

**MINUTES
ALPINE TOWNSHIP BOARD
REGULAR MEETING
AUGUST 17, 2009**

09-112 REGULAR MEETING

The Alpine Township Board held a regular meeting on Monday, August 17, 2009 at 7:30 p.m. at the Alpine Township Hall, 5255 Alpine Avenue, Comstock Park, Michigan, 49321. Board members present were Supervisor Alex Arends, Clerk Jean Wahlfield, Treasurer Jim Townsend, Trustees Ron Cordes, Jim May, Bill Schweitzer, and Ted Wallace.

Supervisor Arends called the meeting to order with the Pledge of Allegiance. He welcomed Senator Mark Jansen and Janis DeVree from the senator's office who were present in the audience.

May offered a motion, supported by Schweitzer, to approve the Agenda as presented. Motion carried 7-0.

09-113 CONSENT AGENDA

Supervisor Arends reviewed the items in the Consent Agenda. He noted that the Revenue and Expense Report is through the date of July 10, 2009 and not the date of July 31, 2009 as shown at the top of the report. Board members discussed several line items within the report.

Treasurer Townsend offered four changes to the Minutes of July 20, 2009. He noted that he has included special assessment district balances as of 06/30/09 with his Treasurer's Report.

Arends provided additional information on one item which Board members received in the Receipt of Correspondence. It is the letter from Plainfield Charter Township regarding the "mis-billing" of Kent County Sheriff costs and repayment to Alpine Township. The Supervisor noted that Resolution #09-19 recognizes September 18, 2009 as Prisoner of War/Missing in Action Recognition Day.

A motion to approve the Consent Agenda including the corrections to the Minutes of July 20, 2009 and Resolution #09-19 was offered by Schweitzer with support from May. There was no further discussion and the motion carried 7-0.

Supervisor Arends recognized Sue Alt for her many years of work organizing the softball leagues and her involvement in the Parks and Recreation Committee.

09-114 PUBLIC COMMENT

Stephanie Ledger, 409 Springfield, provided several comments regarding loud music/noise from vehicles driving past her home. She requested that the Township adopt a noise ordinance to address

this nuisance. Township Board members received a copy of her email dated August 3, 2009. Arends commented that he anticipates that the Township will look into adopting a noise ordinance.

Mark Jansen, Michigan State Senator from the 28th District, provided several updates and comments on the current happenings in Lansing. He focused on State budget concerns as well as the impact of lower than anticipated State shared revenue payments to municipalities. He predicts another long tough year for Michigan with the unemployment rate currently at 15.2% in the State. Jansen provided comments on the federal economic stimulus package, uniform health care, and addressed questions from Township Board members.

09-115 COMMISSION REPORTS

Planning Commission – Cordes: The Planning Commission is in the process of updating the accessory building ordinance especially those references to the A, Agricultural and RA, Rural Agricultural sections of the Zoning Ordinance.

Zoning Board of Appeals – May: Two variances were heard at the July 27, 2009 meeting and both requests were denied. The next meeting will be on August 24, 2009 with one variance request scheduled to be heard.

Historical Commission – Schweitzer: Invitations for the Englishville School Reunion to be held on September 20, 2009 have been mailed. The Commission continues to look for a barn for storage but have not found anything which is financial feasible to move at this time.

Sewer and Water – Arends: The loan application to obtain State Revolving Funds for sewer improvements has been ranked and is quite far down on the list of applicants. Some communities have been ranked higher due to the fact that they have been were placed on the list due to a court order and are now ranked above several others. This has also been the case with the application for funding water system improvements in conjunction with Plainfield Charter Township.

Parks & Recreation – Wallace: The committee held a meeting last week and discussed several topics some of which included obtaining equipment to fertilize the fields at the Sports Complex and additional outdoor lighting at both parks.

09-116 FINAL READING

REZONING REQUEST #1

1550 and 1566 10-Mile Road NW - Jerry, Dan, and Mark Neymeiyer for approximately 11.2 Acres from A, Agricultural to C-2, Commercial

REZONING REQUEST #2

1566 10-Mile Road NW - Jerry Neymeiyer for approximately 29.49 acres from A, Agricultural to C-2, Commercial

Supervisor Arends stated that the first reading for the both of the requested rezonings to C-2, Commercial was held at the July meeting. The Planning Commission has recommended that both rezoning requests be denied. The Board has a received a copy of the Planner's staff report dated July 16, 2009.

