

**GRAND HAVEN CHARTER TOWNSHIP BOARD
MONDAY, SEPTEMBER 23, 2019**

WORK SESSION – (CANCELLED)

REGULAR MEETING – 7:00 P.M.

- I. CALL TO ORDER
- II. PLEDGE TO THE FLAG
- III. ROLL CALL
- IV. APPROVAL OF MEETING AGENDA
- V. CONSENT AGENDA
 1. Approve September 9, 2019 Regular Board Minutes
 2. Approve Payment of Invoices in the amount of \$404,369.00 (*A/P checks of \$285,860.38 and payroll of \$118,508.62*)
 3. Approve PUD Amendment – Lincoln Pines Condominiums
- VI. PRESENTATION – Extended Grace – Mental Health Services
- VII. PUBLIC HEARINGS
 1. Truth-in-Taxation Hearing – Levy of Millage Rates for FY 2020
- VIII. OLD BUSINESS
 1. Approve Resolution 19-09-04 – Schedule of Levy of Property Taxes
- IX. NEW BUSINESS
 1. First Reading – Northeast Quadrant Parking Exemption Permit
 2. First Reading – Sidewalk Maintenance Ordinance
 3. Approve Resolution 19-09-05 – Accepting Schmidt Farm into Parks System
- X. REPORTS AND CORRESPONDENCE
 1. Committee Reports
 2. Manager’s Report
 - a. August Public Services Report
 3. Others
- XI. EXTENDED PUBLIC COMMENTS/QUESTIONS ON NON-AGENDA ITEMS ONLY
(*LIMITED TO THREE MINUTES, PLEASE.*)
- XII. ADJOURNMENT

NOTE: The public will be given an opportunity to comment on any agenda item when the item is brought up for discussion. Please complete Speaker Information Sheet. The supervisor will initiate comment time.

**GRAND HAVEN CHARTER TOWNSHIP BOARD
MONDAY, SEPTEMBER 9, 2019**

WORK SESSION – 6:00 P.M.

1. The Board discussed a proposed Short-Term Rental Regulation Ordinance; a proposed Short-Term Rental Zoning Text Ordinance; and, reviewed a Short-Term Rental Map.

Public comments included:

- a. Murray Swiftney (*15877 Lake Avenue*) rents his home on Pottawattamie Bayou six weeks each year. Lost his PRE because of the rentals. Has been doing this for many years with no objection from the Township and tacit approval.
- b. Laird Schaefer (*12543 Wilderness Trail*) believes the short-term rental ordinance is insufficient and should prohibit rentals in the R-1 and R-2 district. Short-term rentals cannot be regulated by the existing residential associations.
- c. Robert Gezon (*12055 Bluewater Road*) is a year-round resident that is located directly next to the Brucker Street road end access – with all the problems that come with this location. Homes in this area are primarily summer resort homes – not like subdivision homes.

After public comments were received, the Board instructed staff to (1) refine the definition of “house Sitting” to allow for remuneration; (2) eliminate Section 5, subsection 2 under Performance Standards; (3) provide for a minimum duration of not less than 6 days for short-term rentals; (4) under Section 7, subsection c, further define what is meant by “specifically provided for and allowed in the development in question (e.g., restrictive covenants, bylaws that are recorded and binding on all properties within the development; and, (5) amend the map and ordinance to prohibit short-term rentals along private roads that serve eight or more parcels and meet certain density requirements.

Staff will return with a revised map and ordinance by the October 14th Board meeting.

2. The Board discussed a Sidewalk Maintenance Ordinance. After discussion, the Board instructed staff to proceed with the draft and requested the ordinance be scheduled for a First Reading at the September 23rd Board meeting.

REGULAR MEETING

I. CALL TO ORDER

Supervisor Reenders called the regular meeting of the Grand Haven Charter Township Board to order at 7:00 p.m.

II. PLEDGE TO THE FLAG

III. ROLL CALL

Board members present: Gignac, Meeusen, Behm, Redick, Reenders, Larsen, and Kieft

Board members absent:

Also, present was Manager Cargo, Community Development Director Fedewa, Human Resources Director Dumbrell, Public Services Director VerBerkmoes; and Deputy Treasurer Larrison.

IV. APPROVAL OF MEETING AGENDA

Motion by Trustee Meeusen and seconded by Trustee Behm to approve the meeting agenda. **Which motion carried.**

V. APPROVAL OF CONSENT AGENDA

1. Approve August 12, 2019 Regular Board Minutes
2. Approve Payment of Invoices in the amount of \$1,702,378.84 (*A/P checks of \$1,462,588.54 and payroll of \$239,790.30*)
3. Sale of Surplus Equipment through Miedema Auctions, including:
 - a. 2002 Dodge Ram 2500 Pick-up
 - b. 2005 Ford Service Body Pick-up
 - c. 2008 Ford Service Body Pick-up
 - d. JD Sweepster Brush Unit
4. Approve and Execute Lincoln Pines Subdivision No. 2 PUD Contract and Private Road Maintenance Special Assessment Contract
5. Approve Hire of Matthew Kirby as a Part-Time Firefighter

Motion by Treasurer Kieft and seconded by Clerk Larsen to approve the items on the Consent Agenda. **Which motion carried.**

VI. OLD BUSINESS

1. The Board discussed a Mobile Device Policy for Township employees and whether to allow the use of hands-free devices while driving.

