<table>
<thead>
<tr>
<th>Time</th>
<th>Item</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:00 p.m.</td>
<td><strong>Street Closure (Block Party)</strong></td>
<td>Ms. Marci Hamilton has requested a street closure for October 14, 2017 from 2-9 p.m. for Visser Street in order to host a block party.</td>
</tr>
<tr>
<td>7:02 p.m.</td>
<td><strong>Purchase of Mower</strong></td>
<td>The Village budgeted for the replacement of the zero-turn mower. Attached you will find a memo from DPW Foreman Ben VanHoeven as well as supporting documentation.</td>
</tr>
<tr>
<td>7:07 p.m.</td>
<td><strong>Acting Village Manager</strong></td>
<td>When the Village Manager is unavailable for an extended period of time, Council typically appoints an acting manager to make decisions during the absence. It is recommended that Council appoint Marvin Hinga to serve as the Acting Village Manager from September 20th thru September 28th.</td>
</tr>
<tr>
<td>7:09 p.m.</td>
<td><strong>Veterans Day Closure</strong></td>
<td>Most residents assume that Village Hall is closed on Federal holidays. November 11, 2017 is a Federal holiday recognizing Veterans. Since Veterans Day falls on a Saturday this year, federal offices will be closed on Friday, November 10, 2017. I would like to propose another &quot;working holiday&quot; whereas Village Hall is closed to the public, but staff still reports as normal. I would allow staff to wear jeans to work and the day would be spent entirely on records management and housekeeping. Our focus this year would be the upstairs records retention room.</td>
</tr>
<tr>
<td>7:11 p.m.</td>
<td><strong>Invasive Species</strong></td>
<td>Wetland Watch and GEI Consultants are looking for permission to treat Phragmites on two pieces of property owned by the Village (parcel ID #’s</td>
</tr>
</tbody>
</table>
There is no charge, per se, but the organization does accept donations to help defray the cost of the treatment. Staff recommends that we grant permission to treat and donate $50 per parcel for the Phragmites treatment.

### 7:13 p.m. - Update on Oak Tree at Intermediate School

### 7:15 p.m. - Boardwalk Repairs

Anlaan is the company performing the repairs on the connector path and they are also the contractor hired by MDOT to simultaneously perform repairs on the bridge. There are a number of items in the vicinity that need attention, but cannot be performed by DPW staff. Below is a list of items that need attention:

- Removal of tires along boardwalk by Old Boys
- Removal of scrub brush by Old Boys
- Decking Repair
- Fence Painting
- Light Pole Painting

### 7:20 p.m. - Village Manager Performance Appraisal

Per the Village Manager’s contract, Council is to administer an annual performance appraisal and consider any pay increases for the manager annually. Council Members were asked to complete the form and return to Marv Hinga for compilation. Marv will have the results prepared for Council on Monday evening.

### 7:40 p.m. - Communications

- Invasive Species Update
- No Wake Public Hearing
- OCSO Compliment
- Oktoberfest Communication
- Parking Issues (Division & Mason)
- Sewer Issue (Goorman)
- Short-term Rental Update (no attachment)

### 7:45 p.m. - Minutes

Minutes of the August 14, 2017 Work Session and August 21, 2017 regular meeting are attached for review. Should you wish to make edits, please
share that information with Chris Bums or Maryann Fonkert prior to September 7, 2017.

<table>
<thead>
<tr>
<th>11</th>
<th>7:48 p.m. - Public Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Council Work Sessions are open to the public, and as such, the public is invited to speak at the end of each meeting. Each speaker should limit their comments to 3 minutes.</td>
</tr>
</tbody>
</table>

| 12 | 8:00 p.m. - Adjourn |
I am writing to request for a block party

-Visser Street

-Saturday October 14, 2:00pm-8:00pm

-Barricade requested on each end of the street

-contact person:
Marci Hamilton
310 Visser St
720-217-8103
mbuck.hamilton@gmail.com

Would it be possible for a firetruck to come for an hour or so for the kids to climb on a truck?
TO: Village Council

FROM: Ben VanHoeven, DPW Foreman

DATE: September

RE: Mower Purchase

Please find attached a purchase order for a ZD Lawn mower (Zero Turn). This new lawn mower will replace the 2007 ZD Lawn mower. We were very fortunate to get 10 years of performance from the old mower and hope to have similar success with the new one. This purchase is included in the Central Equipment budget for fiscal year 2017/2018. The 2007 ZD will be sent to auction to recoup what we can as there is still some value to this mower.
## Purchase Order

**Vendor Information:**

Wolf Kubota  
430 100th Street SW  
Byron Center, MI 49315  
Phone #: 616-877-0800  
Fax #: 

**Ship To:**

Village of Spring Lake  
102 W. Savidge Street  
Spring Lake, MI 49456  
Phone #: 616-842-1393  
Fax #: 616-847-1393

<table>
<thead>
<tr>
<th>Line No.</th>
<th>Quantity</th>
<th>Description</th>
<th>Unit Measure</th>
<th>Unit Price</th>
<th>Extension</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>Kubota 25 HP diesel powered ZD, Hydraulic deck lift, 60&quot; deck</td>
<td></td>
<td>$13,105.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Model #ZD1211-60</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**TAX EXEMPT**

Authorized by:  

