

PARK TOWNSHIP
REGULAR BOARD MEETING
October 8, 2009

ART 1. CALL TO ORDER

Supervisor Amanda Price called to order the regular meeting of the Park Township Board held on October 8, 2009 at 6:30 p.m. at the Park Township Office.

Present were Supervisor Amanda Price, Clerk Skip Keeter, Treasurer Jan Steggerda, Trustees Doug Dreyer, Bob Ellis, Jerry Hunsburger, Michael Toscano, Attorney Dan Martin, and Manager Jerry Felix.

ART 2. INVOCATION – Doug Dreyer

ART 3. PLEDGE OF ALLEGIANCE – Riley Hoeksema – 4th grader at Rose Park

ART 4. APPROVAL OF AGENDA (Additions to or Deletions from Agenda)

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Keeter and supported by Steggerda to approve the agenda with the exception of the treasurer's report (to be considered under the manager's report) and item 9b. (7-0)

ART 5. APPROVAL OF CONSENT AGENDA

- a) Approve minutes of September 10 2009 Board Meeting
- b) Zoning Administrator Report
- c) Payment of Bills

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Steggerda and supported by Keeter to approve the consent agenda. (7-0)

ART 6. FIRE DEPARTMENT REPORT

Chief Gamby gave information on the status of the fire department including number of calls and grant information.

ART 7. PUBLIC COMMENT PERIOD (2 MINUTES PER PERSON)

Price opened the public comment period.

14 people spoke at the public comment period.

Price closed the public comment period.

ART 8. PUD Amendment

- a) Tiara Yachts PUD

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Toscano and supported by Hunsburger to remove item 8a from the table. (7-0)

Felix gave a summary of the discussions between himself and representatives from Tiara Yachts. He gave a history of the PUD.

David Slikkers commented on the amendment request.

John Anderson, attorney for Tiara Yachts, also commented on the PUD.

Martin explained the PUD process in Park Township.

The board discussed reviewing each PUD amendment separately.

The board discussed the PUD amendment regarding removing the prohibition on rental of the facility, serving alcohol and parking.

Andersen commented on the discussions of the board.

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Keeter and supported by Steggerda to appoint a sub-committee with 2 members from planning commission, 2 members of the board, 3 neighbors, the applicant, the manager, and Bob Ellis. (7-0)

The sub-committee will be charged with deliberating on the following:

Define occasional rental specifically
Capacity
Shuttle
Removal of on street designated parking spaces

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Toscano and supported by Steggerda to appoint Trustees Dreyer and Hunsburger, Ellis to serve a dual role as Planning Commissioner and Trustee, Planning Commissioners Arendshorst and Lampen, Manager Jerry Felix, the applicant and the neighbors will appoint 3 residents by Monday the 13th at 12 noon. (7-0)

ART 9. Proposed Ordinance

Wind Energy Ordinance (Zoning Code Amendment)

Joe Lampen, Planning Commissioner, discussed the ordinance and the changes proposed by the planning commission.

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Keeter and supported by Hunsburger to accept the wind energy ordinance. (7-0)

ART 10. Resolutions/Petitions

a) Cost Recovery-Schedule of Charges

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Ellis and supported by Dreyer to accept the cost recovery-schedule of charges. (7-0)

b) Post Ave. Storm Sewer

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Dreyer and supported by Keeter to approve the resolution proposed for the Post Ave. storm sewer. (7-0)

c) Create Special Assessment District

Felix explained the reason for the district and who is involved on the South Side.

Martin explained the process.

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Dreyer and supported by Steggerda to approve resolution #1 (see attached). (7-0)

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Dreyer and supported by Steggerda to change #4 with notice for the public hearing to be held at 644 S. 160th Ave. on November 12, 2009 during the scheduled Board of Trustees meeting and to approve resolution #2 (see attached). (7-0)

ART 11. PUBLIC COMMENT (5 MINUTES PER PERSON)

Price opened the public comment period

2 people spoke at the public comment period

Price closed the public comment period.

ART 12. MANAGER/STAFF REPORT

Felix gave a report of the status of the manager's office and the new budget format.

ART 13. BOARD COMMENTS

Board members gave an update of the meetings they attended.

Ellis would like to have the Manager supply a police report to the board on a monthly basis.

ART 14. ADJOURN

MOTION MADE; MOTION SUPPORTED; MOTION CARRIED: A motion was made by Keeter and supported by Ellis to adjourn at 9:40pm. (7-0)

EXCERPTS OF MINUTES

At a regular meeting of the Township Board of the Township of Park, Ottawa County, Michigan, held at the Township Hall at 52 - 152nd Avenue, Park Township, Ottawa County, Michigan, on the 8th day of October, 2009, at 6:30 p.m., local time.

