



Village of Spring Lake
Council Work Session Minutes
June 10, 2019
5:30 p.m.
102 W Exchange Street (Barber School)
Spring Lake, MI 49456

President **Powers** called the meeting to order at 5:30 p.m.

1. 206 N Buchanan (70-03-15-332-040)

Mr. Mike Armour attended the work session to discuss his proposal for tree trimming and encroachment at 206 N. Buchanan.

Mr. Armour gave a brief history of the tennis court and explained that it was installed in 1973 or 74, prior to the Village owning the property that is now Lakeside Trail. Mr. Armour said he had discussed the encroachment with a prior Council, but nothing had ever been resolved. Mr. Armour said he would now like to trim the trees that hang over his tennis court in order to have it resurfaced but the company that would resurface it would not guarantee the work as long as the trees were hanging over. Mr. Armour shared his proposal for the tree trimming and easement as follows.

1. The Village grant an easement in favor of the parcel for the Tennis Court.
2. The easement will terminate upon the removal of the Tennis Court.
3. Mr. Armor be granted permission to trim the trees identified in the site plan.
4. Mr. Armor would pay the costs for the preparation and recording of the easement and tree trimming.

President **Powers** felt that the tree trimming would be the Tree Board's decision, but the encroachment would be something Council should discuss. Darcy **Dye**, Tree Board member, explained that for the stage of life the old growth tree was in, it was healthy and trimming trees at this time of year opened them up to fungal infection from infestation of Longhorn Asian beetles. Dye suggested if Council approved Mr. Armour's request to trim, waiting until September would be the best time. **Powers** explained that the Village had people seeking to take pieces of Village property on a regular basis and they don't seem to understand that they are cutting into the

Village property rights. **Powers** said he knew that the tennis court had been there for 40 years, not installed in the dead of night, as so many encroachments were, and that Mr. Armour was offering to pay for the trimming and any other costs involved, so Council would wait until they hear the Tree Board's recommendation to make their decision.

2. Beautification Update (Darcy Dye) – Dye explained that she was coming to Council in her capacity of the full-time, unpaid, seasonal landscape/gardener in the Village to begin a dialog and do a whirlwind tour through the nuts and bolts of sustaining greenspaces in the Village. Dye said she spent a lot of time thinking about the proposed development of the waterfront. **Dye** went on to explain her concerns for watering, fertilizing and care of proposed tree plantings, landscaping and maintenance of a proposed splash pad. **Dye** also discussed the many parks and garden areas in the Village that need remediation, and this might be a good time to add a park and landscaping inventory so that they knew what they had and can do a good job of planning for the maintenance for the future. **Dye** shared that she had invited Amy Hileman, a Michigan Native Plant expert in Grand Rapids, who assessed Central Park and gave simple ideas to help bring the park up to the standards that were acceptable to the Doss family to rename the park in honor of their parent's philanthropic donations to the parks. **Dye** also explained an invasive species of plant growing along Lakeside Trail that winds its way around trees and in a very short time would start killing trees. **Dye** said a third area she was concerned about was the tree canopy on Savidge Street, that had taken 20 years to grow back from the straight-line wind storm, and the damage and loss that would occur by cutting them back to move the Victorian home to Division Street. **Dye** said a 4th area was the Adopt A Garden Program that she and Sylvia Russet had started 5 summers ago, with the last 4 summers having coordinated between 34 to 82 volunteers, that had been instrumental in planting 46 planters and planting and maintain 29 butterfly gardens. **Dye** said she was giving notice that she was stepping down as the facilitator of that program, which was too much to volunteer for indefinitely, to follow her passion of Michigan natives and be involved on part time basis. **Dye** suggested creating a green scape inventory and a dedicated mileage to maintain them. She also suggested reallocating funds from the tree inventory to a landscape inventory.

3. 411 W. Savidge (70-03-15-356-001)

Attorneys are currently drafting documents to memorialize the licensing of parking spaces that encroach on the Village ROW. Those documents will be available for execution at the July meeting.