[Signature]  
Village Manager

P.O. Number: 17-003
### Product Information

<table>
<thead>
<tr>
<th>Make</th>
<th>Model #</th>
<th>Serial #</th>
<th>Description</th>
<th>List Price</th>
<th>Sell Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kubota</td>
<td>ZD1211-60</td>
<td></td>
<td>25 HP Diesel Powered ZD, Hydraul. Deck Lift, 60&quot; Deck</td>
<td>$13,105.00</td>
<td></td>
</tr>
</tbody>
</table>

**Trade In:** Buyer Certifies Below Trade-In to be Free of Encumbrances

<table>
<thead>
<tr>
<th>Make</th>
<th>Model #</th>
<th>Serial #</th>
<th>Description</th>
<th>Trade Value</th>
</tr>
</thead>
</table>

**SPECIAL INSTRUCTIONS**

**We want your business! Please let us know if there is anything we can do to earn it!**

**Price, Discounts, Incentives, and Finance Rates Subject To Change.**

**WARRANTY**

- SOLD USED AS-IS. No warrant of any kind has been given by the dealer or agent.
- SOLD USED WITH REMAINING FACTORY WARRANTY.
- SOLD NEW WITH ORIGINAL MANUFACTURER'S WARRANTY.

**SALESPERSON**

This quote is valid only when signed by the dealer or agent. All prices valid for 24 days.

This sales contract is agreed upon as written above.
August 24, 2017

SPRING LAKE VILLAGE.
102 W SAVIDGE ST
SPRING LAKE MI, 49456

RE: Lower Grand River Phragmites Eradication Treatments

TO WHOM IT MAY CONCERN:

GEI Consultants of Michigan, P.C. (GEI) is working on behalf of Wetland Watch, Ottawa County Invasive Phragmites Control Group, and The Ottawa County Conservation District to reduce the presence of the phragmites (*Phragmites australis*) within the Lower Grand River in Ottawa County. Phragmites is a tall, aggressive, invasive wetland plant that can form dense monocultures, block views, out-compete native vegetation, displace native wildlife, disrupt natural ecosystems, block drainage systems, and dry up small wetland systems. GEI recently conducted a survey to locate and map all the phragmites populations along the Lower Grand River and associated bayous from Lake Michigan upstream to approximately 120th Avenue and is now in the process of planning herbicide treatments for fall 2017, under contract with Wetland Watch.

It was determined from the survey that the parcel number referenced in this letter contained phragmites. With your permission, populations of phragmites on your property will be treated with an aquatic-approved glyphosate (same active ingredient as Roundup®) solution applied by licensed GEI staff. A very low concentration of 2% solution by volume of herbicide is used for treatments. The product’s label and safety data sheet (SDS) can be seen at these links: [http://www.cdms.net/ldat/ld5NE011.pdf](http://www.cdms.net/ldat/ld5NE011.pdf), [http://www.cdms.net/ldat/mp5NE003.pdf](http://www.cdms.net/ldat/mp5NE003.pdf). This product is safe for fish, amphibians, and reptiles. Herbicide will be carefully and selectively applied to the leaves of the plants using a combination of tank sprayers and backpack sprayers. Treatment areas will be accessed by boat, amphibious all-terrain vehicles, and by foot from the waterside.

Treatments shall take place in mid-September through early October, 2017. There will be no intention to target native species, trees, shrubs, or any other vegetation except phragmites, however; if other species are intermixed with the phragmites (i.e. cattails, willows, etc.), they may die from the effects of the herbicide treatment.
All staff performing herbicide applications will be certified commercial pesticide applicators licensed by the Michigan Department of Agriculture and Rural Development (MDARD), and have extensive knowledge and experience treating invasive species and identifying native vegetation. Treatment of phragmites on your property is an important component of obtaining long-term success in this large scale, multi-property project.

This contract shall serve as your written permission for GEI and/or Ottawa County Conservation District to proceed with an herbicide application to phragmites on your property, #70-03-16-479-003.

**Special Conditions**

Please check a box below with your decision. Return one signed letter and check payable to “GEI Consultants of Michigan, P.C.” in the enclosed pre-paid envelope. The other copy is for your records. Questions may be sent to Tbowen@geiconsultants.com. This Agreement and the attached Terms and Conditions constitute the complete agreement between GEI and Client with respect to the scope of services hereunder.

☐ Yes, I'd like to participate in the program and have included a donation in the amount of $__________ to treat my property

☐ Yes, I'd like to participate in the program but am unwilling to pay for this service. However, you have permission to treat my property if funds are available from other sources.

☐ No, thank you. I prefer not to participate in the program and you do not have permission to treat my property because ____________________________________

________________________________________
Sincerely,

GEI Consultants

By: ________________________________
Print Name: Todd J. Bowen
Title: Project Manager

TO WHOM IT MAY CONCERN

By: ________________________________
Print Name: ________________________________
Parcel #: 70-03-16-479-003
August 24, 2017

ACCESS AGREEMENT

Ottawa County Phragmites Control Program

GEI Consultants of Michigan, P.C. (GEI) has been retained by Wetland Watch ("CLIENT") to perform foliar herbicide treatments to live phragmites plants (Services). Services will include work to be performed on private property ("Property") within the targeted program area. The Property OWNER provides GEI the right to access the Property to perform the Services. Accordingly, GEI and OWNER hereby agree:

1) OWNER grants GEI full access to the Property and Site in order to perform the Services for CLIENT.