PRESENT: Supervisor Price, Clerk Keeter, Treasurer Steggerda, Trustees: Dreyer, Ellis, Hunsburger and Toscano

ABSENT: None

The Township Supervisor advised the Township Board that the next order of business was the consideration of the commencement of special assessment district proceedings pursuant to Michigan Act 188 of 1954, as amended, for the acquisition and construction of certain water main improvements to be located as set forth in the following resolution.

After discussion, the following resolution was offered by Dreyer and supported by Steggerda:

RESOLUTION #1

WHEREAS, the Township Board requires the filing of a petition meeting the requirements of Section 3, subsection (3) of Michigan Act 188 of 1954, as amended ("Act 188"), before commencing special assessment proceedings pursuant to Act 188 for water main improvements; and

WHEREAS, the Township Board has received a petition or petitions requesting that the Township acquire and construct water main improvements in the Township to be located as hereinafter set forth; and

WHEREAS, said petition(s) has been signed by the record owners of lands constituting more than fifty (50%) percent of the total land area in the proposed special assessment district described hereinafter as certified to the Township by its engineers, Prein & Newhof, licensed professional engineers of Holland, Michigan; and

WHEREAS, the Township Board has the power and authority pursuant to Act 188, to proceed to

acquire and construct such water main improvements and to assess all or a part of the cost thereof to the properties to be benefited.

THE PARK TOWNSHIP BOARD RESOLVES AS FOLLOWS:

1. That the Township Board, acting on the basis of a petition(s) received in accordance with Act 188, does hereby tentatively declare that it desires to proceed on the basis of said petition(s) with the acquisition and construction of such water mains and, accordingly, pursuant to Act 188, does hereby direct the Township Supervisor to employ Prein & Newhof, licensed professional engineers of Holland, Michigan, to prepare plans describing such water mains, the location thereof, and an estimate of cost thereof. Such water main improvements shall consist of approximately one thousand two hundred and ten lineal feet (1,210 l.f.) of eight inch (8") water mains plus valves, fire hydrants and other appurtenances (including road restoration) to be located as follows: in Lakeside Road, from approximately one hundred and eighty feet (180') south of Blue Bell Court, extending to approximately three hundred feet (300') north of Dune Court; and in Dune Court from Lakeside Road and extending east approximately two hundred and twenty feet (220'); and in Blue Bell Court from Lakeside Road and extending east approximately three hundred and forty feet (340').

2. That these plans and the estimate of cost for said improvement be prepared with reference to a proposed special assessment district to consist of lands located in Park Township, Ottawa County, Michigan, described specifically as follows:

70-15-33-379-004	70-15-33-380-011	70-15-33-380-017
70-15-33-380-018	70-15-33-380-019	70-15-33-380-020
70-15-33-380-021	70-15-33-380-027	70-15-33-380-030
70-15-33-380-032	70-15-33-381-001	70-15-33-381-002
70-15-33-381-003	70-15-33-381-004	70-15-33-381-005
70-15-33-381-007	70-15-33-381-008	70-15-33-381-009
70-15-33-381-011	70-15-33-382-001	70-15-33-382-002
70-15-33-382-003	70-15-33-382-009	70-15-33-382-047
70-15-33-382-056		70-15-33-382-057

3. That all resolutions in conflict with this resolution are hereby revoked to the extent of such

conflict.

YES: Price, Keeter, Steggerda, Dreyer, Ellis, Hunsburger and Toscano

NO: None

RESOLUTION DECLARED ADOPTED.

Dated: October 8, 2009.

Skip Keeter
Township Clerk

DRAFT

CERTIFICATE

I, the undersigned, the Township Clerk of the Township of Park, Ottawa County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting held on the 8th day of October, 2009. I do further hereby certify that public notice of said meeting was given pursuant to and in full compliance with Michigan Act 267 of 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Skip Keeter
Township Clerk

EXCERPTS OF MINUTES

At a regular meeting of the Township Board of the Township of Park, Ottawa County, Michigan, held at the Township Hall at 52 - 152nd Avenue, Park Township, Ottawa County, Michigan, on the 8th day of October, 2009, at 6:30 p.m., local time.

PRESENT: Supervisor Price, Clerk Keeter, Treasurer Steggerda, Trustees: Dreyer, Ellis, Hunsburger and Toscano.

ABSENT: None

The Township Supervisor advised the Township Board that the next matter of business was consideration of the acquisition and construction of water main improvements to be located as set forth in the following resolution.

