

Council Meeting
Common Council
August 5, 2019

The regular meeting of the Common Council was held at Zeeland City Hall, 21 S. Elm, Zeeland MI on Monday, August 5, 2019. Mayor Klynstra called the meeting to order at 7:02 p.m.

PRESENT: Council members – Mayor Klynstra, Gruppen, Broersma, VanDorp,
Kass, Timmer, Lam

ABSENT: Council members – None

Staff present: City Manager Klunder, City Attorney Donkersloot, Asst. City Mgr/Finance Director Plockmeyer, Maintenance Facilities Manager Venlet, Fire-Rescue Chief Tibbets and City Clerk Holmes

The invocation was offered by Councilmember Jim Broersma.

The Pledge of Allegiance was recited.

19.113 Approve Consent Agenda

Motion was made by Councilmember Broersma and seconded by Councilmember Timmer to approve the Consent Agenda as presented.

1. Approve minutes of the regular meeting of July 15, 2019.
2. Approve minutes of the work-study session July 15, 2019.
3. Receive for information the Board of Public Works minutes of July 30, 2019.
4. Ratify BPW Action #19.054 Approving Cash Disbursements and Regular Monthly Transfers.
5. Ratify BPW Action #19.055 Digger Truck Replacement.
6. Ratify BPW Action #19.056 Eaton/Power Line Supply Purchase Order.
7. Ratify BPW Action #19.057 Mobile Phone and Data Security Policies.
8. Ratify BPW Action #19.058 MPPA Hedge Policy.

Roll call.

AYES: Timmer, VanDorp, Lam, Broersma, Gruppen, Kass, Mayor Klynstra

No Votes: None

Absent: None

Stephanie Fast, 46 Sanford Street, was present to thank City Council and all that were involved in the recent improvements at the Splash Pad such as the buckets, the sunscreen dispenser and the first aid box. She feels we live in a wonderful community and those little extras are things that make us stand out as a community and she is proud to be a resident here. She also appreciated the extra storm debris pick up that was done following our last storm. She thanked Council for the great job they are doing.

Al Dannenberg, 525 William Street, and he also thanked Council for the improvements at the Splash pad – his grandkids love the buckets. Saturday night, he had the experience of riding in a Sheriff's car to head to Grand Haven's Coast Guard Festival to see the Command Station which is a Michigan State Police motorhome. He reported everything is running well at the County. They are all being trained on diversity at the end of August. He ended by thanking Council for all the work that they do and he agreed Zeeland is a great place to live.

City Manager's Report

- ***Reith Riley Strike***

Reith Riley went on strike last week. They are the paving contractor for Washington Avenue. Depending on how long the strike lasts, it may have an impact on the project but it is too early to tell. It is impacting repairs we have been working on for some of our nonmotorized pathways. We milled some bad spots on the pathway and were ready to have them repaved, but we are currently on hold with those repairs.

- ***Downtown Vision Committee***

The Downtown Vision Committee met last week to focus on the city's property at 3 E. Main, the other corners at Main/State; and the possibility of a downtown passageway – primarily from the north parking lot to Main. The consultant will now take the information gathered during the meeting and generate a report. We are targeting an initial recommendation, at least for 3 E. Main, for City Council's September 3rd meeting.

- ***Planning Commission***

The Planning Commission held their regular monthly meeting this past Thursday. At the meeting they approved a new three-story, 13,000 sq.ft. addition, to the Centennial West building. The addition will host a chemical lab. The Planning Commission also scheduled a public hearing for September 5th on a proposed revision to the burning ordinance. I have attached the revised draft for your information. The updated ordinance looks to clarify ability to have recreational fires while also providing guidance on the appropriate method of having a recreational fire.

19.114 Approve Mobile Phone Policy

Motion was made by Councilmember Gruppen and seconded by Councilmember Timmer to approve the Mobile Phone Policy as presented.

Roll call.

AYES: VanDorp, Lam, Broersma, Gruppen, Kass, Timmer, Mayor Klynstra

No Votes: None

Absent: None

19.115 Approve Data Security Policy

Motion was made by Councilmember Broersma and seconded by Councilmember Kass to approve the Data Security Policy as presented.

Roll call.

