Minutes of the Regular Meeting of the
Cedar Springs City Council

Thursday, October 8, 2015

66 S. Main St.
Cedar Springs, Michigan

Workshop
6:15 p.m.

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

Also Present: City Manager Thad Taylor, City Clerk Linda Christensen, Fire Chief Mary Fraser, DPW Director Tom Stressman, City Attorney Jeff Sluggett

The City Attorney addressed concerns arising from the proposed construction on City land. It was the Community Building Development Team's position that they were going to build on City property and when construction was complete, the buildings would be turned over to the City. The library was also proposing to build on City property and turn over its building to the City upon completion. The CBDT had cited case law where a City was not subject to its own ordinances. The library, however, was created under PA 164 and was not a singular library, he stated. Individual authorities, therefore, are subject to City ordinances, he explained.

Part of the property on which the CBDT wants to build is zoned B-3 which does not allow some of the proposed construction projects. Rezoning of the property would take care of that. A Planned Unit Development allowed flexibility within the framework of the City ordinances, he said. To help facilitate the process he stated he will work with the City Planner to develop such a PUD so that construction plans will be able to flow smoothly and more quickly. The City will also move forward with the rezoning.

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. 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, distributed flyers regarding proposed construction projects and spoke about an upcoming library program.

Sue Wolfe, was encouraged by what the City Attorney had said during the workshop; thanked the Council for its encouragement; suggested if the City was tearing up roads that utilities could be put in so the City could continue to grow.

Dave Ringler, stated he was "somewhat" open on Red Flannel Day.

Kurt Mabie, provided an update on Community Building Development Team projects.

4. PUBLIC HEARING.

A. **Motion by Hopkins, supported by Conley, to open a Public Hearing on an Industrial Facilities Tax Exemption Certificate for 95 N. Main St.**

VOTE: 7 – 0, Motion Carried.

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

1. Staff Comments:
   City Manager **Thad Taylor** stated the IFT Committee had met and has recommended a 12-year tax exemption for the property. There was some question as to how much of the building was allowable for tax relief; but in talking with representatives from the State it was the consensus of the committee to recommend the entire amount and have the state determine how much of the building was allowable for exemption under the law.
2. Public Comments:
   Dave Ringler, owner of the building, stated there was precedence for making the entire building allowable for the exemption; but the final call was the State's.
3. **Motion by Conley, supported by Hopkins, to close the Public Hearing.**

VOTE: 7 – 0, Motion Carried.

The Public Hearing closed at 7:23 p.m.

5. **Motion by Conley, supported by Nixon, to approve the agenda with the addition of an update on the USDA projects to be added as New Business Item O and correspondence from the Red Flannel Festival as Item E. under Correspondence.**

VOTE: 7 – 0, Motion Carried.

6. **Motion by Clark, supported by Conley, to approve the Consent Agenda consisting of the following:**
   A. the minutes of the Regular Meeting of September 10, 2015.
   B. the Checks Paid Prior #s 38078 – 38150 totaling $2,321,598.38; the October Accounts Payable #s 38151 – 38167 totaling $54,962.83 and Electronic Transfers totaling $1,095.46. The total of all checks and transfers was $2,377,656.67.
   C. Resolution No. 2015 – 29, approving Election inspectors for the November 3, 2015 General Election.
   D. the candidate slate for the 2015 MML Pool Director Election.

VOTE: 7 – 0, Motion Carried.

7. Correspondence was offered from the following:
   A. a September 15, 2015 Charter Communications letter.
   B. the August 18, 2015 Community Building Development Team meeting minutes.
   C. an invitation from the Kent County Agricultural Preservation Board.
   D. Right Place Newsletter.
   E. Red Flannel Festival Board letter.

8. <u>UNFINISHED BUSINESS</u>.

   A. **Kevin Galloway** presented an update on his Eagle Scout project – the construction of a pavilion at Morley Park. The 20-ft. by 36-ft. pavilion came in under budget, he said. The remaining funds will be used for the purchase of picnic tables to be installed in the spring of 2016. He said he had learned a great deal working on the project including making public presentations, working with others and orchestrating projects. He plans to get involved with other community projects. A ribbon cutting ceremony is being planned.

   B. **Motion by Conley, supported by Hopkins, to record and post to YouTube Planning Commission, Downtown Development Authority Board of Directors and Zoning Board of Appeals Meetings.**

VOTE: 7 – 0, Motion Carried.

   C. Council action on the Library Lease and Development Agreement was tabled to the November 12, 2015 meeting.

   D. **Motion by Clark, supported by Conley, to approve appointments to a Fire Barn Relocation Committee.**

VOTE: 7 – 0, Motion Carried.

E. Council action on the second amendment with Wolverine Skyhawk's Model Club was tabled for more information.

F. **Motion by Clark, supported by Conley, to approve Ordinance No. 192, amending Chapter 18, Article III, Division 2, Subsection III adding new Section 18-140 to the City Code of Ordinances of the City of Cedar Springs as a second reading.**

VOTE: 7 – 0, Motion Carried.

