



**REGULAR MEETING
CEDAR SPRINGS CITY COUNCIL**

MINUTES

Thursday, November 12, 2020

7:00 p.m. Meeting

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

1. The City Clerk called the meeting to order at 7pm. The Pledge of Allegiance was recited.

The City Clerk reported the General Election results and issued the Oath of Office to Jerry Gross.

The City Clerk opened the floor for nominations for Mayor.

Conley seconded by **Nixon** nominated Jerry Hall for Mayor.

Roll Call Vote 6-0 Motion Carried.

The Clerk issued the Oath of Office to Mayor Hall.

The Clerk turned the meeting over to the Mayor.

The Mayor opened the floor for nominations for Mayor Pro Tem.

Nixon seconded by **Atchison** nominated Pam Conley for Mayor Pro Tem.

Roll Call Vote 6-0 Motion Carried.

Mayor Pro Tem will be issued her oath of office at a later date in person.

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| 2. <u>ROLL CALL:</u> | Ms. Lisa Atchison
Mrs. Pamela Conley
Mr. Jerry Gross Sr. | <u>Present- Zoom</u>
<u>Present- Zoom</u>
<u>Present</u> |
|----------------------|--|--|

Mrs. Molly Nixon
Ms. Rose Powell
Mrs. Renee Race
Mr. Gerald Hall

Present- Zoom
Excused
Present- Zoom
Present

3. PUBLIC COMMENTS.

The Council welcomes and encourages the public to speak during the public comment and public hearing portions of the agenda. However, Council policy is to hear the public comment, not to act on the public comment at this time. Concerns brought before the Council during the Public Comment portion of the agenda will be referred to the City Manager for action. If, after communicating with the City Manager, no resolution is reached, the concern will be elevated to the Mayor and then eventually to the Council for action.

Those citizens wishing to speak on agenda and non-agenda items will be allowed a maximum of four minutes each to address their concerns. This is the only time during the Council meeting that citizens are allowed to address the Council. Please state your name and address for the record if you would like.

Mike Gates expressed concern with the City Council's decision to not be able to accept marijuana stores because it will limit the commerce for the City of Cedar Springs because stores will seek out alternative locations. We need to continue forward and begin accepting applications.

Donna Clark reported that she was glad to open to the public at this time, but that may change as the climate changes. The Library has been servicing approximately 100 patrons per day.

Brynadette Powell reported that she has concerns as a realtor in the City because the Planning Commission does not have enough people to meet. Not having a Planning Commission means that businesses cannot get through the process. She suggesting time stamping marijuana applications and then reviewing them in the order received. She also expressed concern with the process of placing a moratorium on marijuana businesses because it was done in just one meeting and was a surprise. She congratulated Jerry Hall on his appointment as Mayor.

Eddie VonNorton expressed concern with the Cedar Blitz Gravel Race.

John Huizenga is present to represent the Chamber of Commerce if needed.

Motion by **Conley** seconded by **Nixon** to excuse Rose Powell.

Voice Vote

6-0

Motioned Carried.

4. PUBLIC HEARINGS.

Motion by **Conley** seconded by **Atchison** to open the public hearings at 7:25pm.

Voice Vote

6-0

Motioned Carried.

Public Comment:

Brynadette Powell reported that she felt strongly that the moratorium on applications for marijuana businesses should be lifted because it will bring beatification to many buildings in the downtown area. She suggested excluding the 100 ft separation in the B-2 district.

S. Randall represented a business that is looking to bring in Marijuana Cultivation in the City of Cedar Springs. He hopes that the issues are resolved quickly so they can submit an application.

A. Ordinance Amendment To The Recreational Marijuana Regulatory Ordinance

B. Ordinance Amendment To The Recreational Marijuana Zoning Ordinance

Motion by **Conley** seconded by **Atchison** to close the public hearings at 7:34pm.

Roll Call

6-0

Motioned Carried.

5. ADOPTION OF AGENDA.

Motion by **Atchison** seconded by **Conley** to approve the agenda.

Voice Vote

6-0

Motioned Carried.

6. CONSENT AGENDA.

Councilmembers may request that any or all items be removed from the Consent Agenda. A motion is then in order to adopt all items not removed from the Consent Agenda. Requesting the removal of an item from the Consent Agenda is a prerogative afforded each councilmember and does not require the support of other councilmembers.

A. Approval of the minutes of the Regular Meeting October 08, 2020.

B. Approval of the Checks Paid Prior #s 43548 thru 43653 totaling \$455,804.66 and Electronic Transfers totaling \$3,771.21. The total of all checks and transfers is \$460,745.87.

C. Motion to approve the Cedar Springs Electronic Meeting Participation Policy.

D. Motion to approve the MERS – Defined Benefit Plan Adoption Agreement Addendum

E. Motion to approve the MERS – Hybrid Plan Adoption Agreement Addendum

Motion by **Conley** seconded by **Atchison** to approve the agenda.

Voice Vote

6-0

Motioned Carried.

Conley led the meeting because the Mayor had technical difficulty with his computer.

7. ACTION ITEMS:

- A. Motion to approve Ordinance XXX An Ordinance Amendment To The Recreational Marijuana Regulatory Ordinance- Second Reading
 - a. Map showing the 100-foot separation distance around Vitale's building.

Gross wanted the consideration of the Planning Commission before approving the change. **Race** wanted the Planning Commission input. The City has made it clear that they want to permit marijuana, but we don't want to flood our town with it. **Atchison** thought applications for licenses should still be accepted so they could be processed in the order they were received. **Nixon** reported that what they don't want is a block of empty buildings where there were once successfully run businesses to have marijuana businesses later fail and leave the building empty.

Motion by **Atchison** seconded by **Race** to table the ordinance.

