

**MINUTES OF THE CASCADE CHARTER TOWNSHIP
REGULAR BOARD MEETING**

Wednesday, December 8, 2010

7:00 P.M.

Article 1. Supervisor Beahan called the meeting to order at 7:00 p.m.
Present: Supervisor Beahan, Trustees Fox, Koessel, Lewis, Treasurer Peirce and Clerk Goodyke.
Absent: Trustee Goldberg
Also Present: Manager Cousins, Planning Director Peterson, Assistant to Manager Korhorn and those listed on Supplement #1.

Article 2. Supervisor Beahan led the Pledge of Allegiance to the Flag.

Article 3. Motion was made by Trustee Koessel and supported by Clerk Goodyke to amend the Agenda under Expected Meeting Procedures to change the language of Item #1 to read as follows: During public comments you may speak on any item not noted on the agenda for a public hearing; Item #2 to read as follows: Comments to be limited to 3 minutes per person and then the Board may or may not choose to respond. Motion carried.

Article 4. Presentations/Public Comments

a. Presentation by Supervisor Beahan

• **Elizabeth Ripley**

Supervisor Beahan thanked Elizabeth Ripley who has been very active last year in helping clear out a lot of the Garlic Mustard out of Peace Park. She also did a lot of removal of the Russian olive this year...along with her husband.

**b. Public Comments (Please limit comments to 3 minutes)
(except– Public Hearing Items in Article 8...comments will be taken during the Public Hearing)**

Steve Underwood, 6858 Maplecrest Dr., addressed the Board regarding the sign at Peace Park stating that firearms were prohibited in the park. Mr. Underwood stated that the Township has no legal authority to prohibit lawful CPL holders from possessing a handgun in the park.

Article 5. Approval of Consent Agenda

- a. Receive and File Various Meeting Minutes
 1. Regular Board Meeting Minutes for 11/17/10
 2. Regular Planning Commission Minutes of 11/08/10.
 3. Regular Zoning Board of Appeals Minutes of 10/11/2010.
 4. Kent County Road Commission Meeting Minutes of 9/14/10, 9/28/10, 10/12/10, 10/26/10.
- b. Receive and File Communications
 1. Letter from Charter – re: Adding a new Digital Programming Service.
 2. Letter from Maracaibo Shores Association – re: Extension of Bike Trail and the Speed Limit on Cascade Road.
- c. Receive and File Various Reports
 1. Treasurer’s Department Report for October, 2010.
- d. Education Request
 1. Clem Bell – Firefighter I & II – Kentwood, MI - January 11, 2011 thru June 18, 2011.
 2. Bill Cousins – MTA Annual Conference – Grand Rapids, MI – January 26-28, 2011.

3. Bill Cousins – Managers Association Annual Winter Institute – Detroit, MI – February 1-4, 2011.
4. Jack Lewis – MTA Annual Conference – Grand Rapids, MI – January 26-28, 2011.

Motion was made by Trustee Koessel and supported by Trustee Fox to approve the consent agenda as presented. Motion carried.

Article 6. Financial Actions

- a. Consider Approval of November, 2010 Payables, Payroll and Transfers. Motion was made by Trustee Koessel and supported by Trustee Lewis to approve the November, 2010 Payables, Payroll and Transfers. Motion carried.
- b. Consider Approval of 2010 Budget Adjustments. Motion was made by Trustee Koessel and supported by Trustee Fox to approve the 2010 Budget Adjustments for the following funds:
 - General Fund
 - Fire Fund
 - Police Fund
 - Hazmat Fund
 - CCT Open Space Fund
 - Pathways Fund
 - Improvement Revolving Fund
 - DDA Fund
 - Building Fund
 - Library FundMotion carried by roll call vote.
- c. Consider Approval of Burton St. Pathway Extension & Rec Park Parking Lot Paving – Change Order #1. Motion was made by Clerk Goodyke and supported by Trustee Koessel to approve the Burton St. Pathway Extension & Rec Park Parking Lot Paving – Change Order #1 to reduce the contract by \$25,931.28. Motion carried.
- d. Consider Approval of Burton St. Pathway Extension & Rec Park Parking Lot Paving – Payment #2. Motion was made by Trustee Lewis and supported by Trustee Fox to approve the Burton St. Pathway Extension & Rec Park Parking Lot Paving – Payment # 2 in the amount of \$8,081.48. Motion carried.