2) OWNER shall cooperate fully with GEI and take all actions necessary to allow performance of the Services in the most expeditious manner possible.

3) GEI will take all reasonable precautions necessary to reduce the potential for damage to the Property and Site; however, all cost of correction, repair, and replacement, except insofar as caused by the negligence of GEI, will be borne by OWNER.

4) To the fullest extent permitted by law, Owner waives against GEI and its employees, officers, directors, members, agents, insurers, partners, and consultants, any and all claims for or entitlement to special, incidental, indirect, or consequential damages arising out of, resulting from, or in any way related to the Services performed by GEI.

5) GEI will perform the Services in a manner consistent with that degree of skill and care ordinarily exercised by members of GEI's profession currently practicing in the same locality under similar conditions. GEI makes no other warranties or representations, either expressed or implied, regarding the services provided hereunder.
From: Christine Burns <cburns622@gmail.com>
Sent: Thursday, September 7, 2017 3:09 PM
To: Christine Burns
Subject: Boardwalk
Christine,  
We did squeeze in a third visit on August 14th to treat the Japanese Knotweed, Canada thistle and spotted knapweed with 1 gallon of 3% Garlon 3A. They also sprayed reed canary grass with 0.25 gallons of 2% Aquaneat. We should be able to treat the two small sites next year with just two visits or three smaller visits and stick to the current contract without a scope change. We will turn in the MDEQ report for the ANC permit this fall.

Adrienne- if you have anything to add after the fall monitoring please let me know.

Let me know if you have any questions.

Thanks,

Chris White  
FIELD OPERATIONS LEAD  
CARDNO  

Direct +1 616 847 1680  Mobile +1 574 249 8504  
Address 11181 Marwill Avenue, Grand Haven, Michigan 49460  
Email chris.white@cardno.com  Web www.cardno.com

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Christine,

I forgot to let you know that we retreated the Mill Point Park site last week. We contracted for two visits per year but they have been pretty short visits so I hope to squeeze in one more for August/September under the current contract. We can discuss how it went at the end of the growing season. On the May 24th visit the crew treated Japanese knotweed, Canada thistle, and spotted knapweed with 2 gallons of 3% Garlon 3A and treated reed canary grass with 2 gallons of 2% Aquaneat. Last week on Thursday The crew retreated these species with 1 gallon of Garlon 3A and 1 gallon of Aquaneat at the same concentrations. I also contacted Audie Kirk from the DEQ before both site visits since there is an easement on the site. Here is a note below from the crew lead from the second visit.

‘The reed canary grass on the western sight was almost nonexistent. The Japanese knotweed had taken a big hit from the last treatment, but some little sprouts were missed or popped up since the last treatment. There was also some Canada thistle treated at this sight. The primary species treated in the eastern sight was reed canary grass. A lot of it was killed during the last treatment but there was some remaining.’

Let me know if you have any questions.

Thanks,

Chris White
FIELD OPERATIONS LEAD
CARDNO

Direct +1 616 847 1680  Mobile +1 574 249 8504
Address 11181 Marwill Avenue, Grand Haven, Michigan 49460
Email chris.white@cardno.com  Web www.cardno.com

From: Christine Burns [mailto:christine@springlakevillage.org]
Sent: Thursday, May 18, 2017 8:48 PM
To: Chris White <Chris.White@cardno.com>
Cc: 'Adrienne Peterson' (adrienne@petersonenviro.com) <adrienne@petersonenviro.com>; Andrew Reinhardt <Andrew.Reinhardt@cardno.com>; DPW <dpw@springlakevillage.org>; John Stuparits <jstuparits@springlaketwp.org>; Marv Hinga <marv@springlakevillage.org>
Subject: Re: Herbicide treatment

Thanks so much! I'm out of town but have cc:d staff so they are aware.

Sent from my iPhone
On May 18, 2017, at 5:06 PM, Chris White <Chris.White@cardno.com> wrote:

Christine,
I will have two employees at Mill Point Park to treat the invasive species present tomorrow. They will focus on reed canary grass but will assess and treat any of the other target species on site. We have acquired the ANC permit and I gave Audrie Kirk from the DEQ a heads up that we will be visiting soon due to the conservation easement. Let me know if you have any questions.
Thanks,

Chris White
FIELD OPERATIONS LEAD
CARDNO

Direct +1 616 847 1680 Mobile +1 574 249 8504
Address 11181 Marwill Avenue, Grand Haven, Michigan 49460
Email chris.white@cardno.com Web www.cardno.com

CONNECT WITH CARDNO

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Good Morning,

I am sending out this email to everyone who has previously sent in a comment on the request for an extension of the “Slow, No-Wake” zone on the Grand River.
The Spring Lake Township Board has decided hold a public hearing, on September 11, 2017 at 7pm. The hearing will be held at the Barber School meeting room (102 W. Exchange Street Spring Lake MI 49456) as part of the Board’s regular monthly meeting. Note: Your previously emailed comments will be copied and provided to the Township Board

Comments at the meeting will be limited to 3 minutes so that we can get input from everyone who attends the meeting. Please feel free to invite your neighbors to attend or comment as well.

