

MINUTES

**Monday February 15, 2016
7:00 P.M., Barber School
102 West Exchange Street
Spring Lake, Michigan**

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

Present: Doss, Nauta, Powers, TePastte and Van Strate.

Absent: President MacLachlan and Miller

Motion by **Doss**, second from **Van Strate**, to excuse the absence of **MacLachlan** and **Miller**.

Yes: 5 No: 0

4. Approval of the Agenda

Motion by **Doss**, second from **TePastte**, to approve the agenda with the additions of consideration of Eric Johnson for the Planning Commission, consideration of Resolution NO: 2016-03 to approve the Millage Rate as established by Harbor Transit and to hold the DDA Public Hearing at 7:30.

Yes: 5 No: 0

5. Consent Agenda

A. Approved the payment of the bills (checks numbered 57477-57604) in the amount of \$173,354.92.

B. Approved the minutes for the January 18, 2016 regular Council meeting.

C. Approved the use of Central Park by St. Mary's Church on July 9, 2016 from 9:30 a.m. until 4:00 p.m. for their annual picnic.

D. Approved the use of Mill Point Park by the Historic Conservation Committee

on June 4, 2016 from 7:00 a.m. until 4:00 p.m. for the annual Wooden Boat Show (rain date of June 5, 2016).

- E. Approved the use of Mill Point Park by the Wolverine Chapter of the Antique Outdoor Motor Club on June 11, 2016 from 9:00 a.m. until 2:00 p.m. for the annual Outdoor Motor Exhibit.
- F. Approved a request for two conservation easements along the Grand River Greenway in conjunction with the wetland restoration project, directing Adrienne Peterson to coordinate the easement with DEQ and ACE.
- G. Approved Resolution 2016-02 to repeal Section 57, Subsection (3) of PA 269 of 2016.

Motion by **Van Strate**, second from **Doss**, to approve the Consent Agenda as presented.

Yes: 5 No: 0

6. 7:06 p.m. General Business

A. DDA Public Hearing

On January 19, 2016 Village Council set a date of February 15, 2016 for a public hearing on the adoption of a proposed ordinance amending the boundaries of the downtown district to add the lands described in the DDA Proposed Expansion.

Ordinance No. 344 is an ordinance to adopt and approve the fifth amendment to the restated and amended Spring Lake Downtown Development Authority Plan and Tax Increment Financing Plan pursuant to the provisions of Michigan Act 197 or 1975, as amended (“Act 197”). This Ordinance would be considered for adoption at the April 18, 2016 Village Council Meeting.

- i. Attorney **Sullivan** explained that this was the second stage of the process and that on November 16, 2015 the plan was amended to extend its duration and amend the projects that were possible under the terms of the plan. **Sullivan** said amending of the boundaries was before them now and that the color coded map showed the properties from 1983, properties when it was amended in 1992 and the proposed amended boundaries. **Sullivan** said they were bringing in some properties for redevelopment purposes, that had previously been exempt, and some residential properties because they need enough residents to sit on the Citizens Council so they are accomplishing a couple of different objectives by cleaning up these boundaries. **Sullivan** said that, over all, it was

not a significant number of additional taxing entities. **Sullivan** said this was the process; that a public hearing would be held and take whatever comments were there and then the taxing jurisdictions would have 60 days to exempt themselves from the new properties but they would not be able to exempt themselves from the prior properties, just the new ones, and then at the April 18th meeting Council would have the ability to consider whether they want to adopt this amendment to the plan.

Nauta asked if the new properties would have the ability to exempt themselves.

Sullivan said not the new properties, just the taxing jurisdictions such as the Library, School Districts and the County and they would do that by passing a resolution to exempt them.

- ii. President Pro-Tem **Nauta** opened the public hearing at 7:36 p.m.

Tom Cousinau, President of the Library Board, said that as Council knows, all the government bodies and organizations that were listed were going to take budget hits with this plan and it was important to have a vital, modern downtown area but at the same time please take into consideration the fact that this was going to hurt financially all the major governmental and other organizations like the Library so they respectfully asked Council to consider their decision.

Christine Hann, 214 W Exchange St., said that the only information she had received was a sheet of paper saying what the plan was, and now she understood that this was not going to raise her taxes, however, it was going to change the tax authority downtown and she was not clear what that meant for the community or herself. Ms. Hann stated that if there isn't enough tax revenue then services could be cut, like the Library, and she went to the Library almost every day so she would like to know in real facts and figures how this was going to affect her and everyone else on that list.

Misty Galant, Ottawa Area Intermediate School District, said she was wondering what the purpose of the additional list of residential properties was for and how that fits in improving the downtown and also they had heard talk of a corridor improvement zone and if that was something that was in the works and how that would coexist with the DDA and school captures.

- iii. On a motion by **TePastte**, second from **Van Strate**, Village Council closed the public hearing at 7:43 p.m.

