

**ADA TOWNSHIP BOARD MEETING
MINUTES
NOVEMBER 12, 2007**

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, Fire/Rescue Chief DuVall, Recording Secretary Smith and 30 community members.

APPROVAL OF AGENDA

Added to the agenda under Reports/Communications: Item 13. KCRC Press Release regarding road maintenance; Item 14. Correspondence from Mika, Meyers, regarding the Pettis v Ada Township matter; Item 15. Correspondence from Ellis regarding 7980 East Fulton. **Moved by Westra, supported by Sytsma, to approve the agenda as amended. Motion carried.**

SPECIAL PRESENTATION - ADA TOWNSHIP MASTER PLAN UPDATE

Planning Director Ferro explained after more than three years of work, the Planning Commission had completed the proposed new master plan for the township. He gave a presentation of the contents of the plan, highlighting the few areas where changes had been proposed to the current 1995 plan. Stating the proposed plan includes a description and analysis of existing conditions and trends in the Township, formulation of community goals and objectives - vision for the future, projection of future population, future land use map, community facility needs, and plan implementation strategy.

Tom Korth, Planning Commission chair, explained he had invited the Planning Commissioners to the Township Board meeting and all but one was present. He explained one additional change in the draft was to remove the higher density in the Fulton/Spaulding area due to public comment.

PUBLIC COMMENT:

Bill Papke, 8400 Bailey Drive, thanked the township for all the work the Planning Commission had done; however, he thought the implications of the serious decrease in density for 2/3 of the township had not been thought through thoroughly. He felt it would result in inefficient land use and a loss of tax base over the long haul with decreasing density but demand for services further out. He stated traffic was not a valid zoning argument, the quality of life would not be affected, the planning commissioners were trying to fix something that wasn't broken. Adding, the decrease density would increase the cost of housing, and could be interpreted as exclusionary zoning. He asked the board members to table the master plan so a traffic study could be done.

Walt Jousma, owner of the Ada East Business Center, thanked the Planning Commission for finally coming through with a proposed plan after almost four years. He supported the plan for an extension of sewer services to Pettis and Honey Creek. Adding for the township to comply with the new master plan, the township should consider putting its own small sewer plant near Rieth-Riley. Stating there are approximately 1,000 acres that could be developed, and currently the school has a bad sewer system. He stated the river needs to be protected at all costs and there were state grants available to pay for 90% of preliminary drawings, as well as other low-interest loans.

Trustee Sytsma stated a decrease in development on the east side of the Grand River would not be helpful. She stated a decrease in dwelling units per acre is needed to protect a lot of the open space; adding an increase in infrastructure would not be a best management practice.

NEW BUSINESS

RESOLUTION R-111207-2 - ADOPTION OF ADA TOWNSHIP MASTER PLAN UPDATE

Moved by Westra, supported by Sytsma, to adopt Resolution R-111207-2, which is the resolution to adopt the Ada Township Master Plan Update of 2007.

Trustee Proos explained he had watched this process over the last three years. He felt there had been a tremendous response from residents through the survey and the charrette process. He believed the Planning Commission had responded to the residents and looked at growth, economy and the future. He applauded the master plan.

Clerk Ensing Millhuff agreed, stating the decisions made were based on the questionnaires sent out 3 1/2 years ago. The present plan encourages the historical significance of the area and the quality of life which attracts residents to the area and allows the growth to be managed. Stating the Planning Commission took the traffic issues into consideration, with only two major access points to the north end within the township. Adding there had been a lot of debate on the issue of density, and the proposed plan preserved a quality of life which currently exists. Stating the plan holds true to the 1995 master plan with the changes being based on input from the public to preserve and protect the character of Ada Township.

Trustee Westra thanked everyone involved and acknowledged the hard work. Adding the proposed plan was a product which showed a lot of effort, and he encouraged the board to learn from the process and to move forward on the "Village" plans without further delay. He encouraged a look towards the next revision of the plan, stating it's never too early to start the process.

Trustee Sytsma, liaison for the Planning Commission and Township Board, assured Trustee Westra there is a template so the process will not take as long on the future.

