Pursuant to SB 1008, the Village of Spring Lake is conducting its business virtually to mitigate the spread of COVID-19.

President Powers called the meeting to order at 7:01 p.m.

1. **Crockery Township Sewer Connection (Pat Staskiewicz)** – Pat Staskiewicz shared a presentation regarding Crockery Townships Wastewater Service Proposal. Crockery Township (Crockery) currently owns and operates a wastewater treatment plant to serve two subdivisions in the Township. Crockery is considering improvements to the treatment plant and is concerned about the costs to rate payers. Prior to constructing the plant, service from the Grand Haven – Spring Lake Sewer Authority (GH-SL SA) was considered. Unfortunately, that effort was not successful. The Ottawa County Road Commission, Public Utilities Department (OCRC), on behalf of Crockery, asked if the members of the GH-SL SA would reconsider service to Crockery. The members were receptive to the idea but were not able to commit until a proposal could be developed. Therefore, the purpose of this proposal is to identify a plan for sewer service to Crockery, identify the preliminary costs to provide that service, and provide an outline for the contractual arrangements that will be needed for each phase of the project.

Burns explained that in return for this connection, the Village would get a re-evaluation of Lift Station 19 to certify those flows were being calculated correctly and Crockery would pay their share of improvements of sewer infrastructure that carried their waste. Mr. Staskiewicz said that another advantage would be identifying those municipalities using the sewer system and allocating accordingly and that any unwritten issues will be rectified in the written agreement. President Powers said consolidating and cooperating on sanitation and water issues made a great deal of sense to him and, inevitably, there would be conflict so some sort of mechanism, such as arbitration, for addressing disagreements among the various municipalities was needed. Mr. Staskiewicz said President Powers point was very well taken, and if Council was agreeable to contract negotiations, Crockery Township would start the process. Burns said that a lot of this had been vetted through the Sewer Authority, but the Village would continue to make sure their questions were answered, and concerns met. Mr. Staskiewicz said that he still needed to meet with Delamater and Village engineers to bring them up to speed. Duer felt it was only a matter of time before the system at Hathaway Lake failed because it was not meant to last forever,
so this direction seemed the simplest and most cost-effective way to step up and help out and if it helped the Village in the process. TePastte said that as a member of the Sewer Authority, this had been vetted pretty well through a lot of the members and he was in favor of this as the right thing to do. Van Strate said that Council had been against urban sprawl in the past but if this proposal was limited it would be the right thing to do. Mr. Staskiewicz said this proposal would only serve Hathaway Lakes and Cobblestone. Miller, Petrus and Hanks said they were also in support of the proposal. Mr. Staskiewicz thanked Council for their consideration.

2. Parking Study (David Garza) – The availability of parking in the Central Business District of the Village has long been a topic of discussion and contention. Both business owners and Village residents have held that there is not enough parking available to satisfy the needs of customers. The Village counters that parking is plentiful but underutilized.

Burns introduced David Garza with Walker Consultants, hired by the DDA to perform a parking study of the downtown. Mr. Garza shared a presentation, summarizing his Parking Study, explaining that they received approximately 138 responses to the online survey and about a half dozen stake holders participated in the video conference calls. Mr. Garza said they counted spaces as well as look at current and future needs and the consensus was that there was enough parking but enhancing the existing policies and practices would improve the system. Mr. Garza said that they estimated there were 1200 spaces with 6 out of 10 of those spaces being private property, although some of those private spaces offered some public access, so 36% of these spaces were publicly owned parking. Mr. Garza said they were out 2 different times, getting morning, afternoon and evening counts, and at peak hours there were still 270 public spaces available. Mr. Garza said they suggest parking management to better utilize the parking that was available by encouraging employees to park in more remote lots, implement shared parking by partnering with private property owners such as churches, create flex parking which would be timed parking for drop off/pickup spots at peak times of the day and rename public parking lots for example Stan’s and Dollar General lots which made those sound private to visitors. Mr. Garza also suggested creating a Parking Advisory Committee to coordinate implementations and provide a sounding board and input platform for businesses and tenants. Hanks said that after living and working in downtown Spring Lake, this was exactly what she had expected to hear. Duer and Petrus agreed with the summary and appreciated the great ideas. Van Strate felt that the Dollar General and Stan’s lots were the most important, but if employee’s parked further out, that should be helpful. TePastte said there were a lot of good ideas given and the Parking Advisory Committee was one of the better ones to maintain focus and follow-up for implementing the other suggestions. Stanford-Butler said the parking study was very well-rounded and just
what was needed and helped identify responsibilities between the Village and businesses.

