Minutes
Monday, August 19, 2019
7:00 P.M., Barber School
102 West Exchange Street
Spring Lake, Michigan

1. Call to Order

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

2. Pledge of Allegiance

3. Roll Call

Absent: None

4. Approval of the Agenda

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

   Yes: 7 No: 0

5. Consent Agenda

A. Approved the payment of the bills (checks numbered 60673-60740 and electronic payments numbered 55-59) in the amount of $679,063.67.

B. Approved the minutes for the July 8, 2019 work session and the July 15, 2019 regular Council meeting.

C. Approved the use of Central Park by the Spring Lake Fire Department on September 19, 2019 from 1:00 p.m. until 9:00 p.m.

D. Consideration of a motion to approve an agreement with Savidge Three, LLC for the donation of 109 S. Jackson. Removed and placed under General Business, Item D. for consideration and voted on separately.

E. Approved a preliminary study, design engineering, and construction engineering proposal from Moore and Bruggink for the S. Lake Street lift station for an amount not to exceed $44,700.
F. Approved the adoption of Resolution 2019 - 20, a resolution naming Wally Delamater as the Village of Spring Lake Street Administrator.

G. Approved a contract amendment with the Ottawa County Sheriff’s Office for police protection.

H. Approved budget adjustments as presented for fiscal year 2019/2020.

I. Approved the adoption of Resolution 2019 -19, a resolution regarding the maintenance of private property within the Village by the Department of Public Works.

    Motion by Hanks, second from TePastte, to approve the Consent Agenda as amended, removing item D. and placed under General Business as Item D.

        Yes: 7       No: 0

6. General Business

A. License Agreement – 206 N. Buchanan

    Subject: Mr. Armour owns property at 206 N. Buchanan which has a minor encroachment on Village property. This license memorializes the usage of the property for the next 20 years.

    President Powers introduced this item, there was no need for further discussion by Council.

    Motion by Petrus, second from Miller, to approve the license agreement with Mr. Mike Armour for 206 N. Buchanan.

        Yes: 7       No: 0

B. Analysis – Tanglefoot Park

    Subject: In order to determine costs associated with redevelopment of Tanglefoot Park and to have accurate information for grant applications, it is necessary to have a consultant provide construction estimates for the proposed project. It is also prudent to perform a market analysis for rental space.

    Van Strate said he would rather not change the use of Tanglefoot Park. TePastte and Hanks felt it was important to have this information before any further decisions were made.
Motion by **TePastte**, second from **Hanks**, to approve an agreement with Progressive AE to provide construction cost estimating services for Tanglefoot Park for an estimated cost of $2,000 and to provide a market analysis of rentable space at Tanglefoot Park for an estimated cost of $6,000.

Yes: 6  No: 1 (Van Strate)

**C. Property Exchange – 102 W. Savidge & Savidge Two, LLC**

**Subject:** Based on a request to clarify “public use” in the agreement that was circulate at the work session, Attorney Johnny Pinjuv has drafted language (deed attached) for Council review. A new agreement is also attached for Council review. Current renderings of the site were not available at press time but should be available at/before the meeting.

**Burns** shared the most current renderings and explained that President **Powers** was concerned that this area would not be open to the public. **Burns** said that the developer’s intent was to stick pretty close to this plan, however the plan had not gone before the Planning Commission for review yet and there were design standards that would need to be considered.

President **Powers** said that he had concerns with the language in the agreement that referenced “parkland” and “may be enforced by any person”. **Burns** said that the language could be changed. **Powers** asked if being labeled “Parkland” made it a public forum available for public demonstration and First Amendment Rights. **Burns** said she would ask legal counsel.

Motion by **Hanks**, second from **TePastte**, to approve the agreement with Savidge Two, LLC for the exchange of property in the 100 block of W. Savidge as presented with attachments provided, however, that the warranty deed will be revised in accordance with the comments provided in this meeting and to be executed in a form approved by the Village Attorney and Village President.

Yes: 7  No: 0

**D. Savidge Three, LLC agreement for the donation of 109 S. Jackson.**

**TePastte** said that he thought that they had agreed to move forward with this after their discussion at the Work Session. **Petrus** said her hesitation had to due with wanting to be able to see the market analysis and information on cost estimates from Progressive AE and to make sure that in the spirit of the agreement the language was clear that this building was not just an exchange for anything around Tanglefoot, because that decision had not been made yet. **Burns** said that she had had a conversation with the developer and the attorney, and they are completely fine with Council taking their time to make the best decision. **Council** agreed that they wanted the language very clear
on the intentions of the donation.

Motion by Hanks, second from Petrus, to table the donation of 109 S. Jackson until the next Work Session.

Yes: 7    No: 0

7. **Department Reports**
   A. Village Manager – Burns shared that Darcy Dye had been very ill and had a long road to recovery.
   B. Clerk/Treasurer/Finance Director
   C. OCSO (none included) – Burns said that she had emailed this report out this morning after she had received it from Sgt. Kik who had been on vacations.
   D. Fire (none included) – Burns said this report came in late Friday so that had been emailed this morning also.
   E. 911
   F. DPW
   G. Water (none included)
   H. Sewer (none included)
   I. DDA - Burns reported that Stanford-Butler had been extremely busy with all things DDA related such as grant applications, the branding project, Downtown Design manual as well as several events going on.
   J. Minutes from Various Board & Committees
      1. DDA (07/11/19)
      2. Planning Commission (06/25/19)

8. **Old Business and Reports by the Village Council** – No Old Business

9. **New Business and Reports by Village Council** – No New Business

10. **Status Report:** Village Attorney – No additions

11. **Statement of Citizens**

    Richard Martinus, 209 S. Park, spoke regarding damage and flooding to his property along the Grand River and the Grand River Greenway trail that had an easement through his property due to high water tables.

    Courtney Frifeldt, 703 Summer, spoke regarding issues with the Building Inspector and his leaking roof.

    Ruthann Lomas, 438 Buena Vista, spoke regarding an accident she had and speed issues on her street and requested a traffic count and speed bumps.
Lee Schuitema, 408 W Exchange, spoke regarding high water levels and Village responsibility.

William Werner, 433 Buena Vista, spoke regarding speeding issues on Buena Vista and high-water tables.

Debra Holdaman, 214 Douglas Ct, spoke regarding the lack of park maintenance and spending money on other projects instead.

12. Adjournment

Motion by Van Strate, second from Hanks, Village Council adjourned the meeting at 7:52 p.m.

Yes: 7    No: 0

Mark Powers, Village President                        Maryann Fonkert, Deputy Clerk