



**REGULAR MEETING  
CEDAR SPRINGS CITY COUNCIL**

**MINUTES**

**Thursday, April 14, 2022**

**7:00 p.m. Meeting**

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

1. **Conley** called the meeting to order at 7:03pm and Pledge of Allegiance was recited.
2. **ROLL CALL:**

Ms. Lisa Atchison	<u>7:55pm</u>
Mr. Jerry Gross Sr.	<u>Present</u>
Ms. Ashley Hamel	<u>Present</u>
Mrs. Molly Nixon, Mayor Pro Tem	<u>Excused</u>
Ms. Rose Powell	<u>Present</u>
Mrs. Renee Race	<u>Present</u>
Mrs. Pamela Conley, Mayor	<u>Present</u>

Motion by **Gross** seconded by **Race** to excuse Atchison and Nixon.

**Voice Vote**                      **5-0**                      **Motion Carried.**

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.*

**Jeff Miller** reported that he owns 40 acres north of Cedar Springs where he will open Pour Michigan Wine Barn. They will do a wine bar and wine tastings from Michigan wineries.

**Kame Howe** remarked that the last month had been very busy. There were several well attended events including story time, mini-art, spring reading bingo, movie nights, and March Madness events.

**Dan Spitzbergen** stated that he has been a landlord and business owner in Cedar Springs since 1996. He expressed frustration over the R1 multifamily homes. He wanted to propose an alternative solution. He suggested that there might have been three zoning districts (residential, commercial and Industrial). Prior to 1982 residential zoning permitted multifamily housing. The city started the rental program around 2000 and the rentals have been inspected regularly. He asked the council to please put the item on the agenda so it can be resolved.

**Larry Young** reported that Sharky Whittle from Rockford started buying properties in Cedar Springs and building Multifamily homes around 1973. He reported that he purchased the Maple Street building that was condemned and previously operated as 6 apartments. He invested \$100,000 in the property and brought it up to code with electrical/plumbing.

**Chris Conflitti** reported that he is a local business owner and landlord. He owns 67 E Beech where there was a recent fire. He requested the council add the multifamily issue to the agenda. He has been in contact with the City Manager and the Code Enforcer regarding his specific situation.

**Sonya Cronkright** reported that she has been a landlord for over 34 years in the Cedar Springs area. She felt that landlords were being targeted and stereotyped. She asked the council to be careful about the judgements and attacks that are made without getting the full story. She remarked that the Code Enforcer is very good at her job. She believed that she was trying to fight to obtain a status that she already had. She asked that everyone is treated fairly, including landlords.

**Johnathan Bergsma** stated that City Impact is doing very well. He continues to work to do the best he can for the community. He still struggles with parking on the site. He proposed to purchase, lease, or obtain an easement on a portion of City property to alleviate the parking problem. He is happy with the current arrangements with the neighboring businesses however does not want to be a burden on them.

**Sue Wolfe** reported that she supported Dan, Lary, Chris, and Sonya. She believes the homes were legally built. She also thanked Darla Falcon for her work with the NKCE board.

4. PUBLIC HEARINGS.

None.

5. ADOPTION OF AGENDA.

Motion by **Powell** seconded by **Race** to approve the agenda as presented.

**Roll Call Vote**

**5-0**

**Motion 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 March 10, 2022, Special Meeting March 17, 2022 and Special Meeting March 31, 2022.
- B. Approval of the Checks Paid Prior #s 46139 thru 46271 and Electronic Transfers totaling \$644,782.39.
- C. Motion to set public hearing for the 2022-2023 Budget for May 12, 2022.
- D. Motion to approve the quote from Aqua Aerobics to purchase processing cards for WWTP, price not to exceed \$6,466.33.
- E. Motion to approve quote from Infrastructure Alternatives, Inc to replace the failing air piping and air solenoids on the grit system at the WWTP, price not to exceed \$4,802.00.
- F. Motion to approve quote from USA Bluebook to purchase a Trinocular Microscope Phase Package for the WWTP, price not to exceed \$3,235.00.
- ~~G. Motion to approve Ordinance 239 An Ordinance To Amend Chapter 32, Article III Sidewalks, Division 2 Construction And Repair, Section 101 Through Section 104 Of The Code Of Ordinances For The City Of Cedar Springs—Third Reading.~~
- H. Motion to approve the Cedar Blitz Community Event Application for May 21<sup>st</sup>, 2022.
- I. Motion to approve quote from Hydro-Dyne Engineering, Inc to purchase grit compactor and drives at the WWTP, price not to exceed \$52,521.00.
- J. Motion to approve the Michigan Agribusiness Solutions Materials Management Agreement for service until December 31<sup>st</sup>, 2024 and authorize the City Manager to sign on behalf of the City.
- K. Motion to approve of the Easement For Sanitary Sewer And Watermain On parcels 41-02-25-226-001 and 41-02-25-201-002 and authorize the City Manager to sign on behalf of the City.

- L. Motion to approve the Site Development And Storm Water Runoff Facility Maintenance Agreement Phase 2 and authorize the City Manager to sign on behalf of the City.

