

VILLAGE OF SPARTA

Kent County, Michigan

Village Council Meeting

Monday, September 12, 2002 at 7pm

75 N. Union St. (Sparta Civic Center)

Present: President Robert Whalen, Council members Bill Taylor, Dave Cumings, Robert Carlstrom, Brenda Braybrook, and Jayne Heath.

Also present: DPW Supervisor Dennis Brinks, Finance Director David Carpenter, Village Manager Shay Gallagher, and Village Clerk Katy Shelton.

Absent: Gale Taylor

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 members in attendance or absent are noted above.
4. **Additions or Corrections to Consent and Business Agenda:** Village Manager Gallagher asked to insert "Housing Next & The Right Place Presentation" as item A in the Agenda and move everything else down.
 - a. Approve Regular Village Council Meeting Minutes of August 8, 2022.
 - b. Approve Special Village Council Meeting Minutes of August 15, 2022.
 - c. Approve Planning Commission Meeting Minutes of August 1, 2022.
 - d. Approve Special Planning Commission Meeting Minutes of August 10, 2022.
 - e. Approve Downtown Development Authority Meeting Minutes of August 9, 2022.
 - f. Shop Sparta Firework Approval – November 19, 2022.
5. **Approval of Consent and Business Agenda:** Motion by Carlstrom with a second by Braybrook to approve the agenda subject to addition of Housing Next & The Right Place Presentation. Motion passed unanimously.
6. **Public Comment for Agenda Items:**

Please note: This Public Comment portion of the meeting is reserved for comment on agenda items.

Rick Toppel, 210 Martindale, commented on the Code Enforcement issue. He said that he'd gotten a bill for mowing when he had already mowed his lawn. He said that the Code Enforcement Officer was estimating things (heights of tree branches) from her car, and stated that she needed to actual measure things if she's going to be issuing citations. He feels that the Code Enforcement Officer is nitpicking too much.

Clayton Knowels, 374 Fairlane, stated that Fairlane is a private drive. He asked why was it appropriate for the Code Enforcement Officer to come onto private property. He thinks the

Village needs to have a local Code Enforcement Officer. He believes that various Village properties are in violation of code ordinances and that they need to take care of those if they're going to be citing private residences. He also believes that the Code Enforcement Officer needs to take accurate and real measurements as opposed to estimating.

Robert Piersma, 372 Fairlane Dr, also asked why the Village Code Enforcement Officer was on private property, i.e., Fairlane Drive.

Ricky Johnson, 29 Centennial, believes that the Code Enforcement Officer is nitpicking and not focusing on big violations. He also questioned whether citations implied jail time or monetary fines for offenders since they are civil infractions. He also took issue with the language of a recent citation he received. He stated that it read, "...It appears that your front porch needs repair..." He believes that "appears" is a very vague and imprecise term. He thinks that citations should state that the item referenced does violate a specified ordinance.

Linda Gary, 3282 E 128th Grant MI, stated that she owns several rental properties in Sparta. She said that letters are being sent to tenants rather than to her as the property owner. She also said that the Code Enforcement Officer said she did not know how to ascertain who the actual property owner is. She stated that she did not believe that deadlines to fix violations were reasonable given the "supply chain" issues our country is having due to COVID. She also asked if "redlining" was occurring in the Village because she does not believe that violations are being cited across the board.

Thomas Peoples, 179 Alma, commented on the POW Recognition Day. He wondered if that was a yearly occurrence and believes that it should be. President Whalen stated that it has been happening yearly for many years, and that the organizers of the event have stated that they prefer that the Council vote for it specifically every year.

7. Public Hearing:

- a. None.

8. Old Business:

- a. None.

9. New Business:

a. Brook Oosterman and Travis Alden from The Right Place and Housing Next were here to discuss housing within Kent and Ottawa Counties and trends that were occurring. They also discussed the amount of housing units needed within both counties. They emphasized how housing works hand in hand with economic development. It was noted that The Right Place helped Sparta get awarded \$300,000 in funding for the Arches Parking Lot project. As Travis Alden said, "Great communities don't happen by accident. It takes intentionality."

b. Resolution 22-21 – A Resolution Designating September 16, 2022 as Prisoner of War/Missing in Action Recognition Day: As the Village has done in the past, this resolution

recognizes September 16, 2022 as POW/MIA Recognition Day. Motion by Braybrook with a second by Cumings to approve. Motion passed unanimously.

c. Resolution 22-22 – A Resolution of intent to vacate Public Right-of-Way to schedule a hearing to consider objections to such action: This is an alleyway that runs parallel to Division St that runs between 310 E. Division and 275 Hickory St. This alleyway has never been utilized by the Village. All properties along the alleyway are now under single ownership with the intent to redevelop that half block. This vacation process will follow the same outline as the Mark St. vacation, which includes scheduling a public hearing not less than 30 days from the passage of this Resolution. Motion by Heath with a second by Braybrook to approve. Motion passed unanimously.

