

**MINUTES OF THE REGULAR MEETING OF THE GEORGETOWN CHARTER TOWNSHIP BOARD HELD MARCH 22, 2010, 7:30 p.m.**

The meeting was called to order at 7:30 p.m. by the Clerk.

**#100322-01 – Appoint Acting Chairperson**

Moved by Del South, seconded by Chad Tuttle, to appoint Carol Scholma as acting chairperson.

MOTION CARRIED UNANIMOUSLY.

Prayer for guidance by Del South

Pledge of Allegiance to the Flag

Roll Call

Members present: Del South, Carol Scholma, Chad Tuttle, Jim Wierenga, Richard VanderKlok, John Schwalm

Also present: Daniel Carlton (Township Manager)

Absent: D. Dale Mohr

**#100322-02 - Approval of agenda** as presented for March 22, 2010

Moved by Richard VanderKlok, seconded by Chad Tuttle, to approve the agenda as presented.

MOTION CARRIED UNANIMOUSLY.

**#100322-03 - Communications, letters and reports: Received for information, to be filed:**

- a. Finance Committee meeting minutes of [March 18, 2010](#)
- b. Services Committee meeting minutes of [March 16, 2010](#)
- c. Utilities Committee meeting minutes of [March 8, 2010](#)
- d. Sheriff's Department for [February 2010](#)
- e. Ottawa County Housing [Commission meetings](#)
- f. GVMC Policy Committee [agenda for March 17, 2010](#)
- g. [Memo](#) from Ottawa County dated March 10, 2010 regarding Clerk-Register Combination Study
- h. Library report for [January 2010](#)
- i. Fire Department Report for [February 2010](#)
- j. [Memo](#) from WCET
- k. Jenison Historical Association Newsletter for [March 2010](#)
- l. [Letter](#) from Scott Weise regarding sidewalk on 42<sup>nd</sup> Ave.

**#100322-04 - Presentation by Pam Haverdink, Senior Center Director, and Kathryn Gillen, Public Policy Specialist, Disability Network, regarding Public Transportation**

**#100322-05 - Public Comments**

The following people made public comments: Brett Strick, 1973 Pinegrove; Andrew Teunis, 8400 Golfside; Bill Cooper, 333 Pine St., Fruitport; Brett VanderKamp, 43 Algonquin; Donna Heuker, 4551 Bauer Rd. and submitted a [letter](#); Phil Strick, 2876 Parkside.

**#100322-06 - Consent agenda**

Moved by Richard VanderKlok, seconded by John Schwalm, to grant the following:

- a. Approval of minutes of the regular Board meeting held on [March 8, 2010](#)
- b. Approval of the regular [monthly bills](#)

MOTION CARRIED UNANIMOUSLY.

**#100322-07 - Updating Lift Station**

Moved by Del South, seconded by Chad Tuttle, to approve the bid from Grand Tech in the amount of \$63,750 to update the lift station at Wallenwood Golf Course as recommended in the [letter](#) from Denny Bishop, DPW Director.

Note: As recommended by the Utilities Committee.

MOTION CARRIED UNANIMOUSLY.

**#100322-08 - Chloride Program 2010**

Moved by Chad Tuttle, seconded by Richard VanderKlok, to approve the Project Estimate for the 2010 Chloride Program for an estimated amount of \$16,170.00 for three applications of liquid calcium chloride spot treatment in front of homes on all gravel roads during the summer of 2010.

Note: As recommended by the Utilities Committee.

MOTION CARRIED UNANIMOUSLY.

**#100322-09 - 8<sup>th</sup> Avenue Park Design Plan and Cost Estimates**

Moved by Richard VanderKlok, seconded by Chad Tuttle, to approve the target budget and also to authorize the Township Superintendent to work with Rod Deemter and Jim DeWilde (M.C. Smith) on the possible changes to the play equipment and other maintenance concerns.

Attachments: 8<sup>th</sup> Avenue Park [Design Plan](#)  
8<sup>th</sup> Avenue Park [Cost Estimates](#)

Note: As recommended by the Services Committee.

MOTION CARRIED UNANIMOUSLY.

