

VILLAGE OF SAND LAKE
MINUTES
REGULAR COUNCIL MEETING
NOVEMBER 16, 2015

1. **CALL TO ORDER:** The regular meeting of the Sand Lake Village Council was called to order by Trustee/Pro tempore President Dave Dewey at 7:00 p.m. on Monday, November 16, 2015, at the Sand Lake Municipal Building.

2. **PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was recited and a brief silence for Paris.

3. **ROLL CALL**

MEMBERS PRESENT: Jim Ward, Thomas Norton, Adam Hill, Dave Dewey, Bette Towsley.

MEMBERS ABSENT: Danielle Hardenburg, Roger Towsley

D. Hardenburg and R. Towsley are excused.

4. **AGENDA**

Motion made by T. Norton and seconded by J. Ward to approve the November 16, 2015 Agenda after the following corrections: Point C under Unfinished Business, from Luky's: Cristal to Lucky's: Crystal.
MOTION CARRIED

5. **ADMINISTRATIVE REPORT**

A. **MINUTES: OCTOBER 19, 2015 REGULAR MEETING**

Motion made by T. Norton and seconded by J. Ward to approve and file the October 19, 2015 Regular Council Meeting Minutes.
MOTION CARRIED

1. **CHANGE THE MOTION MADE ON SEPTEMBER 21, 2015
MINUTES REGARDING THE PURCHASE OF STEEL FOR THE
BIG TRUCK REAR TAIL GATE**

Motion made by T. Norton and seconded by A. Hill to change the motion made under point 10. DPW Report on September 21, 2015 minutes to only "authorize the purchase of steel for the building of the big truck rear tail gate for \$500.00 and expenditure charge to Equipment Rental Fund.
MOTION CARRIED

B. **FINANCIAL MATTERS:**

1. **FINANCIAL STATEMENT**

Motion made by T. Norton and seconded by A. Hill to approve and file the October 2015 Financial Statement as presented by Treasurer Brenda Arnold.

MOTION CARRIED

2. BILLS:

Motion made by T. Norton and seconded by J. Ward to pay the October – November 2015 bills in the amount of \$12,830.06 (Twelve Thousand, Eight Hundred Thirty Dollars and Six Cents).

MOTION CARRIED

3. KCCDBG PROJECT: HANDICAP ACCESSIBLE DOOR

Motion made by A. Hill and seconded by T. Norton to send Automatic Door Service's invoice for the amount of \$4,188.00 to Kent County Community Development Block Grant to be fully paid.

MOTION CARRIED

4. AMENDMENT FOR MAJOR STREETS, STORM DRAINS AND EQUIPMENT RENTAL FUND FOR \$2,945.00

Motion made by T. Norton and seconded by A. Hill to approve a budget amendment for the Major Streets Storm Drains and Equipment Rental Fund for \$2,945.00

MOTION CARRIED

5. AMENDMENT FOR WATER FUND FOR \$581.00

Motion made by A. Hill and seconded by T. Norton to approve a budget amendment for the water Fund for \$581.00.

MOTION CARRIED

6. AMENDMENT FOR GENERAL CLERK'S FUND FOR \$536.00

Motion made by A. Hill and seconded by T. Norton to approve a budget amendment for the Clerk Fund for \$536.00.

MOTION CARRIED

6. PUBLIC COMMENT

Resident Dan Hula expressed his concerns about being threatened and his demand for Police Chief (PC) Reamsma to be retired. Mr. Hula expected his previous conversation with PC Reamsma to be private.

Mr. Hula stated that he started the recall process against Trustee T. Norton.

Resident Greg Wheeler inquired about a vehicle for-sale that was parked on a property. PC Reamsma explained to him the regulations for this issue.

Resident Dabbie Majeski stated that Trustee Norton was degrading people during the CMC Tavern TV News event. She felt that his behavior was not acceptable. Resident Gerald Frahm confirmed Ms. Majeski's statement.