3. **Work Force Housing Opportunities (Ryan Kilpatrick)** – Over the course of the past 24 months, there have been numerous conversations with Housing Next Executive Director Ryan Kilpatrick regarding the need for work force housing within the Village. The Village did not receive any proposals for 104 S. Buchanan when the RFP’s were due on April 30, 2020 during the onset of Covid-19 (for obvious reasons). It was determined, at that time, to wait until a downtown parking study was completed before reissuing the RFP. The study is complete (and presented earlier in the work session).

Burns explained that back in April 2020, RFP’s were due for the vacant lot of the former Township Hall and, when non were received, she spoke to Ryan Kilpatrick and suggested they hold off to see how things play out. Burns said recently Mr. Kilpatrick had reached out and asked to revisit the use of this site for work force housing. Mr. Kilpatrick explained that there was a shortage of work force housing, housing that was available on a “for rent” basis for individuals in households earning in the $30,000 to $50,000 range who were not quite able to afford to buy a home at this time, but earn too much to qualify for more traditional subsidized housing. Mr. Kilpatrick asked Council for the opportunity to work with Manager Burns and Zoning Administrator Hill on some potential work force housing development opportunities for the vacant lot. Petrus asked Mr. Kilpatrick his opinion on why they had not received any responses earlier in the year and what was different now. Mr. Kilpatrick said the challenge was timing and a site like this in the Village of Spring Lake made a lot of sense for higher end market rate housing, making it more difficult to bring in work force housing unless the Village was all in and willing to support that product type because it could consume anywhere from $50,000 to $100,000 in just predevelopment frontend costs that would be lost to the developer if they had to walk away because it wasn’t supported. Duer said that they needed to look at the highest and best use of that property and knew there was a need for work force housing but was concerned about that location. TePastte said that he shared Duer’s concerns and also knew there was a need for but was not sure that a key location in the Village was the place for it. Van Strate and Miller agreed that this was not the best use or location for that kind of project. President Powers said it sounded like he was hearing ambivalences from Council and that Mr. Kilpatrick was probably looking for more than that. Mr. Kilpatrick said he appreciated Council’s honesty up front before spending money unnecessarily and thanked them for their time.

4. **License Agreement – Barrett Boat Works** – Barrett Boat Works (BBW) would like to install solar panels on the south elevation of their new storage facility located at 813 W. Savidge. These solar panels would hang over the Village’s right-of-way. Staff concerns relate to liability. If Council wishes to allow the installation of the solar panels, a license agreement is recommended.
Burns explained that BBW would like to install solar panels on the south side of their new boat storage building which would project into the air space over the Village right-of-way causing serious concerns over liability so the Village attorney recommended an agreement be established prior to installation. Chuck Harloff, BBW, said they had been working with Energy Conservation Source for installation of 3 solar awnings on the front of the building above the windows. Mr. Harloff said these solar awnings would be covered by their liability insurance and if the Village was concerned, they could be added to BBW’s policy as additionally insured. Burns recommended a draft agreement be drawn up, however, she did not feel the Village taxpayers should pay those attorney fees, suggesting that either BBW’s pay the Village attorney fees or they have their attorney draft the agreement and the Village attorney review it. Burns also explained that Energy Conservation Source expressed that they did not want to be liable for anything beyond what their insurance covered, which was a concern because, in the event of a law suit, the Village would be liable for any amount above their insurance coverage. President Powers suggested that if this project needed to go before either the Planning Commission or ZBA, that it be presented to the respective board for approval before money was spent on drafting an agreement. Burns and Harloff agreed. Council agreed with this course of action.