Supervisor Haga thanked the Planning Commission for their hard work and stated the proposed plan is a living document. He encouraged the Planning Commission to begin the updates of any necessary ordinances. He thanked the Planning Commission and the Planning Director for providing a document that's a guide to the movement of the township.

Trustee Sytsma, on behalf of the Planning Commission, expressed appreciation for the comments, stated they are aware it had taken a long time, and knew there were other ordinances needed to be changed.

Trustee Damstra stated in the future to avoid delays he would like to see a "to do" list for the Planning Commission to follow. Tom Korth, Planning Commission Chair explained in Section 9 of the proposed plan, there was a to do list, broken out with time frames and the time frames were intentionally planned from the date of approval.

Roll Call: Yes - Sytsma, Damstra, Westra, Proos, Pratt, Ensing Millhuff, Haga. No - 0. Absent - 0. Resolution adopted.

GENERAL TOWNSHIP BUSINESS

CONSENT AGENDA:

Approval of Minutes

October 22, 2007, Regular Board Meeting

Receive and File Various Reports/Communications

1. Planning Commission Minutes - 9/20/07; 2. Building Permit Report - 10/07; 3. Investment Report - 9/07; 4. Supervisor Report - 10/07; 5. Zoning Board of Appeals - 10/2/07; 6. Ada Historical Society Minutes - 9/8/07; 7. Comcast - Channel Lineup - 10/22/07 & 10/30/07; 8. REGIS Board Minutes - 9/07; 9. GO!Bus Activity Report - July - September, 2007; 10. MTA Legislative Update Fax - 10/19/07, 10/26/07 & 11/2/07; 11. Ada Business Association - Business Connections; 12. Utility Advisory Board Minutes - 9/20/07; 13. KCRC Press Release regarding road maintenance; 14. Correspondence from Mika, Meyers, regarding the Pettis v Ada Township matter; 15. Correspondence from Ellis regarding 7980 East Fulton.

Moved by Sytsma, supported by Proos, 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 \$6,165.30; #205 \$1,236.33; #208 \$1,693.62; #211 \$3,200.00; #590 \$2,698.58; #591 \$1,113.53; #592 \$454.05. Total Hand Checks \$16,561.41. Warrants: #101 \$94,034.95; #205 \$41,961.70; #208 \$13,231.99; #211 \$ 254,190.40; #213 \$345.00; #249 \$665.00; #590 \$66,518.04; #591 \$148,688.49; #592 \$3,314.22. Total Warrants \$622,949.79. Total Checks and Warrants \$639,511.20.

Moved by Westra, supported by Sytsma, to approve the Warrant Report of November 12, 2007, in the amount of \$639,511.20.

Steve Groenenboom, Moore & Bruggink, gave a progress update on the township trails explaining there were three contracts nearing completion. 1. Thornapple River Drive and Buttrick intersection, to be done by the end of next week; 2. Grand River Drive to be completed by the end of this week, with the exception of the covered bridge; and 3. Grand River Drive, with the first layer of asphalt on two miles out of two and a half, and a second to be applied the end of the week. There are two gaps in the project which require new DEQ permits due to design changes. Trustee Proos expressed excitement at the number of people already using the trails. He noted one safety concern with the guidewires on a telephone pole. Clerk Ensing Millhuff expressed concern regarding the boardwalk with no railing on Thornapple. Adding she had received phone calls from people who walk in the area concern about safety and would like at least one handrail on the boardwalk. Trustee Damstra asked about the percentage of trail completed, noted the very good construction weather this year, and asked what could be done to accelerate the process for anticipated construction next year. He noted at times there was no work being done on the trails. Trustee Pratt stating since the reconfiguration at Thornapple and Buttrick the corner is very dark, asking if the township needed to request a street light or would the existing one be moved. Supervisor Haga stated he would check with Consumers.

Trustee Westra inquired about the fees to Community Media Center and progress in contacting Comcast regarding a community media channel. Clerk Ensing Millhuff stated the history of cable television and the agreement through the FCC to provide a public media station. She explained the agreement for part of the franchise fee to go to the Community Media center and also explained the benefits of the Community Media Center to Ada residents.

