Village of Spring Lake  
Council Work Session  
July 11, 2022  
6:00 p.m.  
102 West Savidge Street (Upstairs Conference Room)  
Spring Lake, MI 49456  
www.springlakevillage.org

<table>
<thead>
<tr>
<th></th>
<th>Time</th>
<th>Agenda Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>7:00 p.m.</td>
<td>Fire Prevention Ordinance</td>
</tr>
<tr>
<td>2</td>
<td>7:03 p.m.</td>
<td>Fee Schedule Amendment</td>
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<tr>
<td>3</td>
<td>7:07 p.m.</td>
<td>MML Ballot</td>
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<td>4</td>
<td>7:10 p.m.</td>
<td>MS4 Contract</td>
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<td>5</td>
<td>7:14 p.m.</td>
<td>Communications</td>
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<td></td>
<td></td>
<td>• Code Enforcement - 317 South Street</td>
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<td>• Code Enforcement - Pizza Parliament</td>
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<td></td>
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<td>• Complaint - Boon</td>
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<td>• Complaint - Cook</td>
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<td>• Complaint - Ennenga</td>
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<td>• Complaint - Fischer</td>
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<td>• Complaint - Rollins</td>
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<td>• Complaint - Vaandering</td>
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<td>• Complaint - VanGelderen</td>
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<td>• Complaint - Wheeler</td>
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<td>• Complaint - Whittkopp</td>
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<td>• GHACF - Check</td>
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<td></td>
<td></td>
<td>• Inquiry - CGF</td>
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<td></td>
<td></td>
<td>• Inquiry - Graham</td>
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<td></td>
<td></td>
<td>• Short-term Rental Correspondence</td>
</tr>
<tr>
<td></td>
<td></td>
<td>o 117 S. Lake</td>
</tr>
<tr>
<td></td>
<td></td>
<td>o 753/755 E. Savidge</td>
</tr>
<tr>
<td>6</td>
<td>7:26 p.m.</td>
<td>Minutes</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Minutes of the June 13, 2022 Work Session and June 13, 2022 Special meeting are attached for review. Should you wish to make edits, please share that information with Chris Burns or Maryann Fonkert prior to July 14.</td>
</tr>
<tr>
<td>7</td>
<td>7:27 p.m.</td>
<td>Public Comment</td>
</tr>
<tr>
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<td></td>
<td>Council Meetings are open to the public, and as such, the public is invited to speak at the end of each meeting. Each speaker should ask to be recognized by the chair, must state their name and address for the record and should limit their comments to 3 minutes.</td>
</tr>
<tr>
<td>8</td>
<td>7:30 p.m.</td>
<td>Adjourn</td>
</tr>
</tbody>
</table>
TO: Village President Mark Powers & Village Council Members
FROM: Chris Burns, Village Manager
DATE: June 7, 2022
RE: Fire Prevention Ordinance

**Background:** Spring Lake Fire Department has requested an amendment to Chapter 177 of the Village’s Code of Ordinances.

**Issues & Questions Specified:** Should the Village amend Chapter 177 of the Code of Ordinances.

**Alternatives:** Do not amend Chapter 177.

**Financial Impact:** Negligible.

**Recommendation:** Hold a public hearing on July 18, 2022 for the consideration and adoption of Ordinance No. 381

**Attachments:**
Letter of Attorney Bob Sullivan
Ordinance 381
May 18, 2022

Via Email

Ms. Christine Burns
Village Manager
Village of Spring Lake
102 W. Savidge Street
Spring Lake, Michigan 49456

Re: Fire Prevention Ordinance

Dear Ms. Burns:

Please be advised that Dave Hudson of the Spring Lake Township Fire Department has communicated that the proposed Ordinance is acceptable. Accordingly, it may now be presented to Council for their consideration.

Should you have any questions, please do not hesitate to advise.

Very truly yours,

SCHOLTEN FANT

[Signature]

Robert E. Sullivan

RES/kat
ORDINANCE NO. 381

VILLAGE OF SPRING LAKE FIRE PREVENTION ORDINANCE AMENDMENT

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES ADOPTED BY THE VILLAGE OF SPRING LAKE, COUNTY OF OTTAWA, STATE OF MICHIGAN, AMENDING CHAPTER 177 CONCERNING FIRE PREVENTION, AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

THE VILLAGE OF SPRING LAKE, COUNTY OF OTTAWA AND STATE OF MICHIGAN ORDAINS:

Section 1. Amendment of Chapter 177. Chapter 177 of the Code of Ordinances adopted by the Village of Spring Lake, Ottawa County, State of Michigan, is hereby amended to state in its entirety as follows:

CHAPTER 177. FIRE PREVENTION

ARTICLE I
ADOPTION OF STANDARDS

§ 177-1. Adoption of standards; availability of document.

A certain document, three copies of which are on file in the office of the Village Clerk/Treasurer, being marked and designated as the International Fire Code, 2018 edition, including Appendix Chapters B through I (see International Fire Code Section 101.2.1, 2018 edition), as published by the International Code Council, and the NFPA 303, Fire Protection Standard for Marinas and Boatyards, 2021 Edition, as published by the National Fire Protection Association, Inc., are adopted as the fire code of the Village, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of the fire code on file in the office of the Village Clerk/Treasurer are referred to, adopted, and made a part hereof, as if fully set out in this article, with the additions, insertions, deletions and changes, if any prescribed in this article.

§ 177-2. Amendments to Standards.

The following sections of the fire code are revised as indicated.
A. Section 101.1, Title: “the Village of Spring Lake” shall be inserted.

B. Section 105.1.1 is amended as follows:

**105.1.1. Permits required.** Permits required by this code shall be obtained from the fire code official, or other Village official designated by the fire code official. Permit fees, if any, shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official.

C. Section 109.1 is amended as follows:

**109.1. Board of Appeals established.** In order to hear and decide appeals of orders, decisions or terminations made by the fire code official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall be the Zoning Board of Appeals appointed by the Village pursuant to the Michigan Building Code. The fire code official shall be an ex officio member of said Board but shall have no vote on any matter before the Board.

D. Section 109.2 is amended as follows:

**109.2. Limitations on authority.** An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed.

E. Section 109.3, Qualifications, shall be eliminated.

F. Section 110.4 is amended as follows:

**110.4 Violation penalties.** Any person who violates, disobeys, omits, neglects or refuses to comply with or resist the enforcement of this article shall be responsible for a municipal civil infraction, subject to § 1-2. Increased civil fines may be imposed for repeated violations, which means the second or subsequent municipal civil infraction violation committed by a person within any 12-month period and for which a person admits responsibility or is determined to be responsible. The increased civil fine for repeat violations is set forth in § 1-2.

G. Section 112.4, Failure to comply: “$250” and “$500” shall be inserted.

H. Section 307, Open Burning, Recreational Fires and Portable Outdoor Fireplaces, shall be eliminated in its entirety, and said open burning shall be subject to this Code (specifically Chapter 135, Burning, Open, as amended).

I. Section 315.4 is amended as follows:
315.4. Outside storage. Outside storage of combustible material shall not be located within ten feet (3048 mm) of a property line or within 20 feet (6096 mm) or any structure.

J. Section 5704.2.6.6.1 is amended as follows.

5704.2.6.6.1 Locations where aboveground tanks are prohibited. (Geographical limits in which the storage of Class I and Class II liquids in aboveground tanks outside of buildings is prohibited): within any residential zoning district in the Village, or any non-agricultural zoned lot upon which a dwelling is located.

K. Section 5706.2.4.4 is amended as follows:

5706.2.4.4 Locations where aboveground tanks are prohibited. (Geographical limits in which the storage of Class I and Class II liquids in aboveground tanks is prohibited): within any residential zoning district in the Village, or any non-agricultural zoned lot upon which a dwelling is located.

L. Section 5806.2 is amended as follows:

5806.2 Limitations. (Geographical limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): within any residential zoning district in the Village, or any non-agricultural zoned lot upon which a dwelling is located.

M. Section 6104.2 is amended as follows:

6104.2 Maximum capacity within established limits. (Geographical limits in which the storage of liquefied petroleum gas is restricted from the protection of heavily populated or congested areas): within any residential zoning district in the Village, or any non-agricultural zoned lot upon which a dwelling is located.

Section 2. Administrative Liability. No officer, agent, or employee of the Village shall be personally liable for any damages the Village may accrue to any person as a result of any act required or permitted in the discharge of duties under and in the enforcement of this Ordinance.

Section 3. Severability and Captions. This Ordinance and its various sections, subsections, sentences, phrases, and clauses are declared to be severable. If any section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid, the remainder of this Ordinance shall not be affected. Pronouns shall be read as masculine, feminine, or neuter as may be appropriate. Captions appearing at the beginning of any section shall not be deemed as part of this Ordinance and shall have no independent significance.
Section 4. **Repeal of Conflicting Ordinances.** All ordinances or parts of ordinances which are in conflict in whole or in part with any of the provisions of this Ordinance as of its effective date are repealed to the extent of such conflict.

Section 5. **Effective Date.** This Ordinance shall take effect upon publication.

VILLAGE OF SPRING LAKE

Dated: _______________, 2022

By: ________________________
Mark Powers
Its: President

By: ________________________
Marvin Hinga
Its: Clerk
CERTIFICATE

I, Marvin Hinga, the Clerk/Treasurer for the Village of Spring Lake, Ottawa County, Michigan, certify that the foregoing Spring Lake Village Fire Prevention Ordinance Amendment was adopted at a regular meeting of the Village Council held on ________________, 2022. The following members of the Village Council were present at that meeting: _________________________________________________________________. The following members of the Village Council were absent: _________________________________________________________________. The Ordinance was adopted by the Village Council with members of the Council __________________________________________ voting in favor, and members of the Council __________________________________________ voting in opposition. Notice of Adoption of the Ordinance was published in The Grand Haven Tribune on ________________, 2022.

____________________________________
Marvin Hinga, Clerk/Treasurer
Village of Spring Lake
NOTICE OF PUBLIC HEARING 
ON ADOPTION OF PROPOSED 
FIRE PREVENTION ORDINANCE AMENDMENT FOR 
VILLAGE OF SPRING LAKE, OTTAWA COUNTY, MICHIGAN 

TO: CITIZENS AND RESIDENTS OF THE VILLAGE OF SPRING LAKE, OTTAWA COUNTY, MICHIGAN 

NOTICE IS HEREBY GIVEN: 

1. The Village Council of the Village of Spring Lake, Ottawa County, Michigan, is considering a proposed Fire Prevention Ordinance Amendment. 

2. The Ordinance proposes to amend certain provisions of a Chapter to the Village of Spring Lake Code of Ordinances, Chapter 177, concerning adoption of standards. 

3. A copy of the Fire Prevention Ordinance Amendment referred to above, is on file at the Spring Lake Village Hall, the Village Manager’s Office, 102 W. Savidge Street, Spring Lake, Michigan, and may be inspected at any time between the hours of 8:00 a.m. and 5:00 p.m., each weekday, except holidays, beginning July 8, 2022, by any interested person. 

4. The Village Council will hold a public hearing on July 18, 2022, at the Barber School, 102 W. Exchange Street, Spring Lake, Michigan at 7:30 p.m., local time, to consider the approval, rejection, or approval with modifications of the proposed Fire Prevention Ordinance Amendment. 

5. At that hearing, an opportunity will be provided for all interested persons to be heard concerning the proposed Fire Prevention Ordinance Amendment. In addition, the Village Council shall receive and consider communications in writing with reference to the proposed Fire Prevention Ordinance Amendment. All aspects of the Fire Prevention Ordinance Amendment will be open for discussion. The hearing will provide the fullest opportunity for expression of opinion, for argument on the merits, and introduction of documentary evidence.
pertinent to the proposed Fire Prevention Ordinance Amendment.

6. The Village of Spring Lake will provide necessary and reasonable auxiliary aids and services at this hearing, such as signers for hearing-impaired persons and audio tapes of printed materials for visually impaired persons, upon receipt of five (5) days prior notice. Disabled persons requiring such auxiliary aids or services should so notify the Village of Spring Lake by contacting Christine Burns at 102 W. Savidge Street, Spring Lake, Michigan 49456, (telephone (616) 842-1393).

THIS NOTICE IS GIVEN BY ORDER OF THE SPRING LAKE VILLAGE COUNCIL.

Dated: July 9, 2022

Marvin Hinga
Clerk/Treasurer
Village of Spring Lake
WORK SESSION AGENDA REPORT

TO: Village President Mark Powers & Village Council Members

FROM: Chris Burns, Village Manager

DATE: July 11, 2022

RE: Fee Schedule Amendment

Background: Council approved the 2022/2023 fee schedule at their June meeting. At that time, staff did not have the quote for the cleaning of Tanglefoot Park from Zervas Facility Maintenance. We have since received a quote; the price for cleaning for each event needs to be amended.

Issues & Questions Specified: Should Council amend the fee schedule to reflect the actual cost of the cleaning service?

Alternatives: Do nothing; this would result in a loss of revenue for the park (and the DDA).

Financial Impact: Varies based on the direction Council chooses to take.

Recommendation: Place the amended fee schedule on the Consent agenda for July 18, 2022.

Attachments:
Zervas Facilities Maintenance Quote
## BARBER SCHOOL GATHERING ROOM & OUTDOOR SPACE

<table>
<thead>
<tr>
<th>Description</th>
<th>Daily Fee</th>
<th>Cleaning Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village Resident or Taxpayer - Mon - Thurs (Includes Village/Twp Employees)</td>
<td>$310.00 Daily</td>
<td>($85)</td>
</tr>
<tr>
<td>Village Resident or Taxpayer - Weekend/Holiday</td>
<td>$410.00 Daily</td>
<td>($85)</td>
</tr>
<tr>
<td>Non-Village Resident - Mon - Thurs.</td>
<td>$410.00 Daily</td>
<td>($85)</td>
</tr>
<tr>
<td>Non-Village Resident - Weekend/Holiday</td>
<td>$510.00 Daily</td>
<td>($85)</td>
</tr>
<tr>
<td>Gazebo Only ~ Resident</td>
<td>$45.00 ~ 2 hours</td>
<td>$150.00 Full Day</td>
</tr>
<tr>
<td>Gazebo Only ~ Non-Resident</td>
<td>$65.00 ~ 2 hours</td>
<td>$275.00 Full Day</td>
</tr>
<tr>
<td>Non-profit</td>
<td>$100.00 ~ Full Day</td>
<td></td>
</tr>
</tbody>
</table>

Tax-exempt certificate from the State of Michigan is required to receive the 501©3 non-profit rate

A $175 refundable security deposit (in the form of a separate check) is required from all renters

## TANGLEFOOT PARK

### Dock Rental

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transient 7:30 a.m. - 10:00 p.m. (no overnight mooring)</td>
<td>$10.00 per day</td>
</tr>
<tr>
<td>Failure to Pay</td>
<td>$100.00 each occurrence</td>
</tr>
<tr>
<td>Resident Seasonal*</td>
<td>$1,750.00</td>
</tr>
<tr>
<td>Non-Resident Seasonal*</td>
<td>*05/15-10/15</td>
</tr>
</tbody>
</table>

50% of the rental rate is required with the reservation as a deposit.