5. Savidge Street Water Main (Wally Delamater) – A few years ago, a ten-inch water main crossing north to south under Savidge Street ruptured. Instead of making a repair, the decision at the time was to close the valves on each side of Savidge and not repair the main. Closing the valve stopped the leak, decreased system redundancy, and eliminated a water main loop. With the upcoming M104 resurfacing project, the DPW has focused on repair and maintenance of underground utilities prior to the MDOT resurfacing project. Previously, Council authorized a service agreement with the Village engineer to evaluate the issues, options and cost to reinstate the water main crossing.

Delamater explained that the key driving force to get this done had been MDOT’s resurfacing project so that they wouldn’t have to cut a hole in the new surface, however, it was determined that boring was a better option, removing the urgency but he would still like to move forward with the bidding process in order to plan ahead financially. Council agreed that this process could move forward.

6. Board & Committee Appointments – Each fall, Council solicits applications to fill vacancies on various Boards & Committees. Several years ago, Council took the position that terms which were expiring were not automatically renewed. If a person wished to continue their service on a board/committee, they could reapply for their seat. Council would then consider all applications and the most qualified individuals would be appointed to serve.
Burns explained that George Barfield, Parks & Rec., and Jim Moore, DDA, had not submitted applications to continue to serve so she would like to recognize their years of service to the Village with a “You Make the Difference” award and that Brandon Brown, DDA, had reapplied but with his upcoming development and possible conflict of interest, voluntarily stepped down until his project was complete. Burns went through the list of applicants and vacancies with Council and explained that Village Planner, Stacey Fedewa, and Zoning Administrator, Lukas Hill, had concerns regarding Council Member Scott Van Strate’s service on both Planning Commission and ZBA which could cause a conflict of interest. TePastte said that, while there had never been an issue, he could see where holding 3 board & commission seats could be considered a conflict of interest. Van Strate agreed to step down from the ZBA. President Powers thanked Van Strate for his years of service on the ZBA.

7. License Agreement – Rycenga Building Center, Inc. – Each year, the Village hires a barge operator to float docks from Tanglefoot and Mill Point Parks to a location that is not susceptible to ice jams. In 2019/2020, the Village entered into an agreement with Rycenga Building Center to store our docks during the winter months. In 2020/2021, we would like to enter into the same agreement. Burns explained that dock storage with Rycenga had worked out well last year so she recommended they continue that agreement. Council agreed.

8. MDOT Trunkline Maintenance Contract (Wally Delamater) – This is an annual housekeeping item which names a contract administrator for all work within the municipality and allows the Village to be reimbursed for maintenance of M-104. Delamater explained that this was a standard agreement that was brought to Council every year for approval. Council agreed this item could be placed on the Consent Agenda.

9. Budget Amendments (Marv Hinga) – Hinga went over the following budget adjustments with Council.
   1. Adjust current year DDA Budget. – Professional Services, Chamber Economic Development, Art in the Park.
   2. Adjust current year Water Fund Budget. – Professional services, Engineering/Project Admin.
   3. Adjust current year Planning/Zoning Budget. – Full/Part time wages, Legal Fees, Printing/Publishing.
   4. Adjust current year DPW Budget. – Full/Part Time wages - Township
   5. Adjust current year Central Park Budget. – Overtime pay, Dog Park, Manpower.
   6. Adjust current year Trunkline Maintenance Budget. – Full/Part Time wages.
**TePastte** said that the Finance Committee reviewed these budget adjustments and has no issue with them. **Council** agreed these adjustments could be placed on the Consent Agenda.