Motion by **Race** seconded by **Hamel** to approve the consent agenda with the following changes: to remove item 6G and moved it to 7C.

**Roll Call Vote**                      **5-0**                      **Motion Carried.**

7. ACTION ITEMS:

A. 2022 Cedar Springs Social District Plan

- i. Motion to approve Resolution 2022-08 A Resolution Approving and Recommending Michigan Liquor Control Commission Consideration And Approval Of Certain Licensees For Social District Permits Pursuant To Public Act 24 Of 2020
  
- ii. Motion to approve Resolution 2022-09 A Resolution Designating Social Districts That Contain Commons Areas In Order To Allow Certain On-Premises Liquor Licensees Expanded Use Of Shared Areas For Consumption Of Alcohol Pursuant To Public Act 24 Of 2020

**Womack** reported that the DDA has requested an extension of the Social District to 17 N Main Street and extending the hours to 12pm-10pm daily. **Powell** had concerns with liability for the city and wanted the social district active for community events only. **Gross** also expressed concern with having an active social district all day every day. He suggested having the social district 3 days per week or with a community event. **Race** remarked that with the closure of Main Street for the bridge repair that it could be a good time to try the expanded social district. She suggested 5pm-9pm Monday through Sunday. **Conley** was in favor of expanding the social district because it would be easier to police. **Hamel** was in favor of permitting the social district Monday through Sunday 5pm-9pm. She also stated that the plan could be changed and that the city could do a trial period and review the social district in July and make changes if needed.

**Atchison** arrived at 7:55 pm.

Motion by **Hamel** seconded by **Atchison** to table the Social District.

**Voice Vote**                      **6-0**                      **Motion Carried.**

**The council discussed item 8G Community Event Application Patriot’s Motor Show Festival for July 2<sup>nd</sup>-First Review at this time.**

- B. Motion to approve Resolution No. 2022-10 A Resolution To Adopt The 2022-2023 Annual Rate Increase For Municipal Water And Sewer Service to increase water rates 2% and sewer rates 5% .

**Hamel** would like communication sent out on the Summer Tax bill that shows the dollar amount that the water bill has increased rather than a percentage.

Motion by **Powell** seconded by **Race** to approve Resolution No. 2022-08 A Resolution To Adopt The 2022-2023 Annual Rate Increase For Municipal Water And Sewer Service to increase water rates 2% and sewer rates 5% .

**Roll Call Vote**

**6-0**

**Motion Carried.**

C. Motion to approve Ordinance 239 An Ordinance To Amend Chapter 32, Article III-Sidewalks, Division 2-Construction And Repair, Section 101 Through Section 104 Of The Code Of Ordinances For The City Of Cedar Springs – Third Reading.

Motion by **Gross** seconded by **Race** to approve Ordinance 239 An Ordinance To Amend Chapter 32, Article III-Sidewalks, Division 2-Construction And Repair, Section 101 Through Section 104 Of The Code Of Ordinances For The City Of Cedar Springs – Third Reading.

**Roll Call Vote**

**6-0**

**Motion Carried.**

8. DISCUSSION ITEMS:

A. Preliminary Budget

i. Proposed 2022-2023 Budget

**Womack** reported that the budget will have a public hearing at the May meeting.

B. Discussion on Sidewalk Policy

**Womack** stated that the city just received news that they received two sidewalk grants totaling over \$700,000. The grants do have a required match and he would request the Council shift the reserved \$25,000 sidewalk fund to be used for matching funds. **The council was in agreement that the \$25,000 should be used for the matching grant.**

C. Discussion on proposed purchase of City property adjoining 13590 White Creek Ave.

i. 13590 White Creek Ave. Map

**Womack** reported that the property owners have been storing derelict cars and junk on City property. The City has requested that the property owners remove the items from City property. The property owners would like to purchase a portion of the property from the city. He stated that due to the State law that prevents parcels from exceeding the 4:1 length/width ratio, the parcel could not be sold to the property owner.

D. Discussion on AN ORDINANCE TO: AMEND CHAPTER 32, ARTICLE VIII-SECTION 32-696 USES-C THROUGH E, SUBPART (b) CHURCHES OF THE CODE OF ORDINANCES FOR THE CITY OF CEDAR SPRINGS-First Reading

**Womack** proposed the changes to better align with Federal and State law.

- E. Discussion on the City Impact proposed purchase or donation of North Park land for a parking lot
  - i. North Park Map

**Johnathan Bergsma** proposed the purchase or donation of some land from the city, so City Impact could install a parking lot. He suggested that the city may consider an easement or agreement where the city owns the property, but City Impact installs and maintains. **Womack** reported that the property would be subject to the 4:1 rule as well. The council might want to consider permitting City Impact to use North Park. **Gross** inquired how the new proposed building on the corner of 18 Mile and Northland would impact the parking lot proposal. **Bergsma** reported that the proposed new building at 18 Mile and Northland Drive project is 3-5 years away and he is looking for a solution at their current location.