Yes: 5

No: 0

Manager **Burns**, explained that the list of residential properties were needed to help make up a 9 member Development Area Citizens Council (DACC) who must live within the district for when the time came to renew the plan again. **Burns** explained that it had been very difficult to find 9 residents for this potential plan amendment. **Burns** said she understood that this was very confusing so what this meant was that the DDA/TIFF District captures the taxes associated with any increase or any improvements to the property, for example, if your taxable value went up because you built a garage, the increment associated with that improvement would be captured and that money could only be spent within the district and the plan that was adopted in November specifically outlined how that money could be spent in the downtown. **Burns** said a vibrant downtown was beneficial to all the taxing entities, not just the Village, and as our downtown value increased by vacancy decrease, business owners were able to make improvements and attract customers. **Burns** said over the course of the last DDA Plan the Council, seated at that time, chose to hibernate the plan, meaning they didn't capture the money but rebated it to all the Taxing authorities so during the hibernation period the Village refunded over \$320,000 to the Library that could have been kept but voluntarily rebated it back. **Burns** said that the estimated captured amount of revenues from the new parcels that the Library would give up over the next 10 years would be about \$3,300. **Burns** said to keep in mind that there were some assumptions that they had to put into play when they tried to figure out what that would look like and what the impact would be to various entities so, Finance Director, Marv Hinga put together a very comprehensive spread sheet by taking 5 years of tax increases and smoothed them out, then applying them to our current taxable value he was able to make the assumption of what the impact would be. **Burns** said just to give an example of how this impacts Ottawa County, the Village refunded \$688,000 to Ottawa County's operating fund during the hibernation period, about \$84,000 to 911 and about \$60,000 to Ottawa County Parks and if we take a look at all 3 of those entities and apply the same assumptions for the capture on the new district over the course of the next 10 years it was less than \$10,000, and for an entity the size of Ottawa County that was not significant.

Burns also explained that by looking at the boundary map you would be able to see that, as an example, McDonalds north half of their property was in the district but the south half was not and from an assessing stand point that was a nightmare. **Burns** said there were a lot of parcels similar so that was what they were trying to clean up along with adding the residential parcels.

B. Central Park Capital Campaign

Bids were solicited for the Central Park reconstruction project and opened on Wednesday, February 9, 2016. Four bids were received with the low bid being from Accurate Excavators LLC.

Manager **Burns** explained that the Central Park Capital Campaign had been going on for about 3 years and was just about buttoned up. **Burns** said they had received 4 bids and the low bid was from Accurate Excavators LLC. **Burns** said they had worked with Accurate in the past and have been very happy with their work so she was looking for a motion to approve the low bid of \$209,100 from Accurate Excavators, keeping in mind that this was not the total cost of the project in that low bid. **Burns** said that when this project was bid out, it was bid for 6 pickleball courts but the Chairperson of the Capital Campaign, Kevin Curley, was actively attempting to raise an additional \$20,000 to expand that up to 8 courts and if the \$20,000 was raised in time, before the ground breaking, they could issue a change order to expand the courts. **Burns** said she did share with Mr. Curley that if the funds were not raised in time for the ground breaking, she did not think it was this Boards desire to expand the courts if the money was not in the possession of the Community Foundation so she would keep the Board updated on the progress.

Nauta asked if there was enough room to add 2 more courts. **Burns** said that yes there was enough room if they slid the basketball courts slightly to the west they would be able to accommodate 2 more courts.

Powers asked if they would be losing the large tree by the bathrooms. **Burns** said there were several big trees by the bathrooms and they would be losing a couple.

Nauta asked if there was a plan to maintain the courts. **Burns** said the Lakeshore Pickleball Club has assured them that they would be actively involved in the upkeep of the courts.

Motion by **Doss**, second from **TePastte**, to approve the low bid of \$209,100.00 from Accurate Excavators LLC, allowing Village President Jim MacLachlan to sign all contract documents.

Yes: 5 No: 0

C. Request to Appoint Eric Johnson to the Planning Commission.

Burns explained that Eric Johnson had been interviewed to serve on Village Council when **Doss** had been appointed and was a very well liked candidate and encouraged to apply again when another opening became available but he had declined at that time due to commitments with school. **Burns** said the appointment was replacing John Yasenak's seat and would be through November 2017. **Doss** said he was her neighbor and

that she had assured Mr. Johnson that the Planning Commission was less of a commitment than Council and she felt he would be a great asset to the Planning Commission being a solid business person.

Van Strate said that Mr. Johnson had interviewed very well and that he had really liked him.

Motion by **Doss**, second from **Van Strate**, to approve the appointment of Eric Johnson to the Planning Commission.

Yes: 5 No: 0

D. Harbor Transit Resolution No: 2016-03 regarding the Harbor Transit Authority Millage Rate for the upcoming Fiscal Year 2016/17.

