

Village of Spring Lake

Council Work Session

February 8, 2016

7:00 p.m.

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

www.springlakevillage.org

1	7:00 p.m. – Use of Central Park St. Mary's Catholic School has requested the use of Central Park for their annual festival. Due to construction on the church property, they would like to use Central Park on July 9, 2016 from 9:30 a.m. until 4:00 p.m.
2	7:10 p.m. – Use of Mill Point Park The Historic Conservation Commission has requested use of Mill Point Park on Saturday, June 4, 2016 from 7:00 a.m. until 4:00 p.m. for the annual Wooden Boat Show. This is a housekeeping item.
3	7:20 p.m. - Use of Mill Point Park The Wolverine Chapter of the Antique Outdoor Motor Club Inc. has requested use of Mill Point Park on Saturday, June 11, 2016 from 9:00 a.m. until 2:00 p.m. for the annual Outboard Motor Exhibit. This is a housekeeping item.
4	7:30 p.m. – DDA Public Hearing There will be a public hearing on February 15, 2016 to consider input on the boundary expansion of the DDA. There is no discussion required on this item at this time.
5	7:31 p.m. – Conservation Easement Adrienne Peterson is working on our wetland restoration project. She will be able to be in attendance at the meeting to answer any questions you may have about the proposed conservation easement, but I will do my best to pinch hit. Bob Sullivan is researching options as well.
6	7:40 p.m. – Repeal of Legislation

	The City of Grand Haven has requested that the communities in NW Ottawa County send a Resolution Urging the Repeal of Section 57, Subsection (3) of PA 269 of 2016.
7	7:36 p.m. – Communications <ul style="list-style-type: none">• Court determination – B. Elliot Grysen
8	7:38 p.m. - Minutes <p>Minutes of the January 18, 2016 meeting are attached for review. Should you wish to make edits, please share that information with Chris Burns or Maryann Fonkert prior to February 11, 2016.</p>

CENTRAL PARK RESERVATION FORM

808 CENTRAL AVENUE
SPRING LAKE, MI 49456



RESERVATION DATE: July 9, 2016 RESERVATION TIME: 9:30 am to 4:00 pm

NAME: St. Mary's Parish

ADDRESS: 406 East Savidge St.

CITY/STATE/ZIP: Spring Lake, MI 49456

Home number: () _____ Work number: (616) 842-1702

Cell number: () _____ Email address: bdunn@slstm.org

CENTRAL PARK BALL FIELD ~ East field

LANGELAND BALL FIELD ~ West field

SHELTER #1 ~ East Shelter (approximately 120 people) Electrical, water and large grill available.

SHELTER #2 ~ West Shelter (approximately 65 people) Electrical, water and grill available.
(use entrance by Ace Hardware)

Cancellations: Please give 24 hours advance notice of cancellation. If you have a weekend reservation, call by Friday at noon.

Late Arrival: Reservations will be held up to 1 hour after requested time at which time the shelter will be opened to the public.

*****NO ALCOHOLIC BEVERAGES ALLOWED IN PARK*****

Please contact Mary Paparella at 616-842-1393 or by email at mary@springlakevillage.org for more information or to make a reservation.



VILLAGE OF SPRING LAKE
 102 W. Savidge Street, Spring Lake, MI 49456
 (616) 842-1393 – Fax (616) 847-1393

Spring Lake Mill Point Park Band Shell Agreement

Date of Function: June 4, 2016 Time of Function: 7am - 4pm

Type of Activity: rain date June 5, 2016
Wooden Boat Show # Expected _____

Date of This Request: Jan. 11, 2016 Telephone # _____ Cell # _____

Individual, entity or organization sponsoring or conducting the event: SL Historic
Conservation Commission / Mark Miller contact

Address: 102 W. Savidge, Springlake, MI 49456

- Prospective users may make a request to the Village Council to reserve the Mill Point Park Band Shell for civic, charitable, other non-profit events for no charge or pre-approved commercial events who pay the requisite fee determined from time to time by the Village Council in the Annual Fee List (\$25 Village resident and \$50 non-resident). Reservations shall be made through the Village Office during regular business hours. A reservation is confirmed only upon approval by the Village Council and completion of this agreement. The Mill Point Park Band Shell may be reserved any day or evening that other activities are not scheduled.
- The time limit for use is two hours except for those who request the Village Council for up to four hours & for Village sponsored events (Heritage Festival, Thursdays at the Point, etc.).
- A refundable security deposit of \$100 is required for all events. Provide a check to the Village of Spring Lake when this agreement is returned. It will be returned after the event if no damage occurs.
- Please answer the following:

A. Is your planned event a fully non-profit event? Yes X No _____

B. Will anything be sold by anyone at this event? Yes
 If yes, what is being sold and by whom (name of entity/organization/individual)
Wooden boat show + shirts

C. Is there any type of fee charged to anyone to be present at or to participate in this event?
 Yes _____ No X

If yes, who is receiving the fee? _____

D. Is any entity or organization named in B and C above a legally established non-profit organization as defined under the Internal Revenue Code? Yes _____ No _____

falls under Village of Springlake
Issuance of a permit to use the Mill Point Band Shell is in part in reliance upon the truth and accuracy of this application/agreement. Any violations of this agreement or any misrepresentations may result in the revocation of the permit and a police order for immediate removal of all persons associated with your event from the Mill Point Band Shell.