### Kayak Rental

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Self-serve Lockers</td>
<td>$5 to unlock + $20/hour</td>
</tr>
</tbody>
</table>

### Pavillion Rental

#### Peak Season May 1st thru September 30th

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
<th>Cleaning Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village Resident or Taxpayer - Mon - Wed</td>
<td>$500.00</td>
<td>($325)</td>
</tr>
<tr>
<td>Village Resident or Taxpayer - Thursday after 3:00 p.m.</td>
<td>$200.00</td>
<td>($325)</td>
</tr>
<tr>
<td>Village Resident or Taxpayer - Fri/Sat/Sun/Holiday</td>
<td>$1,000.00</td>
<td>($325)</td>
</tr>
<tr>
<td>Non-resident - Mon - Wed</td>
<td>$550.00</td>
<td>($325)</td>
</tr>
<tr>
<td>Non-resident - Thursday after 3:00 p.m.</td>
<td>$250.00</td>
<td>($325)</td>
</tr>
<tr>
<td>Non-resident Fri/Sat/Sun/Holiday</td>
<td>$1,500.00</td>
<td>($325)</td>
</tr>
</tbody>
</table>

A $300 refundable security deposit (in the form of a separate check) is required from all renters

#### Non-Peak Season October 1st thru April 30th

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
<th>Cleaning Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Village Resident or Taxpayer - Mon - Thur</td>
<td>$450.00</td>
<td>($325)</td>
</tr>
<tr>
<td>Village Resident or Taxpayer - Fri/Sat/Sun/Holiday</td>
<td>$750.00</td>
<td>($325)</td>
</tr>
<tr>
<td>Non-resident - Mon - Thur</td>
<td>$500.00</td>
<td>($325)</td>
</tr>
<tr>
<td>Non-resident Fri/Sat/Sun/Holiday</td>
<td>$1,000.00</td>
<td>($325)</td>
</tr>
</tbody>
</table>

A $300 refundable security deposit (in the form of a separate check) is required from all renters

## MILL POINT PARK

### Boat Launch

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daily</td>
<td>$10</td>
</tr>
<tr>
<td>Village Resident</td>
<td>Free* (1 per household)</td>
</tr>
<tr>
<td>Non-Village Resident</td>
<td>$70</td>
</tr>
<tr>
<td>Non-Village Resident (65+)</td>
<td>$60</td>
</tr>
<tr>
<td>Commercial Business</td>
<td>$100</td>
</tr>
<tr>
<td>No Launch Pass (Ticket)</td>
<td>$100</td>
</tr>
</tbody>
</table>

*Must provide government issued ID + trailer registration showing Village address
### Band Shell

<table>
<thead>
<tr>
<th></th>
<th>Village Resident</th>
<th>Non-Village Resident</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$45.00 Per Day</td>
<td>$65.00 Per Day</td>
</tr>
</tbody>
</table>

### Mill Point Concession

<table>
<thead>
<tr>
<th></th>
<th>Village Resident</th>
<th>Non-Village Resident</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$25.00 Per Day</td>
<td>$50.00 Per Day</td>
</tr>
</tbody>
</table>

### Dock Rental

<table>
<thead>
<tr>
<th></th>
<th>Village Resident</th>
<th>Non-Village Resident</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$25.00 Per Day</td>
<td>$50.00 Per Day</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Transient 7:30 a.m. - 10:00 p.m.</th>
<th>Resident Seasonal*</th>
<th>Non-Resident Seasonal*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$10.00 Per Day</td>
<td>$1,500.00</td>
<td>$1,750.00</td>
</tr>
</tbody>
</table>

50% of the rental rate is required with the reservation as a deposit.

### CENTRAL PARK

| Pavillion Rental – Village Resident | $45.00 Per Day |
| Pavillion Rental – Non-Resident    | $65.00 Per Day |

### RENTAL PROPERTY

| Annual Registration (per unit) | Long-term rentals | $30.00 If paid within 30 days |
| Annual Registration (1st Year) | Short-term rentals | $75.00 If paid within 10 days |
| Annual Registration (2nd Year+) | Short-term rentals | $60.00 If paid within 10 days |
| Biennial Inspection (per unit) | $50.00 additional | Paid to MTMS |
| Re-inspection (per unit)       | $50.00            |

### DPW PERMITS

| Road Opening/Pavement Cut      | $200.00 plus costs to repair road |
| Right-of-Way Permit            | $25.00 ($300 Security deposit)   |

### WATER / SEWER

As per attached schedule

### BUILDING/PLUMBING/MECHANICAL/ELECTRICAL

As per MTMS Schedule

### PLANNING/ZONING

<table>
<thead>
<tr>
<th>Fee</th>
<th>Escrow</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Banner / Pennant Permit*</td>
<td>$25.00</td>
</tr>
<tr>
<td>Application Fee - Site Plan Review</td>
<td>$300.00</td>
</tr>
<tr>
<td>Special Planning Commission Meeting Fee</td>
<td>$500.00</td>
</tr>
<tr>
<td>Application Fee - Special Land Use</td>
<td>$450.00</td>
</tr>
<tr>
<td>Preliminary Planned Unit Development Review</td>
<td>$700.00</td>
</tr>
<tr>
<td>Final Planned Unit Development Review</td>
<td>$300.00</td>
</tr>
<tr>
<td>PUD Amendment Review</td>
<td>$500.00</td>
</tr>
<tr>
<td>PUD Architectural Review</td>
<td>$500.00</td>
</tr>
<tr>
<td>Rezoning</td>
<td>$450.00</td>
</tr>
<tr>
<td>Short Term Rental (SLU) **</td>
<td>$450.00</td>
</tr>
<tr>
<td>Sign Deviation Request to Planning Commission</td>
<td>$150.00</td>
</tr>
<tr>
<td>Temporary Portable Sign*</td>
<td>$10.00</td>
</tr>
<tr>
<td>Zoning Permit - New Construction</td>
<td>$60.00</td>
</tr>
</tbody>
</table>
The Village requires an escrow to cover anticipated costs for all planning and zoning reviews. An initial deposit of a minimum of $1,500 (depending on the size and scope of the development) is required to cover the escrow account. The escrow fee may be reduced at the discretion of the Village Planner or Village Manager. The Village may use the funds in escrow for expenses related to the following items; mailing/publishing all legal notices required, professional services of the Village Attorney and/or Village Engineer, services of other professionals working for the Village (i.e. planner) related to the application, or other cost incurred as a result of processing the application. *Fee may be waived at the discretion of the Village Manager. Escrow deposit for a short term rental application is a minimum of $1,000 and shall be used for any professional services listed above and for any enforcement actions related to the application. When the short-term rental has been registered as a rental with the Village, approved by the Building Official, and determined to be compliant by the Zoning Administrator, the remaining escrow shall be refunded to the applicant.

### LEASE OF VILLAGE LAND

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>50% of Fair Market Value</td>
<td>$30.00</td>
</tr>
</tbody>
</table>

Example: $5/sf. Acquisition cost would equal $.50/sf lease cost; Village would subsidize 50% for a net of $.25/sf to lease.

### PARKING FINES

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking (except as noted below)</td>
<td>$20.00</td>
</tr>
<tr>
<td>Marked Tow Away Zone</td>
<td>$50.00</td>
</tr>
<tr>
<td>Improper Parking at Boat Launch</td>
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*FREE from Village website

### DDA & EVENTS

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Non Village Customer Water Rates
Non Village Customer Sewer Rates

Water Equity Charge 150% of 'V' of Gross Annual Income
Sewer Equity Charge 150% of 'V' of Gross Annual Income
Water Tap Fees - New $1,330.00 $1,915.00 $3,405.00 $5,320.00
Sewer Tap $510.00 $734.00 $1,306.00 $2,040.00

Fire Suppression Quarterly Fee

Fire Suppression Connection Fee $5,000.00

Water commodity per 1,000 gallons $2.45
Sewer commodity per 1,000 gallons $4.23

Restore Service Fee - Business Hours $114.14
Restore Service Fee - After Hours $157.04

Bulk Water/Hydrant Use/Meter RPZ Rental $250.00 Security Deposit + 1 Hour Service Fee

Meter/Touchpad/Hardware $190.00 $575.00 $775.00

Water Line Inspection $55.00
Sewer Line Inspection $63.00

*Summer sewer credits do not apply to commercial accounts, which includes short-term rental units.*
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**Village Rates**

| $7,661.00 | $13,619.00 | $30,643.00 | $54,477.00 |
| $2,938.00 | $5,222.00 | $11,750.00 | $20,890.00 |

*Greater than 1" = Time & Material Basis*

*for cost from main to the structure*

| $30.00 | $60.00 | $100.00 |

**OTHER CHARGES**

*%e ($55) + Current Water Commodity Fee*

---

**Actual Cost +10%**
**Estimate**

**ADDRESS**  
THE VILLAGE OF SPRING LAKE  
102 WEST SAVIDGE  
SPRING LAKE, MI 49456

**SHIP TO**  
THE VILLAGE OF SPRING LAKE  
102 WEST SAVIDGE  
SPRING LAKE, MI 49456

**ESTIMATE #** 1810  
**DATE** 06/27/2022  
**EXPIRATION DATE** 12/31/2022

**TRACKING NO.**  
Conner

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- **Janitorial Services: Full Clean**  
  Janitorial services for the new TANGLEFOOT PARK BUILDING  
  KITCHEN CLEAN WIPE DOWN OF AREAS AND MOP FLOORS

- **Janitorial Services: JANITORIAL SERVICES**  
  JANITORIAL SERVICES TANGLEFOOT PARK BUILDING  
  RESTROOMS WIPE DOWN CLEAN AND RE-SUPPLY AND MOP FLOORS

- **Floor care: FLOOR CARE**  
  CONCRETE FLOORS LARGE COMMON AREA DUST MOP AND SCRUB WITH AUTOMATIC FLOOR SCRUBBER

- **Floor care: FLOOR CARE**  
  CONCRETE FLOORS DUST MOP AND WET MOP FLOORS

Prices are per service per area  
We supply all equipment products and labor.  

**TOTAL** $325.00

Accepted By

Accepted Date
Background: Each year, members are asked to cast their ballot for the MML Workers’ Compensation Board of Directors.

In order to vote for the MML Workers’ Compensation slate of candidates, Council must approve the slate of candidates or offer a write-in candidate. As a long-time member of the board and past Chairperson, I can speak to the qualifications of Mr. Kilbourn; he is worthy of your vote.

Issues & Questions Specified: Should the Village vote for the slate of candidates put forth by MML W/C Board?

Alternatives: Do not vote for the proposed candidate.

Financial Impact: None.

Recommendation: Motion to approve the MML W/C slate.

Attachments:
MML Trustee Information
MML W/C Trustee Ballot
To: Members of the MML Workers' Compensation Fund  
From: Michael J. Forster, Fund Administrator  
Date: June 25, 2022  
Subject: Fund Trustee Election

Dear Fund Member:

Enclosed is your ballot for this year’s Board of Trustees election. One incumbent Trustee has agreed to seek re-election. You also may write in one or more candidates if you wish.

A brief biographical sketch of the candidate is provided for your review.

I hope you will affirm the work of the Nominating Committee by returning your completed ballot in the enclosed return envelope, no later than August 12th. You may also submit your ballot online by going to www.mml.org. Click on Insurance, then Workers’ Compensation Fund; the link to the ballot form is in the yellow banner.

The MML Workers’ Compensation Fund is owned and controlled by its members. Your comments and suggestions on how we can serve you better are very much appreciated. Thank you again for your membership in the Fund, and for participating in the election of your governing board.

Sincerely,

[Signature]

Michael J. Forster  
Fund Administrator  
mforster@mml.org
Lee Kilbourn, Mayor, City of Auburn

Lee Kilbourn has been mayor of Auburn since 2011 and is past president of the Michigan Association of Mayors. He previously served as mayor when elected in 1981. Kilbourn has served on several community organizations and the Auburn-Williams Fire District for 25 years. He is currently a member of the Auburn-Williams Lions Club, the Auburn Downtown Development Authority, and the Auburn-Williams Intergovernmental Committee. Kilbourn graduated from Oral Roberts University with a bachelor’s degree in business. He and his wife, Kathy, are second generation owners of their family's 57-year-old furniture business and proud grandparents of two children. Lee is seeking election to his second term.
To: Members of the MML Workers’ Compensation Fund

From: Michael J. Forster, Fund Administrator

Date: June 25, 2022

Subject: Fund Trustee Election

Dear Fund Member:

Enclosed is your ballot for this year's Board of Trustees election. One incumbent Trustee has agreed to seek re-election. You also may write in one or more candidates if you wish.

A brief biographical sketch of the candidate is provided for your review.

I hope you will affirm the work of the Nominating Committee by returning your completed ballot in the enclosed return envelope, no later than August 12th. You may also submit your ballot online by going to www.mml.org. Click on Insurance, then Workers' Compensation Fund; the link to the ballot form is in the yellow banner.

The MML Workers' Compensation Fund is owned and controlled by its members. Your comments and suggestions on how we can serve you better are very much appreciated. Thank you again for your membership in the Fund, and for participating in the election of your governing board.

Sincerely,

[Signature]

Michael J. Forster
Fund Administrator
mforster@mml.org
Lee Kilbourn, Mayor, City of Auburn

Lee Kilbourn has been mayor of Auburn since 2011 and is past president of the Michigan Association of Mayors. He previously served as mayor when elected in 1981. Kilbourn has served on several community organizations and the Auburn-Williams Fire District for 25 years. He is currently a member of the Auburn-Williams Lions Club, the Auburn Downtown Development Authority, and the Auburn-Williams Intergovernmental Committee. Kilbourn graduated from Oral Roberts University with a bachelor’s degree in business. He and his wife, Kathy, are second generation owners of their family’s 57-year-old furniture business and proud grandparents of two children. Lee is seeking election to his second term.
**Background:** The Village enjoys a relationship with the Grand Valley Metro Council (GVMC) to manage our storm water discharge permit with the State of Michigan. The proposed contract is for 3 years (10/01/22 thru 09/30/25). This is essentially a housekeeping item.

**Issues & Questions Specified:** Should the Village contract with GVMC to handle all permitting requirements with EGLE?

**Alternatives:** Manage the permitting and contracts internally. The Village does not have qualified staff or bandwidth to handle this obligation in-house.

**Financial Impact:** $12,199.40 annually for 3 years. To perform this service in-house would be considerably more expensive than the regional collaboration with GVMC.