Public comments included:

- a. Public Services Director VerBerkmoes supports the policy, except the safety provisions and believes the Township should allow hands-free devices for voice communications (*i.e., not text*).
- b. Community Development Director Fedewa does not support either policy as written and believes more clarification should be provided on issues such as seizure of mobile devices.

Motion by Treasurer Kieft supported by Trustee Behm to send the policy back to the Personnel Committee for further review and survey of nearby or similar municipalities. **Which motion carried.**

2. **Motion** by Clerk Larsen supported by Trustee Meeusen to approve Resolution 19-09-02 that abandons a portion of Pine Dew Drive and relinquishes jurisdiction and conveys interest to the Signature Land Development Corporation. **Which motion carried**, as indicated by the following roll call vote:
 Ayes: Behm, Gignac, Meeusen, Redick, Kieft, Reenders, Larsen
 Nays:
 Absent:
3. **Motion** by Trustee Meeusen supported by Trustee Redick to award the Historic Cemetery Expansion project to Schmidt Brothers Excavating, Inc. for the bid price of \$119,611.25 and to authorize Superintendent Cargo to execute the necessary construction contract, pending approval of the project from the Ottawa County Public Health Department. **Which motion carried.**

VII. NEW BUSINESS

1. **Motion** by Clerk Larsen supported by Trustee Meeusen to adopt the 2020 detailed budget assumptions and policies as delineated by the Superintendent within the September 5th memorandum and to instruct the Superintendent to proceed with completion of a 2020 Fiscal Year line item budget for Board review and consideration pursuant to state law and the proposed budget schedule. **Which motion carried.**

Treasurer Kieft indicated that he would expect tuition reimbursement costs to be separately delineated within the line item budget.

2. **Motion** by Treasurer Kieft supported by Clerk Larsen to approve Resolution 19-09-03 which schedules the “Truth in Taxation” Public Hearing for September 23, 2019 and proposed the additional allowable millage rate of .2739 mills for a proposed total of 4.7192 mill. **Which motion carried**, as indicated by the following roll call vote:
 Ayes: Kieft, Reenders, Meeusen, Behm, Gignac, Larsen, Redick
 Nays:
 Absent:

3. Human Resources Director Dumbrell provided a PowerPoint update on filling a vacancy within the Building Department.

Supervisor Reenders supports moving to a third-party inspection service to improve the time to process the applications and reducing costs on the builders. Agrees that homeowners are the most important customer. Is happy with Building Official Corbat as the Township’s building official.

Treasurer Kieft questions why this is being addressed at this time after time and monies have been spent to hire a building inspector. Believes that the property owner is the most important customer and is more important than possible cost reductions. Noted that Robinson Township fired their 3rd party inspection service.

Trustee Redick believes communications with other departments are improved if

inspection services are kept in-house.

Trustee Behm wants what is best for the customer; but wants more information and input from builders.

Trustee Meeusen leans toward keeping the inspection process in-house because of the control over outputs and improved communications.

Clerk Larsen expressed concern about moving forward and wants more information on the fiscal impacts and responses to questions raised by other Board members

Manager Cargo noted that although a 3rd party would allow for better scalability; a 3rd party will decrease department communications and service to residents.

Public comments included:

- a. Bob Wagenmaker (*16755 Timber Ridge*) indicated that Building Official Corbat has been great. But, administrative time for getting a permit is not reasonable and the Township has too many inspections.
- b. Joseph Nadeau (*Robinson Township*) said the Township is difficult; but has improved. More needs to be done. He supports a “middle ground”.
- c. Michael Nadeau (*Ferrysburg*) complained about the Township demanding inspections and permits for work completed by previous homeowners (*e.g., finished basements*).
- d. Todd Hamstra (*13724 148th Avenue*) stated that it is not a myth that the Township is difficult. The Township is getting better. Believes codes have gotten out of control. Acknowledged that a current building project in the Township is going very well. But, wants a 3rd party inspection system.
- e. Bruce Burgess (*15935 Lake Avenue*) noted that his experience with the Township was 15 years ago; but, it wasn't positive.
- f. Michael Bosgraaf (*Holland City*) represents the Lakeshore Association of Builders. He knows of six communities where a 3rd party inspection system works well. Acknowledged that Corbat is doing a great job.
- g. Tim Deiters (*Grand Haven City*) said that the Township has a bad reputation and shared a story in which he said a resident was told that a hot tub permit would take six weeks.

Community Development Director Fedewa noted that the builders acknowledge that experiences are improving. Higher costs are due to contractors making mistakes within the building process. Noted that the contractors speaking tonight do very little building work within the Township.

4. Motion by Supervisor Reenders, supported by Clerk Larsen to instruct staff to examine a 3rd party inspection service to work under Building Official Corbat to improve service within the Township. **Which motion carried**, as indicated by the following roll call vote:

Ayes: Gignac, Larsen, Reenders, Behm,

Nays: Kieft, Meeusen, Redick

Absent:

Manager Cargo noted that the scheduled interviews with applicants will be postponed. Manager Cargo will report back to the full Board.