VILLAGE OF SPRING LAKE
 102 W. Savidge Street, Spring Lake, MI 49456
 (616) 842-1393 – Fax (616) 847-1393
Spring Lake Mill Point Park Band Shell Agreement

Date of Function: ~~June 13, 2015~~ June 11, 2016 Time of Function: 9:00 am until 2:00 pm

Type of Activity: Old outboard motor exhibit, swap meet and water events # Expected 40-60

Date of This Request: May 27, 2014 Telephone # 231-744-1382 Cell # _____

Individual, entity or organization sponsoring or conducting the event: The Wolverine Chapter of the
 Antique Outboard Motor Club, Inc. (AOMCI)

Address: 4368 E. Braden Road, Byron, MI 48418-8812

1. Prospective users may make a request to the Village Council to reserve the Mill Point Park Band Shell for civic, charitable, other non-profit events for no charge or pre-approved commercial events who pay the requisite fee determined from time to time by the Village Council in the Annual Fee List (\$25 Village resident and \$50 non-resident). Reservations shall be made through the Village Office during regular business hours. A reservation is confirmed only upon approval by the Village Council and completion of this agreement. The Mill Point Park Band Shell may be reserved any day or evening that other activities are not scheduled.
2. The time limit for use is two hours except for those who request the Village Council for up to four hours & for Village sponsored events (Heritage Festival, Thursdays at the Point, etc.).
3. A refundable security deposit of \$100 is required for all events. Provide a check to the Village of Spring Lake when this agreement is returned. It will be returned after the event if no damage occurs.
4. Please answer the following:
 - A. Is your planned event a fully non-profit event? Yes X No _____
 - B. Will anything be sold by anyone at this event? Yes
 If yes, what is being sold and by whom (name of entity/organization/individual)
see attached sheet
 - C. Is there any type of fee charged to anyone to be present at or to participate in this event?
 Yes _____ No X
 If yes, who is receiving the fee? _____
 - D. Is any entity or organization named in B and C above a legally established non-profit organization as defined under the Internal Revenue Code? Yes X No _____

Issuance of a permit to use the Mill Point Band Shell is in part in reliance upon the truth and accuracy of this application/agreement. Any violations of this agreement or any misrepresentations may result in the revocation of the permit and a police order for immediate removal of all persons associated with your event from the Mill Point Band Shell.

5. Decorations must not be taped, nailed, stapled, or glued to the pillars or structure. Because there is an underground sprinkling system, **DO NOT PUT STAKES INTO THE GROUND.** Any decorations used must be removed.
6. The selling, distribution, or consumption of alcoholic beverages at the Mill Point Band Shell is prohibited, unless approved separately by the Village Council.
7. The behavior of all persons attending any event is the responsibility of the person and/or the sponsoring organization or entity, (hereinafter "responsible parties") making the reservation. The responsible parties agree to ensure that all guests behave in such a manner so as not to cause any damage to any persons or property on the premises or to interfere with the rights of neighboring property owners. By your signature on this document, you, the responsible person and sponsoring organization/entity reserving the park, assume the responsibility for any damage caused by your acts, the acts of any of your guests or any other third party present at the Mill Point Band Shell during the period of reservation.
8. To the fullest extent permitted by law x Wolverine Chapter of AOMCI (responsible party) shall defend, protect, hold harmless, and indemnify the Village of Spring Lake, its officers, directors, council members, managers, members, employees and agents (hereinafter collectively "Related Parties") from and against any and all liability, loss, claims, demands, suits, costs, fees and expenses (including actual fees and expenses of attorneys, expert witnesses and other consultants), by whomsoever brought or alleged, and regardless of the legal theories upon which premised, including, but not limited to, those actually or allegedly arising out of bodily injury to or sickness or death of, any person, or property damage or destruction (including loss of use) which may be imposed upon, incurred by or asserted against the Village of Spring Lake or its related parties allegedly of actually arising out of or resulting from any and all used or occupancy of the Village of Spring Lake as described in the User Agreement, including without limitation any breach of contract or negligent act or omission of x Wolverine Chapter (responsible party) or of xWolverine Chapter, AOMCI (responsible party) consultants, subcontractors or suppliers, or agents, employees or servants of x Wolverine Chapter of AOMCI (responsible party). This indemnity provision shall include claims alleging or involving joint or comparative negligence.
9. The undersigned hereby acknowledge and agree that they have read this agreement and will fully comply with the terms hereof. Failure to restore the premises to its prior condition shall result in the liability for any damages or loss.

I have read this agreement and agree to comply with the terms thereof,

Signature(s) of, and on behalf of, responsible parties: _____



Print Name: _____

Amy Harrington

Agreement Approved and Updated:

About the WC

The Wolverine Chapter (AKA WC) is a non-profit organization chartered by the Antique Outboard Motor Club, Inc. (AOMCI) for the purpose of furthering interests in collecting, restoring and running old outboard motors in western Michigan. To achieve that purpose, the WC publishes 4 newsletters per year and hosts a number of local meets (i.e., within our geographical region) that are spread out over each calendar year. Although membership is in no way limited by geography, Wolverine Chapter territory is recognized as that portion of the lower peninsula that is west of US-127 and US-27 from I-94 up to Grayling and west of I-75 from that point north. Membership dues are \$10 per year, paid on a calendar year basis, payable from January 1st through March 15th and accepted only if the applicant is an AOMCI member. Current WC officers (Board of Directors members) are as follows:

<u>Position</u>	<u>Name(s)</u>	<u>Telephone</u>	<u>E-mail Address</u>
President Newsletter Editor & Secretary	Mark Suter	989-634-8822 (Res)	Sutermh@gmail.com
Vice President	Eric Helder	616-834-3306 (Cell)	Dutch300zx@gmail.com
Treasurer & Membership Chairperson	Bill Bowers	517-242-9885 (Cell)	jkbbeb@yahoo.com
Water Events Chairperson	Kelly Johnson	517-541-2547 (Res)	JohnsonKelly@prodigy.net
Trustee & Webmaster	Jim Wildgen	616-485-2378 (Cell)	Jwildgen@usa.com
Trustee	Jim Maidlow	517-420-1110 (Cell)	Jmaid1234@msn.com
Trustee	Amy & Noel Harrington	231-744-1382 (Res)	Harringtona@frontier.com

If you have any questions about the WC or how to join, please feel free to contact any of the above officers for assistance. You also might find it helpful to visit the Wolverine Chapter website that can be found by doing a web search for "aomciwolverinechapter.com" or by using the link to "local chapters" on the AOMCI home page and then clicking on "Wolverine Chapter". A WC membership form can be downloaded from the Chapter website or obtained from the Chapter Secretary. Note: Members can obtain access to the "Members Only" area of the website by contacting Jim Wildgen.

Answer to Question 4B:

What is being sold: Old outboard motors, motor parts, restoration supplies, boats, marine-related items, etc. for furthering the interests of buyers in the hobby of collecting old outboard motors.