- F. Discussion of the proposed White Creek Flats multi-family development
  - i. Site Plan
  - ii. Floor Plans and Exterior Elevations
  - iii. Requested Eligible Tax Financed Expenses
  - iv. CM Memo on White Creek Flats requested TIF/Brownfield request

**Doug Gulker** reported that he is proposing a 164 unit apartment complex at White Creek and Solon Road. He remarked that the project requires that water and sewer be extended to the site. They are willing to pay for the expense of the extension, but they would be requesting a Brownfield (TIF) Tax Increment Financing. Without the TIF they would not be able to meet the rental rates required of the community. **Jared Belka** wanted to find a unique solution for the problem at hand. He reported that the expanded Brownfield program under the state land bank, could be a solution for the project. He would project a 10-12 year return. **Gross** inquired how much of the taxes are shared with Solon Township, because that will impact the amount of revenue that the city would receive. **Conley** reported that the city would need to provide services (Police, Water/Sewer, Fire, Elections, etc.) to a large increase in population and she wants to ensure that the revenue will cover the expenses for the city. She also wanted to ensure that the apartments would have ADA accessibility and would be a priority. **Womack** stated that the developers reported that they would not request repayment for Cherry Street if it is private road, but if it was required to be built to public road specifications that the developers would request reimbursement through the TIF. He also reported that the extension of Cherry Street has been halted because a property owner no longer is willing to permit the easement required for the road. **Atchison** would like to work together to work together to make it work as long as we are not taking a loss. **LaRose** indicated that if it was a county road that they would likely take the ACT 51 money, but also likely take on the maintenance of the road. He also explained the current well capacity may bring the project to a halt because EGLE may not issue water main permits. **Race** expressed her opinion that the project is great, but it is too big right now. **Gross** reported that he thought that this project is needed and it is the time and place. **Womack** will work to meet with the applicant and the road commission to get some additional information regarding the road.

G. Community Event Application Patriot's Motor Show Festival for July 2<sup>nd</sup>-First Review

**Jordan White** of Hero Services explained the proposed community event. He explained that the event was a family friendly fundraiser event that would display automobiles and motorcycles. He intended to utilize the social district, but does not plan to serve alcohol at the event.

9. COMMUNICATIONS:

A. Community Event Calendar

B. 2022 Calendar

C. Kent County CDBG

i. Conditional Approval Award Letter for 2<sup>nd</sup> Street Sidewalk Updates for \$261,825

ii. Conditional Approval Award Letter for 5<sup>th</sup> Street Sidewalk Updates for \$450,190

iii. Summary of 2022 CDBG Funding Application Scoring Committee Results

D. Sparta and Cedar Springs Assistant Agreement

10. DEPARTMENT REPORTS:

A. City Manager reported he had a meeting in Lansing. This is a big agenda because there is a lot going on in the city. He follows the law as it is written.

B. Department of Public Works reported that Main Street was closed because they had to move some electric. The stated that he thought the proposed apartments would be a good thing, but that he had to lay all the cards on the table. He wants to make sure the utilities are able to service everyone. The new well is moving forward, but it is time consuming.

i. Infrastructure Alternative's operational and maintenance report.

C. Police Department stated that Main Street closure has increased traffic stops on 5<sup>th</sup> street, Pine Street, Cherry, and the White Pine Trail.

D. Fire Department reported that the call volume is increasing and that the 2021 call summary is provided.

E. City Clerk reminded everyone that Affidavits of Identity and Nominating Petitions are due on Tuesday, April 19<sup>th</sup>.

F. Finance Director/Treasurer reported that she has been very busy. She was extremely happy when she got the news that the city received two CDBG grants.

i. Cash Summary Report.

ii. Revenue/Expenditure Report.

iii. Balance Sheet

G. Code Enforcement.

**Womack** reported that she has made a private arrangement with Sparta. **Conley** appreciates how she approaches and interacts with the citizens.

H. Building Inspection.

I. Board and Commission Minutes:

i.

11. COUNCIL COMMENTS.

**Powell** asked the landlords to be patient and reported that the council is working on resolving the Multifamily issue.

**Gross** reported that the council has had some good discussions. He reported that the position is challenging at times. The council is trying to do what is best for the community.

**Atchison** has reported that the detour has been interesting. She stated that the council is listening. She thanked the staff for all of their hard work. She would like to grow, but you have to be able to handle the growth.

**Race** stated that it was upsetting to her that some individuals come to one or two meetings and make assumptions about things. She was bothered that she was accused of judging landlords.

**Hamel** thanked the staff for all they do. She hopes that they can be moving forward on the multifamily housing. She offered landlords to reach out and provide any feedback regarding the issue.

**Conley** thanked staff for all of the extra work for the multifamily housing. She didn't think that landlords are bad people. She does not represent landlords. She represents voters and the people who live here.

12. ADJOURNMENT.

**Conley** adjourned the meeting at 9:49pm.

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Rebecca Johnson, City Clerk

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Pamela Conley, Mayor