



# Park Township

Ottawa County, Michigan

## PARK TOWNSHIP MEETING MINUTES

*Draft until approved at next meeting*

### February 12, 2009

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ART 1. Supervisor Amanda Price called to order the regular meeting of the Park Township Board held on February 12, 2009 at 6:30 p.m. at the Park Township Office.

Present were Supervisor Amanda Price, Treasurer Jan Steggerda, Clerk Skip Keeter, Trustees Doug Dreyer, Jeff Ebihara, Jerry Hunsburger, Michael Toscano, Attorney Dan Martin and Manager Stuart Visser.

Mike Toscano gave the invocation.

ART 2. Pledge of Allegiance – Tyler Knipe, Great Lakes Elementary.

ART 3. The minutes of the January 8, 2008 board meeting were approved as published.

ART 4. The Treasurers Report was given as follows:

Beginning Balance	\$2,472,162
Receipts	\$ 781,264
Disbursements	\$ 167,923
Ending Balance	\$3,085,503

ART 5. The Fire Department Report indicated 19 calls were made in the month of January, and \$1500 in property damages. The Chief reported on the status of the Fire Department.

ART 6. The Zoning Administrator's Report listed building permits for December; 3 were new single-family homes, and a total building permit activity of \$1,429,443

ART 7. PUBLIC COMMENTS (2 MINUTES PER PERSON)

Price opened the public comment period.

Terry Nagelvoort, Joel Welsh, Sally Pollock, Doug Wehrmeyer and Anna Muirhead spoke at the initial public comment period.

Price closed the public comment period.

ART 8. PARK TOWNSHIP RULES OF ORDER

Price introduced Rules of Order as agreed to by the Township Board at its retreat as the official rules of the Township Board.

**MOTION MADE; MOTION SUPPORTED; MOTION TABLED: A motion was made by Hunsburger and supported by Keeter to adopt Rules of order as presented as the official rules of the Park Township Board.**

Ebihara offered an amendment to the proposed rules.

Toscano asked the board to delay a vote until the board can study the implications of the change.

Ebihara withdrew his amendment to the rules.

Steggerda stated there are no rules for entering closed session (#9) for attorney/client correspondence.

Toscano would like to send back to council to review.

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Ebihara and supported by Dreyer to table the motion until counsel reviewed and made recommendations regarding the proposed changes.**

ART 9. LIQUOR LICENSE CLASSIFICATION:

Price introduced the item and explained the differences in the licenses.

A) Ottawa Beach Inn

Tim Overway, owner of OBI, applied for a class "C" license.

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Ebihara and supported by Hunsburger to grant approval to obtain a class "C" liquor license for Ottawa Beach Inn.**

B) Yacht Basin

Price stated the establishment has applied for a class "C" license.

Tom DenHerder spoke on behalf of the Yacht Basin.

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Hunsburger and supported by Keeter to move the Yacht Basin from a SDM liquor license to a Class "C" liquor license.**

ART 10. BLESSING OF THE BIKES

Price introduced the item.

John Guitierrez spoke on behalf of the event.

Dreyer asked what time of day 10am-3pm.

Toscano asked what fundraiser (Habitat for Humanity, Pathways)

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Keeter and supported by Steggerda to approve the Blessing of the Bikes event at the Ottawa County Fairgrounds on April 26<sup>th</sup>.**

ART 11. WEST MICHIGAN AIRPORT AUTHORITY

A) First Amendment

Ebihara asked the board to send the amendment back and reword to include a more diverse representation of the population.

Martin stated the law regarding that type of an amendment.

Dreyer asked for clarification on Page 2 (middle paragraph).

Martin explained.

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Ebihara and supported by Toscano to table discussion regarding the first amendment.**

Toscano asked Price to clarify some points of interest concerning membership and what happens if the millage is not renewed.

Price will request from the attorney of the Airport Authority to differentiate in some manner showing the proposed changes.

Toscano asked the Authority to include an out-clause in the amendment.

The board agreed.

Dreyer asked by what percentage a bond proposal has to pass to gain approval from the Authority.

Hunsburger would like a clause that mandates the representatives to return to the Board to seek their approval for any bond voted on.

Ebihara requested Ms. Price invite Mr. Dykstra to attend the next meeting.

ART 12. CONDITIONAL REZONING REQUEST

Price introduced the item of conditional rezoning of parcel #70-15-33-279-001.

Gary Shank counsel for the applicant explained their request.

Ebihara spoke on behalf of the proceedings at the Planning Commission.

Toscano stated he will vote no on the request and reasons behind his decision.

Shank is willing to initial a change in the language as the board requested.

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Keeter and supported by Ebihara to accept the conditional rezoning request including the language change voluntarily accepted by the applicant.**

The board requested the applicant provide a prompt and positive response to the township should they express concerns.

ART 13. SKATE PARK

Keeter requested the board release the \$100,000 in funds set aside for this purpose. The committee rebid the project using refurbished equipment and was quoted a lesser cost because the goal for private donations was not reached.

Hunsburger asked if extra money is available in the parks budget to make the park what the board approved.

Keeter explained how the funds are available.

