



ACME TOWNSHIP REGULAR BOARD MEETING
ACME TOWNSHIP HALL
6042 Acme Road, Williamsburg MI 49690
Tuesday, May 10, 2011 6:30 P.M.

A. SPECIAL PRESENTATIONS:

1. **Tribute to Dick Smith:** A 12-minute oral history video of Dick and Mary Smith created by the Acme Heritage Society was displayed.
2. **Presentation about Potential use of [New Urbanist Planning Funds](#) – Erick Takayama: [Placemaking Article](#) – *Planning & Zoning News* [PowerPoint Presentation](#) (courtesy Fred Kent and the [Project for Public Spaces](#)) [Information about The Grand Vision](#)**

Takayama arranged a presentation about placemaking which involved Jim Lively from the Michigan Land Use Institute and Nigel Griswold from the NW MI Council of Governments. Mr. Lively began with a discussion of the Grand Vision process, which has gained statewide recognition and interest. He stated that Governor Snyder has taken a particular interest. Local institutions have created regional networks in support of several key aspects of placemaking such as transportation that includes designing and providing for alternatives to the automobile. Mr. Lively is particularly interested in transportation issues and notes that Acme Township contains a rail corridor that connects it to points throughout the state and would be a good place for a transfer station between the transit authorities for Antrim, Grand Traverse and Kalkaska Counties.

Mr. Griswold works primarily within the growth and investment sectors of The Grand Vision. This initiative focuses on the importance of place and placemaking, and his presentation is based in a recent presentation locally by Fred Kent. Building on existing local resources is seen as a key way to build economic prosperity. Mr. Kent's initiative is the Project for Public Spaces, and more information can be found at www.pps.org.

Placemaking focuses on how to make people comfortable and happy in and attracted to places. Mr. Griswold discussed the possible creation of a survey-like tool that could be used locally for placemaking exercises. The process could then move into a phase of finding partners, investors and flexible solutions. It's also important to recognize that the work is never done, that community goals and needs change over time.

There is a concept called the "Power of 10." It involves 10 major places that are significant in a region (i.e. Sleeping Bear Dunes), and then identifying 10 more places nearby, and then identifying 10 more things to do while you are there. This concept can be used on various scales, from a region to a park to a city block. The way that street corners are used in a community is also seen as critical. Great public spaces are deemed to invite activity and attract more people. You need dedicated community members to create a place, and can't start the process knowing what the end result will be. Each place has to have its own identity. It has to be an ongoing campaign that begins with developing and communicating a vision, organizing a team, taking on more and larger challenges and connecting change to community culture. In a place like this seasonal strategies should be considered. One key concept is that "the community is the expert." Another is that "you are never finished." Observation about what people already tend to do is necessary if you are going to create a space that encourages it to happen.

Mr. Lively stated that a growth and investment network meeting is convened monthly, and representatives from various communities are represented. They talk about their experiences

and learn from one another. There are some small grant funds available for placemaking initiatives through The Grand Vision. Mr. Griswold stated that they are also trying to bring focused technical assistance services to communities interested in place-based initiatives. They hope to commit to at least one per county per year.

Discussion after the presentation mentioned local placemaking initiatives such as the Traverse City beachfront and the Village at Grand Traverse Commons on the former State Hospital grounds.

CALL TO ORDER WITH PLEDGE OF ALLEGIANCE AT 7:45 P.M.

Members present: D. Dunville, R. Hardin, P. Scott, E. Takayama, L. Wikle, F. Zarafonitis
Members excused: W. Kladder
Staff present: S. Vreeland, Township Manager and Recording Secretary
J. Jocks, Township Counsel

- B. LIMITED PUBLIC COMMENT:** None.
- C. APPROVAL OF AGENDA: Motion by Zarafonitis, support by Wikle to approve the agenda as amended. Motion carried unanimously.**
- D. INQUIRY AS TO CONFLICTS OF INTEREST:** None noted
- E. CONSENT CALENDAR: Motion by Wikle, support by Scott to approve the Consent Calendar as amended to remove approval of the American Waste Contract, including:**

RECEIVE AND FILE:

1. [Treasurer's Report](#) as of 03/31/11
2. [Clerk's Report](#) as of 05/09/11
3. Draft Unapproved Meeting Minutes:
 - a. Planning Commission [04/25/11](#)
 - b. Metro Emergency Services [03/22/11](#)
 - c. Farmland Advisory [04/08/11](#)
 - d. Shoreline Advisory [04/20/11](#)
4. [Parks and Maintenance Report](#) – Tom Henkel:
5. [Planning, Zoning & Administrative Update](#) – S. Vreeland
6. "The Metro Insider" [Newsletter](#) April 2011
7. [Status Update – VGT-Phase I SUP Application #2009-01P](#)

ACTION – Consider approval:

10. Township Board meeting minutes of [04/05/11](#)
11. [Accounts Payable](#) of \$310,470.76 (recommend approval: Dunville)
12. ~~Contract with American Waste for township wide residential solid waste services~~

Motion carried by unanimous roll call vote.

F. REPORTS:

1. [Sheriff's report](#) – Mike Matteucci: received and filed.
2. **County Commissioner's Report – Larry Inman:** The County Commission initially recommended removing the parking meters at the Governmental Center, but reversed its decision and instead recommended that the meters allow for longer time periods with longer initial free time periods. There is an expected \$700,000 shortfall in the County budget due to an unexpected level of unfavorable decisions through the Tax Tribunal and high levels of property value changes by township Boards of Review. Half of the shortfall will be covered through changes to the defined contribution benefit program. Inman is on the Airport

Commission, which gave the former deputy airport manager a trial as the interim manager until this month. He was evaluated as planned this month and scored favorably particularly in community outreach and service and pricing improvement through Delta Airlines and will receive the promotion to permanent airport manager. The 2010 Census figures will be used to reapportion the County Commission districts. So far the reapportionment committee seems set on reducing the number of Commission seats from 9 to 7, feeling that fewer seats and larger districts will result in notable cost savings. Currently they have 12 potential plans that must be submitted by May 16. At their upcoming May 16 meeting they will try to narrow the plans down to one, and they have until June 6 to make a final decision. In two years when the Commission is up for reelection is when the redistricting would take effect. The next joint city/village/township/county meeting is scheduled for June 30. They want to try an evening meeting because there are those who feel that the previous daytime schedule limits participation. The meeting will be held at the Governmental Center.

G. SPECIAL PRESENTATIONS/DISCUSSIONS: None

H. CORRESPONDENCE:

1. **04/06/11 Northwestern Michigan College [2011 Summer Tax Collection Resolution](#):** received and filed.
2. **[04/25/11 Gordie LaPointe e-mail](#) re: Buildings & Grounds Cost Center Budget:** received and filed.
3. **[Shoreline Fruit](#) Agricultural Production Renaissance Zone Approval Documents 04/26/11:** received and filed.

I. PUBLIC HEARINGS: None.

J. NEW BUSINESS:

1. **Fire Prevention Ordinance:** Jocks and Vreeland gave a brief overview of a proposed amendment to the Acme Township Fire Prevention Ordinance of 2005 as amended. The key changes to the existing ordinance include the township adopting by reference the International Fire Code (IFC) of 2009 to replace our current adoption of the 2006 IFC. Another significant proposed change would be for outdoor burning to be banned except for recreational campfires and burning related to customary agricultural operations. The Board may be asked to adopt the ordinance amendments proposed by GT Metro Emergency Services at the June 7 meeting.
2. **[Preliminary 2011-12 Fiscal Year Budget Discussion](#):** Because the draft general fund budget materials were not available until this evening for review, the Board was not prepared to discuss them in detail. Vreeland provided an overview of the current fiscal year to date, which indicates a potential surplus of current year revenues over current year expenditures of over \$100,000. Revenues for next year are projected to be somewhat lower than initial projections for this year, and as of the first budget draft there would appear to be a potential deficit of approximately \$22,000 between projected revenues and potential expenditures.

