

**ADA TOWNSHIP BOARD MEETING  
MINUTES  
JULY 28, 2008**

Meeting was called to order by Supervisor Haga at 7:30 p.m. Members present: Supervisor Haga, Treasurer Pratt, Clerk Ensing Millhuff, Trustees: Proos, Sytsma and Westra. Also present: Planning Director Ferro, Recording Secretary Smith and approximately 120 community members. Trustee Damstra arrived at 7:34 p.m.

**APPROVAL OF AGENDA**

Added to the agenda under Reports/Communications: Item 14. Clerk's Report. **Moved by Proos, supported by Sytsma, to approve the agenda as amended. Motion carried.**

**PUBLIC HEARING**

**Moved by Westra, supported by Sytsma, to move into public hearing on the formation of a Downtown Development Authority and Designation of Downtown District Boundaries.** Supervisor Haga made reference to documents available for the public and explained this was the opportunity for residents to present their comments. He further explained the board would not adopt any ordinance at this meeting because there was a minimum 60-day waiting period. Three letters had been received, and Supervisor Haga asked if anyone else had written comments to present them to the clerk. **Motion carried.**

Attorney Jeff Ammon explained a DDA is a separate entity governed by a board of directors appointed by the township board adding one of the primary purposes is to capture tax money currently going to other entities to be used for projects within the district. He described the steps required to creating the DDA and the timetable. He stated the boundary would not be determined until at least October 13, stating the boundary could be reduced, but not expanded. Mr. Ammon stated where the state legislation does allow for a 2 mil increase within the district, there was no intent is to not impose additional taxes. Mr. Ammon stated where the DDA legislation does mention condemnation the DDA has no individual power to condemn property. DDAs are created by ordinance, and they can be terminated by ordinance.

**PUBLIC COMMENT:**

Bill Wood, 8060 Vergennes, was concerned about eminent domain and the taking of residential property.

Jon Sarb, 590 River, expressed concern about the authority to impose taxes.

Marilyn Thompson, 7148 Thornapple River Drive, presented petitions in favor of excluding all residential properties from the DDA District, adding that DDA legislation was created to halt deterioration of downtown business districts, which is not the case in Ada. She stated when she moved here 39 years ago, everything was residential and commercial areas have slowly encroached on the "village" residential and requested business expansion within the "Village" be stopped and all residential properties be excluded from the DDA.

Mel Cook, 7556 and 7560 Fase Street, expressed concern about restriction possibilities a DDA might impose on building a house and/ or remodeling an older home within the district.

Gary McAleenan, Peninsular Gas, 555 Ada Drive, was concerned amendments could be made later to add taxing authority and the ability to condemn residential property as stated in the DDA legislation.

Carmen, 87 Carl Drive, asked about the ability to charge, collect fees and rents, lease and operate a building or structure.

Walt Jousma, Ada East Business Center, 8120 East Fulton, asked about the authority to acquire or purchase, convey and dispose of property.

Justin Herpolsheimer, 7225 Bradfield, asked about the boundaries and errors on the maps. He didn't understand why his street was included and requested it be removed.

Bill Cox, 7640 Fase, asked why the entire village was not included in the proposed DDA district.

Bruce Fase, 7577 Fase Street, asked why Fase Street would be included and if there would be a future meeting to show proposed boundary changes.

Bill Manus, 7246 Rix, asked for clarification on "current intent" and asked if the language could not be changed to state the DDA will not have the authority to recommend increase property taxes or condemnation, adding if established the DDA would become an additional lobbying group which could persuade a future township board to levy the additional taxes unless it is clearly written not to do so.

Betsy Ratzsch, business owner at 584 Ada Drive and residence at 7653 Fase Street, referred to the beauty in Rockford which was financed by their DDA. She sees this as a way to capture taxes that would otherwise go somewhere else and use them to beautify the community. She also stated business owners work very hard trying, but many businesses are not thriving.

George McAleenan, 25-year resident, stated the "village" was already too congested and didn't understand why the board would consider bringing additional traffic into an area already having problems.

Walter Rozeboom, 6391 Three Mile Road, wasn't sure of the purpose. He felt his family's business would not benefit.

Jim Ippel, owner of Ada Bike Shop, 597 Ada Drive, a member of the charrette task force explained the task force had recommended the DDA to move charrette projects forward. The reason for including residential areas was to advocate for safe

cycling and biking trails and incorporate safe crossings.

