



MINUTES
Monday April 21, 2014
7:00 P.M., Barber School
102 West Exchange Street
Spring Lake, Michigan

1. 7:00 p.m. Call to Order

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

2. 7:01 p.m. Pledge of Allegiance

3. 7:02 p.m. Roll Call

Present: Bennett, MacLachlan, Meyers, Miller, Nauta, Powers, Van Strate.

Absent: None.

4. 7:03 p.m. Approval of the Agenda

On a motion by **VanStrate**, second from **Miller**, to approve the agenda as presented.

Yes: 7 No: 0

5. 7:04 p.m. Consent Agenda

A. Approved the payment of the bills (checks numbered 55235-55345) in the amount of \$159,972.55.

B. Approved the minutes for the March 17, 2014 Council meeting.

C. Consideration of a motion to approve the appointment of Ms. Norma Cook to the Planning Commission with a term expiring 11/2016 (removed.)

D. Approved a motion to deny a FOIA request from WOOD TV for Mr.

Roger DeYoung's separation agreement.

- E. Approved a motion to grant permission to the Spring Lake Heritage Festival for use of Mill Point Park from June 11-14, 2014.
- F. Approved a motion to approve a fireworks permit for a display on June 14, 2014 as part of the Heritage Festival.
- G. Approved a motion to approve a revised Emergency Operations Plan.
- H. Approved a motion to approve budget amendments for the General Fund budget.
- I. Approved a motion to approve a request from the City of Grand Haven to lease 5 transient boat slips at Mill Point Park in order to raise funds for the July 4th fireworks display.
- J. Approved a motion to approve the appointment of President Pro-tem Dave Bennett to the Harbor Transit Multi-Modal Transportation System Board of Directors.
- K. Approved a motion to deny the request of Mr. Roger DeYoung to purchase the 2009 Ford Escape.
- L. Approved a motion to approve the low bid for street repairs by Asphalt Paving, Inc. in an amount not to exceed \$10,938.00.
- M. Approved a motion to approve a letter of support for a TIGER grant.

On a motion by **Nauta**, second from **Meyers**, to approve the consent agenda, removing Item C for discussion.

Yes: 7 No: 0

6. 7:15 p.m. General Business

- A. Motion to appoint Ms. Norma Cook to the Planning Commission with a term expiring 11/2016.**

With two recent resignations from the Planning Commission and difficulty recruiting applicants, Planner Carmine Avantini suggested that Council ask the seated Planning Commissioners to review their by-laws and determine if a 9-member board is necessary. In a community with 2,300 people a 7-member board might be more reasonable and vacancies easier to fill. State law allows for 5,7 or 9 members to be seated.

On a motion by **Nauta**, second from **Meyers**, to table the appointment of Ms. Cook and refer the matter of board membership back to the Planning Commission for review.

Yeas: 7 No: 0

B. Rezoning Request 106 N. Fruitport Road & 0 Cleveland Street

The Village received a request to rezone Parcel # 70-03-14-451-010 and Parcel # 70-03-14-451-014 from SFR-A, Single-Family Residential to P, Public and Semi-Public/PUD, Planned Unit Development. The Planning Commission reviewed the request on October 22nd, November 26th & February 25th. On February 25, 2014 after the requisite public hearing required in Section 6.7 of the Zoning Ordinance, the Planning Commission sent the request to the Village Council for consideration.

Motion by Boon, support by Bohnhoff, to recommend approval to the Village Council, of a request from Mr. Gordon Gallagher on behalf of Spring Lake Township to rezone the subject site from SFR-A, Single-Family Residential to P, Public and Semi-Public/PUD, Planned Unit Development.

Yes: 3 (VanStrate, Miller, Boon)
No: 3 (Van Leeuwen-Vega, Yasenak, Bohnhoff)

Village Council considered the request at their work session held on March 10, 2014. According to the Village's Zoning Ordinance, no further public hearings are required at the Council level. However, the Village Council felt it would be courteous to solicit public input one last time before rendering a decision. Council has four options:

1. Approve the Request
2. Deny the Request
3. Approve the Request with stipulation(s)
4. Table the Request

It was the recommendation of the Village's contractual planner, Mr. Carmine Avantini of CIB Planning, to approve the request since it meets the PUD rezoning standards of the zoning ordinance.

Village President Jim **MacLachlan** requested any final public input from audience members.

Steve Bruno, 220 S. Lake, asked that the Council favorably consider the rezoning request.

Barb Greene, 16759 - 152nd Ave, stated that she opposes the rezoning as it is disruptive to the neighborhood.

John Yasenak, 505 E. Savidge, stated that the building will not provide harmonious integration to the neighborhood.

Brenda Harris, 113 N, Fruitport, stated that she is a realtor and this building will be an eyesore.

David Dye, 114 N. Fruitport, requested a traffic study of the area. Stated that it is not a level site, drainage will be an issue. He would also like an engineering study before Council approves rezoning.

Joyce Hatton, 400 Lakeview #1A, stated that she is a lifelong resident. She wants the Village to consider the Doezema property instead of the NE corner.

JP Delass, 813 W. Savidge, said that as a business owner and taxpayer he would like Council to favorably consider the rezoning and stop talking about the size of the building. That is for the Planning Commission to determine.

