

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

Wednesday, November 7, 2007

7:00 P.M.

Article 1. Supervisor Julien called the meeting to order at 7:00 p.m.
Present: Supervisor Julien, Trustees Beahan, Koessel, Fox, Goldberg, Treasurer Carpenter and Clerk Goodyke.
Absent: None
Also Present: Manager Cousins, Planning Director Peterson, Deputy Clerk Biegalle, Fire Chief Sigg and other interested parties listed on Supplement #1.

Article 2. Supervisor Julien led the Pledge of Allegiance to the flag.

Article 3. The agenda was revised to include the following:

- **Article 4c – Education Request** – Annual MTA Conference for Treasurer Carpenter.
- **Article 9 New Business 091-2007** – Consider Resolution for adding the Hydrant Roll , Light Roll and Delinquent Sewer and Water Usage to the 2007 Tax Roll.

Motion was made by Trustee Koessel and supported by Treasurer Carpenter to approve the agenda per the above mentioned revisions. Motion carried unanimously.

Article 4. Approval of Consent Agenda

- a. Approval of Township Board Minutes
 1. Regular Board Meeting Minutes 9/26/07, 10/10/07, 10/24/07.
- b. Receive and File Communications
 1. Letter from Comcast – re: Additions in the Channel Lineup effective November 28, 2007.
 2. Letter from Janesville Acoustics – re: WARN Notice Extension.

Motion was made by Treasurer Carpenter and supported by Trustee Beahan to approve the consent agenda. Motion carried unanimously.

Article 5. Financial Actions

- a. Consider Pay Application No. 3 Nagel Construction re: Sanitary Sewer and Watermain in Burton Street from Kraft Ave to Cascade Point Drive. Manager Cousins reviewed the Pay Application. It was confirmed with Fishbeck, Thompson, Carr and Huber that none of the items in this pay application involve any of the items in the rework.
Motion by Clerk Goodyke and supported by Trustee Fox to approve Pay Application No. 3 in the amount of \$500,370.47. Motion carried unanimously.
- b. Consider Request for Training Room Equipment for Fire Station 2.
Motion was made by Clerk Goodyke and supported by Clerk Goodyke and supported by Trustee Goldberg. Motion carried unanimously.

Article 6. Public Actions

- a. **Public Hearing – Amend Existing P.U.D. to allow for Hotel use for property located north of Meijer, West of Kraft Ave. and South of MVP.**
Motion to recess the regular meeting and convene into Public Hearing was made by Trustee Goldberg and supported by Clerk Goodyke. Motion carried unanimously.
Planning Director Peterson reviewed the request. Reminded the Board that this was the Spruce Meadows P.U.D. that we are proposing to amend. The

amendment is necessary because the developers propose to put a 100 room Candlewood Suites Hotel for this location. Discussion followed.

- b. Public Hearing – Final Plan Review for a P.U.D. Amendment at 6300 28th St.** Planning Director Peterson reviewed the request. This is the location where we have the existing Culvers, Macatawa Bank was recently built, the Pizza Hut existing (which would be re-done as a result of this project). The changes are really in the back of the site. The most discussed item at the Planning Commission level was the number of buildings. Trustee Koessel shared a little bit of concern/questions that the Planning Commission had regarding the amount of buildings on the site. Discussion followed. Mike Gantos was present to bring a couple of things to the Board regarding the development:

- What was the difference between the six buildings vs. five buildings...setting a precedence.
- Access easement to his (Gantos) property to the east, but also to the development to the west. The way the recorded easement is situated today, it is a revocable easement to utilize the cross access. Where ours is a perpetual that has to be there forever. The way that their (Reibel) is set up, it can be revoked and it is at 100 percent of the approval of the existing developer (which is Reibel developers). Would like language to get in their easement to limit their ability to control that easement but just makes that easement cross and open, like it was meant and supposed to have been.
- Density of the development increase.

Supervisor Julien requested Planning Director Peterson to explain the access easement between this property (Reibel) and the Gantos property. Planning Director Peterson stated that he had talked to Mr. Reibel about this issue, Mr. Reibel stated that it is fine that he is fine with amending his easement to make sure that it is clear that one of the benefited parcels is the Gantos parcel. Discussion followed.

Motion was made by Clerk Goodyke and supported by Treasurer Carpenter to close the public hearing and reconvene into regular session. Motion carried unanimously.

Article 7. Public Comments

Article 8. Unfinished Business (None)

Article 9. New Business

083-2007 Consider Amending Existing P.U.D. to allow for Hotel use for property located north of Meijer, West of Kraft Ave. and South of MVP.

Motion was made by Trustee Koessel and supported by Clerk Goodyke to approve the Amendment to the existing P.U.D. for Spruce Meadows to allow for Hotel use for property located north of Meijer, West of Kraft Ave. and South of MVP. Motion carried unanimously by roll call vote.

084-2007 Consider Final Plan Review for a P.U.D. Amendment at 6300 28th St.

Motion was made by Clerk Goodyke and supported by Trustee Beahan to approve the Final Plan Review for a P.U.D. Amendment at 6300 28th St. with a revision to include a change under Section 6. Cross Access – to read as simple as saying the developer shall be responsible to provide and record an irrevocable cross access easement for the project, and go

on to list where those easements are...identifying those parcels. Motion carried unanimously by roll call vote.

085-2007

Consider Request to Modify Township Board Conditions of Private Road Exception.