Trustee Proos asked if we were still paying on charrette expenses and for an explanation on the legal services. Supervisor Haga stated the contract was amended for the form-based code and the legal services expense was for the assessing and probably for the country club tribunal case.

Roll Call: Yes - Westra, Sytsma, Haga, Pratt, Proos, Ensing Millhuff, Damstra. No - 0. Absent - 0. Motion carried.

PUBLIC COMMENT

Tom Korth, announced an MDOT presentation scheduled for November 13 regarding the rebuild of the Fulton Street bridge in 2009. He stated the plans currently do not include a 5th lane, which was the primary reason for the reconfiguration of the Pettis intersection two years ago. He stated it seemed remiss a brand new bridge would be built that did not anticipate the future growth of the community on that side of the river.

BOARD COMMENT

Trustee Proos stated Rieth-Riley had started digging in the Koning mine, and the clock has now started on their five years. He stated it was now time to form some type of audit as to the mining and activity. He also believed we should hold the Road Commission to looking for an alternate means of maintaining the Three Mile/Pettis intersection. He thanked the treasurer for the treasurer's report and asked for an update regarding the water tower and the loss of millions of gallons of water. Supervisor Haga explained the tank was back in service, the system was back on line, and all the tests proved out.

Trustee Westra asked for an update at the next meeting regarding the proposed water fee increases.

Clerk Ensing Millhuff explained the Roselle Park open house was very successful, with an estimate of 400-500 people. The weather was good, and people were very excited about the park. Adding, the tram from Meijer was an incredible plus, and they did not charge anything. In the Image had sent a letter stating they were very thankful to be part of Clean-up day and stated they had filled two trucks with high-quality, gently-used clothing and household items.

Supervisor Haga noted he had received an e-mail regarding Rieth-Riley digging.

OLD BUSINESS

There was no Old Business.

NEW BUSINESS (CONTINUED)

RESOLUTION R-111207-1 - ROAD CLOSURE FOR CHRISTMAS PARADE

Moved by Sytsma, supported by Ensing Millhuff, to adopt Resolution R-111207-1, which is the road closure for the annual Santa Claus parade on December 1, from 11 a.m. to 12 noon. Roll Call: Yes - Ensing Millhuff, Pratt, Haga, Damstra, Proos, Westra, Sytsma. No - 0. Absent - 0. Resolution adopted.

PUBLIC WORKS COMMITTEE RECOMMENDATIONS

1. 2 MILE ROAD GRAVELING - EGYPT VALLEY TO HONEY CREEK

Supervisor Haga explained the total project cost was \$66,000, with the township's share at \$36,300, and this was a continuation of graveling portion done this year on Two Mile Road.

Moved by Damstra, supported by Westra, to approve the graveling for Two Mile Road between Egypt Valley and Honey Creek, which is approximately two miles, at a cost share of \$36,300. Trustee Proos asked about the timing. Supervisor Haga replied it would be done after the frost was out of the ground. **Motion carried.**

2. THORNAPPLE RIVER DRIVE PAVING

Supervisor Haga explained this was a follow-up to discussions regarding the Thornapple River Drive paving project. The Public Works Committee has recommended to pave Thornapple River Drive from Fulton to the Thornapple Bridge, at an estimated cost of \$221,530, and the Township's portion at \$110,765. The justification for the recommendation was the poor condition of this section of road; KCRC is willing to stripe the entire section as a three-lane road, reflecting the charrette intentions. There was a question about parking on the south side of Ada Drive.

Moved by Westra, supported by Ensing Millhuff, to approve the Thornapple River Drive paving in the estimated amount of \$110,765.

Trustee Westra stated recommendations from the charrette were included in the master plan, and this project was specifically called for to improve the corridor.

Trustee Proos stated part of the charrette recommendation was not only to reduce the number of lanes, but also to add some circular drive to force traffic in other directions. He felt approving this project might jeopardize those plans. He noted this was not normally an Ada expenditure.

Trustee Damstra stated this project wouldn't take place until Spring, 2008, and it might make sense to postpone the issue.

Clerk Ensing Millhuff noted there is a portion between the train trestle and the bridge is disintegrating, and that portion is not included in the Road Commission plans. She suggested trying to get a deadline from KRC but also to ensure the charrette recommendations will be followed.