VIII. REPORTS AND CORESPONDENCE

1. Committee Reports
 - a. Clerk Larsen noted that the Personnel Committee will meet Wednesday, September 25th at 7AM
 - b. Trustee Redick noted that NORA is proposing a 0.2 millage to fund operations at the authority.
2. Manager's Report
 - a. August Building Report
 - b. August Enforcement Report
 - c. July Legal Review
3. Others

X. PUBLIC COMMENTS

- a. Bruce Niemiec (*17222 Buchanan Street*) spoke in support of positive environmental actions and larger use of worker cooperatives.

XI. ADJOURNMENT

Motion by Clerk Larsen and seconded by Treasurer Kieft to adjourn the meeting at 8:55 p.m. **Which motion carried.**

Respectfully Submitted,



Laurie Larsen

Grand Haven Charter Township Clerk



Mark Reenders

Grand Haven Charter Township Supervisor



Deputy Treasurer

DATE: September 23, 2019

TO: Township Board

FROM: Ashley Larrison

RE: “Truth in Taxation” Public Hearing

At the last Township Board meeting, the “Truth in Taxation” hearing was scheduled for tonight.

As you will recall, Grand Haven Charter Township’s taxable value increased by 4.6% and the rate of inflation was only 2.40%. This caused a “Headlee” reduction from our 2019 millage rates.

Under the requirements of MCL Section 211.24e, a taxing unit may not generate more revenue than it generated in the prior year unless it holds a “Truth in Taxation” public hearing. As part of the budget process, the Board needs to set the property tax millage rate to help support the coming year budget.

As stated in the “*Notice of Public Hearing on Increasing Property Taxes*” published September 16, 2019 in the Grand Haven Tribune, the Board of Trustees of Grand Haven Charter Township will hold a public hearing on a proposed increase of an additional revenue which will be 7.7% over the amount levied in 2018.

The following is a breakdown of the proposed 2018 Millage and the tax dollars it will generate.

Millage Levy	2018 Millage	2019 Proposed Millage with Headlee reduction applied	2018 Tax Dollars Generated	2019 Tax Dollars proposed to be generated
Township Operating	.8895	1.0431	\$713,606	\$875,631
Fire Department	1.8431	1.8292	\$1,478,644	\$1,535,524
Transportation	0.9215	0.9145	\$739,278	\$767,678
Bike Path	0.4410	0.4376	\$353,794	\$367,344
Museum	0.2424	0.2481	\$194,467	\$208,268
(NOCA)Four Pointes	0.2486	0.2467	\$199,465	\$207,093
<i>Subtotal</i>	<i>4.5861</i>	<i>4.7192</i>	<i>\$3,679,252</i>	<i>\$3,961,538</i>
Total	4.5861	4.7192	\$3,679,252	\$3,961,538

What does this mean for Grand Haven Charter Township Taxpayers?

The total proposed 2019 millage rate for Grand Haven Charter Township is .1331 mills **above** the millage rate levied in 2018 and overall taxable value has increased 4.6%. (with this hearing we are requesting the additional .2739 mills over what would automatically be added).

Due to this change in the Grand Haven Township millage and increase in taxable value, on average the owner of a \$250,000 home in 2018 (\$125,000 T.V.) and \$256,000 in 2019 (\$128,000 T.V.) will pay approximately \$30.80 more in 2019. Holding the Truth in Taxation Hearing increases property taxes by approximately \$35.00 for the year for the average taxpayer. (this amount includes the 1.024% adjustment to the taxable value for the increase in the 2019 C.P.I.)

Attached, you will find the resolution to adopt after the public hearing which establishes the actual millage rate levied by the Township and authorizes the Supervisor and Clerk to sign the attached L-4029 2019 Tax Rate Request.

If approved, the following motion can be offered.

Move to Adopt Resolution No. 19-09-04 approving the levy of an additional allowable millage rate of 0.2739 and authorizing Supervisor Reenders and Clerk Larsen to sign the L-4029 2019 Tax Rate Request.

If there are any questions or comments regarding the above, please contact me.

RESOLUTION # 19-09-04

WHEREAS, the Township Board of the Charter Township of Grand Haven, Ottawa County, Michigan, held a public hearing on September 23, 2019 to receive testimony and public comments on the issue of whether or not to levy an "additional millage rate" of 0.2739 mills, pursuant to the Resolution of the Township Board, dated September 9, 2019; and

WHEREAS, the Township Board's resolution of September 9, 2019 was duly published by the Township Clerk in accordance with the requirements of the Truth in Taxation Law; and

WHEREAS, it appears to be in the best interest of the Township to levy an additional millage rate of 0.2739 mills.