**Recommendation:** Place this item on the July 18, 2022 Consent Agenda.

**Attachments:**
Email from Cara Decker
MS4 Contract
Hi Chris,

Please see the attached GVMC MS4 contract between GVMC and the Village. Please reach out if you have any questions. GVMC appreciates your continued support of our programs. Our contracts run for a 3-year period, and the current one expires this year. The rate listed at the end of the contract will be charged annually during the 3-year contract. Please return a signed contract to me by July 31st.

Thanks!

Cara Decker (she/her/hers)
Stormwater Program Coordinator
National Green Infrastructure Certified Professional (GIP)
Grand Valley Metro Council
Lower Grand River Organization of Watersheds
678 Front Ave., NW, Suite 200
Grand Rapids, MI 49504
deckerc@gvmc.org
O: 616-776-7702
F: 616-774-9292
June 13, 2022

Ms. Chris Burns
Village Manager
102 W. Savidge St.
Spring Lake MI 49456

Dear Ms. Burns:

A cooperative effort initiated in 2000 by Kent County and Ottawa County agencies and communities in the Lower Grand River Watershed resulted in Certificates of Coverage (CoCs) for all permittees under the Michigan Department of Environmental Quality (MDEQ) Watershed General Permit No. MIG619000. Documents for each permittee were prepared to comply with the CoCs that were issued pursuant to the general National Pollutant Discharge Elimination System (NPDES) permit. In the last contract period, the Grand Valley Metro Council (GVMC) prepared, submitted, and received approval for the Village of Spring Lake’s NPDES MS4 Individual Permit and Stormwater Management Plan (SWMP) from the Michigan Department of Environment, Great Lakes, and Energy (EGLE).

The capacity of GVMC’s Environmental Programs Department has increased since the last contract period, and we are committed to providing exceptional services and programs. GVMC will continue to coordinate a regional effort to ensure every community’s compliance with the NPDES Stormwater Regulations. A cost allocation and detailed scope of work for continued participation in the regional effort from FY2023 through FY2025 is enclosed.

Please indicate your intent to continue to participate in this regional cooperative effort by returning a signed copy of this correspondence by August 1, 2022. Your commitment to participate will apply for the next three years, from October 1, 2022, through September 30, 2025. The scope of the regional program that is necessary beyond 2025 for compliance with the NPDES Storm Water Regulations will be reassessed at that time.

We welcome your feedback on GVMC’s NPDES compliance program and look forward to our continued work with your community.
Sincerely,

John Weiss  
Executive Director

Cara Decker  
Stormwater Program Coordinator

The Village of Spring Lake is committed to continued participation in the GVMC regional effort for compliance with the NPDES Storm Water Regulations for fiscal years 2023 through 2025. We understand that our annual cost will be paid to GVMC in accordance with the enclosed cost allocation.

Signed: ___________________________  Date: __________

Enclosures:

FY 2023-2025 Scope of Work with Budget and Cost Allocation
The following activities have been identified to allow ongoing regional cooperation by the participating cities, villages, townships, school districts, and county agencies (communities) in the Lower Grand River Watershed (LGRW) from October 1, 2022 to September 30, 2025. The work that will continue to be administered by the Grand Valley Metropolitan Council (GVMC) includes ongoing implementation of the Storm Water Management Plan (SWMP), the Public Education Plan (PEP), Total Maximum Daily Load Implementation (TMDL) Plan, and the Illicit Discharge Elimination Plan (IDEP) that have been approved by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) under the Municipal Separate Storm Sewer System (MS4) regulations.

Current permits expire during this contract period and GVMC will assist the communities with permit reapplication and public notice as necessary. EGLE will issue new MS4 permits during the period for this scope of work. Upon communities receiving new permits, GVMC will continue to implement initiatives that meet permit compliance.

GVMC will continue to implement regional coordination for MS4 permit compliance; however, each community is ultimately responsible for participation in the regional effort and for regulatory compliance.

The proposed work outlined below will be completed by GVMC in cooperation with EGLE and the participating communities to provide compliance with the six MS4 minimum control measures:

**Stormwater Management Plan (SWMP) Implementation**
The individual Stormwater Permit requires that the approved SWMPs be implemented. GVMC will facilitate the process of implementing the SWMPs. SWMPs will be updated as needed for the next permit cycle.

**MS4 Training**
Training opportunities will be provided through a variety of methods, such as in-person training, videos, outside speakers, webinars, and brochures. Topics to be considered for training include: general stormwater awareness, identifying and eliminating illicit discharges, soil erosion and sedimentation control best management practices (BMPs), post-construction stormwater runoff development standards, pollution prevention and good housekeeping BMPs, training specified in the SWMP, or other stormwater training topics at the request of the community. GVMC will work with committees of the Lower Grand River Organization of Watersheds (LGROW) to select, plan, and coordinate these training opportunities.

**Stormwater Development and Redevelopment Standards, Model Ordinances, and Strategies**
GVMC will continue to coordinate the efforts of the LGROW Stormwater Ordinance (SWOrd) Committee to implement the model stormwater ordinance needed for permit compliance. GVMC will be responsible for the distribution of the LGROW Design Spreadsheet tool and will provide updates and improvements to the tool as directed by the SWOrd Committee.

**Public Education Plan (PEP)**
The PEP was updated and approved by EGLE in July 2020 and the plan promotes, publicizes, and facilitates watershed education for the purpose of encouraging the public to reduce the discharge of pollutants in stormwater to the maximum extent practicable. The PEP will continue to be coordinated with other current programs and projects in the watershed that involve public stewardship of water resources. The overall goal of the plan is to encourage pollution prevention.

The PEP is flexible in that the educational activities conducted may address any of a number of significant watershed issues, including:

- Encouragement of public reporting of the presence of illicit discharges, illicit connections, or improper disposal of material into the MS4.
● Education of the public on the availability, location, and requirements of facilities for disposal or drop-off of household hazardous wastes, travel trailer sanitary wastes, chemicals, grass clippings, leaf litter, animal wastes, and motor vehicle fluids.

● Education of the public regarding acceptable application and disposal of pesticides, herbicides, and fertilizers.

● Education of the public concerning preferred cleaning materials and procedures for residential car washing, pavement cleaning, and power washing.

● Education of the public concerning the ultimate discharge point and potential impacts from pollutants from the separate stormwater drainage system serving their place of residence.

● Education of the public about their responsibility for stewardship in their watershed.

● Education of the public concerning management of riparian lands to protect water quality.

● Education of the public on proper septic system care and maintenance and on how to recognize system failure.

● Education of the public about the benefits of using native vegetation instead of non-native vegetation.

Various materials will be produced such as brochures, social media content, newsletter and newspaper articles, local media, workshops, demonstration materials, and other materials at the community’s request in order to meet the public education commitments. Purchase of public education materials will be coordinated where economies can be achieved through bulk purchases.

GVMC will continue to facilitate the LGROW Public Engagement Committee, comprised of representatives of the participating communities and local organizations, to prioritize and direct the PEP activities. GVMC will design and administer large scale, regional educational efforts.

Illicit Discharge Elimination Plan (IDEP)
The IDEP meets the permit requirement that each community develop, implement, and enforce a program to detect and eliminate illicit connections and discharges to MS4s. GVMC will also work with REGIS communities to ensure up to date stormwater infrastructure mapping in GIS. The IDEP includes dry weather screening, which was last completed in 2018, and will be completed in summer 2024. Interjurisdictional cooperation agreements will be reissued for each MS4.

Total Maximum Daily Load (TMDL) Implementation
GVMC will work with the LGROW network to address the TMDLs that have been assigned per the permits. The TMDL Implementation Plan will be executed collaboratively with watershed partners to address water body impairments within the regulated areas of the watershed. GVMC will coordinate TMDL sampling under the direction of the LGROW Technical Committee and will share the data and analysis via annual reports.

Additional Regulatory Assistance

Progress Reports
Annual or biennial Progress Reports will be prepared for each community for submittal to EGLE as required by the MS4 permits. Reports will include regional reporting and permittee-specific reporting requirements. GVMC will annually prepare progress reporting forms for each community. These forms will serve as a convenient means for each community to keep track of actions taken throughout the Progress Report cycle to comply with the permit commitments. The information provided by each community will become a significant element of the reports.

Each community shall provide data on progress made in controlling stormwater pollution to the maximum extent practicable for the reports. GVMC will collect available watershed monitoring data during the previous period for analysis and summary for the regional portion of the report. GVMC will draft progress reports on Watershed-Wide Activities. GVMC will compile and finalize the Progress Reports on behalf of the communities and GVMC will submit the reports to EGLE via MiWaters.
GVMC will continue this work upon permit issuance, and will communicate new progress reporting requirements as necessary to communities.

**Audits**
GVMC will provide assistance in the case of an EGLE audit of the community’s stormwater program, at the community’s request.

**Public Participation**
The SWMP implementation efforts will be more effective with participation by the communities and the public. GVMC will keep the communities informed about LGROW committee activities and opportunities to be involved at LGROW events. LGROW has fostered partnerships with existing agencies and organizations, which will facilitate completion of the work outlined above. GVMC will help facilitate and provide technical assistance to the LGROW network to integrate these efforts. Public Participation activities will be tracked and reported upon in the Progress Report.

**Permit Applications and Individual Permit Issuance**
Current MS4 permits expire on October 1, 2023. The process of EGLE’s permit reissuance will continue to be tracked and the communities will be kept informed. GVMC will assist the communities in the transition from the previous permit by providing compliance assistance in all of the categories as applicable to the new permit. Facility inventories will be updated to reflect current stormwater infrastructure.

**Enforcement Response Procedure**
GVMC will assist communities with developing approvable Enforcement Response Procedures (ERPs), based on EGLE comments from permit submittal that describes how the MS4 enforces the ordinance. GVMC will train communities in the use of the ERPs and revise as needed.

**Nested Jurisdictions**
If the community has a nested jurisdiction under their MS4 permit, GVMC will help coordinate the compliance of the Nested Jurisdiction. GVMC will help facilitate meetings between MS4 permittees and nested jurisdictions to ensure that both parties understand their responsibilities to meet permit compliance.

**LGROW Network**
By participating in the regional MS4 implementation in the Lower Grand River Watershed, communities benefit by being able to work through permit issues together as part of the LGROW network. LGROW brings together local municipalities and community stakeholders in a unique format to address watershed issues facing the Lower Grand River and its watersheds. LGROW promotes community education and sustainable use of our river resource and is committed to making the watershed an ongoing resource for everyone. LGROW will encourage communities to join the various committees that work on different components of the permit. LGROW dues are $500 annually in addition to MS4 dues.
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**Communities with Nested Jurisdictions:**

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<td><strong>Grandville Public Schools</strong></td>
<td>$3,350.00</td>
</tr>
<tr>
<td>City of Kentwood</td>
<td>$20,180.40</td>
</tr>
<tr>
<td><strong>Kentwood Public Schools</strong></td>
<td>$3,600.00</td>
</tr>
<tr>
<td>City of Walker</td>
<td>$17,263.20</td>
</tr>
<tr>
<td><strong>Kenowa Hills Public Schools</strong></td>
<td>$2,850.00</td>
</tr>
</tbody>
</table>
Thanks!

On Jun 20, 2022, at 3:26 PM, Christine Burns <christine@springlakevillage.org> wrote:

Mr. Cate,

Thank you for reaching out to us. We will get a letter out to the property owner ASAP.

Fondly,

Chris

Christine Burns
<image001.png>
102 W. Savidge St., Spring Lake, MI 49456
p 616.842.1393  f 616.847.1393
christine@springlakevillage.org

<image002.png>

From: wcate@icloud.com <wcate@icloud.com>
Sent: Friday, June 17, 2022 11:39 AM
To: Christine Burns <christine@springlakevillage.org>
Subject: Boat Parking

Ms Burns:

I own the property at 317 South Street, Spring Lake. The lot next door (325 South Street) has an unregistered boat stored in the back yard. It has a MI registration number that expired in 2020 (see attached).

Can the city direct the owner to have it removed?

Thanks for your time and consideration.

Bill Cate
(719) 221-8069
It was a private event for a friend of mine. No harm done. Thank you!

Justin

On Thu, Jun 16, 2022, 4:05 PM Lukas Hill <LHill@springlaketwp.org> wrote:

Greetings,

Are you conducting public food truck events in the Village of Spring Lake?

If so, please note that food trucks are not permitted in the Village of Spring Lake and may result in a civil infraction to the operator and the owner of the host property.

Best,

Lukas

Lukas Hill, AICP
Zoning Administrator
Village of Spring Lake
102 W. Savidge St.
Spring Lake, MI 49456
(616) 844-2110
Wally,

Could you follow up with Jacob about the basketball court lights at Central Park, please?

Thanks,
Tyra

---

Name
Jacob Boon

Email
jacobboon55@gmail.com

Subject
Central Park Basketball court lights

Message
The lights for the basketball courts in Central Park do not come of with the rest of the lights please fix this as there are people wishing to play basketball
June,

Thank you for reaching out to us. We apologize for the bathrooms not being unlocked; I have no explanation other than staff must have missed it on Sunday when they did their rounds. The bathrooms are typically accessible and this was an unusual situation.

The cost for a transient slip at either Mill Point or Tanglefoot is $10 for the day.

Thank you for your interest in visiting Spring Lake and we will strive to do better in the future (and have those bathrooms unlocked 😊).

Fondly,

Chris

Christine Burns
VILLAGE MANAGER, VILLAGE OF SPRING LAKE
102 W. Savidge St., Spring Lake, MI 49456
P 616.842.1393  F 616.847.1393
christine@springlakevillage.org

From: Communications <communications@springlakevillage.org>
Sent: Monday, June 20, 2022 7:57 AM
To: Christine Burns <christine@springlakevillage.org>
Cc: Wally Delamater <wdelamater@springlaketwp.org>
Subject: FW: New Contact Form Submission

Happy Monday!

Chris: Could you follow up with June, please? I’ve cc’d Wally.

From: no-reply@springlakevillage.org <no-reply@springlakevillage.org>
Sent: Sunday, June 19, 2022 11:19 AM
To: Communications <communications@springlakevillage.org>
Subject: New Contact Form Submission

<table>
<thead>
<tr>
<th>Name</th>
<th>June Cook</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email</td>
<td><a href="mailto:jcook9000@yahoo.com">jcook9000@yahoo.com</a></td>
</tr>
<tr>
<td>Subject</td>
<td>Parks</td>
</tr>
</tbody>
</table>
| Message       | Today, June 19, 2022 why are the bathrooms not open at Mill Point? It is a gorgeous day to be in the park or on your boat. We need the bathrooms.
I see that the fee for launching your boat has gone up. Why would I launch at a place where the bathrooms are not accessible? Also with the higher fee will the bird poop be cleaned up more, maybe on a daily basis?
What is the cost for a day slip at the new pavilion? We read all the literature but never found the cost mentioned.
OMG – is it MY turn to vent? I just received a phone call from John Ennenga of 536 River St. He wanted to know if there is anyone to supervise all the “goings on” at the new splash pad. He said there are kids running all over, hitting each other with pool noodles, running on the new grass and along the boardwalk (where they are going to fall into the river). I told him it is the parents’ responsibility to watch them. He said: “Their moms aren’t watching them! They’re lying around on towels sunning themselves like it is a beach or something!”