By whom: Individual members of the Antique Outboard Motor Club, Inc. (AOMCI)



Will obtain current insurance

ANTIOUT-01

MDIAZ

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/4/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Gowrie Barden & Brett, Inc. 70 Essex Road Westbrook, CT 06498	CONTACT NAME: Mary E. Diaz PHONE (A/C, No, Ext): 1 (800) 262-8911 E-MAIL ADDRESS: info@gowrie.com	FAX (A/C, No): (860) 399-3615
	INSURER(S) AFFORDING COVERAGE	
INSURED Antique Outboard Motor Club, Inc. & Its Member Chapters AOMCI Headquarters 1841 NW 23 Terrace Gainesville, FL 32605	INSURER A: Federal Insurance Company	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

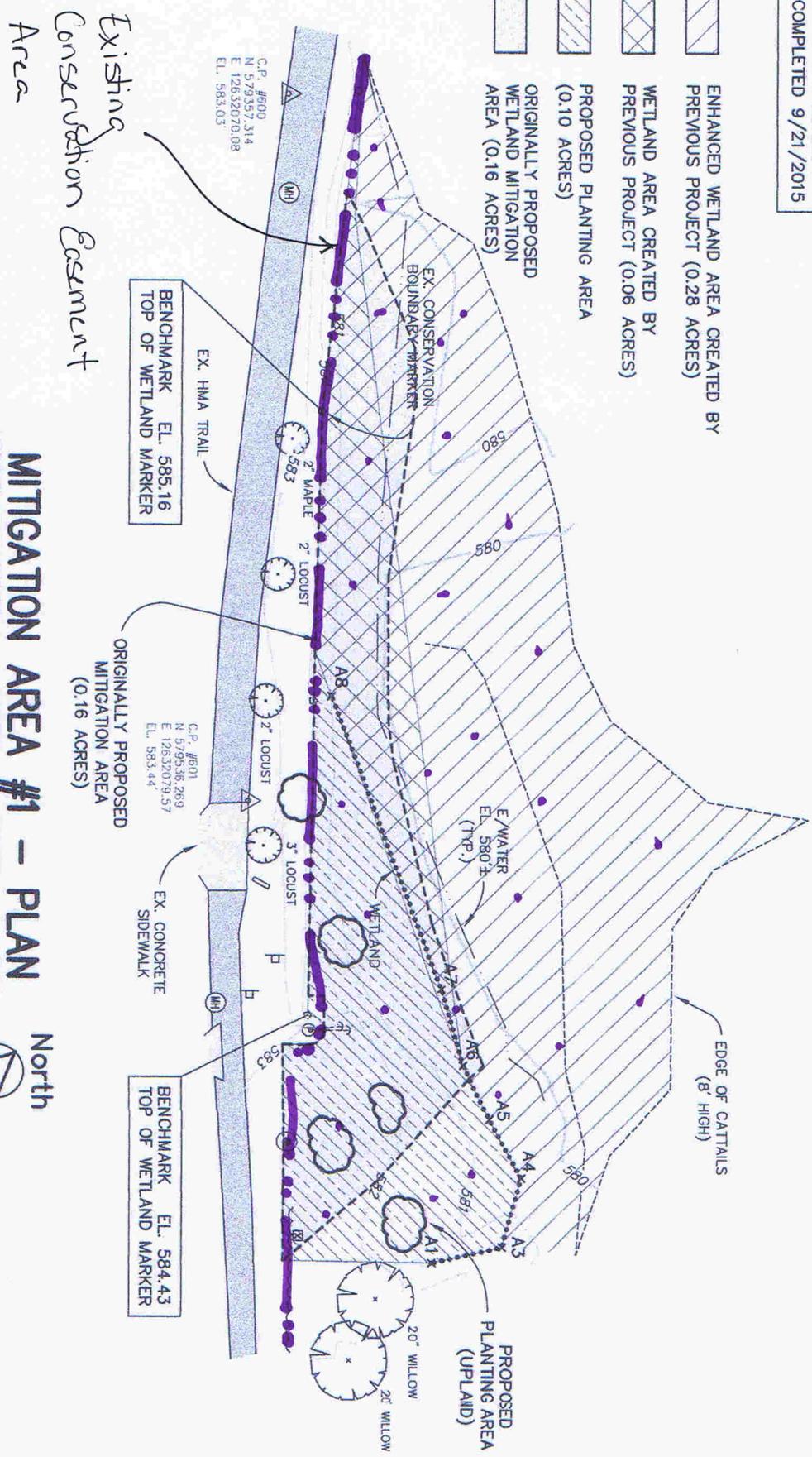
INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		35859512	04/28/2015	04/28/2016	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ Included
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			35859512	04/28/2015	04/28/2016	COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ 1,000,000 BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) if yes, describe under DESCRIPTION OF OPERATIONS below		N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Marine GL			07322226	04/28/2015	04/28/2016	Each Occurrence 1,000,000
A	Yacht Policy			07322227	04/28/2015	04/28/2016	P&I/Regatta 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Certificate Holder is an Additional Insured for General Liability only with respects to the operations of the Named Insured and more specifically with regard to Event being held June 13, 2015.

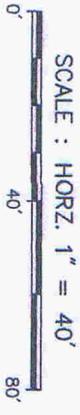
CERTIFICATE HOLDER Village of Spring Lake	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE <i>S. Carter Gormi</i>

TOPOGRAPHIC SURVEY
 WATER LEVELS
 COMPLETED 9/21/2015

-  ENHANCED WETLAND AREA CREATED BY PREVIOUS PROJECT (0.28 ACRES)
-  WETLAND AREA CREATED BY PREVIOUS PROJECT (0.06 ACRES)
-  PROPOSED PLANTING AREA (0.10 ACRES)
-  ORIGINALLY PROPOSED WETLAND MITIGATION AREA (0.16 ACRES)



MITIGATION AREA #1 - PLAN
 (SEE SHEET X FOR PROFILE)



NOTE : ALL ELEVATIONS BASED ON NAVD 1988 DATUM.

PROPOSED WETLAND MITIGATION

LOCATION : VILLAGE OF SPRING LAKE
 OTTAWA COUNTY, MICHIGAN
 SECTION 16, T. 8 N., R. 16 W.