If you are unable to attend and would like to share comments with the Township Board, please email your comments to the Township Supervisor JNash@SpringLakeTwp.org or send them to:
   SLT Supervisor Nash – No Wake Comments
   101 S. Buchanan Street
   Spring Lake, MI  49456

Thank You,

Gordon Gallagher
Gordon Gallagher
Spring Lake Township Manager
(616) 844-2103  (direct dial)
ggallagher@sltwp.org
Hi Folks,

I live in Ferrysburg, and I just wanted to say THANK-YOU, lately I have seen double even triple patrol car's patrolling the Spring Lake /Ferrysburg area's I have seen the deputy's sitting along m-104 thru spring lake lately and over in Ferrysburg every so often. I have also started to see them running radar along US-31 (the same area) makes this resident feel more safer and secure. Keep up the great work! And again THANK-YOU

Matt Jenkins
Ferrysburg Resident
September 5, 2017

Dear Central Avenue resident,

This letter is a courtesy notice that the Oktoberfest Marathon scheduled for September 23, 2017 has changed its staging location to Central Park. There will be a large volume of traffic on Friday evening (09/22/17) and Saturday morning (09/23/17) on Central Avenue.

More information (event times, etc.) on the Oktoberfest Marathon can be found at www.oktoberfestmarathon.com.

Fondly,

Christine Burns
Village Manager
Dear Mr. Vaughan,

Thank you for contacting us about right-of-way parking and your desire to comply with the ordinance. The debate regarding the parking ordinance has been ongoing since 2013. A parking committee was formed, invitations to community engagement meetings were mailed out on 02/17/17 and the most recent ordinance change was publicly noticed on April 10, 2017. On 05/31/17 we mailed letters, applications and copies of the ordinance (copies attached) to every property owner on a non-curbed street.

If you wish to park in the Village ROW, you will need to obtain a license to do so. There is no charge for the license if you apply prior to 12/31/17. You will then need to construct a parking pad that complies with the ordinance. If you do not wish to incur the cost to construct a parking pad in the Village right-of-way, you have the option of parking on your own property. It appears that you have access to your rear yard via an alleyway or you can construct a driveway off of Division that meets village ordinances.

If you have further questions, please feel free to contact me.

Chris
Christine Burns
Spring Lake Village Manager
102 W. Savidge
Spring Lake, MI 49456
P: 616.842.1393
F: 616.847.1393

-----Original Message-----
From: Dan Vaughan [mailto:no-reply@www.springlakevillage.org]
Sent: Friday, August 25, 2017 5:54 PM
To: Maryann Fonkert <Maryann@springlakevillage.org>; Lori Spelde <Lori@springlakevillage.org>
Subject: Website Contact Form "Parking ordinance"

From: Dan Vaughan <dannynitro96@yahoo.com>
Subject: Parking ordinance

Message Body:
I live at 211 N Division St. I have been here for 3 years. A car at my house got a parking ticket for parking the same way that we have parked for the whole time I have lived here. I am a single father of a 2 car family and no driveway. I also don't have extra cash. What is the minimum that I need to do to legally park our cars? I'm really frustrated!!
August 24, 2017

Mary Chittenden
214 Mason
Spring Lake, MI 49456

Dear Ms. Chittenden,

Thank you for your inquiry regarding right-of-way (ROW) parking in front of your home. Unfortunately, the ordinance does not contemplate “affordability” when allowing me the ability to waive the restrictions. At this time, the license is free to apply for and will remain so thru December 31, 2017.

Please note, the creation of the ROW parking space is not obligatory, it’s simply an option that has been provided in the event you cannot accommodate all vehicles in your driveway. It appears that you have plenty of room to accommodate your vehicle and your son’s vehicle without creating the additional ROW space.

If you have additional questions, please feel free to contact me at 842-1393 or christine@springlakevillage.org.

Sincerely,

Christine Burns

Christine M. Burns
Village Manager

Enclosure
Christine Burns

From: Jameson Goorman <jameson.goorman@gmail.com>
Sent: Tuesday, August 29, 2017 2:03 PM
To: Christine Burns
Cc: Joel Tepasste (shadyln212@gmail.com); Mark Miller (marksattic@charter.net); Mark Powers (mark.powers.jd@gmail.com); Megan Doss; Michael Duer; Michelle Hanks (villagecouncilhanks@gmail.com); Scott Vanstrate; DPW; Marv Hinga; John Stuparits (jstuparits@springlaketwp.org); Amy Goorman

Subject: Re: Spring Lake Village - Sewer Issue

Christine,

Thank you for taking the time to respond to my inquiry.

To summarize all the RED, the Village maintains that it bears no responsibility for replacing collapsed sewer lines in the Public Right of Way.

Regarding the timing of exactly when the Village started taking this stance, it is actually irrelevant here. The Orangeburg is starting to fail now, not two decades ago, which is why there hasn’t been a general public outcry.