I pleasantly told him I’d share his concerns. Now, will you please send the police over there to disperse all those pesky kids out having fun?? Not to mention their scantily clad mothers! 😊

Oy.

Thank you,
Mary Reck, Reception
Mr. David Fischer of 112 William St. called (616-308-1245). He said he wanted me to “let the powers that be” know he is very upset with the way his trees have been “butchered.” He said there is not even a power line anywhere around them (only a cable). I asked him if he would like the number for Consumers, and he said “you can never get a hold of anyone over there.” He also noted that it was “Alpine Tree Service,” and said they know nothing about trees. After he ranted awhile, he did apologize and say he knew it wasn’t my fault, but asked that I “Mark me down as unhappy,” and let those in charge know. 😊 I have now done my duty!

Thank you,
Mary Reck, Reception
Mike,

Those speed samplings would be up to MDOT as well. They would have to commission a speed study of some sort to determine if there is an issue.

Thanks,

Chris

---

From: Michael Fuqua <mfuqua1@rochester.rr.com>
Sent: Monday, June 13, 2022 11:06 AM
To: Christine Burns <christine@springlakevillage.org>
Cc: mfuqua1@rochester.rr.com; Wally Delamater <wdelamater@springlaketwp.org>
Subject: RE: New Contact Form Submission

Hi Chris,

Thanks for getting back to me. I will contact MDOT as they also need to enforce noise pollution laws that are being broken. It also appears in talking with longer term residents that the truck traffic use to go down I-96 to US-31, so something was either in place prior that changed or MDOT lost sight of new businesses in area causing a large uptick in truck traffic through the village.

While I work the MDOT path, is it possible we can get some radar speed samplings of the semi-trucks between Fruitport Rd and Church St.? The noise level isn't the only issue with some of these trucks, and noise levels do lower when the trucks go slower through the area. So if the semi-trucks are exceeding speeds (many residents believe a good amount are) than some enforcement on speed limits could subconsciously help solve some of the noise pollution from the semi-trucks.

Thanks,
Mike

---

On Jun 13, 2022 10:03 AM, Christine Burns <christine@springlakevillage.org> wrote:

Hi Michael,
M-104 is a State highway and regulated by MDOT. The Village has no control over traffic along M-104. We have reached out to MDOT in the past and have been told that we cannot force trucks to take alternate routes. We've also been told that "jake brake" laws are not enforceable.

I would encourage you to reach out to MDOT and see if you have any greater success than we have had.

Fondly,

Chris

Christine Burns

102 W. Savidge St., Spring Lake, MI 49456
Ph 616.842.1393  F 616.847.1393
christine@springlakevillage.org
<table>
<thead>
<tr>
<th>Name</th>
<th>Michael Fuqua</th>
</tr>
</thead>
<tbody>
<tr>
<td>Email</td>
<td><a href="mailto:mfuqua1@rochester.rr.com">mfuqua1@rochester.rr.com</a></td>
</tr>
<tr>
<td>Subject</td>
<td>Semi-Truck Traffic</td>
</tr>
<tr>
<td>Message</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dear Village,</td>
</tr>
<tr>
<td></td>
<td>Since I know this website has had issues with receiving &quot;Contact Us&quot; messages, I am following up to my message sent this last Monday in relationship to the high unpleasant semi-truck traffic and unlawful noise levels. I have not received a reply to questions posed, so wanted to validate if prior message was received. Please let me know as I know things get busy and want to assure the website &quot;Contact Us&quot; is now working.</td>
</tr>
<tr>
<td></td>
<td>Thanks,</td>
</tr>
<tr>
<td></td>
<td>Michael Fuqua</td>
</tr>
</tbody>
</table>
Morgan,

Thank you for reaching out to us. Unfortunately, I will not be able to offer any assistance. This would be a civil matter that does not involve the Village. The school should have insurance to cover any damage done by errant balls, but that’s not much comfort, I know. You may want to contact an attorney to work on your behalf so the school understands your level of concern.

Fondly,

Chris

Christine Burns
VILLAGE MANAGER, VILLAGE OF SPRING LAKE
102 W. Savidge St., Spring Lake, MI 49456
p 616.842.1393  f 616.847.1393
christine@springlakevillage.org
Hi!

My name is Morgan Langejans, my family and I just bought a house in spring lake in august of 2021 and are new to the area. While have very quickly fell in love with Spring Lake,, we have encountered an issue with the spring lake school district that I was hoping to resolve with them but they are just giving me the run around so I am not sure what to do. I wanted to reach out and see if someone from the village hall could possibly help us. We live across from the baseball field by the middle school and we have started to have an issue with foul balls coming into our yard and sometimes even hitting our house, cars and we have even had our boat hit. I reached out to Dennis, the super intendant asking if we could find a solution to this as I don't want a ball to end up actually damaging our property. He has told me he cannot promise a solution so our next step was reaching out to the Village Hall. We do have videos of this.

If calling would be easier my number is 616-502-2068.
Hi Jeff,

We’ve pursued this with MDOT in the past. As a road that is controlled by MDOT, they wield all the power for things related to M-104. What we’ve been told by MDOT is that is unenforceable and therefore they will not install signage saying “No Jake Brakes”. We’ve reached out to our local folks (i.e. Verplanks) and they typically adhere to the request. But you’re right, it’s usually the out-of-towners who are the biggest culprits. I wish I could give you a better answer, but the best I can do is to say, “Call MDOT.” Maybe if they hear from enough residents, they will adjust their position??

Sorry 😞

Chris

---

Hi Chris,

Wondering if we should have signage prohibiting engine braking at the entrances to the village. Local truckers don’t usually do it but some of the out of towners do.

Cheers!
Jeff Rollins
Hi Annie,

The Consumers tree crew (Alpine Tree Service) is in my neighborhood. Still far too early in the season to be pruning oak trees in my opinion, particularly given the long, cool spring we’ve had. As we’ve talked about before, insects don’t keep a schedule. Anyway, these tree guys have been pruning away all day on mature oak trees on the street that crosses mine. I just went out to see the damage. The tree crew have not sealed one single cut made on the oak trees – and there are many cuts. On two blocks there are at least four large oaks with open wounds, and who knows how many other oak trees are now out there in other areas with open wounds.

I just spoke to two of the workers who are still on the job. No one had ever heard of Aaron Konn, the Arborist at Consumers Energy, nor did they seem to have any special instructions regarding pruning oak trees. One didn’t know what I was talking about when I said they should be sealing the wounds on the oak trees. One claimed to be a licensed arborist himself and yet he still didn’t seal the wounds. Said he had a can of sealer in the truck and for reasons unknown he didn’t use it. I pointed out that it’s going to make more work for the crew to have to go back and seal all the wounds now – should be doing it as they go. No reaction to that.

I’m copying in our Village Manager, Christine Burns, who was essential in getting our pruning schedule for Spring Lake Village pushed out (for what that was worth since we’re still in the high risk period for pruning oaks, and yet they’re here pruning them anyway). I want her to be aware that this is what’s going on. I will contact Consumers Energy as well.

It’s unreal to me that there are licensed arborists out there who still know nothing about oak wilt. Please share this with the Michigan Oak Wilt Coalition so that they understand that Consumers Energy is clearly making little effort to protect our oak trees. It also seems to me that education on the life cycle of the Nitidulidae beetles and their role in the spread of oak wilt fungus should be mandatory for earning certification as a licensed arborist in Michigan.

Fortunately I am still working remote at home all but one day of the week, so I will be ready to take the tree trimmers to task when they show up at my house.

Kind regards,

Judy Stout

Sent from Mail for Windows
Janet,

You say “tree-hugger” like it’s a bad thing 😊. We love our tree huggers here in the Village. We are struggling with a few things when it comes to our young trees, one of which is water. Our crew has also undergone training for planting at the correct depth and how not to girdle a tree with a lawn mower or string trimmer. We just purchased a ton of water bags and hope to have them installed soon. It pains us to lose those trees as well! We do expect some mortality, but not at the rate at which we are losing them.

Thanks for the outreach and keep on huggin’ those trees 😊!!

Fondly,

Chris

---

From: Janet Tyson <stiles.tyson@icloud.com>
Sent: Friday, July 1, 2022 8:30 AM
To: Christine Burns <christine@springlakevillage.org>
Subject: Fwd: Trees

Hi Chris,

I know that I have (for better or worse) a reputation as a tree-hugger. But does it make sense for us to pay for trees to be raised and planted, if we’re going to let them die? Thanks to climate change, we likely will be having longer stretches of higher temperatures and no rain. If we want to be a Tree City, we need to be prepared for that by having water tanks on Village pick-up trucks so that water bags placed around trees can be refilled on a regular basis.

Trees are an investment. They not only help cool our neighborhoods and make them more beautiful (for residents and tourists), they off-set carbon. And, thanks to the recent SCOTUS decision, we need to do all that we can be keep air clean.

Best wishes,

Janet

---

Begin forwarded message:

From: Janet Tyson <stiles.tyson@icloud.com>
Subject: Trees
Date: July 1, 2022 at 12:55:05 PM GMT+1
To: Janet Tyson <stiles.tyson@icloud.com>
Hey! Marie Vaandering stopped by. She (and her husband) live at the condos at 255 Riverfront, with the deck opening right to the kayak launch. She wanted to make sure I mentioned that they have been enjoying watching people launch kayaks, it has been used regularly, and they appreciate all the activity. HOWEVER (you knew that was coming!), for the last few nights there has been a group of teens “camping out” on the launch. They bring chairs, coolers, and fish... and cuss loudly for several hours. One night it went on past 10:00. She doesn’t want “to sound like a party pooper,” but it isn’t really what the launch is meant for; she wondered if maybe some “No fishing” or No loitering” signs might be a good idea. She brought some phone pix, attached. Her # is 616-402-2820.
Thanks Chris!

I sent Penny the grass mowing letter and she just called because she got it in the mail today and said she mowed her grass yesterday! And why was I sending a letter anyway because people know when their lawn needs to be mowed and they aren’t going to kill themselves in the heat. I told her that the letter was mailed before she cut the grass and I was doing my job. She said she didn’t care if I was doing my f***&ing job. I hung up then. She just emailed me. I’ll keep you posted.

Maryann

Maryann Fonkert
DEPUTY CLERK, CMHC, VILLAGE OF SPRING LAKE
102 W. Savidge St., Spring Lake, MI 49456
p 616.842.1393  f 616.847.1393
maryann@springlakevillage.org
Thank you for hanging up on me. So here is an email. You have to pull the fucking pole out of your ass and leave people alone if you do not have better things to do than go around measuring the fucking grass then you better find something to do. The lawn gets mowed when it is not 80 out and when the humidity is so high that people are going to pass out doing it. And if that does happen then the hospital bill will be sent to you for you to fucking pay. Send us another letter like this and I will take your ass to fucking court and sue you for harassment.
Lady I do not know what the fuck is your deal with us now. Is it because I have a flag that says "God, Guns and Guts it's the American way? I am not taking it down and the items you are talking about I can get your ass for Trespassing on our property. So BACK YOUR FUCKING ASS OFF OR I WILL GET YOU FIRED!!!!
Ms. Van Gelderen,

In your communication below, you indicate that “you keep getting letters from her [Maryann Fonkert] in the mail”. Maryann is, in fact, responsible for mailing Code Enforcement letters to residents who are in violation. Our records indicated that you have received two letters from the Village in 2022. The first Code Enforcement letter was mailed on 06/21/22 regarding your tall grass. The letter was mailed prior to the mowing of the grass, which occurred on 06/23/22. Based on weather history for Spring Lake the temperatures leading up to the letter, with the exception of 06/22/22, were actually quite temperate. Precipitation was non-existent and yet the grass still exceeded our ordinance, which indicates that it had not been mowed in quite some time.
Of further note is that the ordinance does not take into consideration temperatures, it simply indicates that when your grass is over 10” tall, that we will send a reminder notice to you. Your grass was well over the 10” allowed by the time the letter was sent.

A second letter Code Enforcement letter (attached) was mailed on 06/29/22 and is in regard to unwholesome substances accumulating on the north side of your property (photo attached). The ordinance does not take into consideration the regularity of use of the door nearest the unwholesome substance. It simply states that you cannot accumulate such on your property.

Rest assured, the Code Enforcement letters have nothing to do with any flag placed on your property. I have also instructed staff that they are not obligated to endure your foul language and verbal abuse via phone or via email. In the future, if you have questions or concerns regarding any Village issue, please direct them to me.

Sincerely,
From: no-reply@springlakevillage.org <no-reply@springlakevillage.org>
Sent: Friday, July 1, 2022 1:14 PM
To: Communications <communications@springlakevillage.org>
Subject: New Contact Form Submission

Name
Penny Van Gelderen

Email
pennyvg@charter.net

Subject
Maryann Folkert

Message
We keep getting letters from her in the mail. The first one is my son mowed the yard and a day later we got a letter from her to mow the lawn because it was taller than 10”. we get the lawn mowed, but not when it is 80 or 90 and high humidity if she wants it done then she better come over here and to it her self. Now we get a letter from her about boxes in our back yard by our door. The door she is talking about we do not use. the things he is talking about will be getting taken care of I do not like getting threatening letters from this bitch and she better back off. This all started when I put a flag on my house "God, Guns and Guts it's the American way" now she finds every excuse to send us threatening letters in the mail. Please make her stop sending letters to us getting tired of it.
VILLAGE OF SPRING LAKE
NOTICE AND ORDER
VILLAGE CODE OF ORDINANCES, CHAPTER 202.
GRASS AND WEEDS

DATE: 06/21/2022

LOCATION: 103 E SAVIDGE ST

OWNER: VANGELDEREN KEVIN-PENNY

PROPERTY ID #: 70-03-15-380-005

PLEASE TAKE NOTICE, the Code Compliance Official for the Village of Spring Lake, has inspected, or caused to be inspected, the property commonly known as 103 E SAVIDGE ST, permanent parcel # 70-03-15-380-005, Spring Lake, Michigan, and has determined that the property is in violation of the Village of Spring Lake Ordinances Chapter 202.

The following violation was observed:

1. Long grass and weeds greater than 10 inches in height.

Please have the grass mowed within five (5) days from the date of this notice.

The property will be inspected thereafter to determine if the violation has been abated. If the violation has not been abated within the stipulated time, the Village will need to enter upon the property to abate the violation and charge the minimum cost of $100 per lot, plus the actual costs involved. This fee would need to be levied and collected against the property in the same manner as general taxes.