10. **Re-evaluation of Unfunded Pension Obligations (Marv Hinga)** – As of the 12/31/19 MER pension valuation, the Village had unfunded pension liabilities of $1,023,152 for the Police unit and $491,331 for the closed Village group for clerical and DPW employees. The costs of the unfunded police pensions are being shared with the City of Ferrysburg each received $75,823.75 from Ottawa County under the Cares Act. Both entities were advised to not spend the funds until it was confirmed that County would not be required to pay back the funds. As of November 3, the County has been told they may keep half of the funds. Whether the County will be able to keep the remaining funds will be determined in early December.

The Village has also been making supplemental payment of $50,000 each year for the last three years on the unfunded pension liability for the Clerical/DPW MERS Group. A supplemental payment was not included in the current year’s budget due to uncertainty regarding Revenue Sharing and Toad Funding from the State. State funding has not been cut as anticipated. Village funds can make a supplemental payment toward the Clerical/DPW unfunded pension liability.

**TePastte** explained that the Finance Committee had talked at length about this and felt it made good financial sense to continue even though this had not been budgeted for in 20/21 because of concerns the funds from the State would be lower, but that had not been the case, however, the Finance Committee did recommend that the portion that previously came from the Sewer Fund should come from another source due to higher demands on the Sewer Fund. **Hinga** explained that the Village and the City of Ferrysburg each received approximately $75,000 from the Cares Act and have been guaranteed that half of the amount will not have to be paid back and they should find out in a month or so if both municipalities were able to keep the other half of the Cares Act Funds, and if so, Ferrysburg has said they want to take those funds and make a supplemental payment to the unfunded Police Pension Liability. **Hinga** said he was asking permission from Council to do the same. **Council** agreed that this was a fiscally responsible thing to do.

11. **PA 228 of 2020 – Electronic Meetings (DeMario Johnson)** – In agreement with PA 228 of 2020. The procedures include eight distinct areas of notice, in which electronic meetings will be conducted.

**Johnson** explained that as we continue to navigate our way through the current COVID pandemic, it was recommended that Council adopt electronic meeting procedures that were in agreement of PA228 of 2020 to further help efforts with
transparency as we continue to meet virtually. Council agreed this item could be placed on the Consent Agenda.

12. Tanglefoot Park Redevelopment – At their last meeting, Council was presented with a conceptual plan for the redevelopment of Tanglefoot Park. The conceptual plan deviated from the original discussions back in 2019 for a fully enclosed building, as the budget for the original design came in double of the budget that the DDA established. The focus group went back to the drawing board and worked with Progressive AE to design a site that was, they felt, in keeping with the Thum family’s original intent of a family-friendly park. The plan that was presented last month meets the target budget established by the DDA (which is the funding mechanism for the park improvements) while simultaneously taking into consideration the feedback from the community engagement meetings.