I did not include a listing of some of the communities I found that take the opposite stance, for that I apologize. Here is a small sampling of some that clearly lay out their responsibility for maintaining laterals:

- Lancaster, TX ("If there is a structural failure...under the street pavement then the responsibility for excavating and repairing the sewer line falls under the Public Works/Water Utility Division")
- Cincinnati, OH ("If your building sewer pipe breaks or collapses at a point of the pipe that lies within the public right-of-way, MSD will make the necessary repairs. MSD takes responsibility for building sewer pipe repairs within the public right-of-way outside of private property.")
- Bloomingdale, IL ("Sanitary sewer building service laterals (or building service) in any right-of-way are the responsibility of the village with regards to repair or replacement only.")
- Portland, OR ("The City is responsible for the public right-of-way (curb to curb), from one side of the street to another. The property owner is responsible for the area from the curb to the back of their property line.")

And the list of cities that take this responsibility goes on and on and on.

Let’s just be clear on this; the assessment that Spring Lake is in the majority with their view of this responsibility is simply incorrect. Spring Lake is in the vast MINORITY.

Further, though our house was built in 1910, the connection to city sewer was not possible over 100 years ago as it was a farmhouse outside Spring Lake. This connection was made far more recently (by comparison to 100+ years).

As to the list of people provided who agree with the Village’s perspective, it is unpersuasive and I do not believe they even agree with it, except for their individual relationships with the Village dictate agreement. Have you performed a survey of residents on what they BELIEVE those responsibilities are? None will agree with the Village’s stance, nor are likely even aware of it.
Frankly, even the insurance companies do not agree with this view. If they did, they would be offering coverage for repairs on the Public Right of Way. They don’t even offer it.

I stand by the statement that the Village has an issue here. Every prospective purchaser of a home in Spring Lake MUST be made aware of the liability that they are taking on in regards to sewer line maintenance, because Spring Lake’s stance is so far out of the ordinary (Grand Haven & Ferrysburg are clearly coordinated in this).

I asked Doug Bytwerk when I bought the house about the sewer lines on the property because who would even think to ask about the lines under the street—everyone knows that the city is responsible for those!

The link you sent clearly states that Orangeburg pipe needs to be replaced. Obviously, it was the material of choice when the laterals were put in, but it’s 50 year life span is up and it will fail and is failing. Most worryingly, it remains under most of our streets today. It is unreasonable to expect each resident to individually replace these laterals by tearing up the streets. The vast majority of municipalities agree with this, which is why their policies clearly outline their responsibilities.

At the moment, I realize that the Village has not dealt with this yet, so I am trying to be reasonable here.

As a solution, to cut down on the cost from Tiles Excavating, can the Village simply handle the flagman duties and the cement work required once the repair is effected? This will save $2,700 in costs for us. I will cover the balance. Again, I am trying to be reasonable.

You can say whatever you want about exactly how many issues are or aren't popping up right now, but this is something that will take people by surprise and they will not be able to afford handling it, and please do not tell me that this is the same as their roof. It is not. Nobody can be reasonably expected to know that the Village does not cover this repair. Most people check the box on their insurance rider to cover sewer repairs. Do they know it won’t? NO.

I have told this story to dozens of people and every single person is shocked that this is the stance the Village is taking.

Frankly, I have had some tell me to go to the News or even to a lawyer. The median income in our Village is $40k. The cost to repair a lateral under the street, if done individually, approaches $10k. The math does not work.

I’m sorry, Christine, but the Village’s interpretation of this is simply out of the ordinary and cannot be reasonably expected.

The Council needs to review this and take action that is reasonable and thoughtful and responsible.

Let me know if the Village can provide a flagman and do the concrete work. It would definitely help us out and resolve this with us.

Now that I know more than I ever wanted to know about sewer lines, if I can be of any assistance to the Council, let me know and I would be happy to help. I genuinely want to get this resolved for the community. I am sorry you are in the position of having to defend this stance. It is not enviable at all.

Best,

Jameson

On Aug 29, 2017, at 11:04 AM, Christine Burns <christine@springlakevillage.org> wrote:

Mr. Goorman,

President Powers has asked that I address the email that was sent to him and Council Member Hanks. Unless and until such time that a majority of Council wish to amend the ordinance, our current Ordinance 78 – Utilities will be the document we use to guide our decisions regarding the issue you have broached.
I have responded in RED various statements in your email. I have also included a link regarding orangeburg pipe for more information:


Fondly,

Chris
Christine Burns
Spring Lake Village Manager
102 W. Savidge
Spring Lake, MI 49456
P: 616.842.1393
F: 616.847.1393

<image001.jpg>

-----Original Message-----
From: Goorman, Jameson [mailto:jameson.goorman@cascadeng.com]
Sent: Friday, August 25, 2017 10:18 AM
To: mark@map-law.net; info@mhanks.tax
Cc: Amy Goorman <abgoorman@gmail.com>
Subject: Spring Lake Village

Mark/Michelle,

I am a CPA and my wife is a pediatric urology NP specialist and we are fellow residents of the Village. I received your contact info from a friend of mine (sorry, Michelle, all I had was your info email from your site).

I am contacting you because the Village has an issue with its sewer system and the approach being taken is not thoughtful nor reasonable. The approach has been established by ordinance so it is impartial, thoughtful and reasonable for all users of the system.

The main issue is the how the Village has chosen to define the “connection point” with the sewer system from each resident. Mr. Tiles, Mr. Bierman, DPW Foreman Ben VanHoeven, DPW Director John Stuparits and myself have all interpreted Ordinance 78-125 (2) the exact same way.

