

**ADA TOWNSHIP BOARD MEETING  
MINUTES  
NOVEMBER 28, 2011**

Meeting was called to order by Supervisor Haga at 7:30 p.m. Members present: Supervisor Haga, Clerk Burton, Treasurer Rhoades, Trustee LeBlanc, Trustee Proos, Trustee Smith and Trustee Westra. Also present: Recording Secretary Renegar, Planning Director Jim Ferro, Fire Chief Jim DuVall, and 7 community members.

**APPROVAL OF AGENDA**

**Motion by Rhoades, supported by Proos, to approve the Agenda. Yes – 7; No – 0; Absent – 0. Motion carried.**

**GENERAL TOWNSHIP BUSINESS**

**CONSENT AGENDA**

**Approval of Minutes**

November 14, 2011 Regular Board Meeting

Receive and File Various Reports/Communications

1. Building Permit Report-10/31/11; 2. Township Treasurer's Investment Report-10/31/11; 3. Sheriff Report-Quarterly Statistics-7/1-9/30/11; 4. Zoning Board of Appeals-10/4/11; 5. Open Space Preservation Advisory Board Minutes-10/13/11; 6. Kent County Road Commission-Performance Management Summary-2010; 7. MTA Legislative Update Fax-11/18/11, 11/30/11.

**Motion by Westra, supported by LeBlanc, to approve the Reports and Communications under the Consent Agenda. Yes – 7; No – 0; Absent – 0. Motion carried.**

**APPROVAL OF WARRANTS**

**ADA TOWNSHIP GENERAL WARRANTS**

Treasurer Rhoades reported the general township warrants, with receipts in the following amounts: Hand Checks: #101 \$1,740.17; #205 \$374.44; #208 \$1,564.39; #248 \$100.00; #590 \$123.49; #591 \$324.50; #592 \$18.72; Total all Hand Checks: \$4,245.71; Warrants: #101 \$31,712.20; #205 \$2,079.79; #208 \$3,204.49; #211 \$30.00; #248 400.00; #590 \$147,261.33; #591 \$151,555.73; #592 \$2,388.20; Total Warrants: \$338,631.74. Total All Checks and Warrants: \$342,877.45. **Moved by Proos, supported by Westra, to approve the Warrant Report for November 28, 2011, in the total amount of \$342,877.45. Roll Call: Yes – Westra, Smith, Rhoades, LeBlanc, Proos, Burton, and Haga; No – 0; Absent – 0. Motion carried.**

**PAYMENT APPLICATION #3, ADA PARK PLAYGROUND IMPROVEMENTS**

Wes Steer, OCBA Landscape Architects, stated this payment application is for work completed through October 18<sup>th</sup> in the amount of \$7,203.38, which completes payment for the playground equipment and the safety surfacing. He stated we are still holding a little over \$10,000 retainage on this contract, and the contractor has a couple items to finish this week; by the end of the month they will be making a final pay application. **Moved by Proos, supported by Smith, to approve Payment Application #3, Ada Park Playground Improvements, payable to Twin Lakes Nursery in the total amount of \$7,203.38. Roll Call: Yes – Westra, Smith, Rhoades, LeBlanc, Proos, Burton, and Haga; No – 0; Absent – 0. Motion carried.**

**PUBLIC COMMENT**

None.

**BOARD COMMENT**

Trustee Westra asked for a follow-up on allowing the Kent County Sheriff's Department to use space at the Township.

Supervisor Haga responded yes, he had talked with the Sheriff and will be working on a schedule which will be listed on the website and in the AdaView. He stated if the residents need to come into the office, a schedule will be set up with the Sheriff.

Trustee Westra reminded everyone to attend the "Tinsel, Treats & Trolley" event being held Friday, December 2 at 6:00 pm.

Clerk Burton stated the "Tinsel, Treats & Trolley" event is proving to be more successful every year. It has been moved from Thursday to Friday night this year.

Supervisor Haga stated he would be making comments at the lighting of the covered bridge during Tinsel, Treats & Trolley, and will encourage everyone there to shop at the local businesses.

