



Village of Spring Lake
Council Work Session Minutes
April 17, 2017
7:00 p.m.

102 West Savidge Street (Upstairs Conference Room)
Spring Lake, MI 49456

President Hatton called the meeting to order at 7:00 p.m.

1. Parking Ordinance – President **Hatton** introduced this item and Manger **Burns** explained how the current 2013 amended ordinance was created and the reasons for looking at another proposed amendment. **Burns** also shared that of the 200 + personal invitations for the March Community Engagement that were sent out to all residents that lived on streets with no curb and gutter, only 15 people attended and one of them lived in the Township. President **Hatton** asked why do people have to have a license at all since it's their property. **Hatton** then compared this parking ordinance to the treatment of the Jewish people in Hungary before the Holocaust. **Hatton** also said that she had a personal interest in this ordinance because her daughter was moving to Division Street and had no parking. **Burns** explained that the idea of a license was a suggestion from a property owner on Division Street and explained that the right of way did not belong to the contiguous property owner, it was the Village's right of way. **Burns** said that this amendment provided exceptions for residents that had health issues or topographical issues where they were not able to put in a driveway. President **Hatton** asked about having guest parking and when would they have conversations with the residents involved. **Doss** said that she and the rest of Council have an open-door policy to meet and talk to residents to discuss issues. **Doss** said that she had met with a resident with health issues and concerns with parking. **Burns** explained that the ordinance was not intended to prohibit residents from having a party or unload groceries, it was intended to prohibit residents from creating permanent parking in the right of way instead of using their driveway. **Burns** also reminded President **Hatton** that she had now publicly spoken that she had a vested interest in this ordinance and should be careful as to whether she had a conflict of interest when it came to voting. **Duer** asked if the ordinance allowed for driveways to be enlarged. **Burns** said that there was a green space requirement but that enlarging driveways was usually not a problem. **Hatton** asked if there were any Council Members that lived on a street without curb and gutter. **Doss** said that she did and **Burns** said that **TePastte** also did.
2. Cross Connection Ordinance Change (John Stuparits) – **Stuparits** explained that from time to time this Ordinance needed to be updated as a housekeeping issue to meet new DEQ rules and regulations as well as other updates. **Burns** explained that this would be on the May agenda for Council's vote.

3. Jackson Street Sink Hole (John Stuparits) – **Stuparits** shared pictures of the sink hole and explained what caused this issue and gave cost estimates for short term and long term repairs, depending on the extent of the repairs.
4. Force Main Sewer Discussion (John Stuparits) – **Stuparits** explained the pre-engineering estimates from Prein & Newhof and shared pictures of what needed to be repaired. **Stuparits** also explained the different material options for repair and advantages and disadvantages to them.
5. Roof Replacements (Village Hall & DPW) – **Burns** shared the contractor findings on the leaking Village Hall roof and that Prein & Newhof and Moore & Bruggink recommended the Village hire an architecture firm to write the RFP for the roof repairs to make sure the roofs were repaired correctly and that the warranty would stand. President **Hatton** asked what the DPW building was used for and if it was used every day. **Stuparits** said that it was used for storing equipment and operating supplies and that it was used daily. **Hatton** asked if the Village equipment could be moved to the Township's DPW building. **Stuparits** said that the Townships building was no bigger than the Village's building so they did not have room for the large amounts of equipment and operating supplies the Village needed for day to day operations. **Hatton** suggested selling or "trashing" the DPW and building a new one by the river with a nice peaked roof. **Council** discussed possibly adding a slight pitch to the DPW building's current flat roof. **Hinga** explained how the roof expenses would be divided between fund accounts. **Hatton** suggested selling the Village Hall to Spring Lake Township and then leasing space back from them, and that way the Township would pay for necessary roof repairs. **Hatton** said that she had brought it up to the Township after their last meeting. **Hinga** asked what their response was. **Hatton** said she had only been able to talk to the Township Manager and not Mr. Nash so she would rather not say.
6. Rental Discussion – **Burns** explained that a short-term rental ordinance had been adopted by Spring Lake Township, that Ferrysburg was at the Planning Commission level and the City of Grand Haven was moving through the process. **Burns** explained that, after taking a really good look at the Village ordinance, they found that it did not allow short term rentals in residential areas because they met the definition of hotel. **Burns** said that, at this time, that ordinance was not enforced. **Burns** asked Council if they wanted to enforce this ordinance. **Doss** asked if that meant that they were covered if there became a problem. **Burns** said that yes, that is what the Zoning Administrator believes. **Powers** said that as long as there were no complaints then he didn't want to enforce the ordinance. **Doss** felt that if the parking ordinance was being enforced then shouldn't this ordinance be enforced too? **Powers** said that no one sees the short-term rentals and there

have not been any complaints but the parking issue was visible and unsightly and had received complaints so he felt this was different.

7. Crockery Township Agreements – Attorney Johnny **Pinjuv** explained the amendments to the agreements with Crockery Township for a SIB loan and TAP Grant to guarantee the Village received an administrative fee and to take care of any interest that might be earned. **Pinjuv** also explained these amendments would protect the Village in case **Hinga** no longer worked for Crockery Township or in the event of disincorporation. **Powers** asked what other communities had done this and how it had worked out. **Hinga** said that Bruce Township and Macomb Road Commission had done this and Bruce Township had no complaints.