APPLICANT :
 VILLAGE OF SPRING LAKE
 102 W. SAVIDGE STREET
 SPRING LAKE, MI 49456
 (616) 842-1393

PREPARED BY :

Prein & Newhof
 Engineers & Surveyors & Environmental Laboratory
 3355 EVERGREEN DRIVE NE
 GRAND RAPIDS, MICHIGAN 49525 / (616)-364-8491

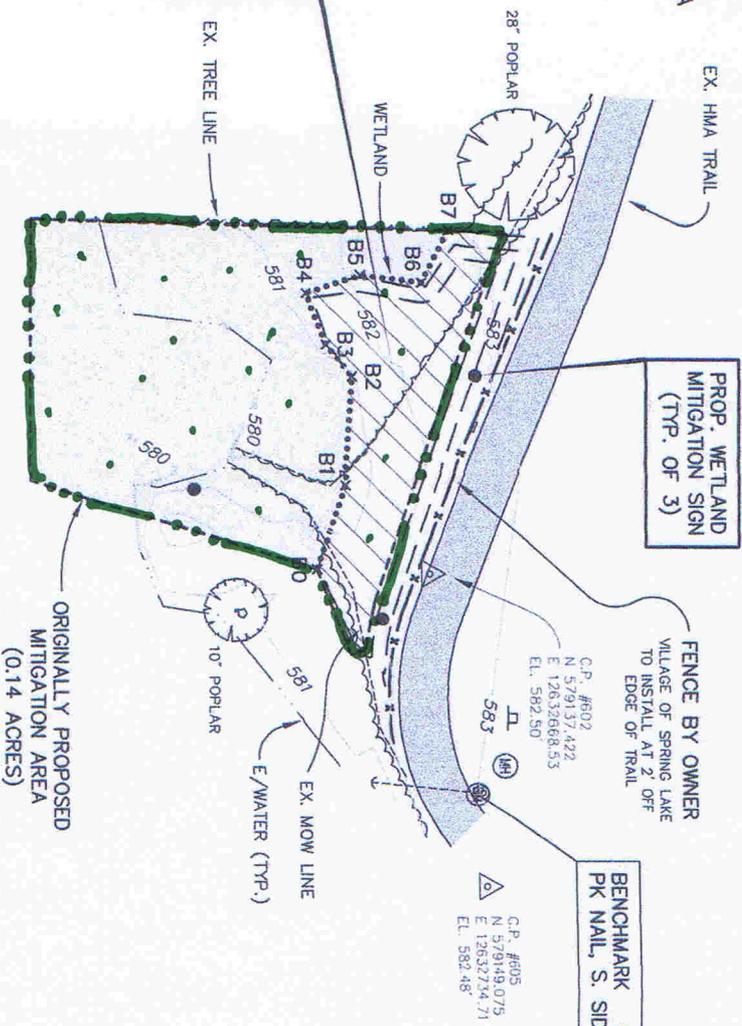
SHEET 3 OF X
 OCTOBER 2015
 2150535

TOPOGRAPHIC SURVEY
WATER LEVELS
COMPLETED 9/21/2015

-  WETLAND MITIGATION AREA (0.04 ACRES)
-  EX. DELINEATED WETLAND AREA (0.10 ACRES)

TOTAL = 0.14 ACRES
OF WETLAND MITIGATION

REMOVE/SALVAGE EX. TOPSOIL.
EXCAVATE AREA TO ACHIEVE
FINAL GRADE OF 580.55 AFTER
PLACEMENT OF 4" OF TOPSOIL.
GRADE AREA AT 1:3 SLOPE.
PLACE EMERGENT SEED MIX.



 = Proposed Conservation
Easement
Area

NOTE : ALL ELEVATIONS BASED
ON NAVD 1988 DATUM.

MITIGATION AREA #2 - PLAN

(SEE SHEET X FOR PROFILE)



SHEET 5 OF X
OCTOBER 2015
2150535

PROPOSED WETLAND MITIGATION
LOCATION : VILLAGE OF SPRING LAKE
OTTAWA COUNTY, MICHIGAN
SECTION 16, T. 8 N., R. 16 W.

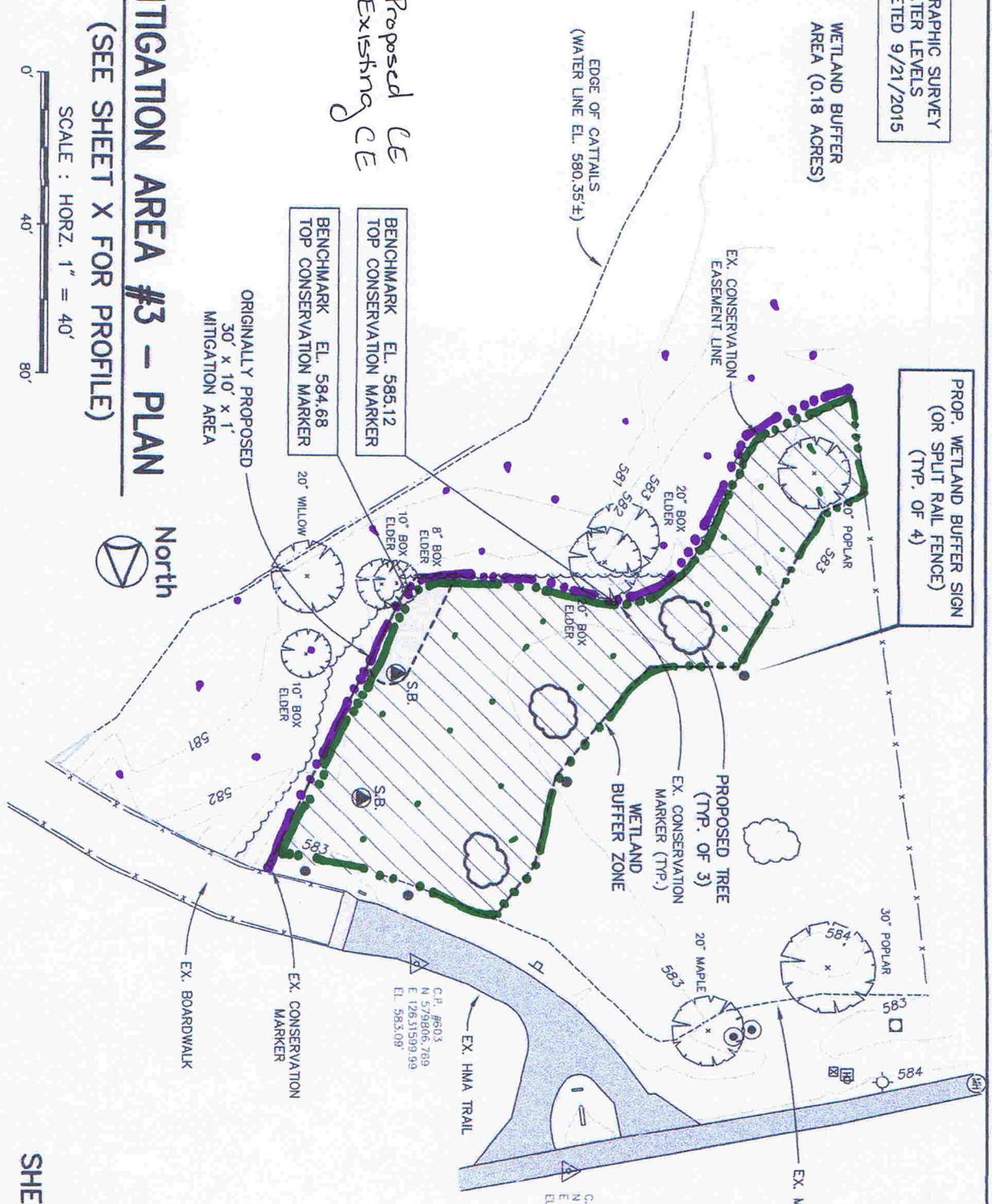
APPLICANT :
VILLAGE OF SPRING LAKE
102 W. SAWIDGE STREET
SPRING LAKE, MI 49456
(616) 842-1393