## NEW BUSINESS

### **RESOLUTION R-112811-1, TO APPROVE A REVISED PRELIMINARY PUD PLAN FOR CASCADE TRAILS PHASE 2 AT 5018 AND 5039 CASCADE RD SE**

Planning Director Jim Ferro stated the revised plan proposes revisions to a PUD plan that was approved by the Board in 2009. He stated the original plan consisted of two buildings developed individually in separate phases: the building to the rear is a 7,500 square foot Olivia's Gift residential facility for young adults with brain injuries that is being developed by a non-profit, and has a building permit application pending; the second building at the front of the site was planned as a 38,800 square foot, two story office building with parking underneath. Ferro stated the proposed revision adds a third building and downsizes the office building; the second and third buildings would be developed independently and at separate times. He stated the new single-story building proposed for the center of the site is a day care center of about 11,800 square feet. The original office building proposed at the front of the site is downsized, the underneath parking is removed, and the square footage is reduced significantly.

Ferro stated the net effect of the change from a development intensity standpoint is a slight increase in total square footage, about 10% increase in total floor space, a decrease in parking supply from 221 to 168 spaces, and the total site coverage by building and pavement increases by about 1%. He stated day care centers are already permitted by special use permits in the office district. Ferro stated if this revised plan is approved by the board there will be a final PUD plan that is analogous to a final site review by the Planning Commission, when the final landscape plan will be reviewed.

**Motion by Westra, supported by LeBlanc, to approve Resolution R-112811-1, a revised Preliminary PUD Plan for Cascade Trails Phase 2 at 5018 and 5039 Cascade Road SE. Roll Call: Yes – Westra, Smith, Rhoades, LeBlanc, Proos, Burton, and Haga; No – 0; Absent – 0. Resolution adopted.**

### **ORDINANCE O-112811-1, AMENDMENT TO ZONING ORDINANCE, TO AMEND INDUSTRIAL (I) DISTRICT TO USE REGULATIONS, TO ALLOW DAY CARE CENTERS AS A SPECIAL USE PERMIT APPROVAL**

Planning Director Jim Ferro stated this text amendment to the zoning regulations was initiated by the Township as a result of pre-application inquiry by the owners of the Canterbury Creek Farm Pre-school located on Ada Drive. He stated they are interested in a site that is in the industrial zoning district on Grand River Drive at the west end of Amway's corporate complex. Ferro stated an amendment to the zoning regulations to allow day care centers as a special use in that district would be the most appropriate way for that use proposal to be entertained by the Township. He stated an industrial district in which there is a lot of employment is a logical district for day care service to be provided. Ferro stated if this amendment passes, Canterbury Creek will be submitting a special use permit application. **Motion by LeBlanc, supported by Proos, to approve Ordinance O-112811-1, amendment to Zoning Ordinance to Amend Industrial (I) District to Use Regulations, to allow Day Care Centers as a Special Use Permit, as recommended by the Planning Commission. Roll Call: Yes – Westra, Smith, Rhoades, LeBlanc, Proos, Burton, and Haga; No – 0; Absent – 0. Ordinance adopted.**

### **AUTHORIZATION TO ACQUIRE PROPERTY AT 6195 EAST FULTON, AS RECOMMENDED BY OPEN SPACE ADVISORY BOARD**

Planning Director Jim Ferro stated the Open Space Advisory Board has worked several months on a proposed acquisition on East Fulton Street and recommended proceeding with the acquisition. He stated the acquisition was brought to the Board several months ago, and since then the Open Space Advisory Board has been doing its due diligence on the property, mainly the Phase 1 environmental site assessment. Ferro stated the assessment found a significant amount of fill on the property, and as a result a Phase 2 environmental site investigation was done consisting of soil borings on the property, which found a level of arsenic that was above the residential use criteria.

Ferro stated the environmental consultant recommended the Township pursue either of two options: (1) seek to remove the arsenic contaminated soils and do further site investigation to try to identify the extent of the contaminated soil; (2) leave the condition in place and prepare a Baseline Environmental Assessment which documents the existence of the condition, and submit that to the State for approval by the DEQ. This would protect the township against future clean-up liability in the event the State tries to pursue a responsible party for removal of the hazard. He stated the level of arsenic is what is commonly found in industrial sites throughout much of the State. Ferro stated we would also have the environmental consultant prepare a Due Care Response Plan that identifies measures we will take to limit public exposure to the hazard.

Ferro stated at their November meeting the Open Space Advisory Board recommended acquiring the property for the \$120,000 asking price. He stated the remaining cost of preparing the Baseline Environmental Assessment and Due Care Response Plan would be \$2,200, an additional expense for our environmental diligence, plus closing costs.