Trustee Dewey, stated that Mr. Hula published an article in the Cedar Springs Post (November 12, 2015) in which his statements made it difficult for the police officers to do their job. Trustee Dewey proceeded to read the article out-loud to the audience.

Trustee Norton introduced Ms. Danielle Acton. Ms. Acton, the new owner of the 42 E. Lake Street property, expressed her gratitude to the Village residents, the Council, Dan Hula, and CP Reamsma who have been helping her during the establishment of the new business. Also, she stated that police officers have been constantly present by her business. In spite of that, she doesn't feel harassed, yet protected.

The statement by Mr. Hula making PC Reamsma responsible for closing the CMC Tavern was discussed.

Trustee Dewey stated that, according to a video from PC Reamsma's surveillance camera, Mr. Hula implied, by telling PC Reamsma to retire, that PC Reamsma was "too old" which could be construed as age discrimination.

Trustee Norton tried to present the video from the surveillance camera, yet he was unable to do so due to technical problems.

Trustee Norton explained to the Council and audience that in the video Mr. Hula came to the Police Department as a Zoning Administrator and demanded PC Reamsma to retire from his duties as well as ignore the law when it needed to be enforced. Mr. Hula also harassed PC Reamsma regarding religion.

Trustee Dewey read out loud to the Council and audience the Federal Laws prohibiting job discrimination including religion and age. He also stated that police officers, Council, Zoning Administrator and all other Village officials were sworn to uphold the law, not to ignore it.

Motion made by A. Hill and seconded by T. Norton to terminate Mr. Dan Hula as the Village Zoning Administrator due to religious harassment and age discrimination, as well as for telling PC Reamsma to ignore the law.

Roll Call Vote:

JAMES WARD:	YES
THOMAS NORTON:	YES
ADAM HILL:	YES
DAVE DEWEY:	YES
BETTE TOWSLEY:	YES
ROGER TOWSLEY:	ABSENT
DANIELLE HARDENBURG:	ABSENT
MOTION CARRIED	

7. POLICE REPORT

A. MONTHLY REPORT

Motion made by T. Norton and seconded by B. Towsley to accept and file the October 2015 Police Report as presented by Police Chief James Reamsma.

MOTION CARRIED

PC Reamsma and the Council congratulated Sgt. Steve Brandow for his efforts and observation skills which resulted in the seizure of nearly one pound of marijuana.

KENT COUNTY QUARTERLY REPORT

Kent County quarterly report is a mix of calls from Kent County dispatch and the Village.

8. FIRE REPORT

A. MONTHLY REPORT

Motion made by T. Norton and seconded by J. Ward to accept and file the October 2015 Fire Report as presented by Fire Chief Holtzlander
MOTION CARRIED

Fire Chief would like to purchase a Flir-K45 thermal camera with a truck-mounted charger for \$4,890.00 to detect unseen fires and hot spots.

Motion made by T. Norton and seconded by J. Ward to approve the purchase of a Flir-K45 thermal camera with a truck-mounted charger for \$4,890.00.
MOTION CARRIED

9. DPW REPORT

A. MONTHLY REPORT

Motion made by T. Norton and seconded by A. Hill to accept and file the October – November 2015 DPW Report as presented by Mr. Jerry Dines.
MOTION CARRIED

10. UNFINISHED BUSINESS

A. CMC TAVERN LLC: DENIAL OF LIQUOR LICENSE APPLICATION

PC Reamsma read out loud to the Council and audience some paragraphs of the Department of Licensing and Regulatory Affairs Liquor Control Commission notice. Therefore, it was proved that PC Reamsma did not force the CMC Tavern to close.

B. CASAIR: VILLAGE LAWYER REVIEW

Motion made by T. Norton and seconded by B. Towsley to accept the First Amendment from Casair's agreement without changes that were suggested by the Village lawyer Jeff Sluggett and to be signed by President Towsley.
MOTION CARRIED

After reviewing the Village lawyer's opinion regarding the First Amendment with Casair, Trustee Norton stated that the amendment doesn't need to be changed.