Trustee Cordes commented that public water and sewer is not available to the site. The property has not been designated on the Master Plan for future commercial uses and has been planned for continued

agricultural uses. Trustee Schweitzer verified that an option available to the property owners is to expand utilizing a Special Land Use.

A motion was offered by May, with support from Wallace, to deny the Rezoning Request #1 for 1550 and 1566 10-Mile Road (part of 41-09-02-100-034 and -035) for Jerry, Dan, and Mark Neymeiyer for approximately 12.65 acres to C-2 Commercial and the motion carried 7-0 in a roll call vote.

A motion was offered by May, with support from Cordes, to deny the Rezoning Request #2 for 1566 10-Mile Road (41-09-02-100-035) for Jerry Neymeiyer for approximately 29.49 acres to C-2, Commercial and the motion carried 7-0 in a roll call vote.

**09-117 DISCUSSION OF POTENTIAL SPECIAL ASSESSMENT DISTRICT FOR
FIRE AND POLICE PROTECTON – YORK CREEK AND ALPINE SLOPES
APARTMENTS**

At the request of Township Treasurer Townsend the discussion of a potential special assessment district for fire and police protection for the York Creek and Alpine Slopes Apartments has been placed on the agenda.

Townsend commented on the total amount in the FY 2010 budget for fire and police protection. Based on the information that he has gathered he feels that the York Creek and Alpine Slopes apartments are using 50% of the fire and police services or approximately \$440,000 worth of the services and paying taxes equaling \$28,534. He has heard complaints from residents in the Township that the services to the two apartment complexes are throwing the Township finances completely out of whack.

Townsend feels that the costs of fire and police service to the York Creek and Alpine Slopes needs to be addressed and noted that the situation exists where a couple of land owners are reaping an enormous benefit due to the fact the fire and police costs are being paid by the Township. The apartment owners are making a large profit at the expense of people in the Township who are paying taxes for fire and police protection. The Treasurer suggested that the Township look into creating a special assessment district, has discussed this topic with the Township attorney, and provided Board members with a step sheet to create such a district at the last meeting.

Supervisor Arends responded that he worked on this topic and provided a hand out to Board members on the call volume, percentages, and number of fire and police calls in Section 36. He suggested that before proceeding with a special assessments district that caution and the impacts of implementing an SAD be explored in depth. Approximately 5,000 people live in the York Creek apartment complex with the Township population just under 14,000. The Supervisor is aware that York Creek implements screening and crime prevention measures some of which he explained. He suggested a dialogue between the Township, the apartment owners, school district representatives, law enforcement and other parties to take place before further exploring a special assessment district.

A lengthy discussion took place on the topic of a special assessment district with Board members providing several comments in favor of creating a special assessment district for police and fire

protection. Gathering more information on the topic before singling out one area of the Township to create an assessment district for fire and police protection was discussed.

The results of the discussion was that the Supervisor, Treasurer, and Clerk as well as the apartment property owners, school officials, and others associated with the police and fire services hold a meeting to gather and share information related to the fire and police protection topic. Consensus of Board members was that the meeting take place before the next regular Board meeting in September at which time a report on the results of the meeting is provided.

A five minute recess break was called for at 9:08 and the meeting resumed at 9:15 p.m.

09-118 DISCUSSION AND UPDATE OF SEWER REPLACEMENT IMPROVEMENT PROJECT, STATE REVOLVING FUND LOAN STATUS, AND CONTINUED INVOLVEMENT OF PREIN & NEWHOF ENGINEERS

At the request of Treasurer Townsend the continued involvement of Prein and Newhof engineers was placed on the agenda as part of the discussion regarding the sewer improvement project.

Supervisor Arends provided a brief update on results of the ranking done by the State of Michigan for the sewer and water improvement projects submitted by Alpine Township. The application process was conducted jointly with Plainfield Charter Township and the proposal for the sewer involves the North Kent Sewer Authority. The projects are quite far down on the funding ranking list as several communities have been ranked above Alpine due to court orders that their projects are critical in nature and a priority to receive stimulus or low interest loans. The sewer improvement project was based on a 2001 study and a result of the Township attempting to obtain federal stimulus funding for “shovel ready projects”.

Treasurer Townsend provided several comments and information on his conversations with K.C. DPW that Alpine involve Township Engineers Progressive AE more extensively with sewer and water projects. Trustees May and Wallace were in agreement with the Treasurer’s comments.