Thank you in advance for your assistance in this issue. If you have any questions regarding this Notice of Order, please contact me at 616-842-1393 or by email at maryann@springlakevillage.org.

Maryann Finkert, Deputy Clerk

Enclosure: Chapter 202.
NOTICE OF VIOLATION

VILLAGE OF SPRING LAKE
SPRING LAKE, MICHIGAN

CODE OF ORDINANCES

CHAPTER 263 ARTICLE I.
UNWHOLESOME SUBSTANCES

DATE: 06/29/2022
LOCATION: 103 E SAVIDGE ST
OWNER: VANGELDEREN KEVIN-PENNY
PROPERTY ID #: 70-03-15-380-005

PLEASE TAKE NOTICE, that the subject address is in violation of the Village of Spring Lake Code of Ordinance Chapter 263 – Unwholesome Substances.

The following violation was observed: Boxes and junk/trash piled around the back door.

The boxes and junk/trash must be removed within 14 of the date of this letter or the Village will take all necessary action to enforce the Code of Ordinance including issuing a Municipal Civil Infraction Ticket or other legal action.

Thank you in advance for your cooperation. If you have any questions regarding this Notice of Violation, please contact me at 616-842-1393 or by email at maryann@springlakevillage.org.

Maryann Forkert, Deputy Clerk

Cc: Christine Burns, Village Manager
Lukas Hill, Zoning Administrator

Enclosure: Chapter 263
Thanks Mary,

I will pass EW’s message on. 😊

Maryann

Mary Reck
Deputy Clerk, CMMC, Village of Spring Lake
102 W. Savidge St., Spring Lake, MI 49456
☎ 616.842.1393  ❄ 616.847.1393
maryann@springlakevillage.org

Elizabeth would like somebody to know there have been dogs at Lakeside Beach; a child could be bitten, or they could “drop their doo-doo in the sand.”

Thank you,
Mary Reck, Reception
Patrick,

I think we can all agree that saying this piece of construction equipment, shown in the photo, is “blocking the driveway” is a gross exaggeration.

There was a barricade (with an attendant) to prevent people who didn’t have a handicapped placard on their vehicle from coming down S. Division and turning around in your driveway during the ribbon cutting ceremony. We were attempting to accommodate your condo development, as was requested. The barricade was up for about an hour and was staffed the entire time. Anybody who lives in your development had 100% ingress/egress during the entire ribbon cutting ceremony.

Further, every Village resident was mailed a post card, letting them know of the ribbon cutting ceremony. It was in the weekly Village Constant Contact, on the Plantenga Board, in the Grand Haven Tribune, and on every social media outlet available to us. I’m not sure what else we could have done to let you know about the event. In the future, when events are scheduled at the park, we will not be going to such lengths to notify any of the neighbors. It is, after all, a public park and has been for more than a century.

Fondly,

Chris

Christine Burns

VILLAGE MANAGER, VILLAGE OF SPRING LAKE
102 W. Savidge St., Spring Lake, MI 49456
P 616.842.1393  F 616.847.1393
christine@springlakevillage.org

From: Patrick Wittkopp <pat2lori@comcast.net>
Sent: Monday, June 13, 2022 5:04 PM
To: Christine Burns <christine@springlakevillage.org>
Cc: Dave Chesney <dches23@aol.com>; Carol A. Breuker <Carol.Breuker@spectrumhealth.org>
Subject: Crane blocking driveway
Is it just me or is parking this equipment right in front of our condo driveway not seem like a good neighborly thing to do.

Friday our road was blocked off for the tomato stand opening.

Nice communication...

Patrick
June 16, 2022

Ms. Christine Burns
Village of Spring Lake
102 West Savidge Street
Spring Lake, MI 49456

Dear Friends,

As you requested, enclosed is a check in the amount of $930,000.00 which represents a distribution from the Tanglefoot Park Fund of the Community Foundation, for the fiscal year beginning January 1, 2022. In accordance with the fund agreement, this grant will support the construction of Tanglefoot Park.

We are happy to be in a partnership to help support programs that enhance the community. If you have any questions about this grant, please email me at hcole@ghacf.org.

Sincerely,

Holly Cole
Vice President of Grants and Program
Grand Haven Area Community Foundation
Debra,

Just a reminder that the Village has opted out of the Heroes and Legends Dinner again in 2022. We will not be sending any attendees.

Thank you for the outreach,

Fondly,

Chris

Christine Burns
VILLAGE MANAGER, VILLAGE OF SPRING LAKE
102 W. Savidge St., Spring Lake, MI 49456
P 616.842.1393  F 616.847.1393
christine@springlakevillage.org

From: Marco Polo <mark.powers.jd@gmail.com>
Sent: Thursday, June 30, 2022 6:45 PM
To: CGF Support <support@coastguardfest.org>; Christine Burns <christine@springlakevillage.org>
Subject: Re: Coast Guard Festival Dinner

Chris, see below.

On Thu, Jun 30, 2022, 5:25 PM CGF Support <support@coastguardfest.org> wrote:

Good afternoon,

We have not received a list from the Village of Spring Lake as to whom will be attending the Coast Guard Festival’s Heroes and Legends Dinner this year. I have attached the letter that was sent out earlier this month with some of the
details. Please let us know if you have any questions. Invites are going out next week so if we could have your list tomorrow, Friday July 1st, that would be great. Otherwise, if you could communicate when you can have the list to us, we would appreciate it.

Thanks so much,

Debra Murak

Grand Haven Coast Guard Festival
Finance & Office Manager
113 N. Second Street
Grand Haven, MI 49417
(616) 846-5940
Marie,

We pay to drop off our leaves at Verplank docks. They use the spoils from dredging and our leaves to make a product that they sell. It is not available to the public.

Thanks,

Chris

---

Christine Burns

From: Christine Burns
Sent: Tuesday, June 21, 2022 9:56 AM
To: Marie Graham
Cc: Wally Delamater; Communications
Subject: RE: New Contact Form Submission

Marie,

We pay to drop off our leaves at Verplank docks. They use the spoils from dredging and our leaves to make a product that they sell. It is not available to the public.

Thanks,

Chris

---

Marie Graham <grahammfg@gmail.com>
Sent: Tuesday, June 21, 2022 9:55 AM
To: Christine Burns <christine@springlakevillage.org>
Subject: Re: New Contact Form Submission

Christine,

What I’m really wondering about is if the composted material from the collected leaves is available for village resident use.

Thank you,

Marie

---

On Mon, Jun 20, 2022 at 5:02 PM Christine Burns <christine@springlakevillage.org> wrote:

Hi Ms. Graham,

The Village does not have a compost site for resident drop off. We collect leaves each fall using a leaf vac and we collect brush 1x per month during the summer. Any other compost must be collected by your waste hauler (if you live in the Village). You would need to reach out to the township for their specific offerings.

Fondly,

Chris
From: no-reply@springlakevillage.org <no-reply@springlakevillage.org>
Sent: Thursday, June 16, 2022 4:58 PM
To: Communications <communications@springlakevillage.org>
Subject: New Contact Form Submission

Name
Marie Graham

Email
grahammfg@gmail.com

Subject
Composting

Message
I have 2 questions regarding composting:
- Does Spring Lake Village/Township have a site available for dropping off items for composting - such as food waste, lawn
clippings, etc.?
- Are the leaves collected in the fall composted and if so, is the compost available to village residents?

Thanks for the information.
FIRST NOTICE
02/01/2022

KIDD, FRED
15813 MARGARET
SPRING LAKE, MI 49456

RE: Short Term Rental at 117 S LAKE AVE

Dear Mr. Kidd,

It has come to our attention that the property at 117 S LAKE AVE, is currently being listed as a short term rental. You may not be aware, but the Village regulates short term rentals as a Special Land Use. This means it is a use that requires review by the Village Planning Commission for approval prior to any renting occurring for the property.

As of the date of this letter, no such approval has been granted and it appears the property is in violation of the Spring Lake Village Zoning Ordinance. Section 390-137.32 of the Zoning Ordinance regulates short term rentals in the Village and is attached for your review. Furthermore, all rentals within the Village require an annual registration and bi-annual inspection to ensure all rentals are in compliance with the Village’s Rental Unit Ordinance.

This office would like to solicit your cooperation in correcting the violation on, or before, fourteen (14) days from the date of this letter by doing one of the following:
- Remove the listing from all rental websites/listing services and immediately cease rental of the property.
- Apply for a Special Land Use for a short term rental at the property.
  - If the application is not approved renting must immediately cease.

The following documents are enclosed for your reference:
- Short term rental ordinance
- Special Land Use application
- Short term rental narrative information

If this date is inconvenient, or if you have questions regarding this matter, please contact our office at (616) 842-1393 or at maryann@springlakevillage.org

Thank you in advance for your anticipated cooperation.

Best regards,

Maryann Funkert
Deputy Clerk

[Enclosure(s)]
Occupied, Inc.
Frederick Kidd
15813 Margaret Ave.
Spring Lake, MI 49456

Re: 117 S. Lake Ave.
SECOND NOTICE; CEASE AND DESIST

Dear Occupied, Inc. and Mr. Kidd:

This office represents the Village of Spring Lake (“Village”) in ordinance enforcement matters, including violations of the Village’s short-term rental and zoning ordinances. This letter concerns the property located at 117 S. Lake Ave. (“Property”).

As the Village explained in its February 1, 2022, letter (copy enclosed), use of the Property for short-term rental is allowed only with prior Special Land Use approval, and then only in compliance with the applicable ordinances, including the Village’s Rental Unit Ordinance.

In an effort to avoid legal action, the Village requested your voluntary cooperation in bringing the Property into compliance. The Village provided you with an opportunity to either (1) apply for Special Land Use approval which, if granted, would authorize the use of the Property for short-term rental, or (2) cease the unlawful use of the Property. Despite the Village’s efforts to resolve this matter without further enforcement action, the Property is still being used and offered as a short-term rental and no Special Land Use application has been received. In fact, as of today, the Airbnb listing allows public users to reserve short-term rentals at the Property (referred to on the site as the “Floral Stock Cottage”) for various dates to September 1, 2022. The site indicates there are several future dates already reserved. It also displays user reviews showing that the Property has been rented multiple times since November 2021 when you acquired it—including in February 2022 after the Village notified you of the violation.

Unlawful use or occupancy of the Property in violation of Village ordinances is a municipal civil infraction violation for which fines, costs and costs of prosecution (including attorney fees) may be awarded against the responsible person(s). It also constitutes a public nuisance that may be abated by injunctive or other equitable relief by the Court. To avoid legal action, you and your agents must IMMEDIATELY CEASE AND DESIST ALL UNLAWFUL SHORT-TERM RENTAL ACTIVITY AT THE PROPERTY, OR SUBMIT A SPECIAL LAND USE APPLICATION TO THE VILLAGE NO LATER THAN FEBRUARY 28, 2022. Failure to do so will result in enforcement proceedings against the owner, its agents, and/or any other persons owning or occupying the Property in violation of Village ordinances. No additional notices will be issued prior to enforcement action, including initiation of court proceedings.
To expedite the resolution of this matter, please submit written documentation to this office no later than February 28, 2022, confirming that (1) the short-term rental activity has been terminated; or (2) you submitted a Special Land Use application to the Village. You may send the documentation via email at crystal@crystalmorganlaw.com or via fax at (616) 607-2808. Your cooperation is appreciated.

Sincerely,

Crystal Morgan

Enclosure

cc(w/encl): Village File
Occupied, Inc., c/o Frederick Kidd, 117 S. Lake Ave., Spring Lake, MI 49456
FIRST NOTICE

02/01/2022

KIDD, FRED
15813 MARGARET
SPRING LAKE, MI 49456

RE: Short Term Rental at 117 S LAKE AVE

Dear Mr. Kidd,

It has come to our attention that the property at 117 S LAKE AVE, is currently being listed as a short term rental. You may not be aware, but the Village regulates short term rentals as a Special Land Use. This means it is a use that requires review by the Village Planning Commission for approval prior to any renting occurring for the property.

As of the date of this letter, no such approval has been granted and it appears the property is in violation of the Spring Lake Village Zoning Ordinance. Section 390-137.32 of the Zoning Ordinance regulates short term rentals in the Village and is attached for your review. Furthermore, all rentals within the Village require an annual registration and bi-annual inspection to ensure all rentals are in compliance with the Village’s Rental Unit Ordinance.

This office would like to solicit your cooperation in correcting the violation on, or before, fourteen (14) days from the date of this letter by doing one of the following:

- Remove the listing from all rental websites/listing services and immediately cease rental of the property.
- Apply for a Special Land Use for a short term rental at the property.
  - If the application is not approved renting must immediately cease.

The following documents are enclosed for your reference:

- Short term rental ordinance
- Special Land Use application
- Short term rental narrative information

If this date is inconvenient, or if you have questions regarding this matter, please contact our office at (616) 842-1393 or at maryann@springlakevillage.org

Thank you in advance for your anticipated cooperation.

Best regards,

Maryann Funkert
Deputy Clerk

[Enclosures]
February 25, 2022
Maryann Fonkert, Deputy Clerk
Village of Spring Lake
102 W. Savidge Street
Spring Lake, Mi 49456

RE: Short Term Rental Application, 117 S Lake Ave.

Dear Maryann,

Please find the attached application for a Short Term Rental at 117 S Lake Ave, Spring Lake Michigan, 49456. I have reviewed the ordinance and believe that this property meets all the criteria set forth in the zoning ordinance. It is a 2 bed, 1 bath property that, once approved for special use, will house an estimated 250 unique travelers to the Village and Township in one calendar year.

I don’t anticipate any expected effect in regards to emergency service requirements. My travelers will not be attending the schools and will have no impact. My travelers should have zero impact on the storm water systems. My property will use no more services for sanitary sewer facilities than a typical family of four living in the Village. My anticipated occupancy of the home is only 290 days a year and therefore will be consuming less Village services, and contribute less automobile circulation patterns and reduced local traffic volumes.

In reference to the Section 390-199, 15A:

With a lot area of 6084 sq. ft., my property meets the minimum lot area requirement. The property supplies three off-street parking spaces which accommodates up to nine guests. We limit our occupancy to six persons and discourage more than four occupants. We supply no fire pit. Our outdoor patio is enclosed completely by a 6’ fence and is more than 3’ from the property line. We meet the occupancy limits as described under the 2018 IPMC Section 404 “Occupancy Limitations”. A copy of our floorpan is attached.

No separate cooking facilities are located or allowed in the sleeping rooms.
Please let me know if there are any additional clarifications I can provide in reference to this application.

