



**Village of Spring Lake  
Council Work Session Minutes  
July 10, 2017  
7:00 p.m.**

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

President Pro-Tem Powers called the meeting to order at 7:00 p.m.

- 1. Communication Tower (Brian Mauro)** – Brian Mauro from Landlord Lease Advisors, LLC was present and explained how he and his company could represent the Village by going to the wireless tower companies that lease land from the Village and negotiate on the Village's behalf to get more money.
- 2. Coast Guard Dinner (Megan Doss)** – Council Member **Doss** updated the rest of Council on the dinner including the menu, asking Boy Scouts to be greeters, singers for the anthem, flowers from Spring Lake Floral, and the bar hosted by Scholten Fant. Manger **Burns** updated Council on the other Coast Guard related functions, including the parade and Memorial service.
- 3. Update on Recall Efforts of Village President Joyce Hatton** – **Burns** reported that Michelle Hanks had filed the necessary paperwork and a hearing was scheduled for July 19, 2017 at 1:30 p.m. and would be open to the public. Hanks said that the language on the petition must be approved and the rules state that language must be factual, not an opinion and that she had been working with the Elections Department for Ottawa County with all the details.
- 4. Communications**
  - EDA Correspondence – was not discussed.
  - Fireworks Information – **Burns** reported that dispatch received 225 fireworks complaints County wide. **Burns** also shared that Dispatch had received 976 calls in a 24 hour period during the time between 12:01 a.m. Friday, to 12:00 a.m. Saturday, and that during the time between 3 a.m. and 4 a.m. Friday during the storm they received 300 calls. **Burns** said that the Village lost trees at the DPW building, River Street and Tanglefoot Park and a canopy from an RV. **Hinga** said that **VanHoeven** had called Andy's Tree Service at 4:00 a.m. and put them on standby so that put the Village first in the que. **Hinga** said that he and **VanHoeven** toured the Village on Friday morning to assess the damage and noted that not a single tree or limb had come down in Central Park, likely because those trees had recently been trimmed and dead limbs removed.

**Hinga** said that the River Street tree had taken down a live wire that was smoldering in the grass.

- Village Manager Calendar – **Burns** distributed her calendar.
- Weed Complaint – **Burns** explained that she had received a complaint about weeds in the cracks along the edge of the street and the curbs on S. Lake Avenue but that was not something that the DPW took care of.

5. **Minutes** – **Burns** asked if there were any questions on the minutes. **Council** had no questions.

President Pro-Tem **Powers** said that he had been told by staff that Hatton had contacted the Village Auditor to discuss whatever issue she felt she needed to discuss. **Powers** reminded staff that there was a policy that said Council Members were not to engage in back and forth communication unless and until they received permission from this body itself. **Powers** said this was a “shall” requirement, not a “may” requirement before contacting anyone. **Powers** said he followed this and he assumed the rest of Council followed this policy that was in place to protect the professional advisors as they have duties of confidentiality and billing requirements and Council was not to be taking up their time unnecessarily, nor exposing them to any violations of their duties. **Powers** said that this included the attorney, the auditor, the engineer or any professional whose services were engaged outside of the structure of just our employment relationship, individual members should be contacting this body before contacting them. **Hatton** asked if **Powers** wanted her to respond. **Powers** said she could say whatever she wished. **Hatton** said she had met with the auditor on Friday morning to confirm the statement of Net Position. **Hatton** said she had a copy for each Council member and one for the paper. **Hatton** said that he (the auditor) had confirmed all the figures and this was what she had taken to the community engagements on Monday and Tuesday. **Hatton** claimed that she never saw the information that was distributed before the community engagement meeting and that was a disservice to the people that came to get an education. She never got a chance to see the information fact sheet and the things that were written until Tuesday at noon. **Hatton** said that she was asked a question about the \$100,000 anticipated cost as if she had written that information and knew about it. **Hatton** said she knew better then to ask why it was kept from her because, obviously, she was to be put in a position where she did not know “what she was talking about”. **Burns** and **Hinga** reminded **Hatton** that all that information was public and on the website. **Hatton** said that people had questioned her, like she knew about it. **Hatton** said she had just come from a meeting at the Township where she handed out the Village’s Statement of Net Position and discussed it with the them and that’s the reason she was late. **Hatton** said that the Village had \$10,100,000 in assets, the liabilities were \$2,466,366 and