Matt Dilley, 215 S. Fruitport, asked Council to approve the request. He asked what the Council wanted to be remembered for? There is a grocery store, gas station and Burger King right there. A hardware, restaurant, etc. a block away. What is the problem with a fire station being right in the middle?

Stewart Johnson, 128 N. Fruitport, is against the rezoning.

John Nash, 15643 View Dr., talked to both churches near the property as well as the three housing units and they are all in favor of this.

Ross Holmes, 130 N. Fruitport, thought noise would be a problem. It's residential on three sides. Put the fire station in the township.

Don Bosch, 541 E. Exchange, encouraged rezoning as it's a nice transition from heavy commercial to residential.

Elizabeth Wheeler, 120 N. Lake, having served on the Planning Commission & Master Plan Committee said she knows that the initials PUD do not stand for "open season for ducks." To protect the quality of life and character of the Village we must protect our beautiful trees. Let wisdom be our guide and the final decision on this debate be a solid vote of no.

Village President Jim **MacLachlan** opened up the floor for discussion by Council Members.

Council Member **VanStrate** stated that the building was too massive of a project when it included the township offices.

Council Member **Miller** stated that a split vote coming from the Planning Commission was not good to work with. The Master Plan recommends keeping the trees. He does not like the proposed plan as it is now.

Council Member **Bennett** thought that the request should be tabled until better plans are presented.

Council Member **Powers** cannot agree to the concept and needs something more concrete. He cannot unsee what he has already seen.

Council Member **Meyers** has been all over the map on this request. He doesn't feel like he has enough information to approve at this time.

Council Member **Nauta** expressed concern about the traffic and noise.

Council Member **MacLachlan** stated that the Master Plan is not very specific on the future land use and the proposed plan meets the intent. The proposed plan meets the tenets of the Zoning Ordinance. He felt it was a good transition from heavy commercial to residential.

Council Member **Bennett** stated that a preliminary traffic study consider new volume. There may not be a lot of additional volume but he felt it would be better to look at the impact on the current traffic volumes.

On a motion by **Miller**, second from **Nauta**, to deny the request to rezone 106 N Fruitport Road and 0 Cleveland Street.

Yes: 6 No: 1 (MacLachlan)

C. Joint Parks & Recreation Master Plan

SLT & SLV have been discussing the possibility of a joint Parks & Recreation Master Plan for well over a year. More recently, the Chief Appointed Officials from Grand Haven, Grand Haven Township and Ferrysburg asked to participate in the joint Master Plan so that all of Northwest Ottawa County could benefit. Sam Janson from the City of Grand Haven solicited RFPs for a joint plan. Both Grand Haven and Spring Lake Township have already considered and subsequently approved the proposal. The other communities are considering the proposals this month as well. The Village's portion would be \$2,470 if all five communities agree to participate. This is considerably less than the cost if the Village

were to solicit RFPs for a single Parks & Recreation Master Plan. The benefits of a joint plan are many, not the least of which is potentially securing large grants as a result of the cooperative planning effort. With the exception of GHT, all plans are expiring shortly. Now is an opportune time to create a regional plan.

On a motion by **Bennett**, second from **VanStrate**, to approve the proposal from PM Blough in an amount not to exceed \$19,760.00

Yes: 7

No: 0

7. 7:50 p.m. Department Reports

A. Village Manager

B. Clerk/Treasurer

C. Police/911

D. DPW

E. Building

F. Water

G. Sewer

H. Minutes from Various Board & Committees

1. Parks & Recreation

2. Planning Commission

8. 7:54 p.m. Old Business and Reports by the Village Council

A. Intergovernmental Agreement

The Intergovernmental Agreement between Spring Lake & Ferrysburg for shared police services expires on July 1, 2014. For a number of reasons, it is critical that the agreement be ratified or terminated so that the communities can move forward, either continuing to share police services or independently securing police services. Council agreed to have the Police Commission negotiate an agreement with Ferrysburg to be brought back before the Council for consideration at the May meetings.

9. 8:09 p.m. New Business and Reports by Village Council

Miller reported that he received a notice from his trash hauler that his rates would be increasing. According to the licensing agreement with

the Village, that isn't possible.

Miller asked why the fountain on Jackson Street was left out, albeit covered, over the winter. It is now looking pretty rusty. He asked the Village Manager to check on the warranty, but stated that historically it had been in storage over the winter and that is the preferred method of winterization. It needs to be restored now.

Nauta asked for clarification on the relationship the Village has with the Township. He suggested a discussion at a work session to discuss the Village's future.

10. 8:10 p.m. Status Report: Village Attorney - None.

11. 8:11 p.m. Statement of Citizens

Tom Craig, 319 Mark, asked a question regarding the Police Commission. President **MacLachlan** reminded him that this was a time for public statements and that he would be happy to answer his questions after the meeting.

Michele Yasenak, 505 E. Savidge, asked Council to revisit Cityhood.

Elizabeth Wheeler, 120 N. Lake, did the research on the fountain and that it was supposed to be stored inside in the winter. She also thought the issue of dissolution or cityhood was settled with the township.

Darcy Dye, 114 N. Fruitport Road, thanked the Council and stated that citizens can make a difference.

12. 8:14 p.m. Adjournment

On a motion by **VanStrate**, second from **Miller**, the Village Council adjourned at 8:55 p.m.

Yes: 7 No: 0

James MacLachlan, Village President

Christine Burns, Village Manager