



**ACME TOWNSHIP REGULAR BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
7:00 p.m. Tuesday, February 1, 2005**

Meeting called to Order at 6:04 p.m.

Members present: B. Boltres, D. Dunville, W. Kladder, B. Kurtz, P. Scott (6:35 p.m.) E. Takayama, F. Zarafonitis

Members excused: None

Motion by Kladder, support by Boltres to enter closed session to discuss pending litigation against the township which, if discussed in open session, could have a detrimental financial effect on the litigation or settlement position of the township. Motion carried unanimously.

Public meeting recessed at 6:07 p.m.

Motion by Zarafonitis, support by Takayama to exit closed session at 7:01 p.m. Motion carried unanimously.

Public meeting reconvened with the Pledge of Allegiance at 7:02 p.m.

INQUIRY AS TO CONFLICTS OF INTEREST: None noted

A. CONSENT CALENDAR:

Motion by Kladder, support by Scott to approve the Consent Calendar as presented, including:

RECEIVE AND FILE:

1. [Treasurer's Report](#) dated January 26, 2005
2. [Clerk's Report](#) dated January 31, 2005
3. Draft unapproved minutes of [Planning Commission 01/31/05 meeting](#)
4. Draft unapproved minutes of [YCNA Steering Committee 01/17/05 regular meeting](#)

ACTION:

5. Approval of regular and closed session Board meeting minutes for [January 4, 2005](#)
6. [Accounts Payable](#) in the amount of \$201,752.74 through 01/25/05, including \$86,210.25 Metro Fire Contract payment for 1st Qtr. 2005 and \$56,374.30 to DPW for Operating & Maintenance expenses

Motion carried unanimously.

B. LIMITED PUBLIC COMMENT:

Noelle Knopf, asked that the motion under which the Board entered closed session be repeated. Bzdok explained that the closed session was held to meet with attorneys from Foster, Swift, Collins in Lansing who have been hired by the township's insurance company to defend the township and various named individuals in current litigation. The group reviewed the claims together.

Chuck Walter, 6584 Bates Road, asked if minutes from the previous evening's Planning Commission meeting could be posted on the website. Corpe responded that they will be.

Lewis Griffith, 5181 Lautner Road, stated that several years ago the Planning Commission and Board meetings were scheduled so that anything approved at a Commission meeting could be

approved at the subsequent Board meeting. Now that the lead time for submitting applications to the Commission is four weeks, he believes it is causing a one-month delay for applicants between Commission recommendation and final Board consideration. The Board is here to serve the people and the township, and he does not believe this is an example of good service.

C. **CORRESPONDENCE:** None

D. **PUBLIC HEARINGS:** None

E. **NEW BUSINESS:**

1. **Consider approval of SUP/Site Plan Approval Application #2004-20P by Scott Norris/Olde Worlde Custom Homes on behalf of Dr. Charles Lang to construct a new Chiropractic Doctor's office on 3.03 acres of land within the Acme Village Mixed Use Development immediately west of the Holiday Inn Express:** Kurtz asked Takayama to provide a review of the Planning Commission action regarding the proposal. Takayama first invited Scott Norris, the applicant to present the plan. Mr. Norris summarized the plans for operation of a chiropractic doctor's office with 9 employees and a maximum of 200 clients per week. A substantial portion of the property is a delineated wetland. Mr. Norris pointed out the architectural finish for the building. He noted how a sidewalk along the lot frontage will provide for non-motorized traffic and avoid some pockets of wetlands near the roadway. The plan as presented would require 19% impervious surface coverage; however, last night the Planning Commission permitted a reduction in the required number of parking spaces from 43 to no more than 25. A revised site plan will be forthcoming. There will be minimal exterior lighting for security purposes only.

