

**ADA TOWNSHIP BOARD MEETING
MINUTES
MARCH 26, 2007**

DRAFT

Meeting was called to order by Supervisor Haga at 7:30 p.m. Members present: Supervisor Haga, Treasurer Pratt, Clerk Ensing Millhuff, Trustees: Damstra, Proos, Sytsma and Westra. Also present: Planning Director Ferro, Recording Secretary Smith and seven community members.

APPROVAL OF AGENDA

Moved by Sytsma, supported by Pratt, to approve the agenda as presented. Motion carried.

GENERAL TOWNSHIP BUSINESS

CONSENT AGENDA:

Approval of Minutes

March 12, 2007, Regular Board Meeting

Receive and File Various Reports/Communications

1. Building Permit Report - 02/07; 2. Open Space Advisory Board Minutes - 02/08/07; 3. Ada Township Trail Network Notes - 02/27/07; 4. Kent County Road Commission - Transportation Funding - 03/13/07; 5. MTA Legislative Update Fax - 03/02/07; 03/09/07 & 03/16/07; 6. Parks Department Report - 03/16/07.

Moved by Westra, supported by Sytsma, to approve items on the Consent Agenda. Motion carried.

APPROVAL OF WARRANTS AND RECEIPTS

Treasurer Pratt presented Warrants and Receipts in the following amounts: Hand Checks: #101 \$5,439.07; #205 \$3,847.37; #208 \$1,057.20; #401 \$490.00; #590 \$220.52; #591 \$590.70; #592 \$133.27. Total Hand Checks \$11,778.13. Warrants: #101 \$31,540.99; #205 \$55,099.28; #208 \$6,567.46; #211 \$32,642.44; #401 \$2,275.00; #590 \$10,233.89; #591 \$10,347.12; #592 \$5,181.96. Total Warrants \$153,888.14. Total Checks and Warrants \$165,666.27.

Moved by Sytsma, supported by Proos, to approve the Warrant Report of March 26, 2007, in the amount of \$165,666.27. There were questions/comments by board members regarding the Sam's Club Discover expense; itemization of purchases; level of detail for credit card payments; Moore & Bruggink engineering services for the trail; insurance property and vehicle package - comparison to last year, liability limits, and payment methods; and Re-Max expenses. **Roll Call: Yes - Damstra, Proos, Sytsma, Westra, Pratt, Ensing Millhuff, Haga. No - 0. Absent - 0. Motion carried.**

PUBLIC COMMENT

Lloyd Paul, 1268 Pettis, stated the concrete crushing has been leased to another company at the Pettis & Associates site and there are now "mountains" of crushed material on the site with no way to water down the mounds when they are dry. The Rieth-Riley site has more material on site than there ever has been, and it appears they're operating a distribution center. Mr. Paul stated he is awakened every morning at 4:30 by the sounds of trucks backing up. He encouraged the board to conduct a township-wide charrette as soon as possible.

BOARD COMMENT

Trustee Damstra stated he would also like to see a township-wide charrette.

Trustee Proos agreed with a township-wide charrette and inquired if there had been any activity with open space property.

Trustee Sytsma stated although the township-wide charrette is needed, it is important to complete the village charrette first and current Master Plan. She wondered if anyone knew where the concrete on the Pettis property was coming from and suggested it could contain asbestos.

Clerk Ensing Millhuff stated the DEQ did go to the Pettis property approximately two years ago and at that time they reported guidelines were being followed. The DEQ had also reported there was minimal chance of any concrete containing asbestos. Clerk Millhuff also announced help was needed for the 4th of July celebration.

Supervisor Haga referred to an e-mail letter from counsel regarding discussions with Eastbrook and their counsel regarding development of the apartments at Clements Mill explaining Clements Mill and the apartments were a result of a settlement agreement.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS

RESOLUTION R-032607-1 - 2007/2008 BUDGET ADOPTION

Moved by Proos, supported by Pratt, to adopt Resolution R-032607-1, which is the 2007/2008 budget adoption. Supervisor Haga noted that a public hearing had been held. **Roll Call: Yes - Westra, Sytsma, Damstra, Proos, Pratt, Haga, Ensing Millhuff. No - 0. Absent - 0. Resolution adopted.**

RESOLUTION R-032607-2 - DNR GRANT FUNDING FOR NON-MOTORIZED TRAIL CONSTRUCTION

Planning Director Ferro explained the DNR Grant application funding was to implement the township-wide non-motorized trail expansion program with voter-approved millage funds and the grant funds being sought to make the money go further. He was recommending application for Michigan DNR trust fund grant funds for Phase 3 of the trail expansion project in the north part of the township. This is a trail segment on Honey Creek, along Seidman Park frontage, east on Conservation between Honey Creek and McCabe, south on McCabe to Bailey, down to Vergennes, down a short stretch on Vergennes to Pettis, a short stretch of Pettis to the bridge, over the river and completing the connection to the village at Ada Drive. If grant funds are awarded, the project would be completed in 2009. The proposal is to apply for \$280,000 in grant funds, matched by \$1.42 million, in township funds from the trail millage. There was a slight modification from the cover memo dated March 16, being an adjustment of the starting point at the north parking lot of Seidman Park rather than going all the way up to Two Mile Road. When more detailed survey work is done within the next year, there will be a more detailed analysis and neighborhood meetings in the future. It is anticipated that most of the trail would be located within the right-of-way, but in some locations easements may be requested from property owners in order to minimize tree removal and avoid steep slopes, etc.