The Board asked that the Personnel Committee specifically review again recommendations for 2011-12 fiscal year salaries, per diems and wages. Scott expressed particular concern that the Personnel Committee recommends raising the wage for the planner/zoning administrator position before it is even filled when board member salaries and per diems have not increased in six years. Takayama felt that perhaps the individuals being interviewed for the vacant planning and zoning position have unrealistic expectations for salaries in light of the current overall economy and the folk wisdom that in Traverse City “a view of the bay is half the pay.” He wondered if it would be less costly to the township to contract with a planning consultant at \$60,000 a year than to pay a salary, benefits, retirement and employment taxes for a \$41,000/year employee. Vreeland quickly performed the math using the budget

worksheet, and came up with a result that at a salary of \$41,600 (\$20.00/hour) as proposed by the Personnel Committee, the total employment cost in the second year would be approximately \$55,557/year including FICA/FUTA at 7.65% (\$3,182), retirement plan contributions after the first year at 10% of salary paid (\$4,160) and a maximum health insurance premium contribution of approximately \$6,615 (assuming the position holder accepted coverage at the two-person or family levels, with the township contributing 85% of the premium for the employee, 50% for the spouse, and nothing towards additional family members.) Zarafonitis and Vreeland noted that many applicants for the position removed themselves from the candidate pool when told the township was only offering \$35,880/year, and that salary expectations for individuals with at least 5 years of work experience are tending to be in the \$50,000 - \$60,000 range. The interview committee feels that someone with that level of experience, rather than someone fresh from school or otherwise without practical planning and zoning experience, is needed to effectively help the township with the level of planning and zoning needs it is currently experiencing.

The Board indicated it would want to have preliminary detailed discussion about the budget at the June 7 meeting, and at that time would schedule a special meeting to hold the required public hearing for budget adoption for a date at some point during the weeks of June 20 or June 27.

3. **Medical Marijuana Police Power Ordinance:** Vreeland reported that discussions about zoning ordinance amendments specific to medical marijuana establishments are progressing quickly, with a public hearing on a proposed draft to be held on May 23. In the meantime, she and Jocks wanted to know if the Board felt a need for an additional police power ordinance that would require business licenses to be obtained by medical marijuana businesses before they could operate, and/or by any other businesses. Scott had provided such an ordinance from a community downstate for review and consideration.

Since the time that this item was placed on the agenda, Jocks became aware of [two letters](#) sent by the federal government to states such as Washington and Rhode Island but not yet Michigan. These letters generally assert the federal government's rights under federal law to prosecute medical marijuana establishments and those who own and operate them. They also indicate that they may pursue those who "facilitate" the establishment of medical marijuana establishments, including state and/or local governments and/or agencies who regulate it. He would therefore recommend a slower and more cautious approach to potential medical marijuana-related business licensing, but does not feel that continuing to prepare zoning ordinances poses a similar problem. The first is an explicit approval of a business, but the latter involves regulation of the use of land more than the approval of a business. The question was raised as to whether a police power licensing ordinance could contain provisions that cancel it out if there is a change in state or federal law or treatment, but Jocks does not recommend this because this creates room for error in tracking changing conditions. He noted that there are rulings in various places in the state to the effect that dispensaries are illegal under the state Medical Marijuana Act or that the act itself is illegal and preempted by federal law. He believes that much will become clarified later in the year.

Motion by Takayama, support by Wikle to table the question of a Medical Marijuana police power ordinance pending further information. Motion carried unanimously.

4. **Proposed Resolution Approving Rotary Charities Planning Grant Application:** The Supervisor has been preparing an application for a Rotary Charities Planning Grant in the amount of \$5,000. This type of grant is available monthly. The proposed use of the funds would be to seek assistance with planning the redevelopment of the new shoreline parkland in general and specifically to assist in determining the appropriate future for the former Knollwood Motel/Hoxsie home building. The township committed to studying this question and making a definitive decision no earlier than at the November 1 regular Board meeting. It is possible that the required funds to match the Rotary Grant could come from another grant

the township has received for planning for the shoreline district from the Coastal Zone Management program. The CZM grant is for \$20,000 and requires a \$20,000 township match, so it is likewise possible that a Rotary Planning Grant, if received, could be used as match for the CZM grant as well because the Rotary grant would help cover a component of the work plan for the CZM grant. Application to the Rotary Grant program requires a resolution of support from the Board.

Motion by Takayama, support by Hardin to adopt Resolution R-2011-05 supporting application for a \$5,000 Rotary Charities Planning Grant. Motion carried by a vote of 5 in favor (Dunville, Hardin, Scott, Takayama, Zarafonitis), 1 opposed (Wikle) and 1 absent (Kladder).