G. **Motion by Nixon, supported by Conley, to approve Ordinance No. 193, amending Chapter 24, Articles II and III of the City Code of Ordinances entitled "Peddlers and Solicitors" and "Transient Merchants," as a second reading.**

VOTE: 7 – 0, Motion Carried.

H. **Motion by Conley, supported by Nixon, to approve Resolution No. 2015 – 30, approving the Chamber of Commerce's Downtown Trick or Treating October 31, 2015 as a Community Event.**

VOTE: 7 – 0, Motion Carried.

I. **Motion by Clark, supported by Nixon, to appoint Pam Conley as the Council's communications representative for a one year term running from November to November.**

VOTE: 7 – 0, Motion Carried.

J. **Motion by Hopkins, supported by Nixon, to appoint Pam Conley and Dan Clark to a committee to help the Library with its Capital Campaign.**

VOTE: 7 – 0, Motion Carried.

K. **Hall** made a donation to cover the costs for framing a Red Flannel poster.

L. The Council took no action on removing the planter in front of the Kent Theatre.

M. Council action on Planning Commission bylaws:
Nixon stated there was nothing in writing on how to get on a Planning Commission agenda.
Conley said what boards do needs to be in writing and asked if the Planning Commission operated under Roberts Rules of Order.
Hopkins said these were bylaws and the Planning Commission felt information on how to get on an agenda would be better served if placed on the City's website.
Councilors took no action on the Planning Commission bylaws and directed City staff to put together a policy to be brought back to the Council for action on agenda procedures.

N. There were no mayoral business matters.

O. **Neil Dewitt,** City Engineer, provided an update on the USDA utility projects currently underway in the City.

9. NEW BUSINESS.

A. **Motion by Conley, supported by Clark, to waive Policy No. 12 to act on an IFT application for 95 N. Main St. at first consideration.**

VOTE: 7 – 0, Motion Carried.

1. **Motion by Conley, supported by Hopkins to approve Resolution No. 2013 – 31, approving an Industrial Facilities Tax Exemption Certificate for Cedar Springs Brewing Co. LLC.**

VOTE: 7 – 0, Motion Carried.

B . **Motion by Hopkins, supported by Clark, to waive Policy No. 12 to act on the purchase of a new leaf vacuum at first consideration.**

VOTE: 7 – 0, Motion Carried.

1. **Motion by Nixon, supported by Clark, to approve the purchase of a new leaf vacuum from Old Dominion Brush at a cost not-to-exceed $34,647.00.**

VOTE: 7 – 0, Motion Carried.

C. Discussion regarding the Community Building Development Team's letter to City Council requesting a Community Use Zoning District and to direct the Planning Commission to begin the process:
Taylor stated that this will be worked on as a part of the master plan process.

D. Discussion regarding a Community Building Development Team letter on case law allowing municipalities to proceed on public programs without following its own ordinances:
Taylor stated the City Attorney and Planner would be working on a PUD and rezoning of the property to expedite things.

E. **Motion by Conley, supported by Clark, to waive Policy No. 12 to act on naming Veteran's Day as a working holiday for City staff at first consideration.**

VOTE: 7 – 0, Motion Carried.

1. **Motion by Conley, supported by Hopkins, to approve setting November 11, 2015 as a working holiday for City staff.**

VOTE: 7 – 0, Motion Carried.

10. CITY MANAGER'S REPORT.

A. General information and Special Projects discussed included the following:
   - ✓ Strategic Planning Dates.
   - ✓ Kent County Deputies for 2016.
   - ✓ Michigan Municipal League Convention.
   - ✓ West Street Extension.
   - ✓ City Master Plan Update.
   - ✓ Smoking in front of downtown buildings.
   - ✓ Vacation.
   1. An update on the status of Council goals was provided.

B. Monthly Department Reports were offered by the following:
   1. Department of Public Works.
      a. Infrastructure Alternative's operational and maintenance report.
   2. Fire Department.
   3. Finance Officer/Treasurer.
      a. Cash Summary Report.
      b. Revenue/Expenditure Report.
   4. Minutes from the following boards and commission were offered:
      a. the September 8, 2015 Planning Commission meeting.
      b. the July 27 and August 20, 2015 CS Library Board meetings.

11. COUNCIL COMMENTS.

Clark – Cherry Street looks great.

Powell – thanked the community for sending her to the MML Conference; she learned a lot; thanked Jerry Hall for supporting our artist; we should think about Cedar Springs as a nucleus and beyond our nuclear boundaries.

Conley – the Red Flannel Festival went amazing due in part to people in this room; I saw what you all were doing and was glad city hall was open; it was helpful and was grateful everything is coming together.

Hopkins – he got to see a lot of people the last weekend.

Truesdale – liked what I heard tonight.

Nixon – next month is the election; vote like your life depends on it.

Hall – thank all the employees; hopefully there isn't a lot that needs to be fixed; thanked Kevin Galloway for a great project for our community.

12. The meeting adjourned at 9:40 p.m.

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Linda Christensen, City Clerk Gerald Hall, Mayor