



**Village of Spring Lake  
Council Work Session Minutes  
August 14, 2017  
7:00 p.m.**

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

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

- 1. Communication Tower (Brian Mauro)** – Mr. Mauro was present to discuss the terms that he negotiated with the tower company.

Mr. Mauro explained the terms he had settled on with American Tower. Those terms were:

- \$50,000 one-time signing bonus, payable within 30 days of full execution of amendment;
- Rent to begin escalating by 4%; Village to keep 20% escalation due in 2019
- \$400 flat fee future tenant revenue share, applicable to all new collocations following full execution of an amendment;
- Six (6) additional lease periods of five (5) years each, commencing January 9, 2033.

Council agreed these were good terms.

- 2. Leadership Changes** – According to our charter (section 5.05) if a vacancy occurs, the President Pro-tem shall become President for the remainder of the unexpired term, meaning Mark Powers assumed the role of Village President. This created a vacancy on Council. Section 5.08 stated that Council had 30 days to appoint someone to the vacated seat. If they failed to do so, the President shall make the appointment. A display ad was placed in the Grand Haven Tribune, on the Village website and on Facebook. Council could interview candidates at the regular meeting on August 21<sup>st</sup> or schedule a special meeting on the 28<sup>th</sup> to consider candidates, unless there was a date Council would rather meet. Council discussed this and agreed to start interviews at 6:30 p.m. on the August 21, 2017 and then proceed with the regular Council meeting at 7:00 p.m. Interviews would be conducted in the smaller meeting room.
- 3. Audit Letter of Understanding** - This was an annual housekeeping item that memorializes the terms of our audit with Vredeveld Haefner.

**Hinga** explained that the only change to this, from prior years, was that MDOT was requiring a compliance audit on the Act 51, the local and major street fund that the Village received from the State. **Hinga** said the additional cost for this will be

\$1,250 and that it could be charged to the street funds. **Burns** said that Council should have received a questionnaire to be fill out and mailed back to the Auditors.

- 4. Finance Contract Extension with Ottawa County** – According to our contract with Ottawa County for financial services, the contract was to be renewed in writing each year. Renewal had been done informally via email in the past. Legal Counsel for Ottawa County ruled this an acceptable practice, as any risk really fell on them.

**Burns** explained that Ottawa County's legal counsel said that the simple email or phone call was acceptable, but just to clean this up, Ottawa County did draft a renewal for Council to review. **Burns** said there were just a few minor changes.

- 5. Arborist Report** – The Village's arborist (Bill Drew) reviewed a number of trees in the Village and compiled his recommendations. That report was reviewed by the Parks & Recreation Board and they concur with Mr. Drew's recommendations.

**Burns** explained that the Parks and Rec Board had reviewed this report at their last meeting and that they concurred with the Arborist's findings regarding the Oak tree at the Middle School, but because of the controversy around this tree, they were putting it back in Council's lap. **Council** discussed the condition of the tree and what the risk factors might be by feeding it one more time and giving it another season. **Council** decided they would discuss the tree again at the next Work Session and make a final decision on the fate of the tree. **Council** also discussed what could be done with the wood from the tree, possibly a fund raiser. **Hinga** suggested collecting acorns from it and start new trees. **Council** was also in agreement with the rest of the Arborist's report. **Powers** asked how the "Plant more Trees Campaign" going, because he had not seen any trees being planted. **Burns** said that trees were planted in the fall, and that Mary was working on our annual grant from Consumers Energy. **Burns** also shared that funding had come through from the Victoria Verplank Memorial and that the Tree Board would like that money to be divided up between trees at the tree nursery, arborist fees, planting out in the community or as a match for the Consumers Energy Grant.

- 6. Village Manager Performance Appraisal Format** - The Village Manager's contract called for a performance appraisal each year prior to consideration of any pay increase. There had been some discussion in years past of changing the format. The format we've been using was attached as well as a suggested revision.

**Burns** explained that last year they had talked about the format of her appraisal so she had asked colleagues what they used and picked out the what she felt might be a better fit. **Burns** said she would get Council paper copies and Council could administer it at the September Work Session.

- 7. Charter Review Process (ACTION ITEM)** - The Village Charter, Section 15.03, stated as follows: *The question of revision of this Charter shall be placed before the electors of the Village at the general election in the year 2017, and at least every 20 years thereafter.*

This issue was extremely confusing, considering we just voted on a proposed Charter amendment. The question of a Charter revision, was a totally different issue. It was necessary for this to be an action item because of the deadline to get this on the November ballot (August 15<sup>th</sup> at 4:00 p.m.)

**Burns** explained that due to the confusion between an amendment and a revision, Marie, from the Tribune, would be doing an article/educational piece at the end of September when the absentee ballots came out. **Burns** also explained that the reason they had to take action to adopt the Resolution this evening was that the deadline to get the Charter Revision on the November ballot was August 15<sup>th</sup> at 4:00 p.m., so waiting another week would be too late. **Hinga** added that the top elected Charter Review Committee member would not automatically become the Committee Chair, that the Chair would be elected by the Committee.

Motion by **Tepastte**, second by **Miller**, to adopt Resolution 2017 – 15, a Resolution of Intent to Adopt Ballot Language for the Question of Charter Revision.