After discussion, the following resolution was offered by Dreyer and supported by Steggerda:

RESOLUTION #2

WHEREAS, the Township Board has had filed with it a petition(s) requesting that the Township acquire and construct water main improvements in the Township to be located as hereinafter set forth; and

WHEREAS, the proposed special assessment district described in paragraph 2 below contains a total of One Hundred Fifty-Five Thousand Two Hundred and Three square feet (155,203 sq. ft.) of land area, excluding land not subject to special assessment and land within public highways and alleys; and

WHEREAS, from a review of said petition(s) and the appropriate records of the Ottawa County Register of Deeds' Office as of the day of the filing of the petition(s), it has been established that said petition(s) has been signed by the record owners of lands constituting One Hundred Thirty-Five Thousand, Nine Hundred square feet (135,900 sq. ft.), or Eighty-Seven and Fifty-Six One Hundredths Percent (87.56%), of the land area included in the proposed special assessment district described in paragraph 2 below, excluding lands not subject to special assessment and lands within public highways and alleys; and

WHEREAS, plans describing such water main improvements, the location thereof, and an estimate

of Ninety-One Thousand Dollars (\$91,000.00) as the total cost thereof have been prepared by the Township's engineers, Prein & Newhof, licensed professional engineers of Holland, Michigan; and

WHEREAS, the Township Board has the power and authority pursuant to the provisions of Michigan Act 188 of 1954, as amended ("Act 188"), to proceed to make this improvement and to assess all or a part of the cost thereof to the properties to be benefited.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF PARK, OTTAWA COUNTY, MICHIGAN, AS FOLLOWS:

1. That the Township Board, acting on the basis of a petition(s) received in accordance with Act 188, hereby tentatively declares its intention to make the following improvement consisting of the acquisition and construction of certain water main improvements. Such water main improvements shall consist of approximately one thousand two hundred and ten lineal feet (1,210 l.f.) of eight inch (8") water mains and may include valves, fire hydrants and other appurtenances, and road restoration. These water main improvements will be located as follows: in Lakeside Road, from approximately one hundred and eighty feet (180') south of Blue Bell Court, extending to approximately three hundred feet (300') north of Dune Court; and in Dune Court from Lakeside Road and extending east approximately two hundred and twenty feet (220'); and in Blue Bell Court from Lakeside Road and extending east approximately three hundred and forty feet (340'). The Township Board tentatively declares its intention to assess all or a part of the cost thereof to a special assessment district consisting of the lands to be benefited by this improvement as determined hereafter.

2. That this Board does hereby tentatively designate the lands located in the Township of Park, Ottawa County, Michigan, described specifically as follows as the special assessment district against which the cost of said improvement is to be assessed:

70-15-33-379-004
70-15-33-380-018
70-15-33-380-021

70-15-33-380-011
70-15-33-380-019
70-15-33-380-027

70-15-33-380-017
70-15-33-380-020
70-15-33-380-030

70-15-33-380-032	70-15-33-381-001	70-15-33-381-002
70-15-33-381-003	70-15-33-381-004	70-15-33-381-005
70-15-33-381-007	70-15-33-381-008	70-15-33-381-009
70-15-33-381-011	70-15-33-382-001	70-15-33-382-002
70-15-33-382-003	70-15-33-382-009	70-15-33-382-047
70-15-33-382-056		70-15-33-382-057

3. That the plans and the estimate of cost for said improvement be filed with the Township Clerk.

4. That the Township Board shall meet in the Fire Station #1, 644 S. 160th Ave., Park Township, Ottawa County, Michigan, on the 12th day of November, 2009, at 6:30 p.m., local time, to meet, hear and consider any objections to the above-referenced petition(s), to the proposed water main improvements, and to the proposed special assessment district, and that notice of said hearing shall be given by publishing the same twice prior to said hearing in The Holland Sentinel, a newspaper circulating in said Township, and also by mailing such notices, as required by Michigan Act 162 of 1962, as amended, Act 188, and Michigan Act 64 of 1989, as amended, by first-class mail, postage fully prepaid, to each owner of, or party in interest in, any and all property to be assessed for this improvement in the special assessment district tentatively established therefor, whose name appears upon the last Township tax assessment records, addressed to each such owner or party at his address as shown on said tax records, such mailing and the first such publication to be at least ten (10) days before the date of said hearing. The last Township tax assessment records from which said names and addresses are taken shall consist of the last Township assessment roll for ad valorem tax purposes that has been reviewed by the Township Board of Review, as supplemented by any subsequent changes in the names or addresses of such owners or parties listed on that roll. If an owner's name does not appear on the Township tax assessment records, then notice shall be given to the owner at the address shown on the records of the Ottawa County Register of Deeds.

5. That all resolutions in conflict with this resolution are hereby revoked to the extent of such conflict.

YES: Price, Keeter, Steggerda, Dreyer, Ellis, Hunsburger and Toscano

NO: None

RESOLUTION DECLARED ADOPTED.

Dated: October 8, 2009.

Township Clerk

DRAFT

CERTIFICATE

I, the undersigned, the Township Clerk of the Township of Park, Ottawa County, Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting held on the 8th day of October, 2009. I do further hereby certify that public notice of said meeting was given pursuant to and in full compliance with Michigan Act 267 of 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Skip Keeter
Township Clerk