PREPARED BY :
Prein&Newhof
Engineers • Surveyors • Environmental • Laboratory
3355 EVERGREEN DRIVE NE
GRAND RAPIDS, MICHIGAN 49525/(616-364-8491)

TOPOGRAPHIC SURVEY
WATER LEVELS
COMPLETED 9/21/2015

WETLAND BUFFER
AREA (0.18 ACRES)

PROP. WETLAND BUFFER SIGN
(OR SPLIT RAIL FENCE)
(TYP. OF 4)



Proposed CE
Existing CE

BENCHMARK EL. 585.12
TOP CONSERVATION MARKER

BENCHMARK EL. 584.68
TOP CONSERVATION MARKER

ORIGINALLY PROPOSED
30' x 10' x 1'
MITIGATION AREA

MITIGATION AREA #3 - PLAN

(SEE SHEET X FOR PROFILE)

SCALE: HORZ. 1" = 40'

0' 40' 80'

NOTE: ALL ELEVATIONS BASED
ON NAVD 1988 DATUM.

PROPOSED WETLAND MITIGATION
LOCATION: VILLAGE OF SPRING LAKE
OTTAWA COUNTY, MICHIGAN
SECTION 16, T. 8 N., R. 16 W.

APPLICANT:
VILLAGE OF SPRING LAKE
102 W. SAWDGE STREET
SPRING LAKE, MI 49456
(616) 842-1393

PREPARED BY:
Prein&Newhof
Engineers • Surveyors • Environmental • Laboratory
3355 EVERGREEN DRIVE NE
GRAND RAPIDS, MICHIGAN 49525/(616)-364-8491

SHEET 7 OF X
OCTOBER 2015
2150535

Christine Burns

From: Adrienne Peterson <adrienne@petersonenviro.com>
Sent: Tuesday, February 2, 2016 10:54 AM
To: Christine Burns; 'Kieft, Kevin'
Cc: rsullivan@scholtenfant.com
Subject: RE: Village of Spring Lake - Wetland Mitigation Areas
Attachments: Conservation Easement Areas.pdf

Hi Chris,

Please find attached the proposed wetland mitigation areas plans. I have indicated in purple the existing conservation easement areas and indicated in green the proposed conservation easement areas (or other protective mechanism, such as a deed restriction) that the Corps of Engineers would like to see over these areas. I thought these plans would be helpful in your discussion with the Council. When is your meeting? Would you like me to be present to discuss this issue? Please let me know.

Take care,

Adrienne

Adrienne Peterson

Peterson Environmental

PO Box 262
Spring Lake, MI 49456
Cell: 616.402.7592
Office: 616.844.2441
www.petersonenviro.com

From: Christine Burns [<mailto:christine@springlakevillage.org>]
Sent: Wednesday, January 27, 2016 11:52 AM
To: Adrienne Peterson <adrienne@petersonenviro.com>; Kieft, Kevin <KKieft@preinnewhof.com>
Cc: rsullivan@scholtenfant.com
Subject: RE: Village of Spring Lake - Wetland Mitigation Areas

Adrienne,

That's not my call. I would need to take this to Council in February and they would make the final decision. I don't really have a feeling which way they will go. I can ask our attorney if he is aware of any other mechanisms.

Thanks,

Chris

From: Adrienne Peterson [<mailto:adrienne@petersonenviro.com>]
Sent: Wednesday, January 27, 2016 11:31 AM
To: Christine Burns; 'Kieft, Kevin'
Subject: Village of Spring Lake - Wetland Mitigation Areas

Hi Chris and Kevin,

I finally heard back from Nathan Schulz at the Corps of Engineers regarding our revised wetland mitigation plan today. The Corps has decided that they are fine with the revised wetland mitigation plans. The only addition that they would like to see is a conservation easement (or some other mechanism that can be put in place to protect the wetland mitigation areas forever) over Wetland Mitigation Area 2 and Wetland Buffer Area 3. Is the Village okay with this request? The placement of a conservation easement over these areas will protect them forever from mowing, maintaining, grading, filling, structure placement, etc. It is extremely difficult (if not impossible) to have a conservation easement removed once it is place. For the placement of a conservation easement, the surveyor must first prepare a legal description of the area to be protect. Typically, a conservation easement is given to the MDEQ. I checked with Nathan and he said that the conservation easement would not be to the Corps. I don't know if it could be given to the MDEQ as an expansion of the existing easement with the previous permit or if they would be even willing to take it since they are not really involved. I can check to see if the MDEQ would take this conservation easement. Any thoughts? Any ideas of other legal instruments that could be used to protect the wetland areas forever?