Tom Korth, 8805 Conservation, business owner and owner of residential properties in the village, stated an example of a project is the Thornapple River Drive and Ada Drive area which was rebuilt with general funds about 12 years ago. The DDA would allow continued enhancements throughout the rest of the village without using general fund dollars.

Tammy Kerr, 7-year resident of Ada Moorings and current acting president of the Ada Business Association, stated she always wanted to end up in Ada and she and her neighbor's brainstorm about how to improve the atmosphere and shopping in Ada. A DDA would help move forward recommendations from the charrette. She clarified that the ABA had nothing to do with the DDA decision but is strongly encouraging it.

Jon Sarb, 590 River Street, expressed concern that even though the DDA doesn't have condemnation authority, the township does.

Bob Kullgren, 8697 Conservation, was on the charrette task force for its entirety and was instrumental in doing the initial research regarding the DDA. He stated all of the projects identified in the charrette could not be done with projected revenues from the DDA only, but without the DDA nothing could be done. In all the meetings, the topic of condemnation was never raised. The DDA would be a way to accomplish the community's objectives. .

Deb Emery, 7534 Fase, referred to Trustee Sytsma's comments regarding residents who did not agree with the DDA. Mrs. Emery stated there was nothing wrong with the resident's that opposed being in the DDA. Reminding the board these were the same people who's families had founded Ada and made it the place people wanted to move to: adding the resident's in the village had been lied to so many times over the years it was difficult to trust the intent of the DDA.

Susan Burton, member of charrette task force who has been involved in the creation of the DDA, repeated there seemed to be mistrust by residents which made her sad. Stating she strongly supports the DDA and asked residents to open their minds and listen. Adding, the answers are being given, but residents weren't hearing them.

Bill Wood, 8060 Vergennes, stated the village is composed of property owners who have things the way they like it and that the residential areas should be removed from the DDA boundary.

Justin Herpolsheimer, asked if answers to the meeting would be printed and asked how many years of construction, detours, and streets being closed would happen.

Planning Director Ferro stated the DDA would have no authority or responsibility for regulating land use. Zoning would remain the responsibility of the Planning Commission and Township Board. The answer to the question about building a new house is that it would be no different than it is currently.

Supervisor Haga stated the board and possibly the charrette task force could have a work session within 60 days to deal with some of the questions in an open meeting with proper notice.

**Moved by Proos, supported by Sytsma, to close public hearing. Motion carried.**

Trustee Proos addressed concerns by stating that we're here for the betterment of everyone. He acknowledged that change is difficult, but that understanding change can overcome the fear. He stated that residents who are concerned can apply to serve on the DDA authority. He felt there was a need for an additional workshop. A bigger issue is the form-based property maintenance codes that were proposed but did not pass. He stated the maintenance codes would have more impact on residents than a DDA and that he did not want anyone telling him to cut the grass or paint his house. A DDA would keep money in the community

Trustee Sytsma stated there's a difference between form based codes and the international property maintenance code.

Clerk Ensing Millhuff encouraged the board to request more residents be placed on the DDA and anyone living in the village to apply to serve on the DDA authority.

Trustee Westra stated he had been involved in the charrette process since the beginning and he was a catalyst for the charrette. He felt the misconceptions about takings, tax increases, etc. were addressed in the document. The vision was clearly spelled out in the charrette, and he strongly supported the DDA.

Clerk Ensing Millhuff stated the key word was proper implementation and it is a quality of life factor for people living in the area most affected.

The meeting recessed at 9:08 p.m. and was called back to order at 9:18 p.m.

## GENERAL TOWNSHIP BUSINESS

### CONSENT AGENDA:

#### Approval of Minutes

July 14, 2008, Regular Board Meeting

**Receive and File Various Reports/Communications**

1. Fire Call Reports – 06/08; 2. Planning Commission Report Minutes – 06/19/08 & 06/30/08; 3. Building Permit Report – 06/08; 4. Sheriff Quarterly Report – 06/30/08; 5. Land Conservancy – Thank You – 06/23/08; 6. MI Liquor Control Commission, SDM License – 06/16/08; 7. Open Space Preservation Advisory Board Minutes – 05/08/08; 8. MTA Legislative Update Fax – 07/03/08 & 07/11/08; 9. Comcast – Line Up Change – 07/11/08; 10. Region 8 Planning Notes – 07/08; 11. Investment Report – 06/08; 12. Building Permit Trends – 07/17/08; 13. Open Space Preservation Advisory Board Annual Report – 05/28/08.