NOW, THEREFORE, be it hereby resolved that the Township Board of Grand Haven Charter Township, Ottawa County, Michigan does hereby approve the levy of an additional millage rate of 0.2739 mills, pursuant to the requirements of the Truth in Taxation Law and does hereby establish the 2019 Grand Haven Charter Township millage rate as follows:

1. Allocated, Operating Millage – 1.0431;
2. Voted, Museum – .2481;
3. Voted, Council on Aging – .2467;
4. Voted, Fire Rescue – 1.8292;
5. Voted, Transportation – .9145; and
6. Voted, Bike Path –.4376

and as delineated on the attached L-4029 2019 Tax Rate Request Form, pursuant to the requirements of State law, and instructs Supervisor Reenders and Clerk Larsen to sign the aforementioned form.

AYES:

NAYS:

ABSENT AND NOT VOTING:

RESOLUTION DECLARED ADOPTED.

Dated: September 23rd, 2019

Laurie Larsen, Township Clerk

I, the undersigned, duly qualified and acting Township Clerk of the Charter Township of Grand Haven, Ottawa County, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the Township Board at a regular meeting of the Township Board held on the 23rd day of September 2019. I do further hereby certify that public notice of said meeting was given pursuant to and in full compliance with Michigan Act 267 of 1976, as amended, and that

the minutes of said meeting were kept and will be or have been made available by said act.

Dated: September 23rd 2019

Laurie Larsen, Township Clerk



GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: September 19, 2019
TO: Township Board
FROM: Stacey Fedewa, AICP – Community Development Director
RE: PUD Amendment Decision – Lincoln Pines Condominiums

BACKGROUND

Section 17.11.5 of the ordinance states,

“If the Zoning Administrator determines that a request, which would be considered a major change pursuant to the standards of previous section, has unique or extenuating circumstances that affect the request, the Zoning Administrator may seek a decision from the Township Board during a scheduled Board meeting. The Board shall make a decision as to whether the request must be reviewed in the same manner as the original application was submitted or whether the circumstances are such that the actual change should be considered minor. The decision of the Board shall be recorded in the Board minutes and shall be considered final.”

In essence, there is a **conflict between the approved PUD plans and the Board Reports** that outlines the approvals. The PUD Contract is clear that in the event of a conflict, the Board Reports govern. That legal requirement created the extenuating circumstances.

WHAT HAPPENED?

The question at hand is whether the front yard setback for the condos is 30’ or 36’ and it affects all 48 condo units within the development.

As you may recall in early 2018, the developer converted some subdivision lots to condos and showed a 36’ setback at that time. In late 2018, the developer acquired an additional 20 acres and reconfigured the site.

The **reconfiguration reduced the setback to 30'** but in return added a small parking lot and a **third stall garage** to many units. The differences in spaces per unit is:

- Early 2018 = 53 condos + 220 spaces = 4 spaces per unit
- Late 2018 = 48 condos + 126 spaces = 2.6 spaces per unit

GHT only requires 2 parking spaces per dwelling unit. The 30' setback actually supports the Resilient Master Plan because it **reduces the amount of impervious surface by 35%**↓.

COSTS TO DEVELOPER

The developer has provided a list of initial issues that would arise if the 30' setback was not approved.

- Construction plans would have to be redrafted because they were drawn around 30' setbacks.
- At least 1 condo unit would be lost because the curvature of the road and the Consumers Energy easement would prohibit compliance with the 16' building separation.
- Approximately 7 units would have sanitary laterals and water service locations under the garage and driveways.
 - Some of the lateral issues could be bad enough they would need to be relocated, which involves opening the paved roadway.
- Phase 2 of the subdivision may have to go through part of the replatting process, which is a long and cumbersome.

STAFF RECOMMENDATION

Eastbrook Homes is a reputable developer/builder and does a substantial amount of work in the Township. This is an honest discrepancy between staff and the developer that was not found during the approval process. At this point the developer has incurred substantial costs to install utilities for a 30' setback and would spend substantially more to meet a 36' setback.

Staff recommends the Board approve this request as a Minor PUD Amendment because the developer would have to incur substantial costs to address the infrastructure; the number of parking spaces per unit is in greater compliance than before; and it supports the Resilient Master Plan by reducing the amount of impervious surface.

Motion to approve the Lincoln Pines request to have a 30' front yard setback for all 48 condominium units pursuant to the 11/2/2018 approved PUD site plan.



Community Development Memo

DATE: September 18, 2019
TO: Township Board
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Parking Regulations

BACKGROUND

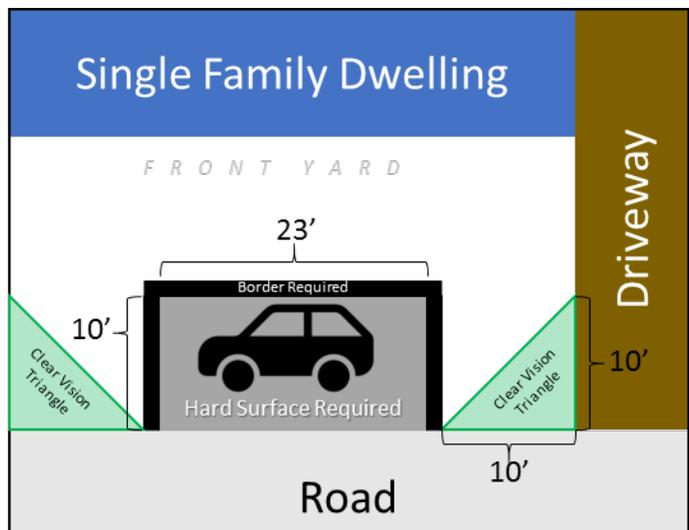
On July 18th the Board discussed parking regulations within the right-of-way (ROW) in the northeast quadrant of the Township (*north of Comstock, and east of 164th Avenue*).