K. OLD BUSINESS:

1. **Marina Feasibility Study Timeline:** GT Regional Land Conservancy Director of Land Protection Matt McDonough explained that the Conservancy holds an option to purchase the Mt. Jack's property on or before June 30, 2011. A complication holding up a potential closing is that there are easements on the property in favor of the East Bay Harbor Company that cannot be in place if Trust Fund grant moneys are used for the acquisition. How we go about negotiating the removal of the easements depends on whether or not the township is likely to continue pursuing purchase of the property owned by the marina. Mr. McDonough needs to know what the timelines are for various potential decisions as outlined in his letter. The marina feasibility study will be presented to the Planning Commission on May 23 and the Board on June 7. Vreeland stated that it will be geared primarily to answer one question: is a municipal marina economically and physically feasible for Acme Township. The questions of whether the township wants to operate a municipal marina, whether it wants or needs the marina property to do so, or just wants to have the current marina property to have as additional parkland without a marina in the future, are separate. Mr. McDonough stated that he simply needs to know when the decision might be made, whenever that might be.

Neither Zarafonitis nor Wikle believe that the decision about whether or not to purchase the marina property will come quickly. Wikle in particular believes it may take 4-6 months.

Mr. McDonough will be meeting with the owners of the Mt. Jacks property next week. He feels that further negotiations with the marina based on their currently-expressed position could take several months.

Hardin asked if it might be possible to swap property purchases between phases II and III; Mr. McDonough stated that this can be on the list of options. Takayama feels that the proposed \$1.7 million purchase price for the marina is significantly too steep given its current condition, and that the not-so-bad "worst case scenario" is that the township doesn't purchase it, the current owners make the needed repairs and there is a nice private marina in among the public parkland properties. Mr. McDonough discussed some potential options for relieving the Mt. Jack's property of the current marina parking and office/restroom facilities easements, but due to the construction of the easements it will involve some creativity.

Most of the questions revolve around the existing easements and the rules that Trust Fund grant moneys cannot be used towards properties with any reserved private rights.

Mr. McDonough understood the Board's consensus indication that a decision on whether or not to purchase the marina property will likely take a minimum of 4-6 months, and thanked the Board members for their feedback.

2. **Hoxsie House Access Gate:** The Supervisor has spoken with the Buildings & Grounds Manager about a gate to limit access to the driveway and house on the former Knollwood Motel portion of the new shoreline property. He obtained two bids for a lockable gate as described and shown in the meeting packets.

Motion by Zarafonitis, support by Takayama to accept the Perfect Fence bid for a gate for the former Knollwood Motel driveway in the amount of \$390. Motion carried by unanimous roll call vote.

There was a question about when the gates to the township parks would be opened for the season, and whether they will be open for a longer period each year or even year-round with the expanded Bayside Park. Vreeland stated that the parks could be officially open for the summer as early as the coming weekend, but possibly as late as the end of May. While there has been discussion about opening the gate to and snow plowing the parking lot at Bayside Park year-round, this has not been instituted yet because basic sitework on the new parklands is incomplete. For a while we still needed to limit access for safety reasons; in the near future the area will be hydroseeded to stabilize the soils and even after the parks open we will need to keep the public off the seeded areas until the grass is well-established. The bathrooms in the parks are not insulated or winterized, so at this point in time the bathrooms would still need to be closed in the colder weather seasons.

3. **Cost Information township radar trailer:** At a prior meeting the Board asked Deputy Matteucci to look into retrofitting the radar trailer so that the displayed speed would blink if a passing motorist is speeding. Deputy Matteucci has provided a cost estimate of \$120, but also indicates that it may be possible to have the work done at a local electronics shop more cheaply and with less out-of-service time for the trailer.

Motion by Scott, support by Zarafonitis to approve upgrades to the radar trailer to allow the display to flash at a cost not to exceed \$120. Motion carried by unanimous roll call vote.

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

Gordie LaPointe, 6375 Plum Drive asked if everyone saw the e-mail he sent to the Supervisor regarding the budget, which was in the meeting packets as an item of correspondence. He said that found the extended discussion about bringing in an appropriate planning and zoning staff member at an appropriate salary interesting, and feels that there is an opportunity to achieve significant savings in the salary and benefits of a person who Mr. LaPointe believes has as his biggest job the cutting of grass and snow plowing. Perhaps the money current paid can be spent others in ways that will better benefit the township. He feels that the job is part-time at best and that the \$50,000 salary plus employment expenses are unjustifiable.

MEETING ADJOURNED AT 9:14 P.M.