C. LUCKY'S: CRYSTAL FLASH FILLING STATION PROJECT

Todd Finkel, Lucky's Warehouse (LW) owner, summarized the advice received from Planning Commission when the propane tank filling station plan was presented.

Aaron MacDonald, from Crystal Flash Energy, presented to the Council and audience the drawings, made by hand, and a sample picture from another propane filling station. He stated that other municipalities don't request drawings made by an engineer as Mr. Hula requested it at the Planning Commission meeting.

Mr. MacDonald had already started the process with Department of Environmental Quality (DEQ) and had received pre-approval for the project from DEQ which will do the final inspection. Mr. Finkel will give the Village a copy of the DEQ final inspection report. Crystal Flash will provide training to LW's staff.

Motion made by T. Norton and seconded by B. Towsley to allow Todd Finkel Lucky's Warehouse owner and Aaron MacDonald from Crystal Flash to proceed with the propane filling station project at LW's property, after they comply with the DEQ requirements and have its approval. All work is to be done in accordance with governmental regulations and industry standards.

Roll Call Vote:

JAMES WARD:	YES
THOMAS NORTON:	YES
ADAM HILL:	YES
DAVE DEWEY:	YES
BETTE TOWSLEY:	YES
ROGER TOWSLEY:	ABSENT
DANIELLE HARDENBURG:	ABSENT
MOTION CARRIED	

11. NEW BUSINESS

A. APPOINT NEW MEMBERS FOR THE ZONING BOARD OF APPEALS

Motion made by T. Norton and seconded by b. Towsley to appoint Adam Hill as a member for the Zoning Board of Appeals.

MOTION CARRIED

Motion by T. Norton and seconded by J. Ward to table the appointment of four more members for the Zoning Board of Appeals for December 21, 2015.
MOTION CARRIED

B. DANIELLE ACTON: PERMIT TO OPERATE A BAR

Danielle Acton presented the bar operation plan to the Council and introduced Edward Hershberger Jr her brother and business partner. Ms. Acton informed the Council about her extensive business experience, including alcohol and food service. Currently, she is employed at Deano's Bar in Muskegon, MI. Moreover, Ms. Action requested that police officers address any future problems directly to her.

Ms. Acton expressed her desire to help the Village to apply for grants, since she communicates constantly with some departments of Kent County.

PC Reamsma recommended Ms. Acton to the Council to be the new bar operator, since she is correctly following the states' procedures.

Motion made by T. Norton and seconded by B. Towsley regarding the application from Danielle Acton and Edward Hershberger Jr. for the Class C - on premises Liquor Licenses with Entertainment license to be located at 42 W. Lake St. Sand Lake, MI 49343. It is the consensus of the Council to **recommend** this application be considered for approval by the Michigan Liquor Control Commission. (see copy of LC-1305 form filed after Resolution 2015-14).

Roll Call Vote:

JAMES WARD:	YES
THOMAS NORTON:	YES
ADAM HILL:	YES
DAVE DEWEY:	YES
BETTE TOWSLEY:	YES
ROGER TOWSLEY:	ABSENT
DANIELLE HARDENBURG:	ABSENT
MOTION CARRIED	

C. PROPERTY AT 315 OAK STREET

Treasurer Arnold presented to the Council the map where the 315 Oak St. is located. Since Kent County did not sell it during auction, the Village has the option to purchase it.

Motion made by T. Norton and seconded by A. Hill to table the decision of purchasing 315 Oak St. property for December 21, 2015.
MOTION CARRIED

12. COMMITTEE REPORTS

Clerk Nielsen will notify Panning Commission members regarding the special meeting cancelation.

13. TRUSTEE COMMENTS

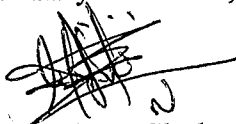
No comments were made.

ADJOURNMENT

There being no further business to come before the Council,
Motion made by T. Norton and seconded by B. Towsley to adjourn.
MOTION CARRIED

Meeting adjourned at 9:08 p.m.

Respectfully submitted,


Leticia Nielsen, Clerk