Burns shared a PowerPoint with Council and Stanford-Butler explained that the first enclosed event center design came in way over budget while this current design was within their budget of 3 million. Stanford-Butler shared rates and amenities of area event centers and numbers from My Barefoot Wedding, as well as other wedding planners, to illustrate how revenue could be earned with current proposed structure. Burns said they had asked the Chesapeake Group to put together a new analysis based on a pavilion versus an enclosed space and their expert opinion on whether or not a pavilion would generate revenue and expected maintenance costs. Petrus said that looking back at the community engagement summary reminded her that the number one thing that people said was that they wanted the RV park replaced with something that was more useful to the public and the number two item was the farmers market and event center and they also needed to look at the indirect benefits such as property values going up. TePastte said that he felt this was a good use of the property even though he did not see it generating enough revenue to cover all costs, he did think it would be a wonderful place for people and would like to hear more on the business plan. Burns shared that the scores for the DNR Trust fund came back and they would find out soon where they were ranked. Hanks said she was excited about where they were going with the property. Miller said he was in favor of this plan provided they could enclose the structure a little more to create a multi-seasonal space. Stanford-Butler said they were looking at having the facility fitted with electric and gas so that heaters could be used. Petrus suggested they look at the typical direction of the wind to determine placement of the structure. Van Strate said he was worried about borrowing money from the DDA that would be tied up for 20 years and not have money for other projects and suggested they go a little smaller on the structure. Stanford-Butler said that the drawing was not to scale so it was hard to tell the actual size but that was good input. Petrus said she realized this was from completely different funds, but what weighed heavily on her mind was the
interconnectivity with Mill Point Park needing close to a million dollars in investment and the community having patience while another park was being renovated. Duer said he was also concerned about the wind and an unenclosed building and that people would look at Central Park the same way as Mill Point. President Powers reiterated Council’s concerns that there was a cautious nod of agreement with progressing down the path as proposed subject to further revisions, plans and consultations and they understand that there was a plan and that plans change. President Powers said that if they were going be getting a great deal of money from somebody else to make something look pretty, it would be about 60 years before that $35,000 balanced out against the expected donations, so they were trading an asset worth a great deal for an income stream that was going to continue to degrade significantly even if they started to put money into it. TePastte agreed with this and added that Council would like to hear more ideas on how to deal with the wind issue and how to make this a 6-month facility versus a 4-month facility.

13. USDA Agreement for Legal Services – The USDA requires that the Village have agreements with our legal team which outline costs and services. Roger Swets has long served as the Village’s bond council. Ron Bultje will assist with the real estate aspects related to easement acquisition and documentation required by the USDA to repair infrastructure.

Burns explained that the USDA Agreement for legal Services was another mandatory item in order to finance through USDA. Council agreed this item could be added to the Consent Agenda.

14. License Agreement with Seven Steps Up for use of the Public Parking lot for Pop-Up Concerts – Council Member Hanks, recusing herself from any decision, explained that this was the same type of thing that Council had approved for Stan’s and Fuel’s outdoor seating but the difference for Seven Steps Up was they would need to use public property for their outdoor events. Hanks said the reason they were asking for this now was that they had received a grant enabling them to purchase an outdoor stage for events, such as popup concerts, that were scheduled per weather conditions, so this agreement would replace other forms of small event request applications that could take weeks to process. Duer asked if the stage was permanent. Gary Hanks said that it was not permanent, it would only be out for small community pop-up concerts where they would have an outdoor bar with trained staff and following all the Liquor Control Commissions regulations. President Powers asked what they needed from the Village to take to the Liquor Control Commission for approval. M. Hanks said the application required a document from the municipality providing permission to utilize municipality owned property. Council agreed this item could be added to the agenda for the next meeting.
15. Communications
- Manufacturers’ Wage Survey (Chamber of Commerce) - Burns said she had briefly talked to the Finance Committee about this and would like Council to consider budgeting for a new wage survey in the next fiscal year since the last one was done in 2014 and a lot had changed.
- Public Access Letter (Nisper & Burns)
- OC Planning Commission Dissolution
- Water/Sewer Inquiry (Kaucheck)
- Burns shared that the video regarding how to read and interpret water bills had been released today so hopefully this will clear up a lot of questions by the general public.

16. Minutes - Minutes of the October 12, 2020 Work Session and October 19, 2020 regular meeting were attached for review.

17. Public Comment – Kathryn Maki, 708 Summer St, said it would be helpful for the public and Council to have something to scale on the pavilion and how renting the whole park would work. Ms. Maki also questioned two line items on her utility bill for a grant that the Village did not yet have and paying for money that they did not need to pay back was disappointing to her. Burns said she would get back to Ms. Maki with answers to her concerns.

18. Adjournment: There being no further business, Village Council adjourned the meeting at 9:27 p.m.

Mark Powers, Village President                     Maryann Fonkert, Deputy Clerk