A significant number of enforcement actions occur in that area related to parking and the property owners have been unable to find a way to comply with the various ordinances. As a result, the Board directed staff to draft an ordinance to allow parking permits in certain ROWs.

PROPOSAL

The proposed ordinance remains consistent with the Spring Lake Village regulations that inspired this ordinance amendment. A summary of the pertinent regulations is below.

- Eligibility Requirements:
 - Must be in NE area (*north of Comstock, east of 164th*).
 - Road cannot have curb and gutter.
 - **Property cannot be adjacent to a non-motorized pathway.**
- Standard Requirements:
 - Maximum number of spaces allowed = 2.
 - **Size requirements = 10' x 23'** (*very similar to the parallel parking standards*).
 - Must be hard surfaced and have a border.



- **Limitations on the type of motor vehicle** (*standard passenger vehicle only, not to include RVs, yard equipment, trailers, commercial vehicles, etc.*).
- Permitting Requirements:
 - Multiple applications submitted at one time, processed and inspected concurrently = 1 permit fee only.
 - Permit must be renewed annually, at a substantially reduced cost. In addition, multiple renewals processed concurrently shall only pay 1 fee.
- Waivers:
 - Superintendent can waive certain permit requirements for individuals with a handicap parking permit.
 - Township Board can waive certain permit requirements for unusual circumstances such as the inability to create a driveway based on topographic restrictions on the site.
- Additional Restrictions or Obligations:
 - Damage to the parking area caused by GHT utility repair, work in the road, or work in the ROW must be corrected by the parking permit holder within 60 days after the work is complete. In other words, the **Township, OCRC, or other contractors performing authorized work are not responsible for repairing or restoring the parking area.**
- Miscellaneous:
 - Parking area not permitted over water shut-off valve.
 - Grade for parking area must slope away from the road.
 - Parking area shall be setback at least 2' from mailboxes.

PROPOSED PERMIT FEE

Staff would recommend the Board establish a **\$20 fee for initial permits, and \$5 per renewal.** Recall, if multiple applications and/or renewals are submitted, processed, and inspected concurrently then only 1 fee shall apply.

If the Board agrees with the proposed fee schedule staff will include a resolution on the October 14th agenda to formally establish the fee.

SAMPLE MOTION

If the Township Board agrees with the proposed amendment the following motion can be offered:

Motion to postpone further action on adding the Northeast Quadrant Parking Exemption Permit to the Road Rights-of-Way Ordinance until October 14th. **This is the first reading.**

Please contact me if this raises questions.

ORDINANCE NO. _____

**ROAD RIGHTS-OF-WAY AMENDMENT ORDINANCE
GRAND HAVEN CHARTER TOWNSHIP**

AN ORDINANCE TO ADD SECTION 5D TO THE CHARTER TOWNSHIP OF GRAND HAVEN ROAD RIGHTS-OF-WAY ORDINANCE TO ALLOW PARKING IN THE RIGHTS-OF-WAY UNDER CERTAIN CIRCUMSTANCES.

GRAND HAVEN CHARTER TOWNSHIP, COUNTY OF OTTAWA, AND STATE OF MICHIGAN, ORDAINS:

Section 1. Northeast Quadrant Parking Exemption Permit. Section 5D of the Road Rights-of-way Ordinance shall be added and stated in its entirety as follows (the rest of the Road Rights-of-Way Ordinance as currently stated shall remain in its entirety).

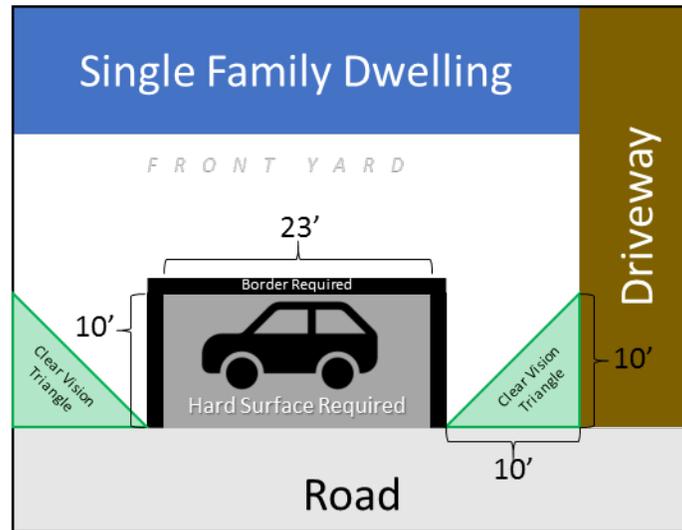
**Sec. 5D NORTHEAST QUADRANT PARKING EXEMPTION
 PERMIT**

For the purposes of this Ordinance, portions of the public road rights-of-way shall be allowed to apply for a Parking Exemption Permit. The owner of a single-family dwelling may apply to the Township for a permit to park a vehicle(s) within the public right-of-way, and meet the following criteria:

1. **Eligibility.**
 - A. Property shall be located on a public street north of Comstock Street, and east of 164th Avenue.
 - B. Property shall not be situated on a street that has curb and gutter.
 - C. Property shall not exceed 20,000 sqft in lot area.
 - D. Property shall not be adjacent to a non-motorized pathway. The Township cannot allow the pathway to be traversed by vehicles.