Burns said that there was a number of these encroachments around the Village such as Arby's, Bilz's Pools & Spa, Fuel, Wesco and Subway, and not much had been memorialized in the past, so since they were cleaning up errors and omissions, this would be a good time to memorialize these parking spaces with a license to allow Brooklyn's Bagels to use the parking spaces.

4. 112 W. Savidge (70-03-15-382-028)

During the land survey of Village Hall, it was determined that the Village generator was installed on property owned by Ms. Van Kampen. An issue with the south boundary was also discovered. Since documents are being drafted to gift property along the western property line of Village Hall, now would be the time to clean up these other boundary issues.

Burns explained that since they had found the discrepancies, one solution might be swapping the property on the south end of Village Hall for the green space on the west end of Epicurean Village, putting it back on the tax roll. **Powers** said obviously they wanted to clean up the encroachment and the 2-foot section along the west side of Village Hall but, as for the green space, his first instinct was that he was not keen on giving that property to someone else. **Burns** said that Ms. Van Kampen's intent was to create outdoor dining in an area. **Duer** asked what the liabilities would be to the Village if Ms. Van Kampen leased the property for 20 years. **Burns** said Van Kampen would provide liability insurance. **Powers** felt the 2-foot swap for the property south of Village Hall where the generator sat, was a fair trade. **Council** discussed options for cleaning up the boundaries that would be beneficial to each party. **Powers** suggested they go to Ms. Van Kampen and ask for the property to the south of Village Hall and see what she says. **Council** agreed.

5. 109 S. Jackson (70-03-15-381-025)

A proposed RFP for the redevelopment of the former Haight Building was shared with Council. This RFP has been reviewed by Ryan Kilpatrick at Housing Next. He feels that the RFP has built in a solid amount of flexibility while still being clear about expectations. At this time, there are at least

two parties who have indicated interest in the property. With the publication of the RFP, we would expect even more interest.

Burns asked Council for feedback on the RFP for the Height building and explained that this RFP would be out for several months because it would take time for possible buyers to get numbers together for an offer. **Council** discussed expectations for development of this property and concurred that it could be released.

6. LED Lighting Conversion Downtown

The Village solicited bids for the replacement of downtown lights (globes and fixtures). The specifications and bids were handled by Prein & Newhof. Unfortunately, no bids for the project were received. The bidding climate is extremely tough right now. After consulting with Kevin Kieft, it is recommended that the Village utilize Fonkert Electric to perform the work on a time and materials basis. By purchasing the fixtures directly from Kendall Electric, the Village will save on the cost of sales tax. Kevin Fonkert has provided an estimate for labor, however, there are so many retrofits that will be necessary (many different fixture types throughout the downtown) that it is very challenging to provide an exact quote (hence...no bidders). Fonkert Electric did provide a not-to-exceed cost for the labor. It is prudent to disclose that Kevin Fonkert (Fonkert Electric) is the spouse of Village employee Maryann Fonkert. Maryann does not wield any influence over contractual decisions or projects and so, therefore, this award would not constitute a conflict of interest.

Burns gave the background on the LED Lighting project. **Council** agreed that this was a good solution to finally getting this project done.

7. Performance Appraisal

It's that time of year again when Council is tasked with completing the Village Manager's annual performance appraisal. Council was provided with a paper copy of the form that should be filled out and returned to President Powers no later than July 1, 2019. President Powers & Marv Hinga will then tally the scores and place this on the July 8, 2018 work session agenda.

8. Budget Adjustments

Marv Hinga presented the final budget amendments for the fiscal year. These were reviewed by the finance committee immediately prior to the work session

Hinga asked to transfer money that was not needed in the Pathways fund by \$30,000 and increase the Police Fund by \$15,000 and increase the Contract Police Fund by \$15,000 because the funds were not need in the Pathway fund, but the Police Fund had been running very close.

9. Fee Schedule

The proposed fee schedule for the 2019/2020 fiscal year was provided for Council review. These were be presented to the finance committee immediately prior to the work session.