8. Charter Amendment – Attorney **Pinjuv** explained that the Attorney General's office said that any change from the provisions of the General Law Village Act would not be tolerated because there was no authority under State Law for any changes to be made. **Pinjuv** said that the language would need to remain the same as the General Law Act in order to meet the May deadline. **Pinjuv** said that he had found language that he felt allowed changes but the AG's office said that it did not apply to disincorporation. **Pinjuv** said that Council could challenge the Attorney General's decision but that would take time. **Hinga** asked if the 30-day moratorium would kick in again when making these changes back. **Pinjuv** said that the AG's office said that it would not. **Powers** asked Council how they felt. **Duer** asked if this meant they would move forward as far as all the spending for education and all. **Burns** said yes, assuming they approve it at the AG's office in time for the May 15th deadline. **Powers** asked what the estimated cost was by the August election. **Hinga** said that \$30,000 had been spent so far, and the estimated total was between \$50,000 to \$100,000 and listed the upcoming estimated expenses. **Hatton** offered to forgo the education expense. **Doss** said absolutely not! **Doss** said that this was such a confusing issue that it would be awful to not educate the voters because once we went down this path we couldn't come back. **Duer** said that we still don't know if this would save the taxpayers money. **Powers** said he didn't think it would and that Van Strate's point of why are we spending this money when we don't have anyone showing up at these meetings demanding this as the route of the future was looking a little more enticing. **Powers** said that on the other side, he did agree that this was a fever that needed to be burned out, but how much money do we want to spend on something that is likely going to fail and should fail. **Duer** said this was a lot of money. **Hatton** said that the Charter could have been amended 5 years ago and that the people deserve the right to make the choice because they pay double taxation. **Council** disagreed on the double taxation label citing that the township provides services such as assessing and elections for that tax. **Powers** said it looked like the three options to think about were, to go with the old language and hopefully meet the deadlines, to challenge the AG's office or to just scrap the whole thing. **Burns** suggested that if they did

not make the May deadline, they might want to take a hard look at whether or not they want to make **Hatton** petition. **Powers** said they could wait until spring when they were not looking at \$100,000 in roof repairs. **Hatton** said the if they disincorporate they will save a lot of money on the sewer bill. **Duer** and **Hinga** both said that Village residents would pay a water/sewer bill regardless; it had nothing to do with disincorporation.

9. Asian Carp Resolution – **Burns** explained that Josh Brugger was unable to attend but was asking Council for a Resolution of support regarding the Asian Carp issue that had the potential to impact Lake Michigan. **Council** agreed this was an important issue.
10. Budget Amendments & Preliminary Budget Discussion (Marv Hinga) – **Hinga** explained the budget adjustments. **Hinga** passed out the draft budget and he and **Burns** went through it with Council. **Council** discussed what projects were important and what projects they felt they could cut or wait. **Council** also discussed spreading the cost of a new Master Plan over 2 fiscal years, and in doing this and a few other cuts and changes they were able to balance the budget.
11. Village Square (Farmer's Market) – **Burns** reported that the DDA did not want to go forward with the Farmer's Market until they met with Council and the Planning Commission to make sure they were all on the same page and have the same vision for the new Master Plan. **Hatton** suggested that a Farmer's Market structure was too expensive for the amount of use it would get and that a landscaped parking lot would be less money and would be a better use of the property. **Powers** said that he did not think the Village needed more parking and he also didn't think a Farmer's Market was a good use of the property or money. **Burns** said that it all started with the redevelopment of the Braak's Bakery when the developer felt there was not enough parking in this area for his business.
12. Arbor Day Celebration – **Burns** shared that the Arbor Day celebration would be Friday, April 28, 2017 at 10:00 a.m. at Central Park.
13. Whistle Stop Playground Update – **Burns** reported that May 19th was the target delivery date and that she and Megan were working on how to feed the Shape volunteers. **Burns** also reported that an ADA compliant drinking fountain had been purchased for Whistle Stop and that the old one would be scrapped, unless, with Council's approval, it could be given to the Presbyterian Church for their dinosaur park. **Burns** said that their fountain was broken and they did not have the funds to replace it. **Council** agreed this would be a great use of the old fountain.

14. Buchanan Street Update – **Burns** reminded Council that Savidge Street/M-104 would be closed for the weekend from 7:00 p.m. on Friday evening until 5:00 a.m. Monday morning, weather permitting.
15. Coming Up in May – **Burns** shared that the Memorial Day parade was coming up and asked if any Council members were interested in passing out candy and dog treats. **Doss** said that she and her kids would be there. **Hatton** asked when the parade was. **Doss** said that it was Monday, Memorial Day at 10:30 a.m.
16. Communications – **Burns** shared that they had received court documents from the Kamp's for their request of the Village to vacate property for them. Nothing to be alarmed about, this was part of the process.
17. Minutes of the March 13, 2017 Work Session and March 20, 2017 Council Meeting
18. Public Comment – Darcy Dye shared that she would have an education table for the Adopt a Garden Program at the Earth Day celebration in Grand Haven. **Hinga** shared that they had received a donation from Wayland Massachusetts for the Adopt a Garden Program.

Bruce Hanson, Division St, shared that he had attended the Community Engagement for the Parking Ordinance and did not appreciate the time of day it was held or how it was organized. Mr. Hanson said he had yet to hear the reason for enforcing this ordinance other than Council Member Powers and one person on Division that think it is an eyesore and damages the street.

Hatton asked Council if people were expected to park blocks away when they had company. **Powers** responded that this ordinance was not about Super Bowl Sunday, this ordinance was about ongoing and consistent parking of multiple cars daily.
19. Adjournment – the meeting adjourned at 9:53 p.m.

Joyce Verplank Hatton, Village President

Maryann Fonkert, Deputy Clerk