Take care,

Adrienne

Adrienne Peterson

Peterson Environmental

PO Box 262

Spring Lake, MI 49456

Cell: 616.402.7592

Office: 616.844.2441

www.petersonenviro.com

**VILLAGE OF SPRING LAKE
OTTAWA COUNTY, MICHIGAN**

**COUNCIL MEMBER _____, SUPPORTED BY COUNCIL MEMBER _____, MOVED
THE ADOPTION OF THE FOLLOWING RESOLUTION:**

RESOLUTION NO: 2015-02

A Resolution Urging the Repeal of Section 57, Subsection (3) of PA 269 of 2016

WHEREAS, both the Michigan Senate and the Michigan House of Representatives passed Senate Bill 571 late in the night of December 16, 2015, just prior to recessing for the year; and,

WHEREAS, one of the last minute amendments made to Senate Bill 571, without the knowledge of the Michigan Municipal League or other local government organizations, and approved without any public testimony or awareness, was the new language inserted into Section 57, Subsection (3); and,

WHEREAS, this new law prohibits a public body, or a person acting for a public body, from using public funds or resources for the purpose of communicating any information to the electorate regarding a local ballot question that is to appear on the ballot within 60 days of an election; and,

WHEREAS, municipal elected and appointed officials have a civic and legal duty to the residents of their communities to fully inform them regarding the issues placed before them and upon which they are asked to exercise their constitutional right to vote; and,

WHEREAS, existing laws, including the former language in Section 57, and decades of guidance from the Michigan Secretary of State, already prohibit the use of public funds to advocate for or against ballot issues; and,

WHEREAS, existing laws already provided for an allowance for elected and appointed officials to express their views without fear of violating the act; and,

WHEREAS, because the new law bans only communication on local ballot issues, it creates inconsistent treatment of statewide ballot questions versus local initiatives; and,

WHEREAS, there are substantial questions regarding the constitutionality and legality of the new law, including a possible ban on freedom of speech.

NOW, THEREFORE, BE IT RESOLVED, that the Spring Lake Village Council calls for an immediate repeal of the new language in Section 57, subsection (3) of PA 269 of 2016; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that a copy of this resolution be forwarded to the Village's representatives in the Michigan House of Representatives and the Michigan Senate.

The foregoing resolution was offered by Council Member_____ and supported by Council Member _____and same was duly passed at a regular meeting of the Spring Lake Village Council held on February 15, 2016, and that the vote was as follows:

Yes:
No:
Absent:

I, Marv Hinga, Village Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the Village of Spring Lake at a Regular Meeting thereof held on the 15th day of February, 2016.

RESOLUTION DECLARED ADOPTED.

Dated: February 15, 2016

Marv Hinga, Clerk
Village of Spring Lake

**City of Grand Haven
519 Washington Avenue
Grand Haven, Michigan 49417**

Resolution Urging the Repeal of Section 57, Subsection (3) of PA 269 of 2016

WHEREAS, both the Michigan Senate and the Michigan House of Representatives passed Senate Bill 571 late in the night of December 16, 2015, just prior to recessing for the year; and,

WHEREAS, one of the last minute amendments made to Senate Bill 571, without the knowledge of the Michigan Municipal League or other local government organizations, and approved without any public testimony or awareness, was the new language inserted into Section 57, Subsection (3); and,

WHEREAS, this new law prohibits a public body, or a person acting for a public body, from using public funds or resources for the purpose of communicating any information to the electorate regarding a local ballot question that is to appear on the ballot within 60 days of an election; and,

WHEREAS, municipal elected and appointed officials have a civic and legal duty to the residents of their communities to fully inform them regarding the issues placed before them and upon which they are asked to exercise their constitutional right to vote; and,

WHEREAS, existing laws, including the former language in Section 57, and decades of guidance from the Michigan Secretary of State, already prohibit the use of public funds to advocate for or against ballot issues; and,

WHEREAS, existing laws already provided for an allowance for elected and appointed officials to express their views without fear of violating the act; and,

WHEREAS, because the new law bans only communication on local ballot issues, it creates inconsistent treatment of statewide ballot questions versus local initiatives; and,

WHEREAS, there are substantial questions regarding the constitutionality and legality of the new law, including a possible ban on freedom of speech.

NOW, THEREFORE, BE IT RESOLVED, that the Grand Haven City Council calls for an immediate repeal of the new language in Section 57, subsection (3) of PA 269 of 2016; and

NOW, THEREFORE, BE IT FINALLY RESOLVED, that a copy of this resolution be forwarded to the City's representatives in the Michigan House of Representatives and the Michigan Senate.

The foregoing resolution was offered by Council Member _____ and supported by Council Member _____ and same was duly passed at a regular meeting of the Grand Haven City Council held on February 1, 2016, and that the vote was as follows:

Yeas:

Yays:

Absent:

I, Linda L. Browand, duly certified Clerk of the City of Grand Haven do hereby certify that the foregoing is a true and accurate copy of a resolution unanimously adopted by the Grand Haven City Council at its regular meeting held February 1, 2016.

Linda L. Browand
City Clerk

Christine Burns

From: Patrick McGinnis <pmcginnis@grandhaven.org>
Sent: Friday, January 22, 2016 10:25 AM
To: Christine Burns; Gordon Gallagher; Bill Cargo; cbessinger@ferrysburg.org; Andrew Ingall (ingalla@ghaps.org); Dennis Furton; AVanderberg@miottawa.org
Subject: Resolution
Attachments: Resolution Urging Repeal Sec 57 (3) of PA 269 of 2016.docx

Friends

Unless this is already fixed by then, I intend to present the attached resolution to the City Council on February 1, 2015. It would be nice if our elected representatives heard a consistent message from all of us in the tri cities, so please consider advocating a strongly worded position statement.



Pat McGinnis

City Manager

City of Grand Haven

519 Washington Ave

Grand Haven, MI 49417

[43°N 3' 45.4566" -86°W 13' 31.5798"](#)

616-847-4888 (w)

616-402-0815 (c)

pmcginnis@grandhaven.org

STATE OF MICHIGAN

IN THE 58TH DISTRICT COURT FOR THE COUNTY OF OTTAWA

.....