Planning Director Peterson reviewed the exception. Previously they had a list of conditions to meet in order for this lot split to be approved. The property has sold and is being sold again. They are saying they cannot meet the Township Board requirements from last February. The modification being requested to obligates the people that will be buying the Vetvick property to take Ms. Wolters obligation. Discussion followed.

Motion was made by Trustee Koessel and supported by Clerk Goodyke to accept the modification request. Motion carried unanimously.

086-2007

Consider Request for an Exception from the Private Street Regulations in order to Split Property at 7623 30th St.

Planning Director Peterson reviewed the Private Road regulations with the Board and how it required because Stonington and Sudbury are private roads which do not fully comply with our private street requirements. After holding a public hearing the Planning Commission has recommended approval of the private street exception with the following conditions:

- Public water is extended,
- A maintenance agreement is provided for Stonington
- A turnaround is placed at Stonington and Sudbury that meets the Township requirements.

Discussion followed.

Motion was made by Clerk Goodyke and supported by Trustee Koessel to approve the Exemption from the Private Street Regulations in order to split property at 7623 30th St. per the Planning Commission conditions. Motion carried unanimously.

087-2007

Consider Resolution to Hold the Township's MERS Contribution at 10% of the Employees Salary for their Defined Benefit Retirement Plan.

Motion was made by Trustee Goldberg and supported by Clerk Goodyke to approve the Resolution to hold the Township's MERS Contribution at 10% of the Employees Salary for their Defined Benefit Retirement Plan. Motion carried unanimously by roll call vote.

088-2007

Discussion on Extension of the Rapid Service on 28th St. into the Township (Route 28).

Trustee Beahan stated the following were 3 options regarding the extension of the Rapid Service on 28th St.:

- 28th St. to Meijer = an additional \$80,500/yr.
- 28th St. to Walmart = an additional \$100,700/yr.
- 28th St. to Cascade Rd. = an additional \$151,000/yr.

Supervisor Julien asked if there was an offset because of picking up some GO Bus riders. Trustee Beahan stated that our cost of GO Bus would be decreased by approx. 47% if extended to Cascade Rd.

Discussion followed and the consensus was to possibly participate in the study regarding rider participation prior to committing to the above mentioned options.

089-2007 Discussion on the Participation by the Township Concerning a study of Expansion of the Rapid.
It was suggested that Manager Cousins attend the meeting on the 13th and access the need for public transit in this region.

090-2007 Consider Recommendation from the Planning Commission to Hire Planning Consultant for Master Plan Update.
Planning Director Peterson reviewed the recommendation from the Planning Commission to accept the bid from Williams & Works for the Master Plan Update at the cost of \$64,733. Peterson stated the plan is required to be reviewed to be updated every five years now. It probably is common practice that it goes through a little bit more of a formal update every ten years. Cascade's last one was early 1999, the one prior to that was 1986. The project would take approximately 15 months, this would mean it would be done early 2009. Discussion followed. Motion was made by Trustee Koessel and supported by Clerk Goodyke to accept the recommendation of the Planning Commission to Hire Williams & Works to update the Master Plan not to exceed \$65,000 with the understanding as we go through these various steps that if they feel there is an opportunity to eliminate some \$'s based on the feedback that will be judicious without jeopardizing the integrity of the Plan. Motion carried unanimously.

091-2007 Consider Resolution for adding the Hydrant Roll , Light Roll and Delinquent Sewer and Water Usage to the 2007 Tax Roll.
Motion was made by Clerk Goodyke and supported by Trustee Koessel to approve the Resolution for adding the Hydrant Roll, Light Roll and Delinquent Sewer and Water Usage to the 2007 Tax Roll. Motion carried unanimously by roll call vote.

Article 10. Closed Session

a. To discuss pending litigation re: Disselkoen Lawsuit
Motion was made by Trustee Koessel and supported by Trustee Goldberg to recess the regular meeting and convene into Closed Session for the above mentioned agenda item. Motion carried unanimously by roll call vote.
Motion was made by Trustee Goldberg and supported by Trustee Fox to reconvene into regular session. Motion carried unanimously.

Article 11. Manager's Comments

Manager Cousins presented the following comments:

- Carol Hulst, employee in the Building Department has lost her mother, who passed away on Tuesday evening.
- Work is continuing to proceed on the Burton St. Sewer. There has been a lot of discussion by the contractor and our engineer about not being able to do the work outside of the paved roadway. But they have been finally convinced that it is going to be better for everybody for them to finish this year and do the work now. The Road Commission will not allow them to tear up any more roadway until next spring. They have started on that this afternoon.
- Spoke with the Sheriffs Department, they have interviewed sixteen sergeants for the open Lieutenants position.
- Budget Work Session is scheduled next Wednesday at 5:30.
- Meet and greet with George Haga and Mike DeVries.

- Fire Department Training Monday at 6:30 along with a Planning Commission meeting at 7:00.

Article 12. Board Member Comments

Treasurer Carpenter offered the following comments:

- New display in History Room
- Cleaned the Museum
- Getting ready to look at ideas for artifacts for that building.

Article 13. Adjournment

Motion was made by Trustee Goldberg and supported by Trustee Beahan to adjourn. Motion carried unanimously.

Meeting adjourned at 9:50 p.m.

Respectfully submitted,

Denise M. Biegalle
Township Deputy Clerk

Approved by:

Ron Goodyke, Clerk

Michael R. Julien, Supervisor