Voice Vote

6-0

Motioned Carried.

- B. Motion to approve of the installation of Chamber of Commerce banners on City light poles along Main St.
 - a. Banner Mockups
 - b. Banner Hardware
 - c. Labor Costs
 - i. \$284.00 to put up or take down on Main St from Beech to Maple.
 - ii. \$497.00 to put up or take down on Main St from Muskegon to Maple.

Gross questioned if the clamps would damage the post and if the clamps would deter from the ornate nature of the lamp. He questioned if the clamp could be changed to a black option to match the pole. **LaRose** mentioned that they have tried to paint the clamps in the past, but the paint does not stick because they are stainless steel.

Motion by **Atchison** seconded by **Hall** to approve of the installation of Chamber of Commerce banners on City light poles along Main St.

Voice Vote

6-0

Motioned Carried.

- C. Motion to approve and authorize the City Manager to execute an Access Easement Agreement over the City parking lot located at 37 E Cherry Street with VISIO CLARA LLC.

Motion by **Gross** seconded by **Nixon** to approve and authorize the City Manager to execute an Access Easement Agreement over the City parking lot located at 37 E Cherry Street with VISIO CLARA LLC.

Voice Vote

6-0

Motioned Carried.

- D. Motion to approve White Pine Trails Neighborhood **Planned Unit Development** district and a **Site Condominium Development** for Parcel 41-02-25-201-001 (commonly known as 14505 CEDAR SPRINGS AVE NE) and 41-02-25-226-001 (commonly known as 14805 CEDAR SPRINGS AVE NE) and authorize the Planning Commission to review and give final Site Plan Approval.

Motion by **Gross** seconded by **Atchison** to approve White Pine Trails Neighborhood Planned Unit Development district and a Site Condominium Development for Parcel 41-02-25-201-001 (commonly known as 14505 CEDAR SPRINGS AVE NE) and 41-02-25-226-001 (commonly known as 14805 CEDAR SPRINGS AVE NE) and authorize the Planning Commission to review and give final Site Plan Approval.

Voice Vote

6-0

Motioned Carried.

8. DISCUSSION ITEMS:

- A. Discussion on an ordinance Amendment To amend the total number of Planning Commission Members- Sec. 2-186-Membership, First Reading

Falcon A 1099 must be issued for any service that is paid \$600 or more per year. Nixon, Atchison, Race, Gross, Conley, and Hall were in agreement that a stipend for Planning Commissioners was something they would be willing to do.

Straw Poll: In favor of One Non-Resident serving on Planning Commission:

Yes: Atchison

No: Nixon, Race, Hall, Gross, Conley

Council set a Special City Council Meeting for November 19 at 7pm.

- B. Mingle with Kris Kringle Community Event

Motion by **Gross** seconded by **Atchison** to move the item to an action item and approve the event conditional to the City Manager's final approval.

Roll Call

6-0

Motioned Carried.

- C. Cedar Blitz Gravel Bike Race- May 22nd, 2021

- a. Route Map
- b. Race Start Map in City
- c. Race End Map in City

Probst had no concerns.

- D. Discussion on an ordinance amendment to reduce side and rear setbacks in the B-3, HC and I-1 zoning districts

Hall would like to have Planning Commission input.

- E. Discussion on Paid Time Off buyback change to Personnel Policies

Nixon thinks this is an appropriate change, but it still encourages people to still use their time off. **Gross** is not opposed, but would like to encourage everyone to take the time off.

- F. Discussion regarding Ordinance XXX An Ordinance Amendment To The Recreational Marijuana Zoning Ordinance-Second Reading

Nixon reported that she did not realize that the 100ft meant that businesses would not be permitted across the street. **Conley** agreed with Nixon. **Atchison** would like to explore a possible 50 ft option. **Womack** reported that other options exist including not permitting the sharing a property line or only reviewing one application at a time.

9. COMMUNICATIONS:

- A. MERS PA 202 Report for 2020
- B. Bray Planning Commission Resignation
- C. Watson Planning Commission Resignation
- D. 233 South Main Rezoning Request
- E. Lissa Weidenfeller Library Board Resignation
- F. Fire Station Progress Report Oct. 23rd, 2020

10. DEPARTMENT REPORTS:

- A. City Manager reported that things have been running smoothly and it is not the intent to turn away business or to be difficult to work with. Waste water treatment plant tour at noon on November 13, 2020.
- B. Department of Public Works.
 - a. Infrastructure Alternative's operational and maintenance report.
- C. Police Department
- D. Fire Department.
- E. City Clerk reviewed the election results and statistics.

- F. Finance Director/Treasurer.
 - a. Cash Summary Report.
 - b. Revenue/Expenditure Report.
 - c. Balance Sheet
- G. Code Enforcement.
- H. Building Inspection.
- I. Board and Commission Minutes:
 - a. Cedar Springs Public Library Minutes July 27, 2020
 - b. Cedar Springs Public Library Minutes August 24, 2020
 - c. NKCE October 5, 2020 Minutes

11. COUNCIL COMMENTS.

Gross thanked everyone at the city offices for the work that they do.

Race thanked everyone for the great work that everyone does and she hopes that the Planning Commission can get filled soon.

Nixon thanked city staff for running the election. She also thanked everyone who wears masks and socially distances.

Hall thanked everyone and apologized for the technical difficulties.

Atchison reported that she enjoys working on the City Council with everyone and she thought that voting day went smoothly.

Conley thanked Hall for serving as Mayor. She was thankful for the high voter turnout and how safe the election was.

12. ADJOURNMENT.

Hall to adjourned the meeting at 8: 23 p.m.

Rebecca Johnson, City Clerk

Gerald Hall, Mayor