Trustee Sytsma stated there was an issue of setting a precedent for spending taxpayer money on a project which the KCRC has full financial responsibility for.

Supervisor Haga stated one of the concepts from the charrette was beginning a pilot project regarding safety issues and traffic calming. He also understood this project was tied to the viaduct completion.

Moved by Ensing Millhuff, supported by Proos, to postpone action on the Thornapple River Drive paving project. Motion carried.

SNOW REMOVAL EQUIPMENT (TRAIL)

Supervisor Haga explained the Administrative Committee had looked at this issue and wanted to maintain the trail ourselves in order to get it done in a timely manner.

Moved by Proos, supported by Westra, to consider option 2 on the recommendation, which is the purchase of the Kubota tractor in the amount of \$32,900. Motion carried.

M-21 BILLBOARD

Planning Director Ferro explained at the September 24 meeting, several board members had expressed the desire for the township to continue discussions with Wing LLC, the entity in the process of purchasing the property on the east side of the river and with permission for construction of a billboard. He explained representatives of the Township had spent considerable time in discussions with Kevin Green regarding a possible purchase of the property as a means to prevent construction of a billboard. The proposal is for a purchase of the property at a cost of \$329,000 and a payment plan would provide for, in addition to earnest money, quarterly payments between the time of the closing and July 31, 2008. The Open Space Advisory Board recommended 9-0 the township acquire the property and up to \$150,000 in open space funding from the parks and land preservation millage be applied toward the purchase. Other potential funding sources have been identified, such as an additional amount from open space funds, general fund reserves, and private donors.

Moved by Sytsma, supported by Proos, to support the recommendation from the Open Space Preservation board to acquire the property and to allocate \$150,000 from the Open Space millage, subject to a billboard permit, for purchase of the riverfront property, with the balance to come from the general fund with the understanding it will be covered by non-township sources, and to allow the Supervisor to enter into a purchase agreement, not to exceed \$329,000.

PUBLIC COMMENT:

Planning Director Ferro noted Mr. Greene could not be in attendance, but he had a representative present.

Walt Jousma, Ada East Business Center, thought it would be promising for the township to purchase the property and it would be a perfect spot for a resting area for the trail or for kayakers.

Lloyd Paul, 1268 Pettis, stated even though the price sounded high, it would be worth it in the future. He supported the purchase of the property.

Jamie Ladd, 8800 Conservation, stated the 15-year life of the open space millage would produce approximately \$4.8 million. He felt 15 years from now this would be recognized as a good investment. He stated two points in the master plan were to maintain a natural, scenic and uncluttered Fulton Street corridor and the township would continue to be noted for its outstanding natural features. He stated even though the old ordinance having been left open for this billboard to happen was wrong, it would be another wrong to not do something to correct this mistake when the opportunity is there.

Bob Kullgren, 8697 Conservation, noted it was clear from the charrette the community was not interested in billboards, the issue tonight was whether this was an appropriate use of the township's resources, and if this property is not purchased tonight, the owner may not be interested in selling in the future.

John Greiner, 550 River, supported the purchase.

Henry Hoeks, 5671 Michigan, stated six members of the Planning Commission agreed with the previous speakers.

Bernie Veldkamp, 5580 Hall Street, read a statement in support of the purchase. He felt residents in the future would appreciate those who make this decision to purchase the property today.

Greg Forbes, 418 Greentree, members of the Parks Committee and Open Space Committee, wondered how donations would be sought and asked why there was concentration on this billboard and not the others. Stating where he was not in favor of an

additional billboard in the area three already existing. Stating the expenditure of \$329,000.00 for the property was inappropriate and suggested the township use the funds to pursue purchasing the old "Ada Bridge Inn" property west of the Fulton Street Bridge and remove the billboard on that property which sits at the entrance of the "Village". He encouraged the board to think about better ways to spend the money.

Moved by Sytsma, supported by Ensing Millhuff, to proceed past the 10:00 hour. Motion carried.

Betty Jo Crosby, 411 Grand River Drive, stated there had been a lot of questions as to how township dollars should be spent. She explained the history of the Open Space Advisory Board and the open space millage. She stated if we did not want the billboard, the only option was to purchase the property. She encouraged the board to participate with money from the general fund.