Burns explained that this was a housekeeping item that was done each year and she had not brought this to the Work session last week because Spring Lake Township was collecting this millage on the Village's behalf and she had mistakenly assumed that the Village did not need to adopt it. **Burns** said that Tom Manderschied had informed her that the Village did need to adopt the millage rate of 0.58 so she was asking Council to approve Resolution No: 2016-03 approving the Harbor Transit millage.

Motion by **Van Strate**, second from **Doss**, to approve Resolution No: 2016-03 to approve the Harbor Transit Millage Rate of 0.58 mills for Fiscal Year 2016/17.

Yes: 5 No: 0

7. Department Reports

A. Village Manager

Burns said that in the Budget process calendar, step 19 and 20 indicated they need to set a date for the Public Hearing and adoption of the Budget by June 15th, however, June 13th was the second Monday, which was the Work Session. **Burns** explained that Council could set a Special Meeting at that time and hold the Public Hearing to adopt the Budget or set another date for a Special Meeting but that they could not wait until the regularly scheduled June meeting because that would be too late.

Council preferred to hold the Special Meeting on June 13, 2016 at Barber School rather than have an additional meeting.

Burns reported to Council that she had received an inquiry from a resident regarding water/sewer rates and that they feel like they are paying 3 times for their water/sewer because of the ready to serve charge that is listed on their bill. **Burns** explained that the ready to serve charge was paid by all residents whether they use water or not and that charge

could go away but then the residents that were here full time would pay more than the residents that were here part of the time. **Burns** said that the water/sewer rates had not gone up in 3 years and they would be talking about these rates in the near future and invite the resident to those meetings making sure she understood they were public meetings and that she could participate in the process as well.

Burns reported she had met with Dave Hulst from the Ottawa County IT Department and they were still working on converting over to the County's server which would happen in the next 6 months. **Burns** said that every member of the IT Department that she has encountered was a rock star in her opinion as their response time was outstanding, the customer service and communication were excellent and that so far, the transition had been wonderful for the entire staff.

Burns shared that they had received a Compassion Request from Compassionate West Michigan to adopt a resolution to declare Spring Lake as a Compassionate Village and that she would like Council's direction on this.

Nauta asked how the DPW was doing without a Director. **Burns** said that DPW Forman Ben Van Hoeven had really stepped up and was doing a really good job and not having much snow has really helped. **Burns** said Mr. Gallagher was serving as an organizer by doing paper work and scheduling and stopping by twice a day to make sure that projects that were on Roger Belknaps list were still getting done. **Nauta** asked how long this would go on. **Burns** said she expected they would have a recommendation by July 1st.

B. Clerk/Treasurer/Finance Director

C. OCSO (*none included*)

Burns reported that Sgt. Kik would be back to work on Monday, February 22, 2016.

D. Fire

E. 911

F. DPW (*none included*)

G. Water

H. Sewer

I. Minutes from Various Board & Committees

1. Parks & Recreation

Burns reported that the Parks & Rec. Committee were very busy with the Central Park Capital Campaign and the Whistle Stop Park Capital Campaign. **Nauta** asked when they thought Whistle Stop would be done. **Doss** said they really wanted to wrap up Central Park first before they started on Whistle Stop but when they do they will have a Community gathering to get the residents that live around Whistle Stop to help restore the park.

2. Historic Conservation Committee

8. Old Business and Reports by the Village Council

There was no old business.

9. New Business and Reports by Village Council

Van Strate asked if there was a program to restore the lights on the bike path. **Burns** said they were looking at doing a long term plan to replace all the lights along the path and that it might take another Capital Campaign to get this done. **Schuitema** from the Parks Board said they had looked into solar lighting but that it was too expensive to consider. **Burns** said that it was on the radar but without a DPW Director it had been moved down the list.

10. Status Report: Village Attorney

There was no report from the Village Attorney.

11. Statement of Citizens

Joyce Verplank Hatton, 400 Lakeview Ct. spoke about Village and Township collaborative and consolidating matters.

Mr. Jack Farmer, 224 South St. requested that the street light near his home that had been removed be put back up. Mr. Farmer felt it was a safety issue since there was a lot of school traffic.

Manager **Burns** explained that in 2009 or 2010 the Village had gone through and determined which street lights could be turned off and then marked that they were intentionally off as a cost saving measure and then in 2013, during a street light inventory, it was discovered that this South Street light had been missed and was still on, although the Village was not paying for it, so it was finally removed a few months ago by Consumers Energy. **Burns** said she would look into having it put back but it was not in this FY's budget so they would discuss it for the 2016/2017 budget. **Nauta** said that it was only fair since they turned lights back on for other residents who had complained when their light had been turned off and Mr. Farmer had not had that opportunity.

Tracy Still-Mulligan, Robinson Township Supervisor, introduced herself as a candidate for Michigan State Representative for Ottawa County.

12. Adjournment

Motion by **Van Strate**, second from **Doss**, Village Council adjourned the meeting

at 8:02 p.m.

Yes: 5

No: 0

Steven Nauta, President Pro-Tem

Maryann Fonkert, Deputy Clerk