Respectfully,

Frederick C Kidd III
President, Occupied Incorporated

[Enclosure(s)]
cc(w/encl): Crystal Morgan
1. Project Information
   Address/location: 117 S. Lake
   Name of Development: 
   Parcel #: 70-03-15-410-024 Lot Area in Acres or Sq. Ft 6084
   Zoning District: Single Family Master Planned Zoning TR

2. Applicant
   Name: Frederick C. Kidder
   Company: Occupa Incorporated
   Address: 15813 Margaret Ave 49456
   Phone: 773-760-7219 Email: info@occupa.com

3. Property Owner
   Name: Occupa Incorporated
   Company: 
   Address: 15813 Margaret Ave 49456
   Phone: 773-760-7219 Email: info@occupa.com

Details of Proposed Request (attach additional pages if needed):

Short term rental application for 117 S. Lake Ave
By signing below, permission is granted for Village staff, including Planning Commissioners, to enter the subject property for purpose of gathering information to review this request. In addition, the applicant agrees to perform the described work in accordance with all applicable Sections of the Village of Spring Lake Code of Ordinances. Signer will insure that all inspection requests are made a minimum of 24 hours prior to the requested time.

Signature of Applicant: [Signature]
Print Name: [Name]
Date: 2/13/20XX

Signature of Owner: ___________________________ Date: ___________________________
Print Name: ___________________________

Office Use Only

Permit #: ___________________________ Date Received: ___________________________ Fee: ___________________________

Date of Approval: ___________________________ Date of Denial: ___________________________ Approved by: ___________________________

Conditions of Approval:

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________

________________________________________________________________________________________
117 S LAKE AVE - GROUND FLOOR

18'11" x 20'3"
GARAGE

13'11" x 9'3"
DINING AREA

11'3" x 10'6"
LIVING AREA

13'9" x 11'2"
BEDROOM

7'8" x 11'2"
BEDROOM

Foyer

CL

CL

854 SQ FT
Pay to the Order of: Village of Spring Lake $250
Four Hundred Fifty Dollars

WEST SHORE BANK
Ludington, Michigan

For: App. Fee 1175 Lake Ave

Pay to the Order of: Village of Spring Lake Escrow Account $1000
One Thousand Dollars

WEST SHORE BANK
Ludington, Michigan

For: Escrow: 1175 Lake Ave

Date: February 14, 2022
Feb 14, 2022

CHECK Armor

For: 1175 Lake Ave

For: 1175 Lake Ave

For: 1175 Lake Ave

For: 1175 Lake Ave
MEMORANDUM

Date: April 20, 2022

To: Village of Spring Lake Planning Commission

From: Cassandra Hoisington – Associate Village Planner

Subject: Special Use – Short Term Rental – 117 S Lake Avenue

BACKGROUND

The property owner, Frederick Kidd – owner of Occupied Inc., is requesting a Special Use permit to continue a short term rental (STR) at 117 S Lake Avenue. The short term rental has been operating since November 2021 without approval by the Planning Commission.

SPECIAL LAND USE REQUIREMENTS

Section 390.199.15.1 outlines the special use requirements for short term rentals:

Lot Size

The property is a legal lot of record with dimensional nonconformities:

- The property does not meet the minimum lot area requirement of 8,000 sqft.
- The minimum width required for lots in SFR is 66’ and this property is 52’ wide on the eastern lot line.
- Additionally, the house is legally nonconforming as it does not meet the front yard setback of 25’ on either front yard.

In a situation where the property does not comply with the minimum district standards the Planning Commission may request conditions of approval to mitigate adverse effects on neighboring properties or ultimately deny the request.
The Planning Commission will need to determine if the site is appropriate for a short term rental given the non-conformities.

**Occupancy**

The dwelling has two bedrooms and is capable of sleeping a maximum of four individuals per the International Property Maintenance Code.

- Bedroom #1 – 86 sqft – occupancy of one person
- Bedroom #2 – 153sqft – occupancy of three people

The applicant had requested an occupancy of six people, which is not possible for this site. The Airbnb listing includes a sleeping sofa, which is prohibited by the Zoning Ordinance.

No separate cooking facilities are provided in any sleeping rooms.

**Off-Street Parking**

The Zoning Ordinance requires two spaces based on the occupancy load of four people. The applicant has indicated this requirement is met with three available parking spaces.

**Outdoor Recreation**

There is no fire pit on the property. The existing patio is more than 3' from the property lines. A fence surrounds the pool and patio.

**SAMPLE MOTIONS**

If the Planning Commission finds the application meets the required standards, the following motion can be offered:

**Motion to conditionally approve** the Special Land Use request by Frederick Kidd for a Short Term Rental located at 117 S Lake Avenue because the application meets the standards of the Spring Lake Village Zoning Ordinance. This motion is subject to the report of findings and the following conditions:
1. The sleeping occupancy is estimated at four (4) people, which requires two (2) parking spaces.

   - The sleeping occupancy will be verified by the Village staff after inspection of the proposed rental occurs, including inspection of the bedroom size and ceiling height as determined by the requirements of the International Property Maintenance Code (IPMC).

   - Sleeping shall only occur within the bedrooms with the occupancy of each room determined by the International Property Maintenance Code.

2. The short-term rental shall be maintained in compliance with the submitted site plan and floor plan.

3. The applicant will comply with any other local, state, and federal laws.

4. The applicant will comply with all written and verbal representations.

If the Planning Commission finds the application does not meet the required standards, the following motion can be offered:

**Motion to deny** the Special Land Use request by Frederick Kidd for a Short Term Rental located at 117 S Lake Avenue because the request does not meet the criteria of Section 390.137.32 of the Zoning Ordinance for the following reasons:

1. *List reasons for denial…*

If the Planning Commission finds the applicant must make revisions, the following motion can be offered:

**Motion to table** the short-term rental application and direct the applicant to make the following revisions:

1. *List the revisions:

---

**REPORT (to be used with a motion for approval)**

1. This approval is based on the affirmative findings that all standards of the Special Land Use Criteria outlined in §390-134 have been fulfilled:
   
   A. That the use is designed and constructed, and will be operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the area in which it is proposed.
   
   B. The use is consistent with the adopted Spring Lake Village Master Plan.
   
   C. The authorized use is compatible with adjacent uses of land, the natural environment and the capacities of the public services and facilities affected by this use.
D. The use is, or will be, served adequately by public services and facilities, including, but not limited to streets, police and fire protection, drainage structures, refuse disposal, water and sewer facilities and schools.

E. The use does not involve activities, processes, materials and equipment or conditions of operation that is unreasonably detrimental to any persons, property or the general welfare by reason of excessive traffic, noise, smoke, fumes, glare or odors.

F. The buildings, structures, and entrances are situated and designed to minimize the adverse effects upon owners and occupants of adjacent properties and the neighborhood.

G. The site plan and special land use comply with the specific requirements contained in §390-137 of this article, as applicable.

2. The application meets the site plan review standards of §390-126 of the Zoning Ordinance. Specifically, the Planning Commission finds as follows:

A. The use proposed will preserve to the greatest extent practical, the existing natural features of the site, including vegetation, topography, water features, and other such features. Only the areas under actual development will be disturbed.

B. Buildings and structures are proposed to be placed in an orderly, logical fashion consistent with its surroundings and intent of the district. Where open spaces are proposed, it is located and arranged in a manner which provides view protection, visual relief, physical separation, environmentally sensitive area protection, and/or recreational value to the site and surrounding properties.

C. The proposed use will preserve the views from adjacent properties and streets open to water areas to the greatest extent practical. Placement and height of buildings and locations of open spaces make reasonable provision for protecting existing views.

D. The use proposes proper relationships between the existing streets within the vicinity, including deceleration lanes, service drives, entrance and exit driveways, and parking areas to provide safe and convenient movements of pedestrians, bicycles, and vehicles. Streets, access plans, and/or ingress/egress drives conform to the current regulations of the Village and MDOT.

E. The proposed use has given special attention to proper site surface drainage, so the removal of surface waters does not adversely affect neighboring properties, the public storm drainage system, or nearby bodies of water. Surface water will be collected at designated intervals to prevent standing water that would obstruct vehicle and/or pedestrian traffic. The standards of the Spring Lake Stormwater Management Ordinance are met.

F. All utilities for the proposed use are provided in a manner least harmful to surrounding properties and the utilities are located underground (as applicable), unless specifically waived by the Planning Commission.

G. The proposed use will be screened from view from adjoining streets and properties for any exposed storage areas, trash receptacles, machinery installations, service areas, truck unloading areas, utility buildings and structures, and similar accessory areas. Screening complies with Article XIV.

H. The site plan for the proposed use provides adequate access to the site and all buildings on the site by emergency vehicles.

I. The proposed use provides an orderly transition for all structures to adjacent development of a different scale.

J. The site plan for the proposed use provides outdoor common areas and associated amenities for employees, customers, and/or residents which may include public trash receptacles, bike racks, seating areas, recreation areas, shade trees, bus stop turnouts, and similar facilities; where appropriate.

K. The proposed use complies with all applicable local, state and federal approvals prior to issuing a land use permit.

L. The site plan for the proposed use is consistent with the intent and purpose of this Ordinance.
Hi Fred

As I explained in the email below dated April 29th, and Cassie explained in a letter dated May 9th, revised listings to comply with the conditions of approval, a completed Rental Registration application, the $30 fee, and an inspection are required.

You have dropped your occupancy on both VBRO and Airbnb to 4, however, you are still showing the living room couch as an option for sleeping. Beds in bedrooms are your only sleeping option per the occupancy conditions of your approval.

Your escrow will be returned when the conditions of your approval have been met.

Respectfully,

Maryann

Maryann Fonkert
Deputy Clerk, CMMC, Village of Spring Lake
102 W. Savidge St., Spring Lake, MI 49456
P 616.842.1393 F 616.847.1393
maryann@springlakevillage.org

Thank you. I have sent in payment.

When can I expect the return of my $1000 escrow?

Respectfully,

Frederick C. Kidd III
Occupied Incorporated
773.720.7229
info@occupiedincorporated.com
On Apr 29, 2022, at 2:43 PM, Maryann Fonkert <Maryann@springlakevillage.org> wrote:

Hi Fred,

Now that 117 S Lake has been conditionally approved as a Short-Term Rental, registering as a rental with the Village and an inspection are required to receive your Certificate of Compliance and Short-Term Rental Certificate. Registration will be annual (in January going forward) and inspections are required every other year after the initial inspection. I have attached the Rental Registration application, invoice for the registration fee of $30, and Rental Ordinance. Once you have registered and the fee is paid, please contact Michigan Township Services (231-865-3310) to schedule your inspection. There is a fee associated with the inspection.

Please do not hesitate to contact me or Cassie with any questions.

Best Regards,

Maryann

Maryann Fonkert
<image001.png>
102 W. Savidge St., Spring Lake, MI 49456
p 616.842.1393 f 616.847.1393
maryann@springlakevillage.org

<image002.png>

<Annual Rental Registration Form rev 6-17-20.pdf><117 S Lake rental registration 4-29-22.pdf><353 Ord. Rental Registration chapter 271.pdf>
May 9, 2022

Frederick C Kidd, III
15813 Margaret Avenue
Spring Lake, MI 49456

RE: Short Term Rental at 117 S Lake Avenue

Dear Mr. Kidd,

It has come to our attention that the short term rental at 117 S Lake Avenue is not in compliance with the conditions of approval. Occupancy was set to a maximum of four people: one person in Bedroom #1, three people in Bedroom #2. No sleeping may occur on sofas or living rooms.

This office would like to solicit your cooperation in correcting the violation on, or before, ten (10) days from the date of this letter by doing the following:

- Revise all rental listings to comply with the conditions of approval.
  - Including occupancy per room and sleeping surfaces.
- Submit Rental Registration Application.
  - Including Registration Fee.
- Schedule a rental inspection for the property.

If these conditions are not met the special land use approval shall be subject to revocation by the Planning Commission.

If you have questions regarding this matter, please contact me at (616) 604-6340 or at choisington@ght.org.

Thank you in advance for your anticipated cooperation.

Best regards,

Cassandra Hoisington
Village Planner

Enclosures
Occupied, Inc.
Frederick Kidd
15813 Margaret Ave.
Spring Lake, MI 49456

Re: 117 S. Lake Ave.; Special Use Permit
NOTICE OF VIOLATION; CEASE AND DESIST

Dear Occupied, Inc. and Mr. Kidd:

As you know from my February 17, 2022, letter, this office represents the Village of Spring Lake ("Village") in ordinance enforcement matters, including violations of the Village’s short-term rental and zoning ordinances. This letter concerns the property located at 117 S. Lake Ave. ("Property").

The Village has informed my office that while you obtained conditional special land use approval on April 26, 2022—which would allow you to use the Property for short-term rentals—you have failed to comply with the conditions of that approval. Specifically, you were required to:

1. Submit a Rental Registration application, along with the $30 rental registration fee;
2. Schedule an inspection of the Property; and
3. Bring your advertisements into compliance with the conditions of approval. The Property was approved for an occupancy of four (4) and while your advertisement says the Property sleeps four (4), you are still advertising three (3) beds, one of which is a pull-out sofa in the living room which you are not permitted to advertise as a bed. Per Village ordinances, the only allowable sleeping surfaces are beds located in bedrooms, as approved by the Village.

You were reminded of the conditions in emails dated April 29, 2022, and May 17, 2022. Village Planner Cassandra Hoisington further informed you of these violations in a letter dated May 9, 2022. Her letter informed your that if the conditions were not met, the special land use approval was subject to revocation by the Planning Commission.

This is the Village’s final attempt to resolve this matter amicably and expeditiously, without the need for legal proceedings, and without the serious consequences that flow from revocation of a special use permit, which can occur when the conditions of approval are not satisfied and/or the Property is used in violation of the approved conditions.
To avoid legal action or the scheduling of a hearing to consider revocation of the special use permit, you and your agents must (1) IMMEDIATELY CEASE AND DESIST ALL SHORT-TERM RENTAL ACTIVITY AT THE PROPERTY UNTIL ALL CONDITIONS OF APPROVAL ARE SATISFIED; AND (2) COMPLY WITH ALL CONDITIONS OF APPROVAL NOT LATER THAN CLOSE OF BUSINESS ON MAY 27, 2022.

If you have questions about this letter, you may contact my office at (616) 607-2800. To obtain another copy of the application, please contact the Village directly.

Sincerely,

[Signature]

Crystal Morgan

cc: Village File
Occupied, Inc., c/o Frederick Kidd, 117 S. Lake Ave., Spring Lake, MI 49456
Via email to info@occupiedincorporated.com
June 2, 2022

Occupied, Inc.
Frederick Kidd
15813 Margaret Ave.
Spring Lake, MI 49456

Re: 117 S. Lake Ave.; Special Use Permit
FINAL NOTICE OF VIOLATION

Dear Occupied, Inc. and Mr. Kidd:

This is a follow-up to my May 23, 2022, letter, which identified three items that required your attention before May 27, 2022. The Village of Spring Lake (“Village”) has informed me that you completed the first item by submitting the Rental Registration application and registration fee. To avoid further enforcement action, it is imperative that you complete the remaining two items no later than close of business tomorrow:

1. Schedule an inspection of the property. To schedule the inspection, you must contact Michigan Township Services directly at (231) 865-3310.