d. Department of Public Works Office HVAC: The DPW office is currently heated with an electric heater mounted to a wall of the office, and the office is cooled by a thru-wall air conditioning unit. Neither unit adequately heats or cools the office/breakdown area. This was a budgeted item for fiscal year 2022. The Village received two quotes for this project which will also heat and cool and restroom area in the DPW garage. Motion by Bill Taylor with a second by Heath to award this contract to Orchard Hill Mechanical in an amount not to exceed \$9,225.00. Motion passed unanimously.

e. General Formulation Storm Sewer Contracts: This agreement will allow a new parking lot to be built at 259 Maple St NW with all parking lot stormwater being detained at 197 E. Averill St in a detention pond. The Village attorney has drafted and reviewed all necessary agreements. Motion by Cumings with a second by Braybrook to allow the Village Manager to execute this contract. Motion passed unanimously.

f. Ordinance 22-12 – An Ordinance to Rezone 36 Elmwood ST NW from split R-2/GC to General Commercial: The Sparta Fire Department is located at 36 Elmwood St. This parcel currently has split zoning (R-2 along Elmwood and GC along N. State St.) Rezoning to a single zoning designation makes the most sense going forward. The Planning Commission, the Township, and the Fire Department all support this ordinance. It was noted that the intensity of use won't change – there is no true commercial activity anticipated at this location. Motion by Heath with a second by Carlstrom to approve. Motion passed unanimously.

g. Toolcat Snow Plow Purchase: In July 2022, the Village Council voted to approve the purchase of the Toolcat machine to replace the Telex. The final cost of the Toolcat was \$27,000 under budget. To ensure that the Toolcat is outfitted for all conditions, staff is requesting the purchase of a 6-way snow blade for winter operations. Motion by Braybrook with a second by Cumings to go forward with the purchase of a 6-way snow blade from the low bidder Carlton Equipment at a cost of \$6,810.00 plus applicable freight costs. Motion passed unanimously.

h. WWTP Contract Operations Discussion: The Village is entering the final seven months of our contract with Infrastructure Alternatives (IAI) to operate the Wastewater Treatment Plant. IAI has operated the WWTP for the Village since 2015. The consensus of the Council was to issue an RFP to enter into a contract with the Village to operate the WWTP and

to invite IAI to apply. Bringing this operation back “in house” was also discussed by Council members.

I. DDA Mural Request: Elizabeth Morse, DDA Director, appeared to discuss this request. She would like to install a mural on the exterior of the Civic Center restroom building. It would include anti-graffiti coating to allow for the mural to be power washed to immediately eliminate any graffiti. This interactive mural will include a ladder to climb and a swing to perch on with the goal of being a place for taking iconic photographs. The consensus of the Council is to move forward with this project.

j. Code Enforcement Policy and Procedure: In the late spring/early summer of 2022, the Village began to proactively enforce the Village code and ordinances based upon the Council’s stated goals for 2022. While code enforcement is a valuable tool within the community, clear policy and procedure directives must be put into place. To this end, this did not occur correctly from the onset of this code enforcement. Given this, staff has created a new code enforcement tracking document and a policy and procedure directive.

Council members discussed this issue extensively. The Village Manager reminded everyone that only four citations have been issued thus far. It was mentioned that the Village needs to give owners adequate time to remedy their violations, especially with big projects, such as having to get an entire house repainted. Council member Carlstrom stated that citations need to be accurate without any guess work. It was noted that the public can find the new Code Enforcement manual under “Planning and Zoning” on the Village web site. It was noted that time lines to remedy violations will be updated on future notices. Council member Carlstrom asked about the Code Enforcement Officer going onto private roads in order to inspect properties. The Village Manager is going to check into this.

10. Communications:

A. Downtown Development Authority Communication: Sparta has received \$363,375 for the “Sparta Town Square: Phase 2”. Phase 2 will include additional public space improvements to the Town Square. Travis Alden from the Right Place, DDA Director Morse and Village Manager Shay Gallagher were instrumental in obtaining this funding. Council member Braybrook asked about the boardwalk that is included in this project.

Council members talked about the various railroad crossings around town and how they are too high. Locations include Grove and Schultz. Council member Cumings asked that they be made smoother.

Finance Director Dave Carpenter mentioned that property taxes are now due and notices have gone out.

Airport Manager Marty Coaker was not present, but the Village Manager mentioned that improvements to the airport are moving along. They are scheduled to be finished in spring of 2023. This is later than desired, but it was noted that it’s been difficult to obtain adequate supplies.

11. Payment of Bills: Motion by Heath with a second by Braybrook to approve the payment of bills in the amount of \$284,957.21. Motion passed unanimously.

12. Public Comment: Julie Sanford, 370 Nelson, asked about the proposed marijuana dispensary issue. She mentioned that she's a nurse who has worked in addition facilities. She feels that approving these businesses in our community sends a bad message. She feels that marijuana is a gateway drug that leads to more dangerous drugs. She is strongly opposed to having these dispensaries in our Village.

13. Council Member Announcements:

A. None.

14. Adjournment: Meeting adjourned by President Whalen at 8:47pm.

Submitted by Katy Shelton, Village Clerk.