

**ADA TOWNSHIP BOARD MEETING
MINUTES
MAY 26, 2009**

Meeting was called to order by Supervisor Haga at 7:30 p.m. Members present: Supervisor Haga, Treasurer Rhoades, Trustees: Westra, Smith and Proos. Deputy Clerk Thompson, Planning Director Ferro, Fire Chief DuVall, Recording Secretary Johnson and eighteen community members. Members absent: Clerk Burton and Trustee Sytsma.

APPROVAL OF AGENDA

Motion to approve agenda as presented. **Moved by Westra, supported by Rhoades. Yes – 5, No – 0; Motion carried.**

GENERAL TOWNSHIP BUSINESS

CONSENT AGENDA:

Approval of Minutes

May 11, 2009, Regular Board Meeting

Receive and File Various Reports/Communications

1. Fire Call Reports - 4/2009; 2. Building Permit Report - 4/2009; 3. Region 8 Notes - 5/2009; 4. Ada Historical Society Minutes - 4/11/2009; 5. Supervisor Report - May 2009 No. 2; 6. Ada Township DDA Minutes - 4/6/2009; 7. Banko - Thank You / Fire Department - 5/1/2009; 8. Comcast - Channel Lineup - 4/24/2009, 5/1/2009; 9. MTA Legislative Update Fax - 5/1/2009, 5/8/2009; 10. Miller Johnson - Township Attorney - 5/6/2009; 11. Open Space Preservation Advisory Board Minutes - 4/16/2009; 12. Helicopter Landings/Takeoffs on Residential Property. **Moved by Westra, supported by Rhoades, to approve the Minutes and accept the reports and communications under the Consent Agenda. Yes – 5, No – 0; Motion carried.**

APPROVAL OF WARRANTS AND RECEIPTS

Supervisor Haga noted that a revised Warrant Report had been distributed prior to the meeting. Treasurer Rhoades presented Warrants and Receipts in the following amounts: Hand Checks: #101 \$6,535.01; #205 \$967.47; #208 \$377.45; #590 \$39.19; #591 \$39.19; #592 \$1.59; Total All Hand Checks \$7,959.90. Warrants: #101 \$32,025.99; #205 \$3,579.64; #208 \$12,451.20; #211 \$21,388.34; #590 \$69,081.55; #591 \$99,150.18; #592 \$3,660.48; Total Warrants \$241,337.38. Total All Checks and Warrants \$249,297.28. **Moved by Proos, supported by Smith, to approve the Warrant Report for May 26, 2009, in the amount of \$249,297.28.** Trustee Westra asked for clarification of the Community Media Center franchise fee and equipment grant on page 1. Supervisor Haga explained the franchise fee, which has been paid for 4-5 years, is 1% of all the franchise fees the Board receives from the cable franchise agreement with Comcast, to the Community Media Center for their services, and the equipment grant is the full amount of the grant received from Comcast for equipment, for the Community Media Center to utilize. Trustee Westra expressed concern the return on investment for the community for this line item is not sufficient. He noted that, in the time since the Community Media Center first began, the costs for producing, editing, and broadcasting video have declined significantly as high-quality video tools and equipment have become broadly available at low-cost. Trustee Westra queried if the Community Media Center was being used in any meaningful way beyond services provided such as filming of the Fourth of July parade, and expressed the opinion if the Board felt those types of services were required, those specific items should be put out to bid. **Moved by Westra to amend the Warrant Report of May 26, 2009 to strike Item #11 – Community Media Center payment in the amount of \$7,671.75, until such time as the Board is able to determine the return on the investment and an appropriate expenditure for the Township on an ongoing basis. Support by Proos.