2. Bring your advertisements into compliance with the conditions of approval. The property was approved for an occupancy of four (4) and while your advertisement says the property sleeps four (4), you are still advertising three (3) beds, one of which is a pull-out sofa in the living room which you are not permitted to advertise as a bed. Per Village ordinances, the only allowable sleeping surfaces are beds located in bedrooms, as approved by the Village.

The Village would like to close its enforcement file on this matter. Thus, please contact my office at crystal@crystalmorganlaw.com or (616) 607-2800 to confirm that you have completed these items.

Sincerely,

Crystal Morgan

cc: Village File
Via email to info@occupiedincorporated.com
# Rental Inspection Check List

**Property Address:** 117 S. Lake Ave

**Agent:**

**Owner's Name:** Frederick Kidd

**Address:** 15813 Margaret Ave

**City:** Spring Lake

**State:** MT

**ZIP:** 49456

**Phone:** (733) 720-7229

## Main Floor

<table>
<thead>
<tr>
<th>No.</th>
<th>YES</th>
<th>NO</th>
<th>Handrails on Stairways</th>
<th>Comments</th>
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<tbody>
<tr>
<td>1</td>
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<td></td>
<td>Handrails on stairways</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td>Outlets and switches in safe working condition</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td>Ventilation</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td>Over-the-rim spigot on old style bathtubs</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td>Walls in good condition</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td>Flooring in good condition</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td>Windows &amp; Screens in good operating condition</td>
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</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
<td>Egress lighting</td>
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</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td>Traps in kitchen and bathroom</td>
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<tr>
<td>10</td>
<td></td>
<td></td>
<td>Leaking plumbing</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td></td>
<td></td>
<td>Water damage/mold</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td></td>
<td>Operational Smoke Detectors</td>
<td></td>
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<tr>
<td>13</td>
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<td></td>
<td>Operational Carbon Monoxide Detectors</td>
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## Upstairs

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<tr>
<td>15</td>
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<td></td>
<td>Outlets and switches in safe working condition</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td></td>
<td></td>
<td>Bathroom plumbing, ventilation, etc.</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td></td>
<td></td>
<td>Water damage/mold</td>
<td></td>
</tr>
<tr>
<td>18</td>
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<td></td>
<td>Walls/Flooring in good condition</td>
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<td>19</td>
<td></td>
<td></td>
<td>Operational Smoke/Carbon Mon. Detectors</td>
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### RENTAL INSPECTION CHECK LIST

#### BASEMENT

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<th>Description</th>
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<td></td>
<td>Head clearance in stairways 6'6&quot;</td>
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<tr>
<td>21</td>
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<td><strong>NO</strong></td>
<td>Handrails on stairways</td>
</tr>
<tr>
<td>22</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Broken/missing light fixtures</td>
</tr>
<tr>
<td>23</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Loose hanging or frayed wiring</td>
</tr>
<tr>
<td>24</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Ground wire bypass around water meter</td>
</tr>
<tr>
<td>25</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Furnace and water heater in good condition</td>
</tr>
<tr>
<td>26</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Furnace/water heater clear of debris</td>
</tr>
<tr>
<td>27</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Ground fault interrupter, if needed</td>
</tr>
<tr>
<td>28</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Chimney clear of debris/in good condition</td>
</tr>
<tr>
<td>29</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Flue pipes securely cemented into chimney</td>
</tr>
<tr>
<td>30</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Drip leg, relief valve, on water heater</td>
</tr>
<tr>
<td>31</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Open Splices/missing cover/lack of junction boxes</td>
</tr>
<tr>
<td>32</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Fuse box over fused/&quot;S&quot; type fusing</td>
</tr>
<tr>
<td>33</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Unused gas pipes capped or plugged</td>
</tr>
<tr>
<td>34</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Foundation and walls in good condition</td>
</tr>
<tr>
<td>35</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Floors in good condition</td>
</tr>
<tr>
<td>36</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Leaking sewer or water pipes</td>
</tr>
<tr>
<td>37</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Dampness/mold</td>
</tr>
<tr>
<td>38</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Smoke/Carbon monoxide Detectors</td>
</tr>
</tbody>
</table>

#### EXTERIOR

<table>
<thead>
<tr>
<th>No.</th>
<th>YES</th>
<th>NO</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>39</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Address number on building <em>(4&quot; high with a minimum stroke width of 1/2&quot;)</em></td>
</tr>
<tr>
<td>40</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Exterior weather proofing/paint in good condition</td>
</tr>
<tr>
<td>41</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Windows/screens in good condition</td>
</tr>
<tr>
<td>42</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Guardrails and handrails on porches and stairways in good condition</td>
</tr>
<tr>
<td>43</td>
<td><strong>YES</strong></td>
<td><strong>NO</strong></td>
<td>Roof in good condition</td>
</tr>
</tbody>
</table>
RENTAL INSPECTION CHECK LIST

44 YES NO Siding, soffits, fascia in good condition

45 YES NO Chimney in good condition

46 YES NO Chimney and flues, proper elevation

47 YES NO Debris in yard
(Potential code violations such as inoperable cars, front yard parking, blight, etc.)

48 ● YES NO Exit lighting

SHORT-TERM RENTAL

49 ● YES NO Ceiling height of 6’8" in habitable rooms, including bathrooms

50 YES NO Number of sleeping surfaces matches the occupancy determined below: 2 Double Beds?

Bedroom Size
Per IPMC - 70 sq. ft. min, 50 sq. ft per additional person minimum:
(70-119 – 1 person, 120-149 – 2 people, 150-179-3 people, 180-210 – 4 people, etc.)

Minimum ceiling height of 7 feet for at least 1/3 of required minimum floor area, only counting those portions of floor area with minimum 5 feet clearance as occupiable space.

Bedroom #1: 13 x 10 = 130 sq. ft = 2 Maximum Occupancy
Bedroom #2: 8 x 9.6 = 76 sq. ft = 1 Maximum Occupancy
Bedroom #3:  x  =  sq. ft = Maximum Occupancy
Bedroom #4:  x  =  sq. ft = Maximum Occupancy
Bedroom #5:  x  =  sq. ft = Maximum Occupancy

51 Total Maximum Occupancy: 3
(Sleeping is restricted/limited to bedrooms only. Couches, futons & hide-a-beds in the living area are prohibited as additional sleeping)

52 On-Site Parking Spaces 4 Includes 1 RV

53 GENERAL COMMENTS

DATE OF INSPECTION: 1/14/2002 PASS [ ] FAIL [ ]
INSPECTION: [ ] 1st [ ] 2nd [ ] 3rd
AGENT OR OWNER'S SIGNATURE: [Signature]
INSPECTOR SIGNATURE: [Signature]
June 22, 2022

Occupied, Inc.
Frederick Kidd
15813 Margaret Ave.
Spring Lake, MI 49456

Re: 117 S. Lake Ave.; Special Use Permit (Occupancy)

Dear Occupied, Inc. and Mr. Kidd:

The Village of Spring Lake (“Village”) has received a copy of the inspection report for your property located at 117 S. Lake Ave. (“Property”). Per the inspection report that is on file with the Village, the maximum allowed occupancy is two (2) persons based upon the measured size of the bedrooms and the standards set forth in the International Property Maintenance Code.

Accordingly, to maintain compliance you must adhere to the occupancy limit and modify all advertisements (including online listings) to reflect that the maximum occupancy is two (2) persons. Failure to comply may subject you to enforcement action, including revocation of the special use permit. Your cooperation is appreciated.

Sincerely,

Crystal Morgan

cc: Village File
Via email to info@occupiedincorporated.com
HI Crystal,

I received your letter regarding the occupancy allowed at my property located at 117 S Lake Ave. in Spring Lake, 49456.

I believe there is an error somewhere and I suspect it is in the measurement of my rooms.

My review of the International Property Maintenance code states the minimum area of a room for one person is 70 sq. ft., and 100 sq ft. for two people.

"404.4.1 Room area. Every living room shall contain not less than 120 square feet (11.2 m2 ) and every bedroom shall contain not less than 70 square feet (6.5 m2 ) and every bedroom occupied by more than one person shall contain not less than 50 square feet (4.6 m2 ) of floor area for each occupant thereof."

My smaller bedroom measures 7’11” x 11’2-1/2” - this equates to 88 square feet. My larger bedroom measures 11’3” x 9’1-1/2 in the middle portion of the room for a total of 102 sq. ft. This does not include the entry that measures 36”x24”(6 sq.) and the front bump out that measures 81-7/8” x 36” (20 sq.) Total for the room 128 sq. ft.

I understand that by the the standards that my current listed occupancy of four persons (two per bedroom) does not comply to the code. My interpretation would allow three persons by law. Your letter below states that I am only allowed two. My I see a copy of the inspection report showing my bedroom sizes?

I look forward to resolving this matter.

Respectfully,

Frederick C. Kidd III
Occupied Incorporated
773.720.7229
info@occupiedincorporated.com

On Jun 22, 2022, at 4:24 PM, Crystal Morgan <crystal@crystalmorganlaw.com> wrote:

Mr. Kidd:
Please see the attached correspondence concerning your special use permit.
Thank you,
Crystal Morgan

From: Crystal Morgan
Sent: Friday, June 3, 2022 1:50 PM
To: Frederick Kidd <info@occupiedincorporated.com>; Maryann Fonkert <maryann@springlakevillage.org>
Subject: RE: 117 S. Lake; Special Use Permit [FINAL NOTICE]

Mr. Kidd:
Thank you for the email and for your prompt attention to the outstanding items. Following the inspection, the Village will process the escrow in due course.

Sincerely,
Crystal Morgan

From: Frederick Kidd <info@occupiedincorporated.com>
Sent: Friday, June 3, 2022 10:23 AM
To: Crystal Morgan <crystal@crystalmorganlaw.com>; Maryann Fonkert <maryann@springlakevillage.org>
Subject: Re: 117 S. Lake; Special Use Permit [FINAL NOTICE]

The inspection for this property has been scheduled and the fee has been paid. I assume my application fee has cleared your bank?
My listings have been updated to remove reference to the sofa bed.

On Jun 2, 2022, at 12:32 PM, Crystal Morgan <crystal@crystalmorganlaw.com> wrote:

Mr. Kidd:
Please see the attached letter.

Sincerely,
Crystal Morgan

<image001.png>

<VSL; LTR 117 S Lake STR [6.2.22].pdf>

<VSL; LTR 117 S Lake STR [6.22.22].pdf>
FIRST NOTICE

02/03/2022

PARKER RICHARD W-LAURA B
753 E SAVIDGE ST
SPRING LAKE, MI  49456

RE: Short Term Rental at 753 E SAVIDGE ST

Dear Mr. & Mrs. Parker,

It has come to our attention that the property at 753 E SAVIDGE ST, is currently being listed as a short term rental. You may not be aware, but the Village regulates short term rentals as a Special Land Use. This means it is a use that requires review by the Village Planning Commission for approval prior to any renting occurring for the property.

As of the date of this letter, no such approval has been granted and it appears the property is in violation of the Spring Lake Village Zoning Ordinance. Section 390-137.32 of the Zoning Ordinance regulates short term rentals in the Village and is attached for your review. Furthermore, all rentals within the Village require an annual registration and bi-annual inspection to ensure all rentals are in compliance with the Village’s Rental Unit Ordinance.

This office would like to solicit your cooperation in correcting the violation on, or before, fourteen (14) days from the date of this letter by doing one of the following:
  • Remove the listing from all rental websites/listing services and immediately cease rental of the property.
  • Apply for a Special Land Use for a short term rental at the property.
    o If the application is not approved renting must immediately cease.

The following documents are enclosed for your reference:
  • Short term rental ordinance
  • Special Land Use application
  • Short term rental narrative information

If this date is inconvenient, or if you have questions regarding this matter, please contact our office at (616) 842-1393 or at maryann@springlakevillage.org

Thank you in advance for your anticipated cooperation.

Best regards,

Maryann Fenkart
Deputy Clerk

[Enclosure(s)]
February 21, 2022

Richard & Laura Parker
753 E Savidge Street
Spring Lake, MI 49456

RE: Short Term Rental at 753 E Savidge Street

Dear Mr. & Mrs. Parker,

Thank you for responding to the violation notice regarding the short-term rental at your property at 753 E Savidge. Upon reviewing the application, it appears the short term rental is to occur in an accessory dwelling unit (ADU). ADUs are a Special Use and are subject to certain standards. Per Section 390-137.01 of the Zoning Ordinance (enclosed), accessory dwelling units are not allowed to be used as a short term rental.

You may use the ADU as a long term rental which is any rental period at least 28 days in duration. This will still require you to register the ADU as a rental with the Village, but long term rentals are not a special land use and do not require review by the Planning Commission.

This office would like to solicit your cooperation in correcting the violation on, or before, ten (10) days from the date of this letter by doing one of the following:

- Remove the listing from all rental websites/listing services and immediately cease rental of the property.

The following documents are enclosed for your reference:

- Special Use standards for an accessory dwelling unit.

If you have questions regarding this matter, please contact me at (616) 604-6340 or at choisington@ght.org.

Thank you in advance for your anticipated cooperation.

Best regards,

Cassandra Hoisington
Spring Lake Village
Contractual Associate Planner

[Enclosure(s)]
June 20, 2022

Richard and Laura Parker
753 E. Savidge St.
Spring Lake, MI 49456

Re: 753/755 E. Savidge St.
NOTICE OF VIOLATION; CEASE AND DESIST

Dear Richard and Laura Parker

This office represents the Village of Spring Lake ("Village") in ordinance enforcement matters, including violations of the Village’s short-term rental and zoning ordinances. This letter concerns the property located at 753/755 E. Savidge St. (PPN 70-03-14-325-042) ("Property").

As the Village explained in its February 2022 correspondence, short-term rentals are prohibited in an accessory dwelling unit ("ADU"). An ADU may be used as long-term rental, which requires a term of 28 or more days per rental period. In March 2022, you notified the Village that your Airbnb advertisement was updated to indicate that the minimum stay was 28 days, and in April 2022 you registered the ADU on your Property as a long-term rental.

Recently, including as of today’s date, you are advertising unlawful short-term rentals at the Property. Your Airbnb listing describes the minimum stay as “2 nights”:

[Airbnb property #51286694, captured June 20, 2022.]
In fact, nowhere does your Airbnb advertisement state that the minimum stay is 28 days as you previously represented to the Village. Your availability calendar indicates not only that there are no 28-day rental periods available or reserved over the next several months, but also that the Property has been reserved and is available for multiple unlawful short-term rentals throughout the summer:

[Image: Airbnb availability calendar]

Despite the Village’s efforts to resolve this matter without further enforcement action, it appears that the Property is still being used and offered as a short-term rental in violation of Village ordinances.