Yes: 6                      No: 0

- 8. Charter Communications Contract (Marv Hinga)** – Charter Communications was filing for a cable franchise renewal with the Michigan Public Service Commission. Approving the proposed agreement would allow the Village to continue to collect the Franchise Fee (about \$40,000/year). The Village received 5% of the Charter Cable TV revenues generated within the Village. This percentage was the maximum amount allowed under State law.

**Hinga** explained that the Charter Communications was filing to renew their cable franchise with the Michigan Public Service Commission, but that the Village did not have much voice in this, other than if the Village wanted to continue to receive the 5% of the Charter Cable TV revenues. **Hinga** said that the Village had to take action in order to receive the revenues.

**9. Updates –**

- **Ambulance Oversight – Tepastte** explained that the Committee was not happy with the current service response times, especially in the outlying areas, so they had put some pressure on NOCH to add a third ambulance and to

decrease the response time in the outlying areas by a minute or so. **Tepastte** said they were successful on both counts.

- **Buchanan Street Costs (Final) – Burns** said they were just under budget with the final costs, so they were very happy with that. **Burns** said they did have some bare spots and trees would be planted in those areas but, otherwise, the project was being wrapped up.
- **Census Address Updates (OC GIS) – Burns** said that the Census every 10 years was a lot of work and, thankfully, Ottawa County had stepped up and were going to help with addresses and mapping which would have taken a lot of staff time.
- **Reroof of Village Hall & DPW – Burns** shared that the re-roofing on Village Hall and DPW had started and, even though it would be noisy and inconvenient, the barrels in the stairwell were gone and the ceiling tiles would be replaced once the roof was complete.
- **Master Plan Process – Joint Meeting in early October – Burns** explained that the DDA had a great discussion at their last meeting on what this process would look like and that they felt it was imperative, in order to get a good product, that there was a lot of input from the DDA, the Planning Commission and Council. **Burns** said that in October they would like to have a joint meeting of these boards to get some vision and ideas going forward. **Council** agreed that Tuesday, October 24<sup>th</sup> from 6 to 8, the date of the next Planning Commission meeting, would work.
- **Lakeside Trail Lighting – Burns** reported that she and **Hinga** had had meetings with some local vendors in regards to replacing trail and downtown lighting and that they would be installing 4 LED lights in the first block of Savidge for a trial period. **Burns** also said the company would be taking photos with drones that would show the color differences. **Hinga** reported that he was looking into an inter-fund loan between the General Fund (which would have the cash) and the Pathway Fund and then repay it over time as the money came into the Pathway Fund from the Township and once the work was done on the Tri-Cities Connector Path. **Burns** said the vendor would be doing a cost benefit analysis to determine the amount of savings. **Hinga** said they were expecting a 50% savings on energy, but the problem was the fixed costs that was a part of each meter.
- **Connector Path Repairs – Burns** reported that the pathway would be completely shut down during the repairs that would start on September 5<sup>th</sup> and be completed by October 14<sup>th</sup>.
- **Pavement Markings – Burns** shared that pavement markings had been done over the last 2 weeks, except for the decorative crossings Jackson because they were still looking for a vendor to paint those.

- **Sink Holes – Burns** reported that there was a sink hole on the path at the end of Park Street and that Ryan Arends, from Moore & Bruggink, would be meeting with John Stuparits to propose a fix for the sink hole and look at options for the kayak launch which was washed out due to the high-water levels.
- **Economic Development Update**
  - **Britt Morant PC – Burns** shared that Kristin Britt purchased the old Bridgeview Insurance building and would be doing major remodeling and had applied for a DDA Façade grant. Burns said Britt planned to move her law practice into that building along with renting out a couple of the other offices in the building.
  - **Best Financial Credit Union – Burns** reported that the credit union was coming along but had run into some issues with high water tables and dewatering, but progress is being made.
  - **Spring Lake Dental – Burns** said that the house slowly coming down and part of the dental office would be demolished, but they would continue to use the other part while they construct the new building.

**10. Communications – Burns** reported that Tanglefoot Park has had some challenges with a couple of tenants this season so those individuals would not be given a renewal for the 2018 season. **Burns** also said that when Sgt. Kik returned from vacation the Deputy’s would start issuing tickets for non-curbed street parking violations.

- **Community Foundation Statements**
- **Complaint – Inman**
- **Complaint – Cuti**
- **Compliment – Allard**
- **Compliment – Henshaw**
- **Inquiry – Guthrie**
- **Inquiry - Bissell**
- **Library Calendar (August)**
- **Village Manager Calendar – Burns** shared that she would be in Europe for 10 days starting on September 18<sup>th</sup> and requested **Hinga** be appointed Acting Manager while she was gone.

**11. Minutes – Minutes** of the July 10, 2017 Work Session, July 17, 2017 regular meeting and the August 10, 2017 Special Meeting are attached for review. Should you wish to make edits, please share that information with Chris Burns or Maryann Fonkert prior to August 10, 2017.

**12. Public Comment – Lee Schuitema**, 408 W. Exchange St., commented that this was a nice meeting and that it was the best one he had attended this year. Mr.

Schuitema also complemented Council on how they handled everything that had gone on since the beginning of the year and that saying how much he appreciated all of them was an understatement.

**13. Adjournment** - The meeting adjourned at 8:10 p.m.

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Mark Powers, Village President

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Maryann Fonkert, Deputy Clerk