meetings that require the City Manager, our Mayor and require the City Clerk to take minutes," as requested by Councilor Powell.
The City Manager was directed to look into the proposal.
- Q. Discussion: "return the damaged Red Flannel poster to the artist who gifted it to our City, Doris Vinton," as requested by Councilor Powell.
It was the consensus of the Council to do so.
- R. Discussion: "accept the replacement poster from Doris, frame it and hang it up at City Hall," as requested by Councilor Powell.
Powell was asked to provide framing costs at next month's meeting.
- S. Annual Update by Friends of Skinner Field:
Shawn Kiphart provided a monthly balance sheet of expenses for the organization.
Councilmembers asked for a year end statement containing expense reports for each month.

10. CITY MANAGER'S REPORT.

- A. General Information and Special Projects discussed included the following:
- Cedar Springs Mobile Estates.
 - Spam Filter.
 - Solon Township/City of Cedar Springs Fire Department Study.
 - West Street Extension.
1. An update on City Council goals was also provided.
- B. Monthly Department Reports were offered by 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.

7. Code Enforcement Report.
8. Minutes from the following boards and commissions:
 - a. the August 11, 2015 Planning Commission Meeting.
 - b. the August 20, 2015 Library Board Meeting.

11. COUNCIL COMMENTS.

Powell – Happy Red Flannel Day.

Conley – excited and honored to speak at the Library Fund Raiser campaign.

Hopkins – tomorrow night there was a rain barrel workshop and Sidewalk Sales in the downtown on Saturday. The Chamber of Commerce was going to get involved in the Get Caught Red Handed program which encouraged businesses to work together to bring people into the community. They were also planning a Small Business Day in November.

Truesdale – it was past his bedtime.

Nixon – thanked everyone for coming to the meeting that night.

Hall – a lot of things were happening; the streets were torn up; but be patient, things will get better.

12. **Motion by Hopkins, supported by Powell, to adjourn.**

VOTE: 7 – 0, Motion Carried.

The meeting adjourned at 10:17 p.m.

Linda Christensen, City Clerk

Gerald Hall, Mayor

Item A

I have 4 minutes to explain my concerns so I'm going to be direct.

The Finance Director's report clearly demonstrates that agreements you are making are causing the fund balance to become dangerously low only three months into the budget year.

For example, the agreement to cover exorbitant expenses for the RFF. Many of the services have previously been provided by volunteers, and the festival itself, but now taxpayers are on the hook for approximately \$11,000 and I believe it is because several, if not most of you, have a personal interest in the festival. Your decision to refund money for legitimate police coverage charges along with other recent actions makes obvious your partiality to the Red Flannel Festival which violates the Ethics Policy.

The agreement the library board wants to enter into tonight could be a huge financial drain on fund balance. For months I have asked what the operational and maintenance costs will be for a new building. The only costs being presented here tonight have been drawn from other facilities and have not yet been calculated by professionals.

Even if the building was turned over to the city mortgage free it would cost tens of thousands of additional dollars just to maintain and operate it. According to the year end budget numbers I've seen the library cannot support the building it has currently; how are they going to support a new facility? I believe we need a new library but it would be irresponsible to agree to own it until the Library Board can prove it has sufficient finances to support it.

I've come to realize that merely asking hard questions in this community pigeonholes a person as adversarial but we have a right to know what is going on behind the headlines and given answers to the questions I've raised before decisions are made as they will impact us financially for years to come.

Kathy Bremner
~~9-9-15~~ 9-10-15