** Trustee Proos asked the Board when the Community Media Center payments were first instigated and if it was a privately held company. Supervisor Haga said the issue would need to be researched to be certain, but he believed it started 5-8 years ago as a Board motion. Trustee Westra indicated the payments are made to a non-profit company, a 501(c)3 that services Grand Rapids and the greater metropolitan area by providing video services and public media access. Part of the original intent (and the reason there is an equipment component to the cost) was to allow communities such as Ada Township to broadcast meetings like the Township Board Meeting. In the case of Ada Township, the funds were re-directed to the Community Media Center. Trustee Westra proposed that as this expenditure is evaluated, the Board may choose to make Board Meeting videos available to the public through the website which is currently undergoing redesign. Trustee Proos asked whether there were any contractual obligations regarding this payment. Supervisor Haga indicated there was not a contract, but he suggested the Board invite the non-profit group to present at an Ada Township Board meeting the work that is being done for Ada, prior to immediately ending the funding. Trustee Westra responded he did not know of anyone making use of the Community Media Center, and most of the services available were redundant to offerings elsewhere. Trustee Proos asked how frequent the payments were and Supervisor Haga stated they were quarterly. Trustee Proos asked if the intent of the amendment was to suspend the payment in question and approve the Warrant Report minus that payment. Trustee Westra indicated the motion would suspend the payment until the Board had time to evaluate if the use of the funds was most appropriate. Trustee Proos then confirmed Supervisor Haga advised having the Community Media Center present an overview of their activities to the Township Board. Supervisor Haga agreed there was merit in evaluating the Community Media Center payment, but expressed concern with the short notice on withholding funding. Treasurer Rhoades noted this warrant could be brought back to the Township Board at the time the Community Media Center does a presentation to the Board. Trustee Westra advised the entire issue be reviewed, and not simply based on a presentation by the Community Media Center. He said the intent of the motion is alternative uses of those monies be evaluated, possibly within the Technology and Communications Subcommittee. If the Community Media Center presents to the Board, it may be advisable to have alternatives, such as upgrading the audio-visual capabilities of the Ada Township Board meeting room, also presented to the Board at that time. **Yes – 5, No – 0; Amendment to the motion carried. Roll Call: Yes - Westra, Smith, Haga, Rhoades, Proos. No - 0. Absent – Burton, Sytsma. Motion as amended (to approve the Warrant Report in the adjusted amount of \$241,625.53) carried.**