I have researched this and every other municipality I could find defined this connection as the connection at their property line. This point connects to a lateral line coming out of the main sewer line. The City of Grand Haven & Spring Lake Township define the connection point the same way the Village does.

This makes sense as no city would install a main line under a road and then expect to tear up the road to get to the main sewer line every time a new build was started. According to assessing records, Mr. Goorman’s home was built in 1910 +/- when the street was probably gravel. Instead, cities run laterals from the main line to property lines for connection. This is
how it is done. This is not how it’s done here in the Village. Or in Grand Haven. Or Spring Lake Township. For every community you found that allegedly pays for the lateral from the main to the property line, I can find one that doesn’t.

About 15 years ago, both Grand Haven and Spring Lake “decided” (out of convenience) that the connection point was, in fact, the main line, contrary to the “property line” as the delineation point that had been in place prior. Not sure where this information was obtained. According to Clarence Bierman, our policy has been in place for decades. According to Ben VanHoeven, it predates his employment with the Village.

As things go, the majority of Village residents have laterals from the main line made up of Orangeburg pipe, which apparently is a conglomeration of wax paper and other materials. The issue is that this orangeburg is falling apart. We do not know how many laterals are made up of orangeburg as we do not inventory them; they belong to the property owner.

When I purchased my house at 379 S Lake, I was told that the sewer line had been replaced with plastic to the property line, so I figured that was a liability that did not exist for us. In fact, insurance companies will only insure to the property line because this is the generally recognized place where liability ends. I literally cannot buy insurance to cover from my property line to the main sewer line under the road because of this. This information did not come from the Village.

Well, the orangeburg lateral that connects my property to the city’s sewer has fallen apart. After consulting with the city’s public works person, he told me that I would have to replace the broken orangeburg, even though it was not on my property. The broken point was just past the sidewalk.

We did not want to get into an argument, so we hired Tiles Excavation to do the work. $1500 later, that section is fixed, but I have now been told that the rest of the lateral, from that point to the main sewer line, is also damaged beyond repair and needs to be replaced.

This section is under literally 25’ of Leonard Rd as it runs on an angle.

Chris, the Village Manager, has told me that this, too, is my responsibility. It is at this point where I decided to write you this letter.

Every resident who has orangeburg pipe as their lateral (estimated at 70-80%??) will have this same issue. It is falling apart and these failures are popping up across the village. Again, I’m not sure where this number comes from as we do not inventory laterals and what they are made of. There are typically 5-10 of these failures across the Village – that we are aware of – annually.

At this point, I have a very reasonable quote of $4,000 from Tiles, but now that quote is held up because Leonard is actually a County Road, which means different approvals are needed, which we still, a week in, have not received. Our sewer will not carry solids, merely water and has backed up into our shower multiple times. The Village has no jurisdiction over a county road, nor do we receive any funding for such.

This is an incredibly frustrating experience and one that I do not wish on any of my other fellow residents. Frankly, I don’t think anyone’s teen sons should know the Shell gas station attendants on a first name basis due to sewer issues.
It is unreasonable to expect all our residents to replace, one by one, the laterals that were installed by the Village years ago. The cost to replace these is obvious and it needs to be covered. It is not unreasonable to expect the homeowner to take responsibility for connecting to the sewer main. We are not aware that the Village actually installed the laterals as we do not have any records from 1910. If the cost were to be covered by the Village, it would simply drive up sewer rates for every other customer on the system.

There is a grant that has been obtained to study this issue, which is a waste of money. It is clear that the pipes are bad and we do not need cameras to tell us this. The Township received a grant to replace all theirs and have already undertaken this and completed it. The SLT Manager is unaware of any grant the township received. SLT was the recipients of the same SAW grant that the Village received. SLT does not pay for the sewer laterals to be installed or maintained.

All I am asking is for the Council to take this issue up head on and deal with it. Of course, I would ask to have my repair taken care of by the Village, but my issue is simply a precursor of what will be coming. If the Village does not deal with this, each resident has an issue under their street that is their liability and they don’t even know it. Certainly the Village can amend its ordinance and pay for sewer lateral repairs as they arise. However, keep in mind that the pot of money is only so large. “Absorbing” the costs, as you have suggested, costs someone money. We can either 1) take the money from the budget we have and neglect something else (i.e. force main, lift stations etc.) or 2) we can raise rates to cover the cost of maintaining individual lateral lines. However, property owners who do not have orangeburg tile or live in a home constructed after the middle of the century would likely have an issue paying to repair other property owners’ lateral lines. Everything has a life expectancy and in this particular case, your lateral is due to be addressed.

As fair disclosure, anyone looking at buying a house in Spring Lake should be made aware of this liability prior to purchase, now that we know this issue exists. Not every house in the Village has orangeburg tile. Disclosing lateral information/condition would be an issue to take up with the realtors, perhaps.

Who would think that the city expects each resident to tear up the road? If I went out onto Leonard with a jackhammer to get at “my” orangeburg pipe, I don’t think anyone would find this acceptable. That is why you have to obtain a permit and hire a professional to take care of it.

I am in Orlando on business and traveling home, but if you want to talk about this situation, give me a call.

Thank you in advance for taking the time to read about this situation, I appreciate it.