Zarafonitis asked how large the proposed future addition would be; the total building size of 4,600 sq. ft. includes the future addition. The proposed parking area and the Commission's permitted reduction is based on the full buildout building size. Snow retention will occur in the water retention basins. Takayama asked if the number of parking lot light poles could be reduced from two to one based on the reduction in the total parking lot area size, or if shorter lights could be used. Mr. Norris will check with his lighting consultant.

Takayama had little else to report. Kurtz noted that the draft minutes were also made available to the Board for this evening, which was excellent turnaround when the meeting was yesterday and there is normally a week between the Planning Commission and Board meetings. Takayama did mention disappointment that a full sidewalk would not be possible because DEQ would not issue a permit to build a bridge over the wetlands.

Kladder asked what deed restrictions are placed on the property. Corpe and Mr. Norris mentioned that design and use for any proposed development within Acme Village is reviewed and approved by Dr. Johnson prior to being presented to the township.

Motion by Takayama, support by Dunville to approve Application #2004-20P provided that a revised site plan is provided demonstrating the reduced parking area and lighting detail prior to land use permit issuance. Motion carried by unanimous roll call vote.

2. **Consider approval of Final Application for Progress Payment to Porath Construction in the amount of \$12,982.86 from County Sewer Bond Funds for completion of Sanitary Sewer Bypass Phase I:** Corpe provided a memo outlining the reasons why the final payment to Porath is outstanding. Boltres stated that Dave Amon, the prior Supervisor, had discussed with Porath that new trees were to be planted in a

park area in the Scenic Hills neighborhood to replace some plantings that were destroyed. This park area is owned privately, and the landowner is difficult to reach because he works out-of-state. Jim Minster, who has assisted the township with the sewer project, stated that placement of plantings was originally designed, but the landowner subsequently stated that no plantings were to be done so the subject was dropped. It was Boltres' feeling that the planting location was to be adjusted, not abandoned. Minster reported that at this point a separate understanding with Porath would have to be reached to cover the cost of new plantings. Minster feels it would be township's responsibility to pay for the trees at this point. Kladder feels that this issue will need to be addressed at some point pursuant to resident wishes.

Motion by Zarafonitis, support by Kladder to approve final progress payment to Porath Construction in the amount of \$12,982.86 from County sewer bond funds. Motion carried by unanimous roll call vote.

3. **Consider approval of 2005 Metro Fire Budget** : Metro Chief Pat Parker, Battalion 8 Chief Henkel and Pat Collins are present this evening. Kurtz stated that several months ago former Trustee, Randy Agruda, announced that the Metro Fire Board, to which he was our representative, was planning a 22% budget increase. Kurtz discussed this situation with Chief Parker, and the desirability of reducing the budget increase to the extent possible. In the meantime, the new Board members in all of the member townships can "come up to speed" regarding Metro Fire issues. Chief Parker proposed the reduction at the Metro Board meeting, and Pat Collins was also instrumental in the discussions.

Chief Parker reported that Metro Fire completed a new strategic plan last year and was directed to begin implementing it this year. Metro believes in paying cash, and is planning to acquire land and construct several new fire stations. Appropriations for this purpose were the cause for the inflated budget; the subsequent reduction will not require any cuts in current services.

Takayama asked why there is a line item in the budget for payroll for Garfield Township firefighters with a \$0 balance. Chief Parker stated that there are some paid on-call people in that station, but their salaries are fully reimbursed by Garfield Township. Acme experimented with a similar program last summer. Metro felt that a more accurate picture of the budget would be presented if the offsetting revenues and expenditures are displayed; Takayama feels that if a new millage must be requested in the near future, a maximum amount of information should be provided.

Takayama asked if Acme will need some permanent on-call staff. Chief Parker responded that will 2,200+ calls for service per year an all-volunteer staff can become burned out. So far employees have worked 32 hours or less to eliminate the need to provide benefits.

Chief Parker would like to give a presentation at the March meeting.

Motion by Zarafonitis, support by Scott approve the amended 2005 Metro Fire Budget as presented. Motion carried by unanimous roll call vote.