**Motion by Proos, supported by LeBlanc, to approve authorization to acquire property at 6195 East Fulton, as recommended by the Open Space Advisory Board, in the amount of \$120,000 plus a Due Care Analysis fee of \$2,200. Yes – 6; No – 1; Absent – 0. Motion carried.**

### **APPOINTMENT OF A PAID ON CALL FIREFIGHTER**

Fire Chief Jim DuVall stated Katharine Dernocoevr has a strong background in EMS and worked with the Denver Fire Department Paramedic Division ambulance service. He stated she will have to be trained in fire fighting, but she does have her medical training. DuVall stated we presently have 23 paid on call fire fighters, and our goal is to get to 25.

**Motion by Smith, supported by Burton, to approve Appointment of Katharine Dernocoevr as a Paid On Call Firefighter. Yes – 7; No – 0; Absent – 0. Motion carried.**

**RESOLUTION R-112811-2, ANNUAL MEETING DATE AND THE BUDGET PREPARATION SCHEDULE**

**Motion by Proos, supported by Westra, to approve Resolution R-112811-2, to set the Annual Meeting Date and the Budget Preparation Schedule for Fiscal Year 2012/2013. Roll Call: Yes – Westra, Smith, Rhoades, LeBlanc, Proos, Burton, and Haga; No – 0; Absent – 0. Resolution adopted.**

**APPRAISAL REQUEST FOR MICHIGAN TAX TRIBUNAL CASE-GREENRIDGE COUNTRY CLUB (EGYPT VALLEY)**

Assessor Debbie Rashid stated that Greenridge Country Club (Egypt Valley) filed an appeal for their valuation in 2004, were heard in court in 2006, and the township just received the decision. She stated they now want to have their taxable value lowered for years 2007 to 2011. Rashid stated January 28<sup>th</sup> is when the court wants valuation, and she and her staff have tried to get backup documentation but Egypt Valley has not yet given any, so they have looked into having an appraisal done. She stated the previous appraiser, Oetzel-Harman Group, would perform the appraisal for the five year value period at a cost of \$16,000.

Supervisor Haga stated the township attorney has sent letters to Egypt Valley requesting a settlement proposal, but he has not heard from them. He stated the appraisal would give the township a basis for making a settlement. Haga stated it would cost approximately \$40,000 to \$50,000 to go to a hearing.

**Motion by Proos, supported by Smith, to approve the Appraisal Request for Michigan Tax Tribunal Case-Greenridge Country Club (Egypt Valley), for Oetzel-Harman Group, in the amount of \$16,000. Yes – 6; No – 1; Absent – 0. Motion carried.**

**PAYMENT #2, BRONSON STREET IMPROVEMENT PROJECT**

Steve Groenenboom, Engineer, stated the completion date was November 15<sup>th</sup>, and the contractor asked for an extension of time. He stated it is almost done and looks nice. Groenenboom stated the pay estimate does include payment for the Teeple Street asphalt; the total amount is \$204,413.65. **Motion by Rhoades, supported by LeBlanc, to approve Payment #2 to Lodestar Construction in the amount of \$204,413.65. Roll call: Yes – Haga, Westra, Smith, LeBlanc, Proos, Rhoades, Burton; No – 0; Absent – 0. Motion carried.**

**PAYMENT #6 AND FINAL, BAILEY DRIVE TRAIL PROJECT**

Steve Groenenboom, Engineer, stated that in February it was agreed to hold a retainage until May or June, until we were sure everything was properly established. He stated the erosion problems have been taken care of, and the \$25,000 retainage can now be released. **Motion by Proos, supported by Westra, to approve Payment #6 and Final to Katerberg-Verhage for the Bailey Drive Project in the amount of \$25,000. Roll call: Yes – Haga, Westra, Smith, LeBlanc, Proos, Rhoades, Burton; No – 0; Absent – 0. Motion carried.**

**OPPORTUNITY FOR PUBLIC COMMENT**

Frank Hoover, commented on conditions of the trails.

Pat Kain, 7357 Bronson, stated displeasure with a vendor bill that was not paid from the celebration on July 4, 2001.

**ADJOURNMENT**

The meeting was adjourned at 9:01 p.m.

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Susan Burton  
Ada Township Clerk

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Date

RS/dr