PAY APPLICATION 1, HALL STREET LIFT STATIONS GENERATOR

Moved by Proos, supported by Westra, to approve AIA Pay Application #1 to Allstate Electric for the Hall Street Lift Stations Generator in the amount of \$26,541.69. Supervisor Haga provided an update: the project is near completion, but the landscaping aspect of the facility still needs to be addressed. Trustee Proos asked for more information on the change order cited on the Pay Application. Supervisor Haga said the change order was to keep the new generator consistent with the rest of the other four existing generators. After clarifying the original quote did not provide for consistency with the existing generators, Trustee Westra suggested in the future, language should be inserted where needed to ensure that applications quote for consistency to prevent future change orders. **Roll Call: Yes - Smith, Haga, Rhoades, Proos, Westra. No - 0. Absent – Burton, Sytsma. Motion carried.**

PUBLIC COMMENT

There was no Public Comment.

BOARD COMMENT

Trustee Proos noted that Edie Pettis is having work done on her berm and it is looking much improved.

Trustee Westra said the information provided at the last Ada Township Board meeting gave the impression the prioritization of the upcoming capital improvements would be the exclusive purview of the Planning Commission. Particularly in light of the strong public interest in these projects and expenditures, he felt the prioritization of those projects should rest with the elected Ada Township Board, which is directly accountable to the citizens, unlike the Planning Commission. Supervisor Haga asked Planning Director Ferro to comment on this, as he is taking the lead on the development of the capital improvement plan. Planning Director Ferro explained that there is an upcoming joint work session between the Planning Commission and the Ada Township Board, which will take place before the priority setting is completed. That work session will provide the opportunity for discussion and guidance from the Board. In addition, the plan does come to the Ada Township Board for final approval. Trustee Westra asked Planning Director Ferro what tools and methodologies were being used for the planning process. Planning Director Ferro replied refined Excel tools and spreadsheets would be the primary tools; as appears to be the case with other communities he's observed. In addition, most communities place the development of the DRAFT plan with the Planning Commission. Under the current Planning Enabling Legislation, the responsibility for preparing the plan lies with the Planning Commission by default, unless otherwise stipulated by the community. Trustee Westra inquired if there was anyone on the Planning Commission who had prepared a capital improvement plan for an organization of similar size. Planning Director Ferro replied there were not to his knowledge. Trustee Westra encouraged the Board to consider including someone with specific public capital improvement planning expertise in the process, as well as tools specialized to the process. Supervisor Haga responded there is an existing subcommittee with oversight of the capital improvement plan. Supervisor Haga also noted he had recently participated in a Michigan Municipal League Capital Improvement Conference and much of the presentation focused on usage of spreadsheets, as Planning Director Ferro had outlined. In response to Trustee Westra's earlier comment on the importance of public involvement in the process, Supervisor Haga said there should be public involvement prior to the public hearing. Finally, Supervisor Haga said the Committee had previously discussed contracting out this project, but due to timing and cost factors, the Committee decided not to go that route. He noted that the Committee understands that it is a six-year endeavor and that they may be looking to hire a consultant at some point in the future. Trustee Westra indicated the money obtained from striking the Community Media Center funding could be used in this effort. He advocated the Board to have a yearly strategic plan with specific goals and financial accountability. He also encouraged the Board to consider using targeted experience and specialized tools to assist in this capital improvement process. Supervisor Haga said the comments would be taken to the Committee, but progress should not be stifled. In addition, this is not a static process; it goes through an annual review. Planning Director Ferro reminded the Board his past consulting experience included involvement in preparing two municipal capital improvement plans and providing instruction in capital improvement planning seminars.

Trustee Westra shared he recently attended the 2009 West Michigan Strategic Alliance State of the Region Seminar. He said it was a great session and the comparisons between West Michigan and seven other areas around the country gave high marks to West Michigan for diversity, job potential, economic potential, recreation etc.

Trustee Smith noted the Ada Township Board had voted last fall to extend the Planning Commission appointments of Michelle Sytsma and Tom Korth. She queried when the replacement appointment would occur, as Ms. Sytsma's appointment was until May. Supervisor Haga indicated it would be at the first meeting in June.

On behalf of absent Clerk Burton, Deputy Clerk Thompson said planning was underway for the Fourth of July activities and volunteers were needed. Trustee Westra asked about the strategy to alert the public to the alternate venue for the Fourth of July events. It was noted this would be addressed under agenda item VIII.I.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

RESOLUTION R-052609-1, AMENDMENT #2 TOWNSHIP BUDGET – FUND 101, GENERAL FUND & FUND 248-DDA FUND

Moved by Proos, supported by Smith, to adopt Resolution R-052609-1, which is the resolution to amend the General Fund-101, DDA Fund-248 budget for fiscal year April 1, 2009 through March 31, 2010. Roll Call: Yes – Westra, Smith, Haga, Rhoades, Proos. No – 0. Absent – Burton, Sytsma. Resolution is adopted.

REEDS LAKE TRIATHLON-MDOT PERMIT APPROVAL REQUEST

Supervisor Haga noted this project has been going on for 25-years. Part of the triathlon goes into the Township on M-21. The Township has already received the insurance certificate for the triathlon.

Moved by Proos, supported by Westra, to approve the MDOT application for the use of M-21 for the Reeds Lake Triathlon Project. YES – 5, NO – 0; Motion carried

FIRE STATION 1 REPAIR PROPOSAL

Supervisor Haga introduced Fire Chief DuVall who presented the project. Fire Chief DuVall stated, although most of Station 1 is brick, there are some cedar shingle areas that are beginning to deteriorate. He consulted three contractors, all of whom recommended residing with a water-resistant hardboard material and caulking (he passed around a sample of the siding replacement material). The material is warranted for 50 years; it comes pre-painted which is warranted for 15 years.