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Steggerda and supported by Hunsburger to supplement the fund for the skate park with monies saved from another project.**

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Dreyer and supported by Steggerda to amend motion to include a not to exceed cost of \$138,000.**

Board approved the release of up to \$138,000 for the completion of the skate park.

Barb Burmeister-Parks and Recreation Director-stated the preference of the committee would be to install new equipment.

Dreyer asked Burmeister to rebid some of the parts of the proposal because of the competitiveness of the economy.

ART 14. ZONING ORDINANCE AMENDMENT: PUBLIC HEARING

Martin explained the amendment.

Price opened the public comment period

No one spoke at the public comment period

Price closed the public comment period.

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Toscano and supported by Hunsburger to adopt the zoning ordinance amendment as presented.**

Ebihara stated some concerns with the language in the amendment.

Toscano explained why the specific language was chosen.

Ebihara would like to change the amendment to include language stating the process, proof of ownership, apparent demand and by ordinance or special use of variance.

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Toscano and supported by Keeter to not require proof of ownership and accept other forms.**

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Ebihara and supported by Keeter to strike subsection 5 on page 3.**

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Keeter and supported by Hunsburger and after the word "comply" add the words "by ordinance, special use if permitted or by variance" in section D2.**

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Dreyer and supported by Keeter to strike sub-paragraph C6.**

ROLL CALL VOTE: Unanimously approved.

ART 15. DANGEROUS BUILDINGS RESOLUTION

Martin explained the resolution.

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Hunsburger and supported by Keeter to follow the advice of counsel and proceed with legal action.**

ART 16. PUD Extension Requests:

A) Blackberry Estates

**MOTION MADE; MOTION SUPPORTED; MOTION TABLED: A motion was made by Dreyer and supported by Keeter to grant an additional year extension to Blackberry Estates.**

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Ebihara and supported by Steggerda to table the PUD extension.**

B) Blue Flag Iris

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Ebihara and supported by Keeter to table the PUD extension for Blue Flag Iris and return to the applicant for changes.**

ART 17. APPROVAL OF DEPOSITORIES

Steggerda reviewed her choices for depository sites.

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Toscano and supported by Ebihara to approve the list of depositories.**

ART 18. APPROVAL OF SUMMER TAX COLLECTION AGREEMENT

Steggerda gave a history regarding this agreement.

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Hunsburger and supported by Dreyer to approve the resolution to collect \$2.87 per parcel for the 2009 tax year.**

ART 19. PICTOMETRY

Visser stated the benefits of Pictometry for the Assessing and Building departments. There is a sizable savings by adopting today. Visser stated the cost is \$8900 and would be taken from the 2009-10 Planning/Zoning budgets.

Hunsburger asked if the images are public domain.

Martin stated they would be public domain.

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Keeter and supported by Ebihara to approve the contract for pictometry at a cost of \$8900.**

ART 20. MANAGER'S REPORT

Visser gave a brief review of the proceedings of the manager's office.

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Keeter and supported by Ebihara to approve leaf collection on April 4 and regular clean-up days on the third Saturday of each month.**

ART 21. COMMITTEE REPORTS

Hunsburger gave a report on the Public Safety meeting he attended.

Toscano reported on the Fair Board meeting he attended in the month of January.

Ebihara reported on the Planning commission proceedings.

Keeter reported on the Parks and Recreation and Finance committees.

Price stated she will report on her meeting during the attorney correspondence.

Dreyer reported on the meetings he attended.

ART 22. PAYMENT OF BILLS

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Ebihara and supported by Keeter to approve the payment of bills.**

ART 23. ATTORNEY PRIVILEGE CORRESPONDENCE-CLOSED SESSION

Price reviewed the progress report on the Groundwater Subcommittee.

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Toscano and supported by Hunsburger to waive the attorney client privilege.**

Martin explained the memo he submitted to the board regarding lawful public expenditure in response to flooding concerns.

The Board discussed questions surrounding a lawful public expenditure of the township's funds to alleviate the problem.

Price stated there are 3 areas of concern that do not have positive outflow of water.

Representatives of the committee will return to the Budget meeting on the 26<sup>th</sup> with specific responses and costs.

ART 24. ADDITIONAL PUBLIC COMMENTS (5 MINUTES PER PERSON)

Price opened the public comment period.

John Barwis, Carl VonIns, Dan Brown, and Brian Fredrick spoke during the public comment period.

ART 25. BOARD COMMENTS

Visser asked if the Board needs any additional information on the budget sheets.

Hunsburger requested budgetary items from the Clerk and Treasurer.

Price stated the board now has the resumes of the manager applicants.

Ebihara stated a fire mileage may be necessary in the future to fund the fire department. Also, the trustees should look at reducing or eliminating their compensation and other boards below them. Fred Keene from the Ottawa County Road Commission is willing to help with the situation at the James St. road end.

Dreyer gave an update on the situation on his property.

Interviews are at 10am on March 21<sup>st</sup> for the Township Manager position.

ART 26. ADJOURN

**MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Keeter and supported by Hunsburger to adjourn at 10:17pm.**

