

ROSS TOWNSHIP BOARD MEETING

September 13, 2016 MINUTES

Meeting called to order at 7:00 P.M. by Supervisor Paul Dykstra.

Present: Paul Dykstra, Supervisor Cynthia Genung, Treasurer
Monica Markillie, Clerk Diana Langshaw, Trustee
Sid Durham, Trustee Rob Blain, Trustee

Absent: Jon Scott, Trustee

Also present: Rob Thall, Township Attorney
Jim Lauderdale, Planning Commission Chairman

Additional attendees: See attached sign in sheet

Approval of Agenda:

Motion by Langshaw to approve the Agenda as presented. The motion was seconded by Blain and **carried**.

Approval of Consent Agenda:

Motion by Durham to approve the Consent Agenda which includes the Minutes August 9, 2016, the Special Board Meeting Minutes of September 7, 2016, the Treasurer's Report for July 2016 and the bills paid and payable for August and September 2016. The Motion was seconded by Blain and **carried**.

Reports:

Fire Department:

Genung discussed the annual car show sponsored by the Ross-Augusta Fire Department. Genung stated due to the rain, the event only lasted approximately 1 ½ hours.

Ordinance Enforcement:

Dykstra provided an update on the Ordinance violations listed in the August, 2016 Ordinance Enforcement Report. Dykstra discussed an issue involving a food market at 1251 N 42nd St.

Police Report:

Dykstra reviewed the Kalamazoo Sheriff's Dept. report for August, 2016. Durham questioned the 75 traffic stops included in the report and inquired about the respective tickets issued for these stops.

Planning Commission:

Planning Commission Chairman Jim Lauderdale was present to discuss the proposed zoning ordinance text amendments (Ordinance No. 201). Lauderdale submitted a written report outlining the proposed changes to the zoning ordinance. Dykstra stated the Text Amendments were postponed at the August Board Meeting because the Township Board didn't have a clear understanding of what was being amended and had questions regarding existing language.

Lauderdale inquired about the specific questions raised regarding the Ordinance. Markillie reported two questions were related to Section 20 item 13 B.2 regarding Horse Boarding and Section 22.4 relevant to the construction timeframe requirement for nonconforming structures.

Attorney Thall suggested to have the language in these sections reviewed by the Planning Commission. Lauderdale stated he will present the items in question to the Planning Commission at the

September 26th Meeting. It was the consensus of the Board the Report Lauderdale submitted summarizing the proposed text amendments was very helpful. The Board thanked Lauderdale for attending the Meeting and further expressed appreciation for his guidance to the Board.

Parks Committee:

Postponed

Supervisor Report:

Dykstra submitted a written report including updates on current Township Business (see attached).

Road Committee:

Dykstra reported the Road Committee's August Meeting was postponed and stated the next meeting is scheduled for September 17th pending Opinion from Attorney Thall regarding the costs and information needed from the Road Commission. Attorney Thall provided information regarding road Special Assessments. Durham inquired about the number of occupied buildings/properties in the Township.

Dykstra reported the total number of real properties is approx. 3,475 adding 3,155 of the real properties are taxable (see analysis in attached road report). Attorney Thall stated tax exempt properties can be subject to Road Special Assessments. Dykstra stated further review of roads will take place at the October Township Board Meeting.

Kalamazoo County Transportation Authority (KCTA):

Marty Janssen of the KCTA was present to provide information regarding the County Bussing system and the Metro Connect Community Van.

Jonathan King-Eagle Scout Project:

Jonathan King of Eagle Scout Troop #239 presented a proposal to the Board for an Eagle Scout Project which includes the installation of a Veteran's Memorial to be placed at the new location of the Township Flagpole as shown in the attached site plan submitted by King. King stated the Memorial will consist of five flags and bricks including names engraved of past & present Veterans of Ross Township. King further stated he would like to have the project completed before winter but noted the approval process can be lengthy as the proposal must have several approvals in addition to approval from the Township. It was the consensus of the Township Board the Presentation provided by King was done exceptionally well. Additionally, the Board thanked King for selecting Ross Township as a beneficiary of the proposed Eagle Project and thanked him for attending the Meeting.

Motion by Durham to accept the Eagle Scout Project submitted by Jonathon King of Eagle Scout Troop #239. The motion was seconded by Blain and **Carried**.

Public Comments:

Dan Vandermuelen and James Dekruyter were present to thank the Township Board for all their efforts in dealing with the Sand Bar issues on Gull Lake particularly the noise and trespassing. DeKruyter reported the newly adopted Noise and trespassing Ordinances has helped resolve the issues.

