



ACME TOWNSHIP REGULAR BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
Tuesday, April 5, 2011 7:00 P.M.

MEETING CALLED TO ORDER AT 6:30 P.M.

Members present: D. Dunville, R. Hardin, W. Kladder, P. Scott, E. Takayama, L. Wikle, F. Zarafonitis
Members excused: None
Staff present: S. Vreeland, Township Manager and Recording Secretary
J. Jocks, Township Counsel

A. STUDY SESSION: None

B. LIMITED PUBLIC COMMENT: None

C. APPROVAL OF AGENDA: Kladder noted several needed additions to the agenda. A letter from the Treasurer regarding the 2011 refunding bond issue is to be added to the Consent Calendar as a “receive and file” item. The TBA ISD 2011 Summer Tax Collection agreement will be added to the Consent Calendar under the “approval” section. He noted that the Sheriff’s report was received today, as well as the County Administrator’s report.

Motion by Hardin, support by Zarafonitis to approve the agenda as amended. Motion carried unanimously.

D. INQUIRY AS TO CONFLICTS OF INTEREST: None noted.

E. CONSENT CALENDAR: Motion by Zarafonitis, support by Takayama to approve the Consent Calendar as amended to remove the Accounts Payable and the purchase of the new sewer meter for further discussion under new business, including:

RECEIVE AND FILE:

1. **Treasurer’s Report** as of [02/28/11](#)
2. **Clerk’s Report** as of [03/28/11](#)
3. Draft Unapproved Meeting Minutes:
 - a. Planning Commission [03/28/11](#)
 - b. Metro Emergency Services [02/22/11](#)
 - c. Farmland Advisory [03/11/11](#)
4. [Parks and Maintenance Report](#) – Tom Henkel:
5. [Planning, Zoning & Administrative Update](#) – S. Vreeland
6. “The Metro Insider” [Newsletter](#) March 2011
7. [Status Update – VGT-Phase I SUP Application #2009-01P](#)
8. [2010 Preliminary Census Statistics](#)
9. [04/04/11](#) Memo from Treasurer Wikle regarding Upgrade Refunding bonds

ACTION – Consider approval:

10. Township Board meeting minutes of [03/01/11](#)
11. ~~[Accounts Payable](#) of \$2,067,026.58 through 03/28/11 (Loan to Shoreline \$2,016,608.85 recommend approval: Dunville)~~
12. [Bid for new Acme Sewer Meter B \(“Burger King”\)](#)
13. [2011 TBA ISD Summer Property Tax Collection Agreement](#)

Motion carried unanimously.

F. REPORTS:

1. **Sheriff's Report – Mike Matteucci:** In March there were 45 citations issued, 1 injury accident, 252 total complaints and 12 traffic crashes. On the evening of March 12 some individuals who had been committing larcenies from cars in the Holiday Hills area were arrested and all of the stolen property was recovered. Other larcenies from cars are being committed. Deputy Matteucci reminded everyone that they should always lock their car doors. The people who commit such crimes are opportunistic; they check the door handle and if the car is open they see what's available but they generally won't take the time to break into a vehicle. There have been a number of accidents near the US 31 N/Five Mile intersection recently. Scott asked if we have looked into adding some sort of flashing option to the speed display on the township radar trailer; Deputy Matteucci has found it is possible and may be relatively inexpensive. Scott asked that cost information be provided at the next Board meeting for potential purchase approval.
2. **County Commissioner's Report – Larry Inman:** Inman provided a copy of the County Commission's 2011 Work Plan. He mentioned the recent settlement of the lawsuit regarding the septage treatment plant. The \$720,000 to be received should help to keep the plant solvent until the bonds can be refinanced in a few years. The County is considering expansion of the building housing the Health Department dental clinic. Inman stated the County was pleased to provide a letter of support for our Shoreline Phase III Trust Fund grant application. He also congratulated Scott on reaching 15 years of service as a corrections officer. Kladder noted that Inman is not just our representative on the County Commission but is also the current Chair. He is putting in a lot of hours and is very promptly responsive to requests.

G. SPECIAL PRESENTATIONS/DISCUSSIONS:

1. **Senior Center Out Reach Program – George McBath, Commission on Aging/Senior Center:** Mr. McBath stated that the Commission on Aging gave a grant to the Senior Center a year ago for the purpose of creating satellite senior programs throughout the county. Progress has been slow but moving forward. They are considering locations in Acme at Feast of Victory Church and Hope Village, as well as locations in Fife Lake, Kingsley, Interlochen and Long Lake. A Commission on Aging millage was renewed last fall and a new operating millage was approved for the Senior Center which will help to fund these satellite programs among other things. This millage also replaces funding from the budgets of the City and various townships, including Acme. These governmental contributions will no longer be needed, and seniors 60 and older will no longer pay a \$35 fee to join the Senior Center. County residents under age 60 will pay \$10/year, and out-of-county residents will pay \$50/year. The Senior Center has a current membership of over 700 individuals. Soon the Senior Center will be a department of the county Commission on Aging rather than being operated solely by the City. New satellite programming will be site-specific depending on the interests of the seniors in the immediate area, and there are plans to publish schedules of events for all facilities so seniors can choose events to attend. They have received a lot of assistance from local churches and libraries in terms of connecting with seniors in the community to build awareness.

Kladder asked what the service area for Acme senior activities will be; the primary service area will be Acme and Whitewater Townships. He suggested looking into whether Mt. Holiday could be a good site for some programs.

H. CORRESPONDENCE:

1. **03/21/11 Acme Heritage Society letter:** Kladder stated that the township, with help from the Regional Land Conservancy, will be applying for a \$5,000 grant in the monthly May Rotary Charities planning grant cycle to fund planning for the future of the Knollwood property.
2. **03/19/11 Knollwood Mothballing report:** Dunville reported that fundraising has been

strong enough that costs for maintaining the Knollwood house while a decision is made about its long-term future. Scott suggested discussion about an open house at the property now that spring is here.

3. [03/22/11 Email from James Rice and Elizabeth Cohrs](#): This is the only letter opposed to the single-hauler service that Kladder has received. Scott reported that his grandmother lives in an area where single-hauler service has already been initiated and was complaining about it at first, but she admitted that she is receiving better service at lower cost and that she really has nothing to regret about it at all. Kladder noted that if citizens are finding that their current waste hauler is cancelling their contract, they can sign up now for the reduced single-hauler rate through American Waste if they pay for 1 full year in advance and start early. He also said that several Acme residents received letters from Waste Management about service cancellation effective April 1 that were supposed to go only to Peninsula Township residents.

I. PUBLIC HEARINGS: None

J. NEW BUSINESS:

1. [Bid for cleaning and inspecting sewer lines](#): One section of sewer lines in the township was cleaned in 2010 and Kladder is recommended cleaning and inspection of a second section in 2011. The new section to be examined would be along Deepwater Point and within the easternmost condominium associations in the Grand Traverse Resort. After the new sections are cleaned and televised, the township could proceed to seek a bid for repairs needed as indicated by both last year's and this year's projects. The cost proposal from PCS, which performed the work for us last year, is \$1.42/ft. of line. Elmwood received a recent bid from the same company of \$1.39/ft. One difference between the two is that Elmwood has public water available for flushing the lines whereas in most cases in Acme the water has to be hauled in.

Motion by Scott, support by Dunville to accept the bid from PCS to clean and inspect approximately 30,000 ft. of sewer line in Acme Township at the price of \$1.42/linear foot, with the total amount not to exceed \$45,000. Motion carried by unanimous roll call vote.

2. [Accounts Payable](#) of \$2,067,026.58 through 03/28/11 (Loan to Shoreline \$2,016,608.85 recommend approval: Dunville): Wikle noted that on the agenda the wording for this agenda item is that there was a "loan to Shoreline" of \$2,016,608.85. This amount is actually the total sum paid to retire the capital improvement bond issued by the township to be able to close on the Phase I properties while awaiting reimbursement from the Michigan Natural Resources Trust Fund for 75% of the costs. The amount of the loan made by the General Fund to the Shoreline Fund to make the bond payoff was \$391,511. It will be repaid when the final 10% of the Trust Fund's 75% of the costs is reimbursed to us after the required final project audit by the state.

Motion by Zarafonitis, support by Takayama to approve payment of the Accounts Payable in the amount of \$2,067,026.58 through 03/28/11. Motion carried by unanimous roll call vote.

3. [Bid for new Acme Sewer Meter C \("Burger King"\)](#): Kladder explained that there are three meters in the sewer lines in Holiday Hills, near the intersection of Five Mile and Holiday Roads and near the Burger King on US 31 North. Because flows from both Acme and East Bay Townships flow through lines in this area, and because operating and maintenance expenses for the DPW and the wastewater treatment plan are determined per township by flow volumes, knowing correct flow volumes from various sources is critical. All three meters have been showing signs of malfunction. The meter near the Holiday/Five Mile, owned jointly intersection has already been replaced. The meter at Burger King, owned by

Acme, is recommended for replacement after several repair attempts have failed.

The Sewer Fund cash flow spreadsheet the Board has used every 6 months or so in setting rates has been updated. It indicates that the fund balance is holding steady for the foreseeable future even after anticipated expenditures for repairs and maintenance discussed tonight and without a usage rate increase at this time.

Motion by Zarafonitis, support by Wikle, that Acme Township replace sanitary flow meter C located in front of Burger King with a new partial/full magnetic flow meter, with cost not to exceed \$7,000. Motion carried by unanimous roll call vote.

K. OLD BUSINESS:

1. **Consider adoption of Solid Waste Single Hauler Ordinance:** The potential for the township to adopt an ordinance requiring that a single waste hauler serve all residential properties in the township with 1-4 residential units has been discussed at several meetings over the past several months. Jocks has drafted a potential ordinance for adoption that provides definitions, standards for waste containers and a requirement for the township to select a waste hauler to provide and bill for service. Commercial businesses and any residential location with more than 4 dwelling units per building are exempted. There is a penalty section, and violations of the ordinance would be a municipal civil infraction.

Kladder compared this draft to those adopted in Peninsula Township and the City of Traverse City. This draft is most similar to Peninsula Township's.

Zarafonitis asked about the bid the township will be considering from American Waste and whether there are built-in rate increases. The initial cost for full service would be \$12/month, with fuel prices locked in for the first year. In the second through fifth years there would be a 3% annual increase in service cost and the potential for fuel surcharges if diesel fuel prices rise above a certain level. The fuel surcharges might be approximately 2%.

Scott asked if anything in this proposed ordinance would conflict with the 2005 Junk Ordinance. Jocks reviewed the Junk Ordinance and determined there would be no problem.

This ordinance will take effect on July 1.

Motion by Scott, support by Takayama to adopt Acme Township Refuse Collection Ordinance #2011-01. Motion carried by unanimous roll call vote.

2. **Accept Solid Waste Single Hauler Bid from American Waste:** Kladder recounted the RFP/Q and bidding process for potential single hauler solid waste service. Three firms were reviewed by an ad hoc committee which overwhelmingly recommended selection of American Waste if a single hauler ordinance were to be adopted. The township having just adopted the ordinance, and the ordinance requiring the selection of a hauler, a contract with a hauler must now be finalized.

Scott verified that American Waste will still offer three service options: 1) 96 gallon rolling tote plus recycle bin with 1 bulky item curbside/first pickup of month for \$12/month; 2) Budget bags, with recycling bin and 1 bulky item curbside/first pickup of month for an additional \$6/month; 3) Budget bags and utilization of centralized recycling. People can also elect no service. As far as recycling, plastics numbered 1-7 can be accepted, as well as Styrofoam. Billing will be quarterly and in advance, performed by the waste hauler. If a resident is handicapped American Waste would accommodate their needs and come onto the property to collect the trash. Collection in Acme would be on Mondays and/or Tuesdays.

Scott asked that the three different service options be advertised to the general population

through the e-newsletter and other available avenues.

Motion by Scott, support by Takayama to accept the American Waste Bid for single hauler solid waste service in Acme Township, authorize the Supervisor to negotiate and sign a contract with American Waste.

Jocks noted that the Single Hauler ordinance adopted a few moments ago states that it will take effect 30 days after notice of adoption is published in the newspaper. However, the intent is for the ordinance to take effect on July 1 at the beginning of a billing quarter for the haulers. While the township could wait to publish notice of adoption it would seem to make more sense to amend the effective date language in the ordinance.

Motion amended by Scott, support by Takayama to adopt Acme Township Refuse Collection Ordinance #2011-01 with an effective date of July 1, 2011. Motion carried unanimously.

Takayama stated he is very impressed by American Waste. "Socially responsible businesses" include things like assisting handicapped people with their service and otherwise improving the quality of their lives while providing a service for profit.

Mark Bevelhymer, American Waste, stated that they will request a mailing list from the township and use it to send a mailer to all affected residences. The mailer will provide a way for the homeowner to indicate their service preference. The mailing will probably occur approximately 45 days before the July 1 start date.

3. **Discuss New Urbanism Funds:** Over the past several months, Takayama has observed that there is much going on in the land use planning life of the township. The shoreline project is taking shape. There could be big changes to the landscape and area roads related to the VGT development proposal. He suggests that it might be a good time to put some funds set aside from general funds and a Tribal 2% grant awarded in 2006 for new urbanist planning. As a discussion-starter he has provided a list of some ideas as to how the funds could be used. The concept has been discussed by the Planning Commission but has not yielded a firm recommendation to the Board yet as to how the funds might be used.

Takayama went to a placemaking seminar about a month ago and was very impressed by the keynote speaker, Fred Kent. He subsequently called and spoke to Mr. Kent and a variety of other people in the nationwide planning network he has found are ready to help local communities if they are asked. Some are governmental organizations and some are non-profits, but all are interested in designing strong communities that benefit their residents and not just developers who are seeking to profit. Takayama believes that the township can create mutually beneficial plans for the community in a proactive manner rather than waiting for proposals to be set before it. Takayama provided 4 concepts for how the money could be utilized, and suggested that the Board could discuss the pros and cons of each.

Kladder believes the township has had a vision for a long time and is now really beginning to implement it. He believes in the principal of creating a great place that attracts great people and great jobs. He believes Acme has been a leader in this arena through creation of our farmland and shoreline preservation programs. We are currently investigating whether and how to move forward with a potential municipal marina. One big component that hasn't happened yet is the VGT project, which will have a significant impact on the community. He seeks Takayama's suggestion as trying to pull together all of these various events and initiatives into one cohesive process. At a regular monthly conversation with Tribal representatives last week he asked about the process for requesting permission from the Tribal Council to change the purpose and/or process for using the funds.

Takayama noted that Bill Rustem, who is a key member of Governor Snyder's staff, also spoke at the Placemaking Summit. He mentioned that the governor is proposing to make between \$5-7 million available for community placemaking planning and implementation, and that communities that already have plans in place will be preferred recipients. He suggested that the township should find out more about how to be an excellent candidate for these funds and position ourselves accordingly, leveraging our \$50,000 significantly. The speakers at the event indicated that the trend for younger people is to choose a place to live first and decide what to do for a living once they get there later, which is the opposite of the way earlier generations tended to behave. Kladder agreed that he has heard this is the case, and mentioned the importance of providing high-speed broadband access and community wireless access. Apparently Acme has ready access to some basic needed infrastructure to accomplish this already.

Takayama stated that he is not trying to grow Acme into a Grand Rapids. But as he drives around the community he sees outdated and vacant commercial buildings. He would hate to see it redevelop one parcel at a time in a haphazard and unattractive way. Kladder indicated that the township has done some Master Planning that espouses the concepts of preventing additional sprawl and concentrating mixed use development in a core area. He believes that the new shoreline parkland will spur favorable redevelopment on the east side of US 31 North. Takayama feels that perhaps something along the line of form based zoning that would provide for some uniform aesthetic standards would be a good idea. He also noted that just because properties across the street redevelop does not mean that they would be filled with optimal tenants.

Takayama stated that as he thinks of pros and cons and looks at the plans for the proposed VGT, much of the phasing decisions seem to be based on economic need and what they can obtain bank loans to achieve. They will only build the space they can sell. There is talk about housing and a walkable downtown as part of the project, but only in later phases that might not be realized, at least by the current property owner. Perhaps a future property owner will want to change the plan. To him the site seems to be filled with a lot of retail space such that while any individual space is not a "big box" itself, in the aggregate it has the same feel as one. He is concerned that the downtown aspects of the project will never be built. He also almost sees the shoreline preservation project as fighting against blight along the US 31 corridor.

Takayama believes that the township does not currently have the expertise and familiarity with innovative planning principles to accomplish its goals alone, and that we should ask some of the experts in the field of creating a sense of place to come and assist us. He mentioned that there may be an additional summit in Traverse City and that communities that participate and help fund it will not only get group training in the principles and executing them but also would receive the services of a planner one-on-one for a day. Mr. Kent's firm specializes in a "quicker, cheaper, faster approach" designed to avoid the customary lengthy government processes. Kladder suggested that if a brief video is available it could be viewed at an upcoming Board meeting.

Zarafonitis doesn't feel it likely that traffic on US 31North could be calmed sufficiently to make it a true main street and agrees with Kladder that a central area slightly removed from the waterfront but linked to it might function better. Takayama expressed that he would rather see the funds used for overall community planning rather than dedicated only to things like improvements to the M-72 highway corridor.

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

Sally Frye, 2884 Wild Juniper Trail stated that she agrees with Takayama. Many of the things that will make Acme great are activities, and history is a part of this. The second paragraph in her area offers the services of Dr. Ted Ligibel to look at the Knollwood with an historic preservation class and

program that includes many planners. Scott asked if there is Board agreement that this group be given full access to the Knollwood to perform their field studies.

Kladder reported that the shoreline green deconstruction should be complete by Friday. The site is being leveled in preparation for seeding. The last two buildings to be removed at the current time will be moved when the frost laws lift from the roads. A few picnic tables from the existing Bayside Park and perhaps some from Saylor Park will be moved to the new site, and he and Henkel are looking at trash cans and dog waste bag dispensers. The goal is to provide some minimal items at low cost to get the site open to the public while longer-term design planning is completed. Takayama suggested providing information to the public on item donation opportunities. Hardin noted that there is very minimal furnishing at the Open Space; most people bring what they want or need. Kladder stated that no additional parking will be added at this time. He has looked into closing the unneeded curb cuts but was told by MDOT that it could cost up to \$20,000 per curb cut. Some large boulders found on the Willow Beach property that are being relocated to discourage motorized traffic where it is not desired. Henkel is applying for a beach grooming permit for the former Shoreside Inn property adjacent to the bathing beach already at Bayside Park.

To satisfy Soil Erosion Permit requirements, the site needs to be graded and seeded to stabilize the topsoil. The new parkland totals about 3.65 acres, or 158,994 sq. ft. After receiving some bids, the estimated cost to have the seeding done by a company called Balco would be \$0.03/sq. ft., for a cost of approximately \$4,769. It might be good to have a cushion for the estimate to ensure expenses can be met.

Motion by Scott, support by Dunville to authorize the Supervisor to expend up to \$6,000 for seeding the shoreline Phase I properties by Balco. Motion carried by unanimous roll call vote.

Vreeland stated that in the case of Biggs, Crowhurst et al. v. Nalley, Acme Township et al, the township has been asked by one of the parties to the lawsuit to provide someone knowledgeable about the situation to be deposed. She has done the most research on the project, so she seemed to Jocks and the Supervisor to be the choice. The deposition has not been scheduled yet but is expected to occur during April.

Hardin recalled that last year there were some problems experienced by businesses along US 31 North with their water wells and wondered if there was an update or any resolution. Vreeland stated that the problem was first brought up by Northwestern Bank, and they have since had a new well drilled. They had told Vreeland that a number of businesses in the area were having similar problems with wells being silted and/or running dry, and Vreeland is also aware that there have been problems with wells in Peaceful Valley involving lower water flow and heavier mineralization. Some in Peaceful Valley felt that their problems might be related to LochenHeath pumping water to fill some man-made lakes, and Vreeland spoke with Dr. Chris Grobbel and a well water program director for the DNRE on an informal basis about the matter. It was their very preliminary opinions that the problems are likely due to several years of low Lake Michigan water levels. Vreeland has also found during some very initial investigation that the wells experiencing problems are mostly older and extremely shallow wells – some as shallow as 40’ – so she also suspects this to be the case.

Meeting adjourned at 9:09 p.m.