AYES: Lam, Broersma, Gruppen, Kass, Timmer, VanDorp, Mayor Klynstra

No Votes: None

Absent: None

19.116 Budget Amendment–Public Safety Building Emergency Communications Center Safety Modifications

Motion was made by Councilmember VanDorp and seconded by Councilmember Gruppen to amend the budget as recommended and award the Emergency Operations Center project to West Michigan Office Interiors of Holland for the amount of \$6,416.89.

Roll call.

AYES: Broersma, Gruppen, Kass, Timmer, VanDorp, Lam, Mayor Klynstra

No Votes: None

Absent: None

19.117 CWP Emergency Blower Repair

Motion was made by Councilmember Kass and seconded by Councilmember Broersma to approve the repair of #2 Turbo blower not to exceed \$11,801 and that the funding come from the Zeeland Clean Water Plant 2019-2020 budget, equipment maintenance fund.

Roll call.

AYES: Gruppen, Kass, Timmer, VanDorp, Lam, Broersma, Mayor Klynstra

No Votes: None

Absent: None

19.118 Resolution - Public Record Inspection Policy

Motion was made by Councilmember Timmer and seconded by Councilmember VanDorp to adopt the Resolution for Public Record Information Policy as presented.

Roll call.

AYES: Kass, Timmer, VanDorp, Lam, Broersma, Gruppen, Mayor Klynstra

No Votes: None

Absent: None

19.119 Resolution – Waive Penalties for Failure to File Property Transfer Affidavit

Motion was made by Councilmember Lam and seconded by Councilmember Timmer to adopt the Resolution authorizing the waiver of penalties for the failure to timely file a Property Transfer Affidavit as presented.

Roll call.

AYES: Timmer, VanDorp, Lam, Broersma, Gruppen, Kass, Mayor Klynstra

No Votes: None

Absent: None

19.120 Resolution No. 1– Downtown Maintenance Special Assessment

Motion was made by Councilmember Gruppen and seconded by Councilmember Timmer to adopt the Resolution for the SARB Parking Lots Maintenance Special Assessment District, 2020-2021.

Roll call.

AYES: VanDorp, Lam, Broersma, Gruppen, Kass, Timmer, Mayor Klynstra

No Votes: None

Absent: None

19.121 Resolution - Macatawa Bank

Motion was made by Councilmember Broersma and seconded by Councilmember Kass to approve the authorizing Resolution and Account Agreements with Macatawa Bank.

Roll Call.

AYES: Lam, Broersma, Gruppen, Kass, Timmer, VanDorp, Mayor Klynstra

No Votes: None

Absent: None

Mayor Klynstra reminded Council about the Community Foundation Fall Celebration Event on September 12. The City will be sharing a table for 8 with the BPW. Anyone interested in attending should RSVP with City Clerk Holmes.

Mayor Klynstra, Boatright and Klunder visited Plascore and met with Fritz Hubner on projects going on. Klynstra and Boatright also visited Consumers Power.

Mayor Klynstra went to Faith Reformed Church a few weeks ago and presented a Proclamation for their Youth Group and Directors for their weekend volunteer work they do in the community.

Mayor Klynstra attended a Mayor's Conference last week in Port Huron.

Mayor ProTem Gruppen expressed her thanks to Abby deRoo and Kerri VanDorp for their work on the A-Z Project. Also, thanks for their work on Zeelmania and the Soundz of Summer.

August 6 is National Night Out in the area of McKinley and Colonial. This is sponsored by our Police and Fire-Rescue.

There being no further business to come before the Council, motion was made by Councilmember Broersma and seconded by Councilmember Kass that the meeting adjourn at 7:25 p.m. Motion carried.

Pamela Holmes, City Clerk

MEMORANDUM OF WORK-STUDY SESSION

Zeeland City Hall

21 S. Elm Street

August 5, 2019

6:00 P.M.

PRESENT: Council members – Mayor Klynstra, Gruppen, Broersma, VanDorp, Kass, Timmer, Lam

ABSENT: Council members – None

Staff present: City Manager Klunder, City Attorney Donkersloot, Maintenance Facilities Manager Venlet, Asst. City Mgr./Finance Dir. Plockmeyer, Fire-Rescue Chief Tibbets, BPW General Manager Boatright, CWP Superintendent Englesman, Community Development Director Maday BPW and City Clerk Holmes

Mayor Klynstra called the meeting to order at 6:00 p.m.