Article 7. Unfinished Business

Article 8. New Business

- 118-2010**
- a. **Public Hearing – Proposed 2011 General/Special Budgets.** Motion was made by Clerk Goodyke and supported by Trustee Lewis to adjourn the regular meeting and move into Public Hearing. Motion carried.
No Public Comments.
Manager Cousins reported there had been no written comments submitted.
Motion was made by Trustee Fox and supported by Trustee Lewis to close the Public Hearing. Motion carried.

b. Consider Approval of Resolution of Intent to Levy the 2011 Millage Rates.

Motion was made by Trustee Koessel and supported by Treasurer Peirce to approve the Resolution of Intent to Levy the 2011 Millage Rates. Motion carried by roll call vote.

c. Consider Approval of Resolution Adopting 2011 General/Special Fund Budgets.

Motion was made by Trustee Lewis and supported by Trustee Koessel to approve the Resolution Adopting the 2011 General/Special Fund Budgets. Motion carried by roll call vote.

119-2010

a. Public Hearing – Allocation of Community Development Block Grant (CDBG) money.

Motion was made by Trustee Koessel and supported by Trustee Lewis to adjourn the regular meeting and move into Public Hearing. Motion carried.

Assistant to the Manager Korhorn addressed the Board regarding the allocation of money from Kent County to the participating units of government. We are slotted to get approximately \$8,000.00 for the 2011-2012 year. Possible project ideas are Home Repair Services, ACSET and Hope Network. Meals on Wheels program might be a possibility as well as acquisition of a handicap accessible porta pot at Peace Park. This year we are required to hold a public hearing. No action will be taken tonight...a resolution will be prepared and will be at January meeting.

Motion was made by Trustee Lewis and supported by Trustee Fox to close the Public Hearing. Motion carried.

b. Table until January 12th .

Motion was made by Trustee Koessel and supported by Trustee Lewis to table this item (119-2010) until the January 12th regular meeting. Motion carried.

120-2010

a. Public Hearing – Consider Ban on Smoking in Parks.

Motion was made by Clerk Goodyke and supported by Trustee Fox to adjourn the regular meeting and move into Public Hearing. Motion carried.

Planning Director Peterson presented the proposed ordinance banning smoking in the Parks in the Township. The Parks Committee met and decided to prohibit smoking in all of our parks. Clerk Goodyke questioned the enforcement of this ordinance. Discussion followed.

Steve Underwood, 6858 Maplecrest spoke to the Board regarding his concerns about the proposed Ordinance. Mr. Underwood is opposed to the smoking ban. These are parks that are designed for the enjoyment of all the citizens...not just those that have a particular philosophical point of view. Mr. Underwood doesn't feel that there is a legitimate reason for the ban.

Motion was made by Trustee Koessel and supported by Trustee Lewis to close the Public Hearing. Motion carried.

b. Consider Approval of Amending the Disorderly Conduct Ordinance, Ordinance No. 3 of 1973.

Motion was made by Treasurer Peirce and supported by Trustee Koessel to approve the Amending of the Disorderly Conduct Ordinance, Ordinance No. 3 of 1973 regarding the Ban on Smoking in the Parks. Motion carried by roll call vote.

121-2010

Consider Approval of Resolutions for Tris4Health to Close Public Streets for Triathlon on June 5, 2011.

Assistant to the Manager Korhorn explained the date has been changed from June 25th to June 5th. The Kent County Road Commission has requested the Board pass two new Resolutions with the date change. However, at the same time they are also requesting that Thornapple River Dr. now be closed from Cascade Road to Storybook Lane. They are asking for both closures from 4:00 a.m to 6:00 p.m. Residents living on this street will still be able to get thru. Ada Township approved the Resolution. The closure on Cascade Road is still the westbound lane from Thornapple River Dr. to Thorncrest. Discussion followed.

Items of concern from the Board include:

- How do they propose traffic control for residents living on that route that do need to get in and out.
- Numerous churches are going to be greatly affected.
- Not to “keen” about it being on a Sunday.

Discussion followed.

Motion was made by Trustee Koessel and supported by Treasurer Peirce to table this item to get more information from the Sheriff’s Department as to why they think a Sunday is a better day to close that road than Saturday. Motion carried.