PUBLIC COMMENT:

There was no public comment.

BOARD COMMENT:

Trustee Proos asked what would happen if the grant was not approved. Supervisor Haga replied the township would have to fund the entire project. Trustee Proos asked if Michigan's economy would have any impact on grand fund availability. Planning Director Ferro responded the source of funding for the grant program was the severance taxes on oil and gas leases, which is not very sensitive to the economic problems the State has been facing.

Moved by Proos, supported by Sytsma, to adopt Resolution R-032607-2, which is a resolution authorizing submittal of a grant application for funding of the non-motorized trail in Ada Township. Roll Call: Yes - Sytsma, Damstra, Proos, Pratt, Haga, Ensing Millhuff, Westra. No - 0. Absent - 0. Resolution adopted.

ORDINANCE O-032607-1 - INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTION

Planning Director Ferro explained the same organization prepares building codes has considered information from staff and committees and has recommended the board adopt the International Property Maintenance Code, which establishes minimum standards and adequate upkeep. Issues include severely peeling paint, deteriorated and damaged roofing, deteriorated and rotting garage doors, dilapidated decks, porches and stairs, damaged and improperly functioning doors and overgrown lawns. If the code is adopted, it is anticipated the township would rely on complaints and visual violations as the primary means of enforcement. One area of concern is inability to pay as the cause of the maintenance problem. There is assistance available, one of which is the non-profit Home Repair Services of Kent County, which provides low-cost repair services to residents who meet the guidelines.

Moved by Sytsma, supported by Westra, to adopt Ordinance O-032607-1, which is the International Property Maintenance Code. There were questions/comments by board members regarding history of maintenance problems, invasive government interference, restriction of civil liberties, constitutional protections, exterior enforcement issues vs. interior enforcement issues, burden on the zoning administrator, impact on property values, vacant and rental properties, seeking public input, aging properties in the township, importance of having tools available for enforcement, dealing with issues on an individual basis versus enacting an ordinance, availability of community-wide organizations willing to assist residents and Clean-Up Day. **Moved by Westra, supported by Sytsma, to postpone action until there is opportunity for public comment and further consideration by committee. Motion carried.**

FORM BASE CODE DEVELOPMENT PROPOSAL

Planning Director Ferro explained in lieu of soliciting several proposals, one proposal was retained from the firm which had overseen the charrette process. He did some research to conclude the proposed fee was reasonable. A scope of work and fee proposal was attached to his cover memo to develop the form-based zoning regulations for the village area over a 3 to 3 1/2 month schedule. Supervisor Haga noted an estimated \$5,000 to \$10,000 additional amount would be needed by the township's legal counsel. **Moved by Proos, supported by Pratt, to approve the recommendation for consulting services for the form-based code with ACP Visioning and Planning in the amount of \$26,000.** Trustee Proos stated since doing the village charrette process, staying with ACP would be better for speed and efficiency and it was important to complete the project in a timely manner.

Trustee Damstra asked for clarification on the cost and an estimated completion date. Supervisor Haga stated the \$26,000 cost to ACP and about \$10,000 for attorney fees and the target completion date is July to August. **Motion carried.**

OPPORTUNITY FOR ADDITIONAL PUBLIC COMMENT

Steve Groenenboom, Moore & Bruggink, gave a brief update regarding trail projects. The bond issue passed in November. Moore & Bruggink was authorized to start work on Phase 1 of the path in mid-December. A segment on Thornapple River Drive from Buttrick past Lions Park has been in the design process for some time and State funds were secured. There will be a realignment of the Buttrick intersection, with a project estimate of \$330,000. The Road Commission will pay \$100,000; MDOT will fund \$135,000, leaving the township to fund the remaining \$100,000. Bids are anticipated to be awarded in June, with construction in July through September. A second portion of trail on Grand River Drive from Fulton to Knapp has been surveyed, and a few meetings have been held with the Trail Committee. DEQ approval is needed on some wetland issues. The final design schedule would be done by mid-April with an open house in mid-May. The project would be bid in June, with construction July through October.

Lloyd Paul, 1268 Pettis stated there was no gate on the property and no one there to monitor. He stated he had the DEQ come 2 1/2 years ago and gave Pettis & Associates some warnings, including not enough water supply on the property to water down the mounds at the time. Adding there are compost piles behind the fence, rodents on the property and a pack of coyotes which he believes it is due to the infestation of rodents.

Norm Rhoades, Adaway, commented on the amount of legal fees in the budget. The previous board had legal fees in the range of \$120,000 per year, and there was \$200,000 budgeted for the next fiscal year. He encouraged board members to act with fiscal responsibility.

MOTION TO PROCEED INTO CLOSED SESSION TO DISCUSS PENDING LITIGATION REGARDING RIETH-RILEY

Moved by Proos, supported by Sytsma, to proceed into closed session to discuss pending litigation regarding Rieth-Riley. Roll Call: Yes - Proos, Ensing Millhuff, Haga, Pratt, Damstra, Sytsma, Westra. No - 0. Absent - 0. Motion carried.

Moved by Damstra, supported by Pratt, to return to open session. Motion carried.

ADJOURNMENT

The meeting was adjourned at 9:50 p.m.

Respectfully submitted,

**Deborah Ensing Millhuff, CMC
Ada Township Clerk**

RS: JS