a net position of \$7,978,470. She had called MERS for an update and they said it was about a \$1,500,000, but they would figure it out and get back to her. **Hatton** said that meant that instead of the Village being very poor or bankrupt or a fire sale, they would probably have money back that could go back to the taxpayers, maybe even a few million and that would be pretty good. **Hinga** said that most of those assets were physical assets, like pipe in the ground, so he was not confident that sewer pipe could be sold. **Hinga** said he did not find that that was a reasonable assertion. **Hatton** replied that she didn't appreciate Hinga's commenting about the Spring Lake Yacht Club. **Hatton** said she didn't want to go there, but the one thing that certainly did need to be checked, because she asked him (the auditor) were he got his depreciable capital assets list and he said he got it from Hinga and she said she would come in and go through it with **Hinga**. **Hatton** said that she wanted everyone to know that the Village was very well run and that they could be very proud of that, but certainly, they could obviously save a lot of money and they all knew that. **Council** members collectively said they did not know that. **Powers** told **Hatton** that she had her position and to feel free to grind that axe, they had listened politely, but that was where they cut it off. **Burns** reminded **Hatton** that the Statement of Net Position was in the audit book that she had received last year at the end of audit and that she (Burns) had offered several times to go over the financials with her as **Duer** had done with **Hinga**. **Burns** also reminded **Hatton** that, as a point of clarification, on 5/ 23/ 2017 at 11:04 a.m. she had received an email from **Hatton** asking that the items she claimed she had not received, be removed from the website. **Burns** said that **Hatton** did have them and knew those documents were on the website and that everyone knew they were there, that they were also on Facebook and there was nothing secret about them. **TePastte** said he and his wife had gone over the information well in advance of the meetings.

6. **Public Comment** – Bill Meyers said he would like to state that, despite the Presidents assertion that the Community Engagements were biased and unfair to her, he did not feel that way. Meyers said that he had several questions that were somewhat answered, not fully, but what struck him the most out of those two meetings was that over 80% of the people that attended voted to be not in favor of changing the Village Charter. Meyers said that President Hatton spoke that she had a “mandate”; he disagreed with that. Meyers said she may have won the election but there were 2 other candidates that split a vote and if you add their 2 together her “mandate” would not be as she claimed it was. Meyers also said that he had received an email over the weekend from her, or an agent of hers, even after he had asked to be removed from her email lists. Meyers said he would like to know how Hatton came to be in possession of his email address. **Hatton** said

that she could answer him if he would tell her what his email address was. Meyer said that she had his email address. **Hatton** said that she had written down ones that requested removal and that it was only 2 people and so probably he was one of them but she was just requesting so that she made sure. Meyer asked when she had obtained those email addresses? **Hatton** asked when did she obtain what? **Doss** explained that Meyer wanted to know when he opted into her email blast. **Hatton** said that the list was from her campaign last fall. **Doss** explained that it was illegal to email unless someone opts in to receive an email blast. **Powers** said they could have that conversation at another time.

Michelle Hanks asked if she could get a copy of the approved Minutes from the May 15, 2017 meeting that she needed for the Liquor Control Commission. **Burns** said she would get them to her.

Karen Chalupa, 115 Prospect, said that Manager **Burns** had made a comment on the Neighborhood website about bushes growing over the sidewalks being small change because the DPW had better things to do. **Burns** said that was not what she said, that she had said it was not a priority because DPW did not trim bushes on private property. Ms. Chalupa said that she walked the sidewalks every day and there were places on Lake Avenue where there are no sidewalks (because of overgrowth), so, was there no means to notify property owners, or could she get roundup and go up and down the sidewalks? **Burns** said that they had to be careful about property on lake avenue because a few of them had their right away out into the middle of the street and the Village did not have the authority to go on private property. **Duer** asked if the property had over hanging branches could the Village do something then. **Burns** said that if Ms. Chalupa could get the addresses that were problematic for her she would look at the properties.

**Doss** reported that she had received some complaints about a rental house at the end of Jackson Street having a lot of different renters and that 2 or 3 times tenants, adults and children, had been climbing on the rail of the pier and jumping off while others were fishing. **Doss** said that this was not only a liability issue but the railing was not made for people to climb on. **Doss** said she had referred the person complaining to call the non-emergency number. **Powers** asked if we couldn't have a gentle conversation with the owner about these concerns.

7. **Adjournment** - The meeting adjourned at 7:56 p.m.

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Mark Powers, Village President

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Maryann Fonkert, Deputy Clerk