Best,

Jameson Goorman
616-843-1755 (mobile)
379 S Lake Ave
Spring Lake, MI 49456

<7A Sewer Ordinance.pdf><7A Sewer Lateral Complaint.pdf>
President Powers called the meeting to order at 7:00 p.m.

1. Communication Tower (Brian Mauro) – Mr. Mauro was present to discuss the terms that he negotiated with the tower company.

Mr. Mauro explained the terms he had settled on with American Tower. Those terms were:

- $50,000 one-time signing bonus, payable within 30 days of full execution of amendment;
- Rent to begin escalating by 4%; Village to keep 20% escalation due in 2019
- $400 flat fee future tenant revenue share, applicable to all new collocations following full execution of an amendment;
- Six (6) additional lease periods of five (5) years each, commencing January 9, 2033.

Council agreed these were good terms.

2. Leadership Changes – According to our charter (section 5.05) if a vacancy occurs, the President Pro-tem shall become President for the remainder of the unexpired term, meaning Mark Powers assumed the role of Village President. This created a vacancy on Council. Section 5.08 stated that Council had 30 days to appoint someone to the vacated seat. If they failed to do so, the President shall make the appointment. A display ad was placed in the Grand Haven Tribune, on the Village website and on Facebook. Council could interview candidates at the regular meeting on August 21st or schedule a special meeting on the 28th to consider candidates, unless there was a date Council would rather meet. Council discussed this and agreed to start interviews at 6:30 p.m. on the August 21, 2017 and then proceed with the regular Council meeting at 7:00 p.m. Interviews would be conducted in the smaller meeting room.

3. Audit Letter of Understanding - This was an annual housekeeping item that memorializes the terms of our audit with Vredeveld Haefner.

Hinga explained that the only change to this, from prior years, was that MDOT was requiring a compliance audit on the Act 51, the local and major street fund that the Village received from the State. Hinga said the additional cost for this will be
$1,250 and that it could be charged to the street funds. Burns said that Council should have received a questionnaire to be fill out and mailed back to the Auditors.

4. Finance Contract Extension with Ottawa County – According to our contract with Ottawa County for financial services, the contract was to be renewed in writing each year. Renewal had been done informally via email in the past. Legal Counsel for Ottawa County ruled this an acceptable practice, as any risk really fell on them.

Burns explained that Ottawa County’s legal counsel said that the simple email or phone call was acceptable, but just to clean this up, Ottawa County did draft a renewal for Council to review. Burns said there were just a few minor changes.

5. Arborist Report – The Village’s arborist (Bill Drew) reviewed a number of trees in the Village and compiled his recommendations. That report was reviewed by the Parks & Recreation Board and they concur with Mr. Drew’s recommendations.

Burns explained that the Parks and Rec Board had reviewed this report at their last meeting and that they concurred with the Arborist’s findings regarding the Oak tree at the Middle School, but because of the controversy around this tree, they were putting it back in Council’s lap. Council discussed the condition of the tree and what the risk factors might be by feeding it one more time and giving it another season. Council decided they would discuss the tree again at the next Work Session and make a final decision on the fate of the tree. Council also discussed what could be done with the wood from the tree, possibly a fund raiser. Hinga suggested collecting acorns from it and start new trees. Council was also in agreement with the rest of the Arborist’s report. Powers asked how the “Plant more Trees Campaign” going, because he had not seen any trees being planted. Burns said that trees were planted in the fall, and that Mary was working on our annual grant from Consumers Energy. Burns also shared that funding had come through from the Victoria Verplank Memorial and that the Tree Board would like that money to be divided up between trees at the tree nursery, arborist fees, planting out in the community or as a match for the Consumers Energy Grant.

6. Village Manager Performance Appraisal Format - The Village Manager’s contract called for a performance appraisal each year prior to consideration of any pay increase. There had been some discussion in years past of changing the format. The format we’ve been using was attached as well as a suggested revision.

Burns explained that last year they had talked about the format of her appraisal so she had asked colleagues what they used and picked out the what she felt might be a better fit. Burns said she would get Council paper copies and Council could administer it at the September Work Session.
7. **Charter Review Process (ACTION ITEM)** - The Village Charter, Section 15.03, stated as follows: *The question of revision of this Charter shall be placed before the electors of the Village at the general election in the year 2017, and at least every 20 years thereafter.*

This issue was extremely confusing, considering we just voted on a proposed Charter amendment. The question of a Charter revision, was a totally different issue. It was necessary for this to be an action item because of the deadline to get this on the November ballot (August 15th at 4:00 p.m.)

**Burns** explained that due to the confusion between an amendment and a revision, Marie, from the Tribune, would be doing an article/educational piece at the end of September when the absentee ballots came out. **Burns** also explained that the reason they had to take action to adopt the Resolution this evening was that the deadline to get the Charter Revision on the November ballot was August 15th at 4:00 p.m., so waiting another week would be too late. **Hinga** added that the top elected Charter Review Committee member would not automatically become the Committee Chair, that the Chair would be elected by the Committee.

Motion by **Tepastte**, second by **Miller**, to adopt Resolution 2017 – 15, a Resolution of Intent to Adopt Ballot Language for the Question of Charter Revision.