- a. **Discuss status of 2000 fire millage**: Corpe researched this issue and consulted with Jim Christopherson, who drafted the ballot language. The township will collect the millage one more time in December 2005, so there is time to discuss a potential renewal.

4. **Supervisor's appointment of Mr. Pat Collins as Chair of Public Safety Citizen Advisory Committee:** Kurtz is recommending Pat Collins to chair this committee, which was formed at the last meeting. Collins has been a long-term member of the fire service. He was reluctant to serve at first, and Kurtz would not normally appoint a member of an affected agency, fearing they would be too close to the problem.

Motion by Boltres, support by Dunville to appoint Pat Collins as Chair of Public Safety Citizen Advisory Committee. Motion carried unanimously.

5. **Consider approval of proposed division of Lot 14, Supervisors Plat of Peninsula View for Alex Mowczan, 10105 Kay Ray Road, pursuant to Zoning Ordinance Section 5.7:** Corpe summarized her memo detailing Mr. Mowczan's request. He owns Lots 14 and 15 in the subdivision on Kay Ray Road, and lives in a house that sits on the common lot line of the two platted lots. He proposes to remove a portion of a previous addition to the house and transfer a portion of Lot 14 to Lot 15, bringing the house into conformance with the setback requirements for Lot 15. Lot 14 could then once again be a separate, buildable lot and used as security for a commercial loan.

Motion by Takayama, support by Kladder to approve requested division of Lot 14, Supervisors Plat of Peninsula View. Motion carried unanimously.

6. **Consider approval/signature of request for MDNR permit to perform remediation activities in Yuba Creek (discussed in minutes from 01/17/05 YCNA Meeting):** Henkel explained the project to install bundles of brush in portions of Yuba Creek in the natural area to catch silt, narrow the stream, deepen it and speed it to provide a better fish habitat. Trees will also be planted to shade the water. All of this will lead to colder water and more trout. This project was budgeted for this year. Kladder stated that having helped to form the YCNA and having belonged to the Conservancy Board, he is glad to see that a local committee is working actively to manage publically acquired natural lands.

Motion by Kladder, support by Boltres to approve application for MDNR permit for Yuba Creek remediation at a cost of \$50.00. Motion carried by unanimous roll call vote.

F. OLD BUSINESS

1. **Update Regarding Requests for Qualifications:** Copies of the RFQs were provided to the Board for their information. The goal is for committees reviewing the responses to make recommendations to the Board for hiring the needed assistance on March 1.
 - a. Planner to review The Village at Grand Traverse, LLC
 - b. Township Counsel

G. REPORTS: For the first time, reports have been submitted in advance in written format. Various individuals submitting reports were present to answer questions as needed.

1. County Commissioner's Report – Larry Inman
2. Sheriff's Representative Report – Deputy Matt McKinley: Zarafonitis asked what the numbers at the top of the Sheriff's report mean. Deputy McKinley stated that they represent the total number of calls for service by day of the week in the County. A line further down breaks out Acme's statistics.
3. Citizen Advisory Committees
 - a. Farmland & Open Space – Bob Garvey: Garvey stated that the Michigan Legislature has adopted an enabling statute that will permit transfer of development rights. He recommends that the township attorney be asked to draft an ordinance to capitalize on this opportunity. Corpe mentioned that the Open

Space Development Ordinance does permit some density transfers, and that there may be a situation brought forth in the near future to utilize this opportunity.

4. Buildings and Grounds – Tom Henkel: Kladder asked Henkel if a steering committee is active to manage the Sanabria property. One is not active at the current time. Kladder believes that when the DNR provided a grant to acquire that property, a committee was required for it as well. Kladder volunteered to research the need and whether this committee could be combined with the YCNA Committee.
5. Zoning – John Hull

H. PUBLIC COMMENT & OTHER BUSINESS THAT MAY COME BEFORE THE BOARD:

Meeting adjourned at 7:59 p.m.