Moved by Proos, supported by Westra, to approve the recommendation by Fire Chief DuVall to repair Fire Station 1 as proposed by Thomet Construction in the amount of \$10,800.00. Trustee Proos asked Fire Chief DuVall if the Township was covered if there was any need to repair the roof after the work, due to the construction activity. Fire Chief DuVall indicated it would be covered. He also indicated the roof shingles were done 2 years ago and there was no leaking. Trustee Westra suggested taking pictures of the roof prior to the work being performed in case there was any damage during the construction work. Upon Trustee Smith's query, Fire Chief DuVall responded the building was almost 19 years old. **YES – 5, NO – 0; Motion carried.**

FIRST AMENDMENT TO STANDARD LEASE AGREEMENT – CINGULAR WIRELESS

Supervisor Haga introduced the AT&T Cingular Wireless representative, Dan Mondrella, who presented the amendment. AT&T Cingular Wireless has had a lease agreement with Ada Township on the 5542 Ada Dr water tank site since May 22, 2000 for antennas on the water tank and a self-contained pre-manufactured shelter building with power that runs the equipment for the antenna. Battery backup is already in place for power outages, but there is no generator to backup the battery. In compliance with their new design, AT&T plans to put in hydrogen fuel cell-operated backup to the battery power. This will be in outdoor fireproof cabinets with cylinder bottles gas. In order to install this, AT&T needs to amend the lease agreement. This amendment would also include a \$100 increase in the rent agreement. **Moved by Proos, supported by Smith, to approve the first amendment to the standard lease agreement – Cingular Wireless with the addition of the 5' x 6' space for the additional rent of \$100 per month as set forth in the amendment.** Trustee Proos noted there was no provision for fire protection for the building itself. He inquired what the plans for fire protection were, particularly for the hydrogen cell. Dan Mondrella said that there were no plans to install a fire protection system on the new installation. Trustee Proos suggested Dan Mondrella recommend that it be done. Trustee Westra said it should be ensured as a safe application, but deferred to Trustee Proos' expertise. Dan Mondrella indicated it was fire-retardant and state-approved for this usage and offered to provide documentation. Supervisor Haga had raised this issue with Fire Chief DuVall who issued a memo after researching it. Supervisor Haga also asked for clarification the batteries would remain in the same place in the new configuration, which they will. **Yes – 5, No – 0; Motion carried.**

ADA TOWNSHIP HIGH-SPEED INTERNET ACQUISITION PROPOSAL-SURVEY AND HIGH SPEED INTERNET SERVICE MARKETING REPORT

Supervisor Haga introduced Sara Easter from Communications By Design who presented the proposal. He also noted Sara Easter is on the Planning Commission, but it does not constitute a conflict of interest for this project. Sara Easter outlined the background for the project and detailed how Vergennes Township and Lowell Township are already involved. The project includes a community survey and the development of a marketing kit that could be used by vendors coming into the community to provide high-speed Internet access. In addition, under the American Recovery and Reinvestment stimulus act, there are funds to provide broadband to unserved and underserved communities, and it may be possible to tap into that fund, particularly in conjunction with Vergennes and Lowell Townships. Supervisor Haga noted the Administrative Committee has reviewed it and does recommend the project.

Moved by Westra, supported by Proos, to approve the recommendation to proceed with the Ada Township high-speed Internet acquisition proposal – survey and high-speed Internet service marketing report by Communications By Design in the amount of \$5,900.00. Trustee Westra asked Sara Easter about the company and their primary focus. Sara Easter explained that Communications by Design serve as consultants for voice, data, video, video surveillance, IT, etc. with a niche in K-12 education. They serve as consultants only in that they write the bid specifications, help select the contracts, and project manage the installation, but they do not perform the installation or take any compensation from any company involved in the survey or bidding process, so there is no conflict of interest. Trustee Westra also asked if it would be possible to add related questions to the survey. Sara Easter affirmed that this would be possible, as the company works with the Township to tailor the survey to the Township's needs. Trustee Smith asked if there has already been payment made for these services. Supervisor Haga clarified that the previous payment to Communications By Design was for the website work; this is a new and separate project. Supervisor Haga noted this type of project has been discussed before, as the community is underserved. Trustee Proos inquired if the survey would be a good vehicle to have people indicate their prioritization of capital improvement projects. Trustee Westra felt that it would be advisable to keep the questions as closely related to the target subject as possible to improve results. **YES – 5, NO – 0; Motion carried.**