Yes: 6  No: 0

8. **Charter Communications Contract (Marv Hinga)** – Charter Communications was filing for a cable franchise renewal with the Michigan Public Service Commission. Approving the proposed agreement would allow the Village to continue to collect the Franchise Fee (about $40,000/year). The Village received 5% of the Charter Cable TV revenues generated within the Village. This percentage was the maximum amount allowed under State law.

**Hinga** explained that the Charter Communications was filing to renew their cable franchise with the Michigan Public Service Commission, but that the Village did not have much voice in this, other than if the Village wanted to continue to receive the 5% of the Charter Cable TV revenues. **Hinga** said that the Village had to take action in order to receive the revenues.

9. **Updates** –

- **Ambulance Oversight** – **Tepastte** explained that the Committee was not happy with the current service response times, especially in the outlying areas, so they had put some pressure on NOCH to add a third ambulance and to
decrease the response time in the outlying areas by a minute or so. Tepastte said they were successful on both counts.

- **Buchanan Street Costs (Final) – Burns** said they were just under budget with the final costs, so they were very happy with that. Burns said they did have some bare spots and trees would be planted in those areas but, otherwise, the project was being wrapped up.

- **Census Address Updates (OC GIS) – Burns** said that the Census every 10 years was a lot of work and, thankfully, Ottawa County had stepped up and were going to help with addresses and mapping which would have taken a lot of staff time.

- **Reroof of Village Hall & DPW – Burns** shared that the re-roofing on Village Hall and DPW had started and, even though it would be noisy and inconvenient, the barrels in the stairwell were gone and the ceiling tiles would be replaced once the roof was complete.

- **Master Plan Process – Joint Meeting in early October – Burns** explained that the DDA had a great discussion at their last meeting on what this process would look like and that they felt it was imperative, in order to get a good product, that there was a lot of input from the DDA, the Planning Commission and Council. Burns said that in October they would like to have a joint meeting of these boards to get some vision and ideas going forward. Council agreed that Tuesday, October 24th from 6 to 8, the date of the next Planning Commission meeting, would work.

- **Lakeside Trail Lighting – Burns** reported that she and Hinga had had meetings with some local vendors in regards to replacing trail and downtown lighting and that they would be installing 4 LED lights in the first block of Savidge for a trial period. Burns also said the company would be taking photos with drones that would show the color differences. Hinga reported that he was looking into an inter-fund loan between the General Fund (which would have the cash) and the Pathway Fund and then repay it over time as the money came into the Pathway Fund from the Township and once the work was done on the Tri-Cities Connector Path. Burns said the vendor would be doing a cost benefit analysis to determine the amount of savings. Hinga said they were expecting a 50% savings on energy, but the problem was the fixed costs that was a part of each meter.

- **Connector Path Repairs – Burns** reported that the pathway would be completely shut down during the repairs that would start on September 5th and be completed by October 14th.

- **Pavement Markings – Burns** shared that pavement markings had been done over the last 2 weeks, except for the decorative crossings Jackson because they were still looking for a vendor to paint those.
• **Sink Holes – Burns** reported that there was a sink hole on the path at the end of Park Street and that Ryan Arends, from Moore & Bruggink, would be meeting with John Stuparits to propose a fix for the sink hole and look at options for the kayak launch which was washed out due to the high-water levels.

• **Economic Development Update**
  - **Britt Morant PC – Burns** shared that Kristin Britt purchased the old Bridgeview Insurance building and would be doing major remodeling and had applied for a DDA Façade grant. Burns said Britt planned to move her law practice into that building along with renting out a couple of the other offices in the building.
  - **Best Financial Credit Union – Burns** reported that the credit union was coming along but had run into some issues with high water tables and dewatering, but progress is being made.
  - **Spring Lake Dental – Burns** said that the house slowly coming down and part of the dental office would be demolished, but they would continue to use the other part while they construct the new building.

10. **Communications – Burns** reported that Tanglefoot Park has had some challenges with a couple of tenants this season so those individuals would not be given a renewal for the 2018 season. Burns also said that when Sgt. Kik returned from vacation the Deputy’s would start issuing tickets for non-curbed street parking violations.

  ▪ **Community Foundation Statements**
  ▪ **Complaint – Inman**
  ▪ **Complaint – Cuti**
  ▪ **Compliment – Allard**
  ▪ **Compliment – Henshaw**
  ▪ **Inquiry – Gutherie**
  ▪ **Inquiry - Bissell**
  ▪ **Library Calendar (August)**
  ▪ **Village Manager Calendar – Burns** shared that she would be in Europe for 10 days starting on September 18<sup>th</sup> and requested **Hinga** be appointed Acting Manager while she was gone.

11. **Minutes** – Minutes of the July 10, 2017 Work Session, July 17, 2017 regular meeting and the August 10, 2017 Special Meeting are attached for review. Should you wish to make edits, please share that information with Chris Burns or Maryann Fonkert prior to August 10, 2017.

12. **Public Comment** – Lee Schuitema, 408 W. Exchange St., commented that this was a nice meeting and that it was the best one he had attended this year. Mr.
Schuitema also complemented Council on how they handled everything that had gone on since the beginning of the year and that saying how much he appreciated all of them was an understatement.

13. **Adjournment** - The meeting adjourned at 8:10 p.m.

___________________________          __________________________
Mark Powers, Village President             Maryann Fonkert, Deputy Clerk