2. **Standard Requirements.** The space on which the motor vehicle(s) may be parked must be a hard surface, which is defined as asphalt, brick pavers, or a compacted aggregate. It must include a border such as wood to appropriately define the space.
 - A. A maximum of two (2) parking spaces may be created, per property. However, the Superintendent shall have the authority to authorize additional space(s) if the property has substantial road frontage or other unique circumstances that would safely allow other space(s) to be added.

- B. The parking space(s) shall be ten (10') in width, and twenty-three (23') feet in length.



- C. Only the motor vehicle(s) with a permit may park in any approved parking space(s).
- i. For the purposes of this ordinance, a motor vehicle shall only mean a standard passenger vehicle typically used in a daily commute and/or other day-to-day operations. It shall not be construed to mean recreational vehicles, yard equipment, trailers, commercial vehicles, and other non-passenger vehicles.
- D. The motor vehicle(s) utilizing the approved parking space(s) must park parallel with the roadway (and not perpendicular), with the passenger side of the vehicle(s) adjacent to the yard and dwelling.
- E. The parking space(s) within the public right-of-way must be contiguous with the street.
- F. The parking space(s) shall comply with the Clear Vision Ordinance (Section 30.0600).
- G. Parking area is not allowed over a municipal water shut-off valve.
- H. The grade of the parking area shall slope away from the public road to prevent additional stormwater from flowing onto the paved portion of the road.

I. Parking area shall be setback a minimum of two (2') feet from mailboxes to ensure there is no interruption to mail delivery services.

3. **Permitting.** A permit is required to park in the right-of-way within the eligible area defined in subsection 5D.1 and must be renewed annually.

A. The permit fee which will be imposed shall be established yearly in conjunction with the annual budget.

1. If multiple applications are submitted, processed, and inspected simultaneously then only one (1) permit fee shall apply.

2. Annually, the Parking Exemption Permit shall be renewed and re-inspected for compliance. If the renewal is submitted, processed, and inspected simultaneously then only one (1) renewal fee shall apply.

B. The permit will not be issued until the parking space(s) has been improved and inspected by Grand Haven Charter Township.

C. The permit shall not be transferred to anyone other than the original permit holder.

D. The permit must be renewed annually.

4. **Compliance.**

A. The individual who obtains the permit from the Township must maintain the approved parking space(s) in conformance with the ordinances of Grand Haven Charter Township and may use gravel or dolomite as a product to improve the area.

B. The approved parking space(s) must be weed free.

5. **Waivers.**

A. A waiver to the permit requirement will be granted by the Township Superintendent to those individuals who have a handicapped parking permit from the State of Michigan.

B. A waiver to the permit may be granted by the Township Board to property owners who do not have the ability to create a driveway based on topography or unusual site restrictions.

6. **Additional Restrictions or Obligations.**

- A. In the event that Grand Haven Charter Township must repair a utility break, leak, etc. occurring in the public road right-of-way, the Township shall not be responsible for restoring the parking space. That shall be the responsibility of the permit holder and shall be completed within sixty (60) days after the Township has completed the repair.
- B. Any damage that may occur to the parking area as a result of authorized work on the public roadway or within the public right-of-way will be responsibility of the permit holder to rectify. Restoration of the parking area shall be completed within sixty (60) days after the authorized work is complete.

Section 2. Effective Date. This Ordinance was approved and adopted by the Township Board of the Charter Township of Grand Haven, Ottawa County, Michigan, on October 14, 2019, after introduction and a first reading on September 23, 2019, and after posting and publication following such first reading as required by Michigan Act 359 of 1947, as amended. This Ordinance shall be effective on _____, which date is 30 days after adoption of the Ordinance.

Mark Reenders
Township Supervisor

Laurie Larsen
Township Clerk

CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Ordinance was adopted at a regular meeting of the Grand Haven Charter Township Board held on October 14, 2019. The following members of the Township Board were present at that meeting: _____. The following members of the Township Board were absent: _____. The Ordinance was adopted by the Township Board with members of the Board _____ voting in favor and no members of the board voting in opposition with _____ being absent. The Ordinance was published after adoption on _____, 2019.

Laurie Larsen
Township Clerk

SUPERINTENDENT'S MEMO

DATE: September 17, 2019

TO: Township Board

FROM: Bill

SUBJECT: Sidewalk Ordinance

Currently under Michigan law, cities and townships have a duty to maintain their concrete sidewalks in reasonable repair. For Grand Haven Charter Township, most concrete sidewalks are found in residential developments – although there is a concrete sidewalk along the 172nd Avenue industrial area. *(Please note that the Township's asphalt pathways are not considered to be sidewalks.)*

Further, under the law, there is a presumption that municipalities maintain sidewalks in reasonable repair. The main way to rebut this presumption is by demonstrating a vertical discontinuity defect of two inches or more (*i.e., known as the 2-inch rule*).