Mobile Phone Policy

BPW General Manager Boatright explained that Staff has been wanting to deploy mobile phones among various members of our field personnel to improve and enhance voice and electronic communication capabilities between and among operating personnel. As part of this process, staff turned to the City of Zeeland Employee Handbook to obtain guidance from the pertinent existing policies to ensure the fair and consistent deployment among various job classifications, as well as to ensure that those assigned the use of a mobile phone for business purposes understand the conditions and rules associated with such a responsibility.

In reviewing existing City policies, it became apparent that certain of these policies were deficient in regard to present-day practices in the broader use of mobile phones and the disclosure of the applicable laws and regulations in which the City must comply. Therefore, staff undertook a revision of the mobile device policy for the purpose of bringing City policy into alignment with the aforementioned present-day device usage and compliance issues.

The following are highlights of the draft revised Mobile Phone policy:

- Provides the City with the ability to deploy an “Employer-owned” mobile phone or to alternatively offer a monthly stipend, the amount of which would be set administratively
- Establishes guidelines for administration of the mobile phone or stipend based on employee job capacity
- Establishes “Conditions and Rules” that address, among other things, the provisioning and updating of applications used on mobile phones; the personal use of Employer-provided mobile phones; the performance of work using a mobile phone outside of normal work hours by non-exempt staff; and the disclosure that the mobile phone used for business is subject to open-records laws

Data Security Policy

The new Data Security Policy has become necessary to cover cyber-related issues associated with any “computer or mobile device and storage media such as USB flash drives, smart cards, data DVDs/CDs, etc.” and the term “mobile device” includes “phones, tablets, notebooks and any other portable computing device used for work purposes, whether purchased by the Employer or the employee”. The wide-spread use of computers and mobile devices in the

workplace has prompted the need for the City to establish policy that aligns with workplace cyber-security best-practices.

Budget Amendment for Public Safety Building Emergency Communications Center Safety Modifications

It has been requested to change the layout and enlarge the Emergency Operations Center at the Public Safety Building. The Emergency Operations Center acts as a command center for City events and various emergencies such as severe weather. Chief Tibbets is asking for additional works space for his team and also a meeting space for City Department Heads to meet with Fire/Rescue team members for planning, emergencies, etc. It has also been recommended that the area become a locked space since it houses the controls for the City and County-wide public warning sirens.

In order to enlarge and secure the area, additional Herman Miller panels will have to be added. In order to provide a secure and lockable space, the existing 60-inch high panels will have to be removed and replaced with panels that are 85 inches in height. This is also necessary so a locking door can be installed. Additional work surfaces will also be added. West Michigan Office Interiors was contacted to provide a price for the work as they have assisted us in the past with the removal and re-installation of our office systems during the painting and carpet replacement projects at the Public Safety Building and City Hall in 2016. The price quoted for this project is \$6, 416.89 meaning the 2019-2020 budget would have to be amended.

CWP Emergency Turbo Blower Repair

CWP Superintendent Engelsman reported on Saturday, July 27 the Zeeland Clean Water Plant experienced a power surge that lead to significant damage to one of our major pieces of equipment. Typically, a power surge lasts long enough that our backup generators will start at which point everything has set run times slowly switching back to normal power. This particular event happened so quickly that the generators were not called to operate. As numerous large pieces of equipment were re-energizing, it caused a large amount of power to be pulled into the plant causing an explosion in Turbo blower #2 damaging the inverter. The CWP has three (3) Turbo blowers, often using two (2) as heavy loading demands more air usage and one (1) for redundancy. The CWP is operating normally, but now has lost the redundancy. Thus, the need to expedite the repair of the now damaged Turbo blower #2. This work is scheduled to be completed in the next 3-4 weeks, hopefully sooner as Aerizon understands the importance of the particular piece of equipment.