Hinga went over the new fee schedule explaining some of the fees would be going up between 2 ½% to 5% and that a fee for the Peddler's Permit had been added. **Council** agreed with those changes.

10. Water/Sewer Rates

The proposed fee schedule for the 2019/2020 fiscal year is attached for Council review. These were presented to the finance committee immediately prior to the work session.

Hinga said that water/sewer rates would go up about 20% which was what they had discussed in April and May.

11. Millage Rates & Budget Adoption

Council was provided with Resolution 2019 – 14, a Resolution adopting the Fiscal Year 2019/2020 budget. Also provided was Resolution 2019 – 15, a Resolution to adopt the 2019/2020 millage rates. Council was asked to bring their budget binders to the work session as staff had additional inserts to include.

12. Parks & Recreation Master Plan

Five years ago, the Village, SL Township, Grand Haven City, Grand Haven Township, and the City of Ferrysburg contracted with Pam Blough to create a joint Parks & Recreation Master Plan. It is time to update that plan so that we qualify to apply for MIDNRTF grants. Council was provided with a proposal from PM Blough for those services. This is not a complete rewrite at this time, simply an update.

Burns explained that this was asking for permission to enter into a joint agreement with our other north west Ottawa County Communities for an update of the Master Plan that was done 5 years ago. **Burns** said that this had to be done in order to submit a DNR Trust Fund Grant application in 2020 for improvements to Tanglefoot and Mill Point Park. **Council** agreed with this being on the Consent Agenda.

13. Commercial Revitalization District Application

The Village has received its first application for tax abatement. At this time, both Council and the DDA need to contemplate the bonus provisions (sections 5 & 6) before staff can assign a final score. At this time, the applicant has scored 50 points, qualifying the property for a 5-year abatement. In order to garner an additional year of abatement, (a combined) 10 additional points would be necessary.

Burns explained that Chris Lisowicz (Barrett's Boat Works) would be present at the 7:00 meeting to answer any questions Council had for this abatement. **Council** discussed this item and they would asked questions of the applicant.

14. Art in the Park

The Village received 33 submissions for consideration for the Art in the Park project. All submissions were reviewed by the committee and community engagement meetings were held with property owners and the general public. The top four artists were selected from the group of 33. The next step is to work with the property owners and the artists to pinpoint which art will be placed on which building (Plantenga's and Cruise & Travel). It is still the intent of the committee to commission a piece of sculpture as well. Once those 3 pieces are complete, the committee will re-evaluate the remaining funding and identify sites for future installations.

Burns shared the top 4 finalists and which building owner chose which artist.

15. Acting Village Manager

Due to the Village Manager vacationing out of country, it is prudent to name an Acting Village Manager in her absence.

Council named Clerk/Treasurer **Hinga** as Acting Manager in Manager **Burns** absence.

16. Eighth Amendment Sewer Authority

On May 15, 2019 the Grand Haven – Spring Lake Sewer Authority Board approved the Eighth Amendment to Restated Contract. Each municipality must now consider the amendment.

Burns explained that this had to do with the grant that was received by Spring Lake Township and given to the authority as a whole, now needed and amendment to the agreement to outline who gets what share of the \$2.5M that came to us as a Lame Duck award. **Council** agreed.

17. Communications

- Complaint – Dykhouse
- Complaint – Natzgam
- Complaint – Stuhan
- Consumers Energy LED Conversion Information
- DNR – Local Watercraft Control Letter
- Inquiry - Chalupa
- Library Calendar - June

18. Minutes

Minutes of the May 13, 2019 Work Session and May 20, 2019 regular meeting are attached for review. Should you wish to make edits, please share that information with Chris Burns or Maryann Fonkert prior to June 9, 2019.

19. Public Comment

Darcy Dye, 114 N Fruitport Rd., said she had attended a lecture on dredging at the library and that Kevin O'Keefe had nothing but good things to say about Council.

20. Adjournment: There being no further business, the meeting adjourned at 6:49 p.m.

Mark Powers, Village President

Maryann Fonkert, Deputy Clerk