To bring legal action against the Township, a person would be required to prove that the sidewalk slab that caused the injury was 2 inches or higher than the adjacent slab. Anything smaller and the case will be dismissed.

Because most of the sidewalks in the Township are relatively new, the Township does not currently have a sidewalk maintenance ordinance that addresses who is responsible for repairs to sidewalks that violate the 2-inch rule.

The attached ordinance would address that deficiency by requiring the Township to inspect the sidewalks on a regular basis and to inform the adjacent property owner to repair any deficiency within 60 days (*or longer if weather conditions do not allow for the repairs.*) If the property owner fails to repair the sidewalk, the Township would repair the sidewalk and assess the costs on the property owner's winter property taxes. *(This ordinance reflects the MTA's model ordinance for sidewalk maintenance.)*

To proceed forward with the proposed Sidewalk Maintenance Ordinance, the following motion can be offered for a first reading:

Motion to postpone action of the proposed Sidewalk Maintenance Ordinance until the October 14th Board meeting. This is a first reading.

If you have any questions or comments prior to the meeting, please contact me at your convenience.

or abutting the owner's Lot cleared of snow and ice at all times. Furthermore, property owners, tenants, and other persons having authority and control over the removal of snow and ice from walkways, driveways, and parking areas on property they own or have authority and control over shall not permit the deposit of snow or ice on Sidewalks, walkways, driveways, or parking areas to block or impede the use of Sidewalks by pedestrians in any manner. Snow and ice must be removed within 12 hours of the end of any significant snowfall.

2. In addition, the owner of a Lot abutting or adjoining a Sidewalk shall not store or keep any item within the Sidewalk that shall in any way impede, interfere with, or slow down pedestrian use of the Sidewalk, and shall remove, cut, or trim any landscaping plants, trees, bushes, or other foliage that may grow over the Sidewalk or impede pedestrian use of the Sidewalk.
3. Sidewalks shall be promptly repaired or replaced by the owner of the Lot abutting or adjoining the Sidewalk when the Sidewalk's condition is detrimental to the safety of the public. Conditions requiring repair or replacement include, but are not limited to, the following:
 - a. A vertical displacement of more than one inch between any two sections of Sidewalk;
 - b. More than two cracks of one-quarter inch in width or more in any two linear feet of the Sidewalk;
 - c. Any section of Sidewalk that is tilted in excess of one inch per foot from inside/outside edge to outside/inside edge;
 - d. Any linear section of Sidewalk, five feet or more, where more than 25 percent of the surface has scaled off to a depth of one-quarter inch or greater; or
 - e. Any condition that arises regarding a Sidewalk that would render it unsafe for use or otherwise unfit for public pedestrian travel.
4. Upon receipt of a written notice from the Township, the owner of the Lot involved shall make the Sidewalk repairs or replacement necessary to conform to this Ordinance within 60 days. The Township may extend the 60-day time period if weather conditions or Street repairs prevent the repair or replacement in a timely manner.

Sec. 3 CONSTRUCTION OR REPAIR BY THE TOWNSHIP

1. If the property owner, tenant, or other person having authority and control over a Lot adjoining or abutting a Sidewalk fails to comply with Section 2 above, the Township may remove or cause to be removed such snow, ice, or other obstruction, or may repair or replace such Sidewalk as necessary, and shall assess the cost thereof against the abutting or adjoining Lot.
2. Whenever the Township shall determine that a Sidewalk is unsafe for use or in need of repair, notice may be given by the Township to the owner of the Lot adjacent to or abutting upon that Sidewalk. Thereafter, it shall be the duty of that owner to place the Sidewalk in a safe condition. The notice shall specify a reasonable time, not less than seven days, within which the work shall be commenced, and shall further provide that the work shall be completed with due diligence. If the owner of the Lot shall refuse or neglect to repair the Sidewalk within the time limit, or in a manner otherwise than in accordance with this Section, the Township shall have the Sidewalk repaired and shall assess the costs to the Lot involved. If the Township determines that the condition of the Sidewalk is such that immediate repair is necessary to protect the public, the Township may dispense with the above notice. The cost of repairs hereunder shall be charged against the Lot which the Sidewalk adjoins or abuts and to the owner of the Lot, and shall be collected as a single Lot assessment or as otherwise allowed by law.
3. If the owner of any Lot abutting or adjoining a Sidewalk fails to install or rebuild any particular Sidewalk within the time and in the manner required, the Township is authorized and required, immediately after the expiration of the time limit for the construction or rebuilding by the owner, to construct the Sidewalk and to charge the expense thereof to the Lot and its owner. The amount shall be collected as a single Lot assessment or as otherwise allowed by law.