Douglas and Linda Innes were present to express concern regarding an issue involving the burning of wood and debris at 10761 N. 43rd Street. After much discussion, Dykstra stated he will research the issue and work with the Ordinance enforcement Officer to resolve the matter.

Old Business:

Fire Station and Office Update-Financials:

New building budget report submitted by Dykstra.

Croasdale Donation:

Durham reported the Fire Department received a donation in 2015 from the Ray Croasdale Family to honor Fire Chief Bogema for his dedication to the community and to the Croasdale Family. It was noted the \$2500 donation will be used to purchase a bronze plaque honoring Doug Bogema and used to dedicate the new meeting/class/community room as the Bogema Room. Durham submitted the

idea at the September 7th Special meeting. Durham stated the remaining funds will be used to pay for the next new Firefighter's training expense.

Proposed Approval of Zoning Text Amendments –Adoption of Ordinance No. 201:

Motion by Durham to adopt Ordinance No. 201 which amends the Zoning Ordinance in the following sections: 17.1, 25.3, Article 20, item 13, sections 22.3/22.4. 23.8 and 18.6. The motion was seconded by Markillie. Roll Call Vote: Durham-aye, Blain-aye, Genung-aye, Dykstra-aye, Markillie-aye and Langshaw-aye. The Motion **carried**.

Proposed 42nd Street Speed Study-C Ave to M89:

Motion by Genung to approve the proposed 42nd Street speed study from C Avenue to M89. The motion was seconded by Langshaw and **carried**.

New Business:

Banghart Land Division Appeal:

Mr. Nelson Karre, Attorney representing the Banghart Trust, was present to appeal the denial of the Land Division Request for the Banghart Trust. Attorney Thall sated after further research he found the Land Division request submitted to the Township complies with the State Land Division Act as the parcels are larger than 10 acres. Attorney Thall reported the Board can reverse the denial however stated that the land owners would still be required to follow Township and State Ordinances should they decide to develop the divided parcels.

Motion by Durham to reverse the denial of the Land Division application for the division of the Banghart Trust property located on East G Avenue which approves the division of parcel number 3904-31-222-010 into 3 parcels as depicted in the original land division application. Included in the motion is the understanding the divided parcels shall be subject to all other State and Township Ordinances. The motion was seconded by Langshaw and **carried**.

Ross Township Boards-proposed Motion:

Motion by Genung to renew the Terms of Planning Commission Members Sherri Snyder, James Lauderdale and Jon Scott who's Terms will expire at the end of 2016. It was noted in the Motion that Jon Scott is the Township Board Liaison therefore his term follows the Trustee four year Term. The motion was seconded by Blain and **carried**.

GLSWA proposed use of Ross Township Tower:

Rich Pearson of the GLSWA was present to request use of the Township's 145 foot Tower that will be mounted on the new Fire Station/Township Office.

Motion by Durham to allow the Gull Lake Sewer & Water Authority to utilize the Ross Township's Tower for data communications subject to an indemnity agreement being created and submitted to the Township. Included in the motion is authorization to waive Attorney Conflict regarding the GLSWA and Ross Township Tower Agreement. The motion was seconded by Blain and **carried**.

Resolution to Establish Ross Township SAD for Street Lights:

Discussion took place regarding the establishment of a new Street Lighting District. Genung reported she has been developing a new Township Wide Street lighting Assessment District that will be more equitable for the Township Residents. Thall reported the Resolution for establishing the new District will be presented at the October 11th Township Board Meeting. Discussion took place regarding the Public Hearing and Notice procedures.

South Central Michigan Planning Council Proposal and Contract for Planning Services:

Motion by Durham to approve the Contract between South Central Michigan Planning Council and Ross Township with the addition of the Termination provision and the agreement to not exceed \$10,200. The Motion was seconded by Markillie and **carried**.

Approval of the Kal County Intergovernmental HZMAT Response Agreement:

Motion by Genung to approve the Kalamazoo County Intergovernmental Fire Protection Hazardous Materials Response Agreement subject to having a cost recovery ordinance and being signed by the Township of Ross. The motion was seconded by Durham and **carried**.

Member's Time:

Markillie presented a pre-election support proposal to the Board for the week of September 26, 2016. Langshaw stated she has visited the office on more than one occasion when the office has been short staffed. Durham suggested there be at least three employees in the office during business hours. The Board discussed staffing and preparation for the move to the new building.

Motion by Durham to authorize the Clerk to hire 1-2 additional people to assist with the Election prep work as needed for a 30 day period. The motion was seconded by Blain and **carried**.

The Meeting adjourned at approximately 9:00 P.M.

Respectfully submitted:

Monica Markillie
Ross Township Clerk