PRELIMINARY PUD PLAN AND REZONING FROM R-3 TO R-3/PUD, AND FROM R-3 AND PO TO PO/PUD DISTRICT, CASCADE TRAILS PHASE 2:

- A. ORDINANCE O-052609-1 TO REZONE PROPERTY FROM THE R-3 TO THE R-3/PUD DISTRICT, AND FROM THE R-3 AND PO DISTRICT TO PO/PUD DISTRICT**
- B. RESOLUTION R-052609-2, TO APPROVE A PRELIMINARY PUD PLAN FOR THE CASCADE TRAIL PHASE 2 PUD**

Planning Director Ferro reviewed the mixed-use development plan in a transition location between office and residential, formerly the home of Forest Hills Baptist Church. The proposed use is an office building at the front of the site and a six-unit 24-hour adult foster care condominium at the rear of the site. The two site uses would be separated by a wetland that occupies the central area. The office building in the front was proposed as a three-level building walkout with two stories above grade facing Cascade Road. One of the conditions imposed by the Planning Commission is the restriction of the office building to the existing height limit in the office district of 30 feet above grade. That condition will either require revision of the building plan in the future, or the applicant will need to return with a revised PUD proposal in the future. The intent is to develop the site in phases with the six-unit residential care building being developed first. There is no current user in mind for the office building in the front and consequently no final plans have been prepared for that building yet. The residential care facility will be developed by Olivia's Gift, which is a non-profit organization, which plans to establish homes around the region for children with brain injuries. Olivia's Gift was founded by Dan Henrickson of True North Architecture, who has been involved in the entire PUD. The site would be accessed by two driveways and the vacant church building would be demolished. If the preliminary plan is approved by the Township Board, there will still need to be final PUD submittal for each of the phases of the development.

Moved by Proos, supported by Westra, to adopt Ordinance O-052609-1 to rezone property from the R-3 to the R-3/PUD district, and from the R-3 and PO district to PO/PUD district. Trustee Smith indicated she had a potential conflict of interest as a member of the Forest Hills Church, which stands to benefit from this Ordinance. She offered to recuse herself. After clarifying Trustee Smith had no direct personal gain in this Ordinance, the Board determined it was not necessary for her to recuse herself from this vote.

Brian Sycamore (correction to last name should read Sikkema), Highpoint Real Estate, 5510 Cascade Road, responded to a query from the Board by indicating that there was no specific client at this time for the office development.

Trustee Westra inquired of Planning Director Ferro if there was any feedback from the neighbors of the proposed development. Planning Director Ferro explained the Planning Commission did hold public hearings and there was some public concern expressed regarding the three-story building height. That is part of the reason the Planning Commission has maintained the condition regarding the limit on the building height. Originally, the request was to rezone the entire site to office use, but the Planning Commission was hesitant to do so due to the surrounding uses. Its best role is as a transitional site.

Roll Call: Yes – Proos, Rhoades, Westra, Haga, Smith. No – 0. Absent – Burton, Sytsma. Ordinance is adopted.

Moved by Proos, supported by Rhoades, to adopt Resolution R-052609-2, which is the resolution to approve a preliminary PUD plan for the Cascade Trail Phase 2 PUD. Trustee Proos noted prior to the final PUD, it will go back to the Planning Commission again. Treasurer Rhoades noted the final PUD will address landscaping and transition measures from the office to the residential. Supervisor Haga asked Planning Director Ferro to explain why this was Phase 2 instead of Phase 1. Planning Director Ferro explained the entire development is referred to as Cascade Trails Phase 2; the existing office park to the east is called Cascade Trails, and is Phase 1. **Roll Call: Yes – Westra, Smith, Haga, Rhoades, Proos. No – 0. Absent – Burton, Sytsma. Resolution is adopted.**

PARKS & RECREATION-FENCE GUARDS FOR BALL FIELDS

Supervisor Haga introduced Park Director Mark Fitzpatrick to present the proposal for the fence guards for ball fields. The guards are installed on the top of the chain link fences to prevent injury and improve visibility. The green color was selected

for aesthetic reasons, as the yellow color is fluorescent and very obvious as you drive past. In addition, the material selected for the guards is a flexible material, which should weather well. Park Director Fitzpatrick recommended approving the bid from Johnny Mac's Sporting Goods.