Ayes – 5 Nays – 1 Absent – 1

122-2010

Consider Approval of Contract with Funny Business Agency for the July 4, 2011 Celebration.

Motion was made by Trustee Koessel and supported by Trustee Lewis to approve the Contract with Funny Business Agency for the July 4, 2011 Celebration in the amount of \$48,600.00 to be paid in quarterly amounts of \$12,150.00. Motion carried.

123-2010

Consider Approval of 2011 Township Board and Commission Meeting Schedule.

Motion was made by Clerk Goodyke and supported by Trustee Fox to approve the 2011 Township Board and Commission Meeting Schedule. Motion carried.

124-2010

Consider Approval of Agreement from AT&T for METRO Act Permit Extension.

Manager Cousins reviewed the Agreement. Motion was made by Trustee Koessel and supported by Clerk Goodyke to approve the Agreement from AT&T for METRO Act Permit Extension with the request to add Charter to the signature line. Motion carried.

125-2010

Consider approval of Fund Balance Resolution to meet the Requirement of GASB 54.

Motion was made by Trustee Lewis and supported by Clerk Goodyke to approve the Fund Balance Resolution to meet the Requirement of GASB 54. Motion carried by roll call vote.

Consider Adoption of Resolution for a 457 Deferred Compensation Plan from ICMA.

Manager Cousins had met with the personnel committee to consider a second 457 deferred compensation plan to be offered to Township employees. Manager Cousins stated that adding the ICMA 457 Plan for Township employees would enhance their retirement savings through a deferred compensation savings plan and also give them a second option to the ING plan. Motion was made by Trustee Koessel and supported by Trustee Fox to approve the adoption of Resolution for a 457 Deferred Compensation Plan from ICMA. Motion carried by roll call vote.

Article 9. Public Comments on any other matters. (limit comments to 3 minutes)

Veronica Patin, 9520 Celery, Byron Center was present to address Trustee Koessel regarding a comment made during the meeting.

Article 10. Manager's Comments

Manager Cousins offered the following comments:

- Employee Christmas Luncheon will be a week from this Friday...from Noon until 2:00 p.m., the office will be closed.
- Water Rates are expected to go down. The final decision will be made by the City Commission on the 21st of December.
- This Friday at 1:00 p.m. will be the closing of the sale of Burton Caretaker house and the lot.

Article 11. Board Member Comments

Trustee Koessel offered the following comments:

- Thanked all Board members for a good year, and wish everyone a Happy Holiday.

Trustee Lewis offered the following comments:

- The agenda we used tonight worked out well regarding the public hearings.
- Offered comments on previous Board meeting minutes. (i.e., lack of information) Would like to see more complete minutes, because they can "trip" us in the future for legal situations. If you read these minutes really close, there are a lot of open gaps.

Clerk Goodyke responded that the MTA "strongly" recommends that we include just the action and the result... NOT the detail, they don't want to see the detail in Board minutes. Discussion followed.

- Happy Holidays.

Treasurer Peirce offered the following comments:

- Happy Holidays.

Clerk Goodyke offered the following comments:

- Addressed "Sunday Liquor Sales" under the new MLCC Law. Consensus among the Board Members was to do nothing.

Trustee Fox offered the following comments:

- Offered a compliment to Comcast.

Supervisor Beahan offered the following comments:

- Sent out an e-mail, we do have appointments for the Planning Commission and the Zoning Board of Appeals. Would like to recommend re-appointing the present members Jeff Hammond, Al Pennington and John Sperla to the Planning Commission. Motion was made by Trustee Koessel and supported by Trustee Fox to approve the recommendations to the Planning Commission. Motion carried. The recommendation for the Zoning Board of Appeals is to re-appoint Ray

James, Jack Neal as alternate. Barb Wilson has asked not to be re-appointed. I have asked Tom MacDonald to fill her position. Motion was made by Trustee Lewis and supported by Trustee Fox to approve the recommendations to the Zoning Board of Appeals. Motion carried.

- Mrytle Swanson died ...she was 108 years old. She had lived in the Township for many years.

Article 12. Adjournment

Motion was made by Treasurer Peirce and supported by Trustee Fox to adjourn the meeting. Motion carried.

Meeting adjourned at 8:35 p.m.

Respectfully submitted,

Denise M. Biegalle
Deputy Clerk

Approved by:

Ron Goodyke, Clerk

Robert Beahan, Supervisor