THE PEOPLE OF THE VILLAGE OF SPRING LAKE,

Plaintiff,

Ticket No. 0105-756

v

Honorable Craig E. Bunce

BERNARD GRYSEN,

ORDER

Respondent.

ROBERT ZITTA (P22479)
Attorney for Plaintiff
300 Washington Street
Grand Haven, MI 49417
(616) 842-1470

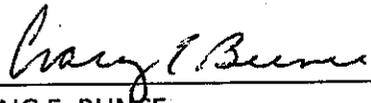
MARK HILLS (P47524)
Attorney for Respondent
233 Washington Avenue, Suite 205
Grand Haven, MI 49417
(616) 846-7100

At a session of the Court held in the
City of Grand Haven, State of Michigan
on the 28th day of January, 2016

This matter is before the Court on Respondent's Motion for Reconsideration, Motion for New Trial and Motion for Relief from Judgment. For the reasons stated on record the Court denies Respondent's motions. Also, the Court's order of October 14, 2015 is amended to require Respondent to register his home occupation. If Respondent registers as required within 21 days of January 28, 2016, fines and costs of \$115.00 will be waived.

IT IS SO ORDERED.

Dated: January 29, 2016



CRAIG E. BUNCE
DISTRICT COURT JUDGE



DRAFT MINUTES

**Monday January 18, 2016
7:00 P.M., Barber School
102 West Exchange Street
Spring Lake, Michigan**

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

Present: Doss, MacLachlan, Miller, Powers and Van Strate.

Absent: Nauta and Tepastte

On a motion by **Miller**, second from **Van Strate**, to excuse the absence of Council Members **Nauta and Tepastte**.

Yes: 5 No: 0

4. Approval of the Agenda

Motion by **Doss**, second from **Miller**, to approve the agenda as presented.

Yes: 5 No: 0

5. Consent Agenda

A. Approved the payment of the bills (checks numbered 57389-57476) in the amount of \$108,697.04.

B. Approved the minutes for the December 21, 2015 regular Council meeting.

C. Approved Rotary's use of Central Park for the 2016 Snow Jam events.

D. Approved Resolution 2016 – 01, a Resolution of Intent to Amend the Boundaries of the Downtown Development Authority and Designate a Public Hearing Date.

E. Approved three waste hauler licenses for the 2016 calendar year.

Licensed Waste Haulers in the Village			
	Allied Waste/Republic 1-877-698-7274	Kuerth Disposal 800-332-3496	Waste Management 800-796-9696
Trash Collection 90-96 Gallon Container	\$16.90/month	\$18.00/month	\$16.00/month
Curbside Recycling With Container Service	Included Biweekly	Included Weekly	\$5.00/month Weekly
Bag Service	\$1.50/bag + \$6.00/month admin	\$3.00/bag (75 bags/box)	\$2.50/bag + \$5.92/month admin
Curbside Recycling With Bag Service		\$3.00/month	
Yard Waste	\$10.00/month (bag) \$12.00/month (cart)	\$80.00/season	\$12.50/month + \$25 activation fee
Christmas Trees	Included	Not Offered	Included
Spring/Fall Clean- up	No Charge	No Charge	No Charge

F. Approved a proposed amendment to Spring Lake Township's tower lease with AT&T.

G. Approved the 4th Amendment to the Sewer Authority Agreement.

H. Approved a contract extension for planning and zoning services with the City of Grand Haven.

I. Approved a Letter of Understanding for DPW supervisory services with Spring Lake Township.

Motion by **Van Strate**, second from **Miller**, to approve the Consent Agenda.

Yes: 5 No: 0

6. General Business

A. Presentation – Consumers Energy Grant

The Village was the recipient of a Consumer Energy Tree Grant. Mr. Rich Houtteman, Lakeshore Area Manager, attended the meeting, introduced himself, and presented the check to Council.

Mr. Rich Houtteman, Lakeshore Area Service Manager for Consumers Energy, said he was in attendance to get to know the people in his area and to present a \$2,500 check to the Village for future public tree planting. Mr. Houtteman said that Consumers had trimmed about 150 miles worth of streets and hitting over 16,000 trees in Ottawa County in the past 2 years. Mr. Houtteman said he did some research on the Village and in 2014 the Village had about 2,300 outages as a result of wind and trees and he was happy to say that in 2015 there was only 1 outage of 93 people, so 2015 over 2014 was a dramatic improvement.

President **MacLachlan** said he had noticed the significant reduction in outages over the last five years and even though people don't like the tree trimming, it seems to work.

Mr. Houtteman presented the \$2,500 check to Tree Board Members, Megan Doss and Lee Schuitema.

B. Presentation – Spring Lake District Library Annual Report

Mr. Tom Cousineau, Mr. Ernie Petrus and Ms. Mary Eagin attended the meeting and gave Council the annual report from SLDL.

Mr. Cousineau, (Library Board President) introduced himself, Ms. Eagin (Library Treasurer and Township Board Member) and Mr. Petrus (Village Board Member) and went over some of the major developments outside of the Library. Mr. Cousineau explained that there was a District Library Establishment Act that was written a number of years ago and that Library Director, Claire Sheridan discovered a major flaw in this Act and with the help of the Michigan Library Association, State Senator Meekoff and State Representative Price they were able to get an amendment and close this loop hole. Mr. Cousineau said that the second major development for the Library this past year was their Service Agreement with Crockery Township which took effect on January 1st, and to date they have 896 Crockery residents that have library cards which was about a tenth of the Library total. Mr. Cousineau explained that the third major item was that the Library was invited to collaborate with the Ottawa County Technology Group and the location was where the Village and Township broadband cable will join the Ottawa Technology Group fiber network.

Mr. Petrus gave Council an overview of some of the new programs that were available through the Library such as Hoopla where you can instantly borrow free digital movies, music, eBooks and more with no late fee using your

library card. Mr. Petrus said they also have a program called Learning Express which was an interactive online learning program to help people study for anything from GED's, Career Certification, to work place skill improvements and has over 770 practice tests to help the community improve themselves. Mr. Petrus said other new programs included the Digital Media Lab with resources that included a green screen, filming kit with lighting and microphones, film, slide and negative scanners and a program called 1000 Books before Kindergarten. Mr. Petrus said the amount of programs the Library provides is incredible and every year approximately 180,000 people visit the Library.