Moved by Proos, supported by Smith, to approve the recommendation to purchase fence guards from Johnny Mac's Sporting Goods in the amount of \$2,484.00. Trustee Proos asked if the guards are installed by the Parks Department and then removed at the end of each year's use. Park Director Fitzpatrick affirmed the installation would be by his staff, but indicated they would remain in place year-round once they are installed. Trustee Westra inquired if it might not be preferable to go with the more visible yellow color to prevent player-fence collisions. Park Director Fitzpatrick responded it was necessary to balance the aesthetics with the aspect of the utility, and the green color will still serve the purpose. Trustee Westra said the primary concern should be the role of safety. Supervisor Haga pointed out that while safety is the goal, the Township has gone many years without this protection. The primary potential injury is to players reaching over the top of the fence, and the chosen fence guards will protect against this risk and present a pleasing appearance. Trustee Proos advised the Park Director's expertise should serve as a guide in this choice. Trustee Westra pointed out the three bids cited in the proposal have different warranty lengths and therefore were not as comparable as they appeared at first glance. Park Director Fitzpatrick said the bid with the longer warranty was almost double the cost, and factory defects would appear within the first year, which is within the warranty length of all three bids. The product has a probable life span of ten years, and the few sections that would need replacing within the longer five-year warranty are not sufficient to justify the much higher cost of that bid. Trustee Smith asked if the selected color would undergo greater fading than another color. Park Director Fitzpatrick said all of the colors would undergo fading; he was not sure which colors would fade or change more or less relative to the others. **YES – 5, NO – 0; Motion carried.**

PROPOSAL FOR REPAIRS TO STEKETEE AVENUE

Road repairs are needed at Steketee Avenue. The Road Commission does the repairs because it is a public road, but Ada Township processes the work order. Supervisor Haga introduced Mr. Hensley as the representative of the property owner at 600 Steketee Avenue. Mr. Hensley briefly summarized the need for repairs and distributed pictures of the damaged section of road. These specific repairs are not in the Township budget, so the property owner has proposed to pay the \$3750 portion that Ada Township would otherwise be responsible to pay for the repair project. The County would pay the remaining \$3750.

Moved by Rhoades, supported by Proos, to approve the repairs at Steketee Avenue in the amount of \$3,750.00, which is the Township's share, to be paid by the property owner at 600 Steketee. There are five other homes that are impacted by this damaged section of road. The project includes the repair of the culvert passing under the road, which appears to be the source of the road heaving in the winter. Trustee Proos indicated there are other streets that take higher priority for repair. Supervisor Haga clarified there will be no budget impact to the Township for this project, so there will be no impact on the other street repair projects pending. Trustee Smith asked if this repair would otherwise be an item on the list if the property owner were not offering to cover the Township costs. Supervisor Haga confirmed this would not be a priority if it were not for the opportunity to do the project for no cost to the Township. **YES – 4, NO – 1; Motion carried.**

ALTICOR INC. LICENSE AND RELEASE AGREEMENT FOURTH OF JULY ACTIVITIES

Supervisor Haga noted that the only difference between this agreement and the previous agreement is this agreement does include the entrance to the east parking lot. This year's fireworks will be located at the Gilmore property at the confluence of the Grand River and Thornapple Drive and M-21. There will be an ad in the *Ada View* and there will be other advertising as well. The Sheriff's Department and Fire Department are working on a traffic control plan. **Moved by Proos, supported by Westra, to approve the Alticor Inc. license and release agreement for the third of July fireworks and the Fourth of July activities.** Trustee Proos suggested that the traffic plan include designated walkway for the crossing. Supervisor Haga indicated that the Fire Chief was working to minimize the crossing danger. **Yes – 5, No – 0; Motion carried.**

OPPORTUNITY FOR ADDITIONAL PUBLIC COMMENT

There was no additional Public Comment.

ADJOURNMENT

The meeting was adjourned at 9:20 p.m.

Respectfully submitted,

Susan Burton
Ada Township Clerk

RS/ba