Sec. 4 LIABILITY OF THE LOT OWNER

Any Lot owner who refuses or neglects to comply with the provisions of this Ordinance or any notice to install or repair under this Ordinance, in addition to the penalties provided in this Ordinance, shall be liable for and compelled to pay to the Township all damages to persons or property for which the Township may be liable or sued by reason of injury or damages resulting from the failure or neglect, which sum may be recovered by the Township in proceedings brought for such purpose in any court of competent jurisdiction.

CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Grand Haven Charter Township Ordinance was adopted at a regular meeting of the Township Board held on _____, 2019. The following members of the Township Board were present at that meeting

_____. The following members of the Township Board were absent: _____

_____. The Ordinance was adopted by the Township Board with members of the Board _____ voting in favor and _____ members of the Board voting in opposition. Notice of Adoption of the Ordinance was published in the *Grand Haven Tribune* on _____, 2019.

Laurie Larsen, Clerk
Grand Haven Charter Township

At a regular meeting of the Township Board of Trustees of the Charter Township of Grand Haven, Ottawa County, Michigan, held on the 23rd day of September 2019, at 7:00 p.m. The meeting was held at the Township of Grand Haven, 13300 168th Avenue, Grand Haven, Michigan.

PRESENT:

ABSENT:

After certain matters of business had been discussed, Supervisor Reenders announced that the next order of business was the consideration of a resolution to formally accept both the so-called Schmidt Farm into the Township's Parks system. Following discussion, the following resolution was offered by _____ and supported by _____:

RESOLUTION NO. 19-09-05

WHEREAS, Grand Haven Charter Township recently received additional properties (*i.e., the so-called Schmidt*);

WHEREAS, these properties are intended to create the Schmidt Heritage Park; and,

WHEREAS, the Board of Trustees of Grand Haven Charter Township believes that it is in the best interest of the Township to formally accept these parcels into the Township's Parks System to ensure that all existing parks rules and regulations are made applicable to these public lands.

NOW, THEREFORE, BE IT RESOLVED that the following parcels are accepted into and made part of the Township's parks system, specifically as part of the Schmidt Heritage Park:

1. The so-called "Schmidt Farm", that includes the following parcel:
 - 70-07-11-300-014

BE IT FURTHER RESOLVED, that all Parks Rules and Regulations are fully applicable to these aforementioned lands

BE IT FURTHER RESOLVED, that all policies, procedures, or resolutions in conflict with this resolution are hereby repealed to the extent of any such conflict.

Ayes:

Nays:

Absent:

RESOLUTION DECLARED:

ADOPTED ON: September 23, 2019

Laurie Larsen, Township Clerk

CERTIFICATE

I, the undersigned, the duly qualified Township Clerk of the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing is a true and complete copy of the resolution adopted by the Township Board at a regular meeting of the Township Board held on the 23rd day of September, 2019. I further certify that public notice of the meeting was given pursuant to and in full compliance with Michigan Act 267 of 1976, as amended, and that the minutes of the meeting were kept and will be or have been made available as required by the Act.

Laurie Larsen, Township Clerk

**PUBLIC SERVICES DEPARTMENT
END OF THE MONTH REPORT
2019**

WATER

MONTH	WORK ORDERS	METER		REPLACED METERS	REPLACED MXU'S	NEW TAPS		MAIN INSTALLED IN FEET	MILLION GALLONS OF NOWS WATER	MILLION GALLONS OF G.R. WATER	G.R. SUPPLIMENTAL WATER
		3/4"	1"			3/4"	1"				
JANUARY	187	3	3	13	129	0	0	0	40.08	1.53	0.00
FEBRUARY	239	1	2	9	161	1	2	0	33.97	0.86	0.00
MARCH	314	2	2	8	232	0	1	0	41.38	1.35	0.00
APRIL	274	4	3	13	183	3	1	0	30.74	1.76	0.00
MAY	230	5	4	10	123	7	2	0	24.46	1.67	0.00
JUNE	185	1	2	7	81	0	1	4600	92.78	2.29	0.00
JULY	227	2	1	9	124	1	3	0	121.24	4.26	0.00
AUGUST	126	7	7	6	24	6	7	0	117.06	3.11	0.00
SEPTEMBER									0.00	0.00	0.00
OCTOBER									0.00	0.00	0.00
NOVEMBER									0.00	0.00	0.00
DECEMBER									0.00	0.00	0.00
TOTAL YTD	1782	25	24	75	1057	18	17	4600	501.70	16.83	0.00
TOTALS		49				35				16.83	
						5392			518.54		

NOTES:

WASTEWATER

MONTH	WORK ORDERS	NEW TAPS	MAIN INSTALLED IN FEET	MILLION GALLONS OF WASTE PUMPED
JANUARY	0	0	0	11.14
FEBRUARY	0	1	0	7.80
MARCH	1	1	0	16.51
APRIL	1	4	0	15.68
MAY	3	2	0	10.55
JUNE	1	0	2100	11.13
JULY	1	5	0	12.92
AUGUST	2	2	0	9.65
SEPTEMBER				0.00
OCTOBER				0.00
NOVEMBER				0.00
DECEMBER				0.00
TOTAL YTD	9	15	2100	95.39
TOTALS		873		

NOTES: