

VILLAGE OF SPARTA
Kent County, Michigan
Village Council Meeting
Monday June 12, 2023 at 7:00 PM
75 N. Union St. (Sparta Civic Center)

Present: Council President Robert Whalen, Council Members Brenda Braybrook, Robert Carlstrom, Dave Cumings, Courtney Mais, Tom Peoples, and Bill Taylor.

Also present: DPW Supervisor Dennis Brinks, Police Chief Andy Milanowski, DDA Director Elizabeth Morse, Rob Smith from IAI, Airport Manager Mike Krzciok, Village Manager Jim Lower, and Village Clerk Katy Shelton.

1. **Call to Order:** The meeting was called to order at 7:00pm.
2. **Pledge of Allegiance:** The Pledge of Allegiance was recited.
3. **Roll Call:** Formal roll call was taken. Those in attendance/absent are noted above.

4. **Additions or Corrections to Consent and Business Agenda**

Consent Agenda:

- a. Approve Regular Village Council Meeting Minutes of May 8, 2023
- b. Approve Regular Planning Commission Meeting Minutes of May 1, 2023
- c. Approve Special Village Council Meeting Minutes of May 1, 2023
- d. Approve DDA Minutes of May 9, 2023
- e. Approve Fire Board Minutes of May 18, 2023
- f. Approve Planning Commission Appointment Christina Owens

5. **Approval of Consent and Business Agenda:** Motion by Carlstrom with a second by Braybrook to approve. Motion passed unanimously.

6. **Public Comment for Agenda Item**

Please Note: This Public Comment portion of the meeting is reserved for comment on agenda items. Personal or abusive attacks on Council members, staff members, or other participants will not be tolerated and may result in the Village President taking action, up to and including, having the speaker removed from the meeting by law enforcement officers.

Jim Lynema, 291 Doris St, Sparta spoke about item D under New Business: expanding the social district in downtown Sparta. He said that he was strongly opposed to expanding this area. He said that the Sparta Library is governed by the Township and not the Village, and therefore it should not be contained within any expanded social district as regulated by the Village. He opposes both the library and Balyeat Field being included as part of the social district. He asked that the Village Manager not administratively expand the social district without consulting the residents by having a public hearing on this matter.

7. **Public Hearing:**

Public hearing opened at 7:06pm.

- a. **IFT Request Storage Control Systems:** This matter refers to item 9b under New Business in the agenda. It would approve the Storage Control IFT Certification Application. Jim Shaffer, 100 Applewood Dr, Sparta, spoke and gave a history of the company. President Whalen thanked him for continuing to grow the company in our Village. Council Member Bill Taylor asked about the number of current and new employees at the company. Jim Shaffer said they have recently hired one new employee, and he believes they will continue to hire more in the future. The expansion allowed them to retain quite a few employees.
Public hearing closed at 7:12pm.

8. Old Business

- a. **Res. 23-05 A resolution to designate eligible meetings for additional council member compensation & set planning commission compensation.** Village Manager Lower previously discussed this issue with President Whalen and the Township Supervisor. He thinks that eligible meetings where Council members and members of the public should receive compensation should include the Sparta Recreation Authority, sub-committees of the Village Council, Airport board, and Fire board, as well as the Planning Commission. That compensation will be set at \$50 per meeting. Council member Carlstrom said that he did not think that ALL sub committees should be subject to this resolution.

Village Manager Lower said that this resolution would allow the Village to adjust which sub-committees or other boards would fall under its purview without having to pass a new ordinance. He said that the purpose of this resolution is to make Village committee member compensation consistent with Township committee member compensation. Motion by Carlstrom with a second by Cumings to approve this resolution. Motion passed unanimously.

- b. **DDA Food Truck Policy Change Request:** Village Manager Lower mentioned the current Chik-fil-A food truck situation. He said they have repeatedly violated the Village's food truck ordinance. The Village set up a meeting with them to discuss the issues, and they did not show up. Because of that, the Village has revoked their permit.

DDA Director Elizabeth Morse spoke about why the DDA would like all food trucks prohibited from setting up in the Village except for times of special public or private events. She said that the DDA believes that food trucks hurt the brick and mortar businesses in the Village. They also do not contribute to the utility or tax revenue in the Village.

Council Member Taylor asked about the container stores. Council Member Carlstrom asked about raising permit fees.

Village Manager Lower said that we could raise fees (currently set at a minimal amount of \$100), but we can't make it arbitrarily high.

The Village Manager said that Village residents like the food trucks, but that they definitely hurt the brick and mortar businesses. He said that if you don't support those existing businesses, they might not be able to survive. He said that just raising permit fees won't make up for the business that food trucks take away from the brick and mortar restaurants. It was mentioned that Wing World lost 33% of their business when Chik-fil-A was in town. The food trucks have created tension between the trucks and the existing restaurants in the Village.

Council Member Taylor asked about the public events to which the food trucks might be restricted. DDA Director Morse said that those events must be sanctioned by the Village before they can occur. Council member Braybrook does not want to see food trucks prohibited. Council member Cumings asked that if we prohibit daily food trucks would that hurt us when we had public events and wanted food trucks there. DDA Director Morse said no – we'd still be able to attract various food trucks.

After much debate, the consensus of the Council was to limit food trucks to special Village events. Council Member Carlstrom reminded everyone that the Council can change the food truck regulations if need be in the future. Village Manager Lower will bring an ordinance next month pertaining to this issue, and the Council can revisit the issue. He said that current permittees will keep their permits until their permit expires. He also said that any of the food truck representatives can come to a Council meeting and appeal any restriction that the Council approves.

- c. **Civic Center Camera Follow-up:** It was the consensus of the Council to leave the regulations as they are and to NOT install any cameras in the Civic Center so as to monitor alcohol distribution and consumption. Potential renters are required to get liability insurance before holding their event in the facility. They are also prohibited from serving alcohol unless they get a liquor control permit and insurance. If they don't, they lose their security deposit and are prohibited from renting the facility in the future. It was also mentioned that our police officers are granted the right to stop in unannounced to any event, and that that right is contained in the contract that the renters sign.

9. New Business

- a. **Parks Master Plan Presentation:** Danielle Bouchard of McKenna Associates gave an update on the Parks and Recreation Master Plan as well as the Village Master Plan. She said that almost all grant funding requires that a master plan be on file. She said that she has done an analysis of the Village needs with input from the Township. She then discussed future improvements at all the parks located within the Village. Council members told her that a previous plan to update Lamoreaux park which included specific drawings was not liked by either the Council or by neighbors living adjacent to the park. It was mentioned that a basketball court would be a nice thing to add in the Village. Council Member Mais said that the Sparta Skate Park is in a condition of severe disrepair. She said that it needs to be improved quickly before someone gets hurt due to all the holes in the pavement. Since there is a day care located close to that park, it might be a nice addition to have some equipment for younger children installed there.

Ms Bouchard said that next steps included her revising her plans based on tonight's meeting. We then need to have a 30 day public comment period, then a public hearing, and then a resolution to adopt the Master Plan(s). Motion by Mais with a second by Peoples to approve a 30 day public comment period once the revisions are made to the current plans. Motion passed unanimously.

- b. **Res. 23-08 A resolution approving the Storage Control IFT Certificate Application:** This issue was addressed earlier in the public hearing. Village Manager Lower said that Storage Control Systems is in the process of completing a \$2.5 million expansion. The IFT (Industrial Facilities Tax Abatement) would abate half of the tax burden on the new addition for a period of 12 years for all local taxing entities. This is a tool commonly used in the State of Michigan as an incentive for industrial development. The Village has approved many such requests in the past and is slated to receive at least two more requests this year. Motion by Braybrook with a second by Taylor to approve this resolution. Motion passed unanimously. Council Member Carlstrom said that he hopes that the company continues to grow in our community.
- c. **Res. 23-09 A resolution adopting the 2022 Kent County Hazard Mitigation Plan:** This resolution allows the Village of Sparta and other local governments in our region to access funding in the event of a natural disaster. This also includes disasters such as train wrecks and hazardous material incidents. All of the work has been done by other organizations on the hazard mitigation plan. The Council only needs to adopt the plan by resolution. Motion by Cumings with a second by Mais to approve. Motion passed unanimously.
- d. **Res. 23-10 A: A resolution to expand the social district common areas in the downtown area:** This would include Balyeat field, the area by the creek, the library park, and the parking lot behind the Brew Haus. This change is coming at the request of the Sparta DDA. They believe the expansion will tie downtown in better with Rogers Park for events that happen in the park. It is believed the expansion will make it easier for patrons to bring "adult beverages" from downtown to Rogers Park. This change will also help us get ahead of the redesign of Balyeat field. The Village Manager administratively approved this expansion for special events this summer. So far, there have been no issues. This resolution would make this change permanent and year round. The Village Manager stated that he has talked with the township supervisor regarding this issue as it relates to the library park since that is managed by the Township. The purpose of including the library park is specifically to connect Rogers Park with Balyeat Field.

The Council debated this issue extensively. It was noted that being “drunk and disorderly” is still an offense whether the person is in the social district or not. Police Chief Milanowski said that he is in favor of including the Library Park.

Motion by Carlstrom with a second by Braybrook approving this resolution with the exception of Library Park. That area will be revisited again with input from the Township. Motion passed unanimously.

- e. **Res. 23-11 A resolution authorizing the village manager to sign easement conveyances:** These easements are needed to ensure the drain commission has legal authority to access those portions of Nash Creek that run through Village property. The easements will be used for the large maintenance and improvement project that is scheduled for next year. They will also be used for future maintenance of the drain. Motion by Cumings with a second by Mais to approve this resolution. Motion passed unanimously.
- f. **Retirement Healthcare Change:** Currently, retiring employees receive a healthcare stipend in an amount dependent upon their years of service. They are required to stay with the Village’s insurance plan and are prohibited from switching to a spouse’s plan. The Village Manager would like to change this policy so that the stipend will be paid into a health savings account which can only be used for healthcare costs. The retired employee would then be able to use that stipend as he or she wishes as far as funding healthcare costs. Motion to approve this change was made by Mais with a second by Braybrook. Motion passed unanimously. President Whalen said that the Village Manager is the one who came up with this plan, and that he felt it was an extremely wise idea. The Council also discussed how much time an employee must give to the Village as to his or her retirement date. The Village obviously needs adequate time to replace an employee. Since that is a contractual issue, an actual number of days needs to be stated. The Council decided that 90 days was an appropriate time period. This motion also authorizes the Village Manager to sign amendments to the current union contracts to reflect the change as well as to update the personnel manual.
- g. **Root Control:** DPW Supervisor Brinks submitted a memo outlining his recommendation to award a contract to Dukes Root Control for the third of three area treatments for 2023. As background, each year the DPW has contracted to have certain sanitary sewers jetted and vacuumed as a preventative maintenance to try and avoid sewer backups in homes. In the past, the Council approved contracted services to chemically treat the roots in three areas in town determined by the SAW work. Although there is a slight rate increase from the previous year, Supervisor Brinks noted that the bid from Dukes was still the lowest bid. Council Member Carlstrom is against chemically treating for root control. He noted that Dukes has been responsible for at least two violations due to the chemicals that they use. Supervisor Brinks does not know if the chemicals that Dukes uses are a direct cause of the violations. Since the chemical is proprietary, we don’t know exactly what it contains. Council member Carlstrom stated that some communities totally ban this – including Grand Rapids. Supervisor Brinks said that there is a mechanical way to do root control, but that is it much more costly than to use chemicals. Rob Smith from IAI was asked for his opinion, and he stated that he was not familiar with the chemical being used. It was noted that splitting up the chemical treatment into more than one application is better than treating it all at one time. Motion by Cumings with a second by Braybrook to award the contract to Dukes with Dukes being required to work with our DPW department in order to schedule the chemical applications appropriately. Nitrates and nitrites will be tested throughout the entire process and if any increase is noted, the chemical application will be stopped. Motion passed 6:1 with Council member Carlstrom dissenting for the reasons stated above.
- h. **Civic Center HVAC Replacement:** The AC unit that provides cooling for the City Church Office portion of the Civic Center recently failed. Both it and the furnace are very old. It makes financial sense to replace both units at the same time. Because the Village owns the Civic Center, which includes the City Church Office, the Village is responsible for these replacement costs. A request for bids went out, and we received three quotes. The Village Manager recommends that we

award the contract to Armock Mechanical Contractors due to their price and the materials being used. Motion by Taylor with a second by Mais to award the contract to Armock Mechanical Contractors in an amount not to exceed \$6400. Motion passed unanimously.

- i. **Polishing Pond Dredging:** At the end of our waste water treatment plant there is a final step before the water is discharged into the river. It is a large retention pond referred to as “the polishing pond”. The treated water goes to this pond where any remaining solids are settled out prior to discharge into the river. The pond eventually gets full of solids which then creates problems with duckweed growth. If the pond is allowed to get covered in duckweed or other vegetation, it can then create issues with the water being discharged into the river. In 2021, the Village paid to have solids removed from the pond. At that time, it was pumped rather than dredged. It is in need of this work again. This time we are proposing a more full-scale dredging of the pond with the goal of getting even more of the solids out. The utilities sub committee discussed this request and recommended approval. Motion by Carlstrom with a second by Mais to award the contract to BioTech at a cost of \$0.124 per gallon and a mobilization fee of \$7000. Motion passed unanimously. It was noted that the pond contains approximately 400,000 gallons. Rob Smith from IAI will be on site during the process. He will require that a solids analysis be done so that we can see what is being dredged out. Council member Carlstrom stressed that this analysis is extremely important so that we know what’s being put out in the fields. Council President Whalen requested that IAI and the DPW ensure that BioTech is hauling solids from the pond as opposed to liquids.
- j. **Full-time Police Officer Request:** Last year the Village Council approved adding an additional full time police officer. We filled that full time position with one of our part time officers. We only received two applicants for that full time position. The second applicant was subsequently offered a part time position in the police department which he accepted. Since most part time officers in the Sparta Police Department leave in a relatively short amount time to accept a full time position elsewhere, the Police Department would like to make this part time position a full time position. This makes fiscal sense because of the time and money it takes to train a new officer (approximately \$6500.) Hopefully offering a full time position will lead to the employee staying with the department permanently.

It was noted by the Village Manager that if the cost associated with changing the part time position to full time (approximately \$16,000 a year) becomes a problem, we can replace a full time officer who is slated to retire with a part time officer and therefore return to the status quo. Motion by Braybrook with a second by Mais to approve the hiring of an additional full time police officer. Motion passed unanimously.

- k. **Parking Lot Budget/Project Approval:** We have received preliminary budget numbers for the Balyeat Field parking lot project. The estimates are for just over \$400,000. As part of this project, the Village would also like to expand and repave the parking lot behind the Village Hall/Trini’s and pave the parking area near the railroad to the east of Angela’s. The Village Manager expects the costs for those two projects to be in the range of \$125,000. He noted that doing all three projects together will yield a savings. Motion by Braybrook with a second by Mais to authorize the Village Manager to move forward and execute agreements for the parking lot projects as described at a cost not to exceed \$525,000. Motion passed unanimously.

10. Village Manager & Department Reports

- a. The Village Manager reported that he and DDA Director Morse participated in “Developer and Financial Institutions Day” in the N Kent County sector. He said that participants toured Sparta with an eye for sites in the Village that are prime for development. He said that the Rodeo Grounds is a very attractive area to developers. He also said that the participants were very positive about Sparta’s presentation both in terms of industrial development as well as the housing component.
- b. Airport manager Mike Krzciok said that he was very happy in his new position as airport manager.

- c. Chief Milanowski thanked the Council for approving a new full time officer position. He said that that will be a game changer.
- d. Rob Smith from IAI thanked the Council for approving the polishing pond dredging.

11. Communications

- a. DPW Supervisor Brinks announced that he is resigning his position in order to take up a new position in Ada. His last day will be June 30th.
- b. There was a tour of 347 Evergreen earlier in the day by the Village Manager, the Council President, and some Council members. This is a building that is now owned by the Village. Future usage was discussed with a day care being one of the options. An RFP for the building has been posted. The Council also discussed possibly moving the Police Department to this location. The Village Manager said that he would have a workshop/special meeting in July for the Council to take an in depth look at moving and possibly consolidating all of the various Village departments and offices.
- c. Council member Carlstrom mentioned that all of the projects that Sue Blackall is responsible for play a major part in the Village staying in compliance with our storm water permit. He said that we need to recognize the contribution that she plays.

12. Payment of Bills

May Payables

PAYABLES	
(101) General Fund	\$69,530.99
(202) Major Street Fund	\$5,645.67
(203) Local Street Fund	\$8,628.90
(581) Airport	\$36,917.80
(590) Sewer Department Fund	\$61,686.49
(591) Water Department Fund	\$32,126.93
(661) Equipment Rental Fund	\$951.79
Total	\$215,488.57

Informational:

(206) Fire Department	\$3,421.19
(208) SRA Park Fund	\$8,623.16
(248) Downtown Development Authority	\$6,976.86
Total	\$19,021.21

Motion by Braybrook with a second by Taylor to approve the payment of bills in the amount of \$215,488.57. Motion passed unanimously.

13. Public Comment:

Jim Lynema, 291 Doris St, Sparta, asked that the resolutions to be voted on at each Council meeting be posted prior to the meeting. The Village Manager stated that those resolutions are published on the

website on the Thursday prior to those meetings. They are contained within the "Council packet" portion of the notes for the meeting. Mr Lynema also asked that a map of the new social district be put on the Village website. The Village Manager said that he would update that. He also asked that a map of the Balyeat Field parking lot changes be put onto the Village website. The Village Manager will do that.

Ricky Johnson, 29 Centennial, Sparta, asked that we get microphones in the Civic Center so that audience members could more clearly hear the Council members when they speak. He also requests that we change the seating arrangements so that the audience can better see everything.

14. Council Member Announcements:

President Whalen said that although the Village Manager is scheduled for a six month review at the appropriate time, he would like to give a quick review now. He said that he's been extremely impressed with Village Manager Lower's knowledge and how quickly he's been getting things done. He proposed that the Council authorize a \$2000 raise effective immediately. Council member Cumings said that the Village Manager was always available to talk and that he did a good job of explaining things. Motion by Peoples with a second by Braybrook to authorize the \$2000 raise. Motion passed unanimously.

15. Adjournment: The meeting was adjourned by President Whalen at 9:28pm.

Submitted by Katy Shelton, Village Clerk.