**Moved by Proos, 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 \$2,841.01; #205 \$832.65; #208 \$2,195.71; #590 \$337.67; #591 \$295.86; #592 \$12.07. Total Hand Checks: \$6,514.97. Warrants: #101 \$110,442.52; #205 \$1,175.25; #208 \$11,892.62; #211 \$17,957.89; #590 \$62,511.08; #591 \$146,185.15; #592 \$6,392.91. Total Warrants \$356,557.42. Total All Checks and Warrants \$363,072.39. **Moved by Sytsma, supported by Proos, to approve the Warrant Report of July 28, 2008, in the amount of \$363,072.39. Roll Call: Yes – Sytsma, Damstra, Westra, Proos, Pratt, Ensing Millhuff, Haga. No – 0. Absent – 0. Motion carried.**

**PUBLIC COMMENT**

Donald Marsh, stated that more important than a DDA was the adoption of a property owner ordinance along with many other ordinances. He had brought to the board a situation in his neighborhood with a party who stores boats, motor home, camper trailer, unlicensed vehicles and trash. He wanted to know how fast the board could get an ordinance in motion. Supervisor Haga stated he would ask Planning Director Ferro to expedite the public hearing process.

Lloyd Paul, 1268 Pettis, asked about the rumors that another cell tower may be placed in his neighborhood. Supervisor Haga replied there is an application for the placement of a cell tower on Pettis property being processed by the Planning Commission. Mr. Paul stated he was firmly against it.

Bob Kullgren, 8697 Conservation, requested that candidates for township office develop a recycling plan for campaign materials and stated a landfill is not an acceptable solution.

**BOARD COMMENT**

Trustee Damstra thanked Treasurer Pratt for the investment report and Planning Director Ferro for the construction report. He thanked Mark Fitzpatrick and Clerk Millhuff for their work on the parks system. He stated there are a lot of good things in motion, and he challenged the board to continue with that mission.

Trustee Proos expressed concern about the sharpness of a turn on the Grand River trail and asked about plans for marking the trail on Knapp. He asked if there was an update on Alticor’s attempt to get a contract related to the brownfield redevelopment. Supervisor Haga stated he would follow up to get an update.

Treasurer Pratt asked if there was a traffic report regarding Fase Street. Supervisor Haga stated he didn’t have a report but the speed study showed average speed was 22 and the highest was 27.

Trustee Westra relayed an interest by the public (over 700 people) for an electronic newsletter and requested the board authorize an e-newsletter. He also stated he would participate in recycling of his election materials.

Clerk Ensing Millhuff reminded residents of the election on August 5, stated a training session for election workers would be held, and agreed with Mr. Kullgren regarding recycling.

Supervisor Haga explained he and Engineer Steve Groenenboom had looked at the angle for the trail. He suggested the Information and Technology Committee deal with the issue of the e-newsletter.

**OLD BUSINESS**

**GRAND VALLEY ESTATES EXTERIOR TANK CLEANING**

Supervisor Haga noted he had provided the information requested at the last board meeting, including insurance certificates and references. **Moved by Proos, supported by Sytsma, to approve the cleaning of the Grand Valley Estates Water Tank, with Scrub-A-Home, at a cost of \$3,450.** Trustee Proos requested at least 24 before and 24 after pictures be taken. **Motion carried.**

**NEW BUSINESS**

**APPROVAL OF ENCROACHMENT AGREEMENT**

Supervisor Haga explained the owner of a couple buildings on Spaulding Avenue was in the process of selling and discovered a slight encroachment of two overhangs. The buildings have been there for approximately 20 years. The attorney for the owner has put paperwork together and paid to cover the costs, and the paperwork has been reviewed by the township's attorney. **Moved by Westra, supported by Pratt, to approve the encroachment agreement with Spaulding Avenue Development as proposed. Motion carried.**

**CONTRACT AWARD ROSELLE PARK ENTRY PROJECT**

**Moved by Damstra, supported by Sytsma, to approve the recommendation for award for Roselle Park entry project, with Twin Lakes Nursery at a cost of \$71,450. Motion carried.**

**OPPORTUNITY FOR ADDITIONAL PUBLIC COMMENT**

There was no additional public comment.

**ADJOURNMENT**

The meeting was adjourned at 9:48 p.m.

**Respectfully submitted,**

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

**RS: JS**