The Supervisor suggested that a meeting take place with ~~the~~ Progressive AE, Prein & Newhof, the K.C. DPW as well as Township officials.

A motion was offered by May, with support from Wallace, that information be obtained on the legalities of severing all ties with Prein and Newhof as it relates to the State Revolving Fund applications for funding and the process to obtain stimulus or low interest funds for the current as well as future sewer and water improvement projects and the motion carried 7-0.

09-119 DISCUSSION AND CONSIDERATION OF RESOLUTION #09-20 – DISSOLVE 425 AGREEMENT WITH PLAINFIELD CHARTER TOWNSHIP

Supervisor Arends stated that copies of the 425 Agreement dated November 4, 1996 between Alpine Township and Plainfield Charter Township were placed in Board packets. He explained that after reviewing the documents several items in the agreement are obsolete. A provision states that the

agreement may be dissolved pending notification and the consent of both parties. The draft agreement is an amiable dissolution by both parties.

The 425 agreement was set in place for certain sections in the lower tier of Alpine Township and was the by-product of annexation concerns at the time it was drawn up. Arends noted that Alpine will need to provide a means to license trash haulers, massage parlors, and snow plow operators in the future. The annual library maintenance costs for the KDL library branch on West River Drive was part of the 425 agreement and this expense will be paid one last time for calendar year 2009.

The Supervisor stated that the Alpine Township attorney has drawn up the agreement before the Board for consideration.

A motion was offered by Wallace, with support from May, to approve Resolution #09-20 – Dissolve the 425 Agreement with Plainfield Charter Township, there was no further discussion, and the motion carried 7-0.

Supervisor Arends noted the agreement will be forward to Plainfield Charter Township as their Board will be discussing dissolving the 425 agreement at their next board meeting.

09-120 DISCUSSION OF SEWER RATE STUDY PROPOSAL

Supervisor Arends noted that last month Board members received a copy of a proposal to conduct a Township sewer rate study from UFS for an amount not to exceed \$4,900. The proposal has been solicited following discussions in the office and with the Township auditor in an effort to put together all the facts and arrive at a foundation for the quarterly sewer fee. Following discussion last month, the Supervisor has solicited a proposal from another vendor and the fee was \$15,000 for the study.

Board members discussed the proposal from UFS and the items that the study would cover. Trustee Cordes felt the Board should receive a presentation on the content of study from UFS.

A motion was offered by Schweitzer, with support from Wahlfield, to approve the proposal for a rate study to be done by UFS, Mark Beauchamp. The motion died 3-4 due for lack of support with Cordes, May, Townsend, and Wallace dissenting.

09-121 REVIEW K.C. ROAD COMMISSION WORK ORDER ALPENHORN DRIVE (M-37 TO LAMOREAUX)

Board members received a copy of the proposed work order dated 08/13/09 for bituminous paving of Alpenhorn Drive from M-37 (Alpine Avenue) to Lamoreaux Drive. The K.C. Road Commission budget is estimated at \$160,000 and the Township's share of the costs slated at \$80,000 for the project.

Supervisor Arends noted that the paving project was discussed at budget time after receiving information from Jerry Byrne at the Road Commission regarding the condition of the Alpenhorn Road surface.

Consensus of Board members was to proceed with the paving project and have the Supervisor sign the work order in the amount of \$80,000 on behalf of the Township.

The Supervisor noted that the Road Commission will be repairing the Township driveway entrance over the bridge from 6-Mile Road and patching one area in the parking lot.

09-122 SUPERVISOR’S REPORT AND BOARD COMMENTS

Supervisor Arends reported on a recent inspection done by the Loss Prevention Department from the Township’s liability insurance company. The results of the inspection noted that the Township review and implement the hazardous communication section of the recommended safety program. The inspection also revealed a problem with an electrical cord in a bay at Fire Station #1 and the repair has taken place.

Arends reported on three upcoming community events the first of which is a welcome back to school event at Pine Island Elementary.

Treasurer Townsend reported on the recent collection of taxes owed by Kansas City Dip and Grill which closed for business suddenly. He discussed an escrow account for the Alpine Automotive site and that he testified at an MTA event on the benefits of local government.

09-123 PUBLIC COMMENT AND ADJOURNMENT

No public comments were offered.

A motion to adjourn the meeting was offered by May, with support from Townsend, and this meeting was adjourned at 10:05 p.m.

Respectfully submitted,

Alex Arends, Supervisor

Jean Wahlfield, Clerk