Collette McDonald, 1551 Sargent, stated a decision now to spend money would have an impact for many years and it would help to preserve the river valley.

Jim Todd, 8025 East Fulton, stated once a billboard goes up, it stays up. He stated he had faith the board could come up with some money and they would do the right job. He was in favor of going forward.

Tom Korth, 8805 Conservation, stated each person has a certain value in mind to protect this property and the board has the responsibility to protect the assets of the community. He stated the private sector could raise a bond to make the donations happen.

Kevin Greene's representative, Lawrence Duthler, commented he recognized the difficulty of the issue but the value of the billboard could soar in the future. He stated timing was critical due to a new law passed with uncertain effects. He stated it was critical the township make a decision tonight to enter an agreement without conditions.

Trustee Westra asked if the township could acquire a billboard permit.

Trustee Sytsma stated the open space millage cannot be spent for anything but open space and this property was on the target list.

Supervisor Haga noted the July 31, 2007 report indicated an open space fund balance of \$703,924. With the anticipated purchase of the Alta Dale property of \$210,000, there would be balance of approximately \$493,000. If the full \$329,000 for this property were used, there would be a \$164,000 fund balance, with additional millage to be collected in the December taxes.

Clerk Ensing Millhuff stated she believed no one in the township wanted to see another billboard in the area. Stating the blame game should not be played here, however for clarification purposes the township board does not write ordinances, they approve them after the planning commission has sent a recommendation. Adding, whether the funds to purchase the property came from open space, general funds or both, it was all the taxpayers' money and each board member had a fiduciary responsibility not held by appointed commissions. She asked what projects would be delayed or overlooked in order to spend the money to purchase the floodplain property normally assessed at approximately \$4-5,000.00 per acres. Adding the majority of comments she had received were not in favor of the purchase at the asking price.

Trustee Damstra stated he was not in favor of spending that amount of money either, but he had confidence donations could be secured.

Trustee Proos stated he felt there was only one option at this point. He proposed taking half of the money from the Open Space millage and half from the General Fund. Adding, the general fund could not afford that amount, but also the residents did not want a billboard. Stating we need to move forward with reserve and the soliciting of donations should be started immediately with someone to work diligently as a liaison for every dollar to be brought back evenly split to Open Space and General Fund.

Trustee Westra stated every dollar should be spent purposefully and he was grieved this process had come to this point. He stated the situation showed a lack of leadership, lack of diligence, lack of focus and lack of priorities. Adding there were many other projects which had not been completed, and he opposed the use of taxpayer's money for this issue.

Supervisor Haga stated this was a difficult decision, it was a high-priced piece of land, but there was no need or want of another billboard.

Trustee Westra stated the offer by the adjacent landowner to kick in money with the understanding they be allowed to construct certain buildings was a violation of ethical standards.

Clerk Ensing Millhuff stated another concern with the motion was the MTA opinion of setting precedence; adding if the motion was approved that at least 2 signatures be required on the purchase agreement. She stated she has struggled with this issue and she was concerned with setting a precedent.

Moved by Proos, supported by Damstra, to amend the original motion to have 50% of the funds from open space and 50% from general fund, with the continuing note the donating process be done expeditiously and any funds raised to be split back between the two funds. Roll Call: Yes - Damstra, Proos, Sytsma, Haga. No - Westra, Ensing Millhuff, Pratt. Motion carried.

Moved by Proos, supported by Ensing Millhuff, to amend the motion to have two signatures on the authorization agreement, to be two persons from the Administrative Committee. Motion to amend carried.

Roll call on main motion, with two amendments: Yes - Sytsma, Haga, Proos, Damstra. No - Westra, Ensing Millhuff, Pratt. Motion carried.

OPPORTUNITY FOR ADDITIONAL PUBLIC COMMENT

Henry Hoeks, Michigan Street, told the board they had shown perceptive 20-20 vision about the master plan, and expressed thanks to Planning Director Ferro.

ADJOURNMENT

The meeting was adjourned at 10:52 p.m.

Respectfully submitted,

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

RS:JS