Unlawful use or occupancy of the Property in violation of Village ordinances is a municipal civil infraction violation for which fines, costs and costs of prosecution (including attorney fees) may be awarded against the responsible person(s). It also constitutes a public nuisance that may be abated by injunctive or other equitable relief by the Court. To avoid legal action, you and your agents must **IMMEDIATELY CEASE AND DESIST ALL UNLAWFUL SHORT-TERM RENTAL ACTIVITY AT THE PROPERTY—WHICH INCLUDES ADVERTISING FOR UNLAWFUL SHORT-TERM RENTALS—WITHIN SEVEN (7) DAYS OF THE DATE OF THIS LETTER.**
Failure to do so will result in enforcement proceedings against the owners, their agents, and/or any other persons owning or occupying the Property in violation of Village ordinances. No additional notices will be issued prior to enforcement action, including initiation of court proceedings.

To expedite the resolution of this matter, please submit written documentation to this office no later than June 28, 2022, confirming that (1) the short-term rental activity has been terminated; and (2) you have modified your Airbnb and all other online advertisements to reflect that the minimum rental period for the Property is 28 days. You may send the documentation via email at crystal@crystalmorganlaw.com or via fax at (616) 607-2808. Your cooperation is appreciated.

Sincerely,

Crystal Morgan

cc: Village File
June 21, 2022

Richard and Laura Parker
753 E. Savidge St.
Spring Lake, MI 49456

Re: 753/755 E. Savidge St.

Dear Richard and Laura Parker:

Thank you for your email dated June 20, 2022, and for confirming that you are revising your Airbnb listing to reflect the minimum required stay of 28 days.

You asked why short-term rentals are prohibited on your property located at 753/755 E. Savidge St. (“Property”), while they may be permitted on other properties in the Village of Spring Lake (“Village”). Village ordinances authorize short-term rentals, subject to various requirements, including but not limited to special land use approval. However, as the Village explained in its correspondence, and I mentioned in my letter dated June 20, 2022, Village ordinances prohibit short-term rentals in an accessory dwelling unit (“ADU”). Zoning Ordinance, §390-137.1(A).¹

An ADU is defined as a structure that is designed and/or used for the temporary or permanent dwelling of a person or persons and not integrated into the primary residence on a lot. §390-137.1(B). You have applied for and received approval to use your ADU as a rental unit. Per Village ordinances, the ADU can only be utilized for long-term (28 days or longer)—not short-term—rentals.

You indicated in your email that your ADU has a separate address and driveway. That is not determinative. Village ordinances dictate what can be done per “lot” as that term is defined in §390-7.12 of the Zoning Ordinance. Your residence and ADU are located on the same lot (Parcel Number 70-023-14-325-042) as shown below in an excerpt from the Ottawa County GIS map:

¹ You can access the Village Zoning Ordinance at https://ecode360.com/29411823
Thus, use of the ADU for short-term rentals is prohibited and will subject you and any person owning and/or occupying the Property in violation of Village ordinances to legal action. Thank you for your cooperation in immediately ceasing all short-term rental activity at the Property.

Sincerely,

Crystal Morgan

cc: Village File
I was pleased to watch and hear that most of my comments came up as part of the discussion last night. I'm sorry I couldn't get to the library to be present and in person. A couple additional thoughts:

- If you need an idea of time and cost involved in policing I do believe last summer the police were several times at Malott's old house next to Conkles at the north end of Jackson Street eyeshot from our house. I can only imagine Strawberry Point might have had some issues that can be a gage in determining policing activity cost.
- Many problems I think could be mitigated by writing regulations limiting the number of inhabitants based on beds/baths. This is the way HOA rules for short term rentals are written for a condo I own in a different state. Cole's park and Villa Park I believe used to be associations and if they still are would be good case studies.
- Any home on roads without curbing and street parking should not be included in any permissioned short term rental area in my opinion. There aren't that many streets in the village like this anymore. I live on one of the one way sections with no on street parking which and it is a big problem even for residents all year round and a larger issue due to some new recent ordinances. I do believe this was one of the issues with the Malott's old home. No parking for the times the house was rented with multiple/many cars showing up. I can't imagine what a potential "renter" would do if they were trailering a boat they planned to drop in.
- I want to reiterate how important lot sizes are in determining the "where to allow"...we are 10 feet from our neighbors on one side any maybe a little over 10 from the neighbors on the other side as one home is on their lot line plus our bedroom is 10 feet from the road and setbacks are very small and honestly I would be looking at every legal avenue available to me if either home were to be turned into a short term rental.

Like many last night I am **now not totally opposed** to short term rentals within a block of downtown or near the east end but I do believe the quality of the year round residents needs to be of the first concern before downtown development for figuring out where these houses should be identified.

I was also concerned, if I heard right, that the permits are attached to the house and not to the owner. I don't think that is wise. To me, the permits should belong to the owner and could be transferable but should never be automatic. Part of me also feels the owners should be locally available or at least within reasonable driving distance during peak rental seasons and neighbors to the property should have their names and phone numbers...but that is just a wish. I did like the analogy that these owners who turn houses into short term rentals are businesses and can and
should be regulated in such a manner. They aren't doing this to be "nice people" for the tourists. The tourists can sometimes have an "I'm paying for this so I'm going to do what I want" attitude. HOAs deal with these things all the time.

I'm not familiar with the village B&B ordinances but for me there are many similarities and it might be worth reviewing those rules and regs regarding location etc. B&Bs however, the owners are generally present...not so with short term rentals, a definite negative.

Since this is very much a quality of life issue for local residents as opposed to the tourists, I look forward to hearing about additional ideas and discussion.

Krista (and Scott) Conway
115 Barber Ct.
Spring Lake, MI 49456

Below was my original note to the team:

For the village many of the single family homes are on smaller lots with narrow sideyard setbacks. I do have a concern that an investor could potentially pick up a home in a well established neighborhood of year round residents who could potentially still be working, have small children, pets etc. with the intent of getting into the short term rental gig. Secondly in a large amount of the village, parking is not readily available and in some of the older neighborhoods on the lake there is no on street parking because the streets are narrow and are not curbed. Short term rentals, in my opinion are not conducive to much of the village. At a minimum I would like to see lot size as a component of any single family home permitting for short term rentals if the discussion even tilts toward allowing these types of rentals.

Condos tend to have HOAs and the HOAs set the rules regarding parking, vacationers with pets, number of people allowed by unit size. Most of things are virtually unenforceable for home owners that decide to put their homes on the short term rental market and the "policing" burden falls back to the village. The mitigating factor for homes that are short term rentals is the distance away form neighbors...something the village doesn't have the land luxury of.

In general I am opposed to allowing short term rentals in owned homes in the village and see down sides more than upsides.
Call to Order

President Powers called the meeting to order at 7:04 p.m.

Pledge of Allegiance

Roll Call


Absent: None

Approval of the Agenda

Motion by TePastte, second from Hanks, to approve the agenda as amended adding item 5. F to the Consent Agenda.

Yes: 7 No: 0

Consent Agenda

A. Approved the payment of the bills (checks numbered 62282 to 62332 and electronic payments 284 to 289) in the amount of $620,920.28.

B. Approved the minutes for the May 9, 2022 work session and the May 16, 2022 regular Council meeting.

C. Approved budget adjustments for FY 2021/2022 as presented.

D. Approved the Creation of a Barber School Focus Group and appoint the following people to serve:

   David Dye
   Kristin Horine
   Tamela Gallagher
   Sandy Parker
   Lesley VanLeeuwen-Vega

E. Approved a Restated Letter of Understanding Regarding the Employment of Christine Burns as Village Manager.

F. Approved a request for Community Foundation Funds currently held for the benefit of the
Village of Spring Lake, in the amount of $930,000.

Motion by TePastte, second from Hanks, to approve the Consent Agenda as amended adding item F.

Yes: 7  No: 0

6. General Business

A. PUD Amendment

Subject: The public hearing will be held to accept any and all comments regarding the proposed PUD Amendments for Lake Pointe Condominiums.

President Powers opened the Public Hearing at 7:08 p.m.

There was no public comment.

Motion by TePastte, second from Hanks, to close the public hearing at 7:08 p.m.

Yes: 7  No: 0

Council had no further discussion.

Motion by TePastte, second from Hanks, to approve the proposed PUD amendment for Lake Pointe Condominiums.

Yes: 7  No: 0

B. 2022/2023 Fee Schedule

Subject: In conjunction with each budget, Village Council is asked to consider approving an amended fee schedule.

President Powers introduced this item.

Council had no further discussion.

Motion by TePastte, second from Hanks to approve 2022/2023 Fee Schedule.

Yes: 7  No: 0

C. Public Hearing to Adopt the Fiscal Year 2022/2023 Budget

Subject: The Village Council will hold a Public Hearing on the FY 2021/2022 Budget. See the overall budget message and supporting documents for more information. The proposed budget is also available on the Village’s website.

President Powers opened the Public Hearing at 7:10 p.m.
There was no public comment.

Motion by TePastte, second from Hanks, to close the public hearing at 7:11 p.m.

Yes: 7  No: 0

Council had no further discussion.

Motion by TePastte, second from Hanks to adopt Resolution 2022 – 06, a resolution to adopt the Fiscal year 2022/2023 Budget.

Yes: 7  No: 0

D. Public Hearing to Consider and Adopt the Fiscal Year 2022/2023 Millage Rate.

Subject: The Village Council will hold a Public Hearing on the FY 2022/2023 Millage Rate which is recommended to be 9.77 for the General Fund and .59 for Debt Retirement for a total of 10.36 mills.

President Powers opened the Public Hearing at 7:12 p.m.

There was no public comment.

Motion by TePastte, second from Hanks, to close the public hearing at 7:13 p.m.

Yes: 7  No: 0

Council had no further discussion.

Motion by TePastte, second from Hanks to adopt Resolution 2022 – 07, a Resolution to adopt the FY 2022-2023 Spring Lake Village Millage rate of 9.77 for the General Fund and .59 for Debt Retirement for a total of 10.36 mills.

Yes: 7  No: 0

E. Adopt the Water/Sewer Rates for Fiscal Year 2022/2023.

Subject: The Village Council typically approves water & sewer rates as part of the annual fee schedule. No recommended increases to rates for this fiscal year.

President Powers introduced this item.

Council had no further discussion.

Motion by TePastte, second from Hanks, to approve the water/sewer rates for 2022/2023.

Yes: 7  No: 0

7. Department Reports
A. Village Manager
B. Assistant to the Manager
C. Clerk/Treasurer/Finance Director
D. DDA
E. Communications
F. OCSO
G. Fire/911
H. DPW
I. Zoning/Planning
J. Water
K. Sewer
L. Minutes from Various Board & Committees
   a. Planning Commission (04/26/22)
   b. DDA (05/12/22 & 05/26/22)

8. Old Business and Reports by the Village Council - N/A

9. New Business and Reports by Village Council – Van Strate said he liked the suggestion of a bike lane on Lake Ave. and asked that Council consider it. Burns said they would do that.

10. Statement of Citizens

    Sheriff Kempker provided an overview of the Ottawa County Sheriff's Office 2021 Annual Report.

11. Adjournment

    Motion by Van Strate, second from Miller, Village Council adjourned the meeting at 7:36 p.m.

    Yes: 7  No: 0

___________________________    __________________________
Mark Powers, President           Maryann Fonkert, Deputy Clerk
President Powers called the meeting to order at 7:04 p.m.

1. **PUD Amendment (Lake Point Condos) – Burns** provided an overview of the Lake Point Condos PUD Amendment through an Agenda Report, dated April 4, 2022.

   Council had discussed this at a prior meeting and had no other questions or comments and agreed to move forward with a Public Hearing.

2. **Budget Adjustments (Marv Hinga) – Hinga** reviewed the Year-End Budget Adjustments with Council.

   Hanks said that, as part of the Finance Committee, she had no questions or concerns. Council agreed the Year-End Budget Adjustments could be added to the Consent Agenda.

3. **Water & Sewer Rates (Marv Hinga) – Hinga** provided an overview of the proposed Water & Sewer Rates through an Agenda Report dated June 7, 2022.

   Council discussed and agreed with a proposed change in Short-Term Rentals to commercial use, thereby eliminating the summer sewer credits for those units.

4. **Fee Schedule – Burns** provided an overview of the proposed Fee Schedule through an Agenda Report dated June 7, 2022, and noted the proposed rate increase for dock rentals, but asked for Council’s thoughts on implementing the new rate increase for new dock tenants for next year and keep the rates the same next spring for returning tenants due to the lateness of dock installation this year.

   Council discussed the following items: providing discount dock rental fees for next year or prorate this year’s dock rental fee and give tenants a refund to avoid confusion next year, offering full-day rentals only, and eliminating the 6-hour rental option for the Tanglefoot Pavilion, and implementing higher fees for Short-Term Rentals, and asked for approximate staff hours spent on Short-Term Rentals to help evaluate and calculate costs to the Village. Council agreed to support the new fee schedule and revisit Short-Term Rental fees after the joint meeting with the Planning Commission. They instructed Burns to pro-rate the docks for 2022 and start fresh in 2023.

5. **Budget Adoption & Millage Rate Adoption (Resolutions 2022-06 & 2022-07) – Hinga** provided an overview of the Budget & Millage Rate Adoption through an Agenda Report dated June 7, 2022.

   Council had no further discussion and supported Resolutions 2022-6 & 2022-7 to adopt the Budget and Millage Rate.
6. **Appointment of Barber School Focus Group – Burns** provided an overview of the appointments to the Barber School Focus Group through an Agenda Report dated June 7, 2022.

   Council agreed with the Focus group appointments.

7. **Business of the Year Discussion – Burns** provided an overview of the Business of the Year award through an Agenda Report dated June 7, 2022.

   Council discussed a few businesses and unanimously agreed that, with Stan’s Bar celebrating its 75th year in the Village, they would be the perfect recipient.

8. **CLOSED SESSION (VM Performance Appraisal)**

   A Closed Session must be called by a roll call vote of those elected and serving. This requires a majority of the total board, not just those present at the meeting. Council can only deliberate in the closed session; no decisions will be made.

   TePastte moved that the Council meet in closed session under section 8(a) of the Open Meetings Act, to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing. Support by Hanks.

   Yes: 7   No: 0

9. **Communications**
   - Complaint - Curtis
   - Complaint – Sobczak
   - Complaint - Werner
   - Enforcement (STR) – Kidd
   - Inquiry – Zacek

10. **Minutes** – Minutes of May 9, 2022, Work Session, and April 16, 2022, regular meeting were attached for review.

11. **Public Comment** – N/A

12. **Adjournment**: There being no further business, Village Council adjourned the meeting at 6:55 p.m.

_____________________________                   _________________________
Mark Powers, Village President                      Maryann Fonkert, Deputy Clerk