President **MacLachlan** asked about an issue with logging in to sign up for a class that his wife had. Ms. Eagin said they were working on that issue and have been upgrading their system.

Mr. Lee Schuitema, 408 E Exchange Street, said that he had used a program for 4H kids when he was a leader that was called "Careers Unlimited" and asked if the Library had anything like that. Ms. Eagin said that she was not aware of anything like that and Mr. Petrus made a note to check into that program.

Ms. Eagin reported that the funding from Crockery Township had come at a key time for the Library since the Village had made a decision to reactivate the TIF, which meant that the taxes collected in the TIF district would no longer go to the Library and other community agencies. Ms. Eagin said that while they were very supportive and want the Village to thrive and stay updated, there would be a financial impact on the Library so the Crockery funding was vital to maintain and continue to provide services and maintain the facility. Ms. Eagin explained the contract between Crockery Township and the Library and how they had used the money from that contract. Ms. Eagin also explained what upgrades and updates they would be doing in the coming year such as continuing to upgrade resources and services, upgrade to LED lighting, replace and upgrade building controllers and they are also looking at adding solar panels to the roof for significant utility savings. Ms. Eagin said the Board members were all very mindful of the use of the money they were entrusted with.

Council Member **Powers** complimented the Library on the great job they did.

C. Approval of a Cleaning Contract with CSM Services

Every renter at Barber School has a different standard of "clean" and it has proven challenging to monitor and inspect Barber School between renters (especially on weekends). The Friends of Barber School met on January 12, 2016 to discuss options and have recommended a mandatory cleaning fee and a company to perform cleanings between renters.

Manager **Burns** reported that the Friends of Barber School had met and discussed options for the cleaning of this facility and their recommendation was to amend the contract with renters to include a mandatory \$25 cleaning fee associated with the use of Barber School assuming that CSM can come in and clean in an hour. **Burns** said if it had been left extremely messy and it takes longer than an hour the additional costs would come out of the renter's security deposit. **Burns** said this would be on an on-call basis where Mary would call CSM to clean in-between renters.

Motion by **Doss**, second from **Powers**, to approve the contract with CSM and to adjust the rental agreement for Barber School to reflect the change in the cleaning policy.

Yes: 5 No: 0

D. Approval of a contract with API for paving at Central Park

API had submitted a bid to provide paving as part of the Central Park Restoration Project. The quote expires this month, so it was necessary to approve the quote to hold the pricing for an early spring start date. The total quote is for \$101,655.60 of which \$22,419.05 was for the repaving of Central Avenue, which was classified as a local street.

Manager **Burns** explained that they had pulled the asphalt bid from the overall contract because of a very large donation from Midge and Gary Verplank with the understanding that API would be granted that contract. **Burns** said that, as long as she has been with the Village, API have always been the low bidder on asphalt simply because they are located in Muskegon and the next closest asphalt plant was in Zeeland or Grand Rapids and mobilization costs make them not competitive with API. **Burns** explained that the bidding policy does allow for Council to make exceptions for the standard 3 bids and that was what they were asking for in this case, to approve the quote of \$101,655.60. **Burns** said that \$22,419.05 was not for the Central Park Capital Campaign but for the paving of Central Avenue because Roger Belknap, while he was still with the Village, felt that Central Avenue was in very poor condition and it would behoove the Village to consider repaving when they were doing the Pickle Ball courts and the parking lot of Central Park. **Burns** said the \$22,419.05 was not necessarily budgeted, but they did get funding from MDOT for \$26,000 that was a onetime deal, and also the mileage that passed in Ottawa County that was predominantly used for Summit and Visser repaving. **Burns** said they would need to transfer about \$10,000 from Major Streets to Local Streets to cover the repaving.

Motion by **Doss**, second from **Miller**, to make an exception from the requirements of the Purchasing Policy, requiring three bids, based upon a

large donation which was received in connection with this project and to accept the single bid from API for reasons that historically they have performed very well and to approve the contract with API to provide paving as part of the Central Park Restoration Project as presented.

Yes: 5

No: 0

7. Department Reports

A. Village Manager

Manager Burns updated Council on Sgt. Kik's recovery. **Burns** reported that the Kabota snow blower, used to clean sidewalks, has broken down and will be taken in for repair so sidewalk clearing will take a little longer because they will only be running the Wacker. **Burns** also reported that the water heater at Village Hall sprung a leak over the weekend and caved in a portion of the ceiling in John Nash's office and the circulating pump at the old Township Hall broke down and causing frozen pipes and \$2000 worth of damage. Burns said two Ordinance issues had come up today that she wanted to run past Council. **Burns** said the first one was a complaint regarding a neighbor feeding birds. **Council** discussed this and was not interested in banning bird feeding in the Village. **Burns** said the second one was a request from a resident to put a flat roof on their home which is not allowed per the Ordinance. **Council** asked why a flat roof was not allowed. **Burns** said that if you have an Ordinance that requires a 3/12 pitch roof that eliminates the possibility of a mobile home being put in the Village. **Council** agreed that they do not want to change the Ordinance to allow flat roofs.

Powers asked if they were going to look into the Ordinance to prevent people from purchasing homes in the Village just to tear down and build new. **Burns** said that would be up to Council and their Goal Setting/Strategic Planning was coming up and they need to look at both Code of Ordinance and Zoning Ordinance.

B. Clerk/Treasurer/Finance Director

C. OCSO (none included this month)

D. Fire (none included this month)

E. 911

F. DPW (none included this month)

G. Building

H. Water

I. Sewer

J. Minutes from Various Board & Committees

1. Parks & Recreation

2. Planning Commission

3. Historic Commission

8. Old Business and Reports by the Village Council

Doss reminded everyone that she is asking every Council Member to give at least \$25 to the Central Park Capital Campaign.

9. New Business and Reports by Village Council

No New Business at this time.

10. Status Report: Village Attorney

No Status Report from the Village Attorney at this time.

11. Statement of Citizens

No Statements of Citizens at this time.

12. Adjournment

On a motion by **Van Strate**, second from **Doss**, Village Council adjourned the meeting at 7:55 p.m.

James MacLachlan, Village President

Maryann Fonkert, Deputy Clerk