Assessing Public Record Inspection and Property Transfer Affidavit Fee Waiver Policies

Community Development Director Maday explained in 2020, the City's assessing practices will again be audited by the State of Michigan as part of their Audit of Minimum Assessing Requirements (AMAR) program. While the Community Development Department staff is confident that our assessing practices and assessing records are substantially compliant with the Michigan Department of Treasury/State Tax Commission requirements, we are aware that the City is required to have the following two policies in place that we do not currently have:

- **Public Records Inspection Policy** - The State of Michigan requires that assessment rolls and assessment record cards be available during customary business hours, and also requires that each local unit of government has a policy that dictates how these records can be requested, and how the documents will be provided. This is a separate policy from the City's Freedom of Information Act Policy. While the City has full time assessing staff that can typically provide requested assessing related documents when they are requested between 8:00am and 5:00pm, Monday through Friday, a policy and Resolution adopted by the local

governing body must be in place for the City to be found compliant in this requirement when being audited.

- **Property Transfer Affidavit Policy** - Property Transfer Affidavits document the change in ownership for a property, and are required to be submitted to the local assessor within 45 days of a transfer of ownership. While State Law allows for local units of government to charge penalties for the late filing of Property Transfer Affidavits, local units may opt not to charge these fees. The City of Zeeland is not currently, and has not previously charged these fees. If a local unit elects not to charge these fees, they are required to formalize their decision by adopting a resolution to waive these penalties. Adopting a Resolution will formalize the City's existing procedure of not charging fees for the late filing of Property Transfer Affidavits, and will bring the City into compliance with this requirement ahead of the 2020 audit of our assessing practices.

Downtown Maintenance Special Assessment Resolution #1

City Manager Klunder reported for the past five years the city assessed benefitting downtown property owners for maintenance such as the sprinkling system, snow removal and landscaping through the downtown maintenance contract. The final payment on that assessment occurred on the Winter 2018 tax bill and we are looking to renew that special assessment on the Winter 2019 tax bill (or closely thereafter) for another five-year period.

To consider this special assessment renewal, City Council must first authorize the City Superintendent (City Manager) to make a report of these improvements to present to City Council. This report includes necessary plans, cost, a description of the assessment district, what portion of cost must be borne by the Special Assessment District, and other pertinent information requested by City Council to make a decision. The adoption of Resolution #1 is not a commitment to do a project, but rather approves the investigation of a possible project. Generally speaking, city staff plans to put together a special assessment report that is very similar to past special assessment districts with the scope of work also being very similar. However, a few of the contemplated changes at this time include incorporating Elm and Church between Cherry and Washington into the areas to be covered by the maintenance. Additionally, we are contemplating the idea of a recommendation to include non-profits into the special assessments, which have been excluded in the past. As we have recently found with other community special assessment districts, not only do they incorporate them into the special assessment district, but they actually assess them at a higher rate due to the fact that they do not pay taxes. That determination does not have to be made yet. But we do want to be transparent in what Resolution #1 will allow us to investigate. He explained they would first have to examine the number and gave a timeline for the investigation.

Klunder stated he would like to start the same report for the Snowmelt System showing the costs, plans, priorities, etc. and he may bring to Council for approval to allow investigation for this in the next month or so. Mayor Klynstra asked Council, if they were totally against the Snowmelt System, to let either him or Klunder know tonight so we don't waste time on something that isn't going to happen.

Macatawa Bank Resolution

Finance Director/Asst. City Manager Plockmeyer told Council that in order to transition our day-to-day banking operations to Macatawa Bank, the first item that must be accomplished is the establishment of new checking accounts. Tonight, Council is being asked to approve a new banking Resolution for three new checking accounts that will be setup at Macatawa Bank for operating purposes and updated signature cards for two money market accounts we currently have with Macatawa Bank.

Washington Avenue Project

Klunder reported the first progress meeting was held last Tuesday. The construction focus is currently on underground utility work. The storm sewer work, which is very deep on the west end, did create some access difficulty for Biggby. With the assistance of the contractor and engineers, we have attempted to put regular updates on our various social media platforms as access to Biggby alternated from the east and west. As the contractor starts to work on the watermain and sanitary sewer, there should be more consistent access to Biggby. Other businesses along the corridor have maintained pretty good access for a street under reconstruction.

Being no further items to discuss, the Work Study adjourned at 6:55 p.m.

Pamela Holmes, City Clerk