**#100322-10 - Fire Department Request for Purchase**

Moved by Richard VanderKlok, seconded by Jim Wierenga, to approve the purchase of a Scag Turf Tiger model STT61V-35BVAC-SS lawnmower and mulch system from Grandville Tractor & Equipment in the amount of \$5,100.00 after a trade-in of old mower in the amount of \$3,900.00.

Attachments: [Letter](#) from Chief Dan Hamming  
[Bids](#)

Note: As recommended by the Services Committee.

MOTION CARRIED UNANIMOUSLY.

**#100322-11 - Fire Department Membership**

Moved by Del South, seconded by Richard VanderKlok, to approve the Georgetown Fire Department membership in Michigan Emergency Management Assistance Compact (MEMAC) and Mutual Aid Box Alarm Systems (MABAS), as requested in the letter from Chief Dan Hamming

Note: As recommended by the Services Committee.

MOTION CARRIED UNANIMOUSLY.

**#100322-12 - Policy 2010-04, Reduced Entrance Fees for Low-Income Users**

Moved by Richard VanderKlok, seconded by Jim Wierenga, to approve [Policy 2010-04](#), Reduced Entrance Fees for Low-Income Users at Maplewood Park.

Note: As recommended by the Services Committee.

MOTION CARRIED UNANIMOUSLY.

**#100322-13 - Policy 2010-05, De Minimis Policy**

Moved by Chad Tuttle, seconded by Richard VanderKlok, to approve [Policy 2010-05, De Minimis Policy](#).

Note: IRS Publication 15-B (2010) is the second page of the policy

Note: As recommended by the Finance Committee.

MOTION CARRIED UNANIMOUSLY.

**#100322-14 - 2010 Budget Amendments**

Moved by Richard VanderKlok, seconded by Chad Tuttle, to approve the revised [2010 Budget Amendments](#).

Note: As recommended by the Finance Committee.

MOTION CARRIED UNANIMOUSLY.

**#100322-15 - Baldwin St. Land Purchase**

Moved by Jim Wierenga, seconded by John Schwalm, to approve the purchase of property described as P.P. # 70-14-13-298-006 and -007, located at 7627 and 7615 River for \$105,000.

Note: The Finance Committee placed the item on the agenda.

It was noted that the Township Board had committed to beautification of the Township and that was the purpose of the purchase.

MOTION CARRIED UNANIMOUSLY.

**#100322-16 - Use or Demolition of Township House**

Moved by Chad Tuttle, seconded by Richard VanderKlok, to approve authorizing the Fire Department to use the house at 1829 Rosewood St. for training purposes prior to demolition.

Note: As recommended by the Finance Committee.

MOTION CARRIED UNANIMOUSLY.

**#100322-17 - Introduction and First Reading of Ordinance No. 2010-04, Moratorium on the Issuance of Permits, Licenses or Approvals for the Sale or Dispensation of Medical Marihuana and Distribution of Medical Marihuana**

Moved by Richard VanderKlok, seconded by Chad Tuttle,, to approve the introduction and first reading of Ordinance No. 2010-04, Moratorium on the Issuance of Permits, Licenses or Approvals for the Sale or Dispensation of Medical Marihuana and Distribution of Medical Marihuana, as follows:

**ORDINANCE NO. 2010-04  
CHARTER TOWNSHIP OF GEORGETOWN  
OTTAWA COUNTY, MICHIGAN**

**AN ORDINANCE TO IMPOSE A MORATORIUM ON THE ISSUANCE OF PERMITS,  
LICENSES OR APPROVALS FOR THE SALE OR DISPENSATION OF MEDICAL  
MARIHUANA**

THE TOWNSHIP OF GEORGETOWN, OTTAWA COUNTY, MICHIGAN, ORDAINS:

**SECTION 1: Findings.** In accordance with Act No. 110 of the Public Acts of 2006, as amended, and Act No. 246 of the Public Acts of 1945, as amended, Georgetown Charter Township has determined that:

1. The provisions within the Code of Ordinances and Zoning Ordinance have not kept pace with recent developments and the passing into law of Initiated Law 1 of 2008, the Michigan Medical Marihuana Act.
2. It is within the rights of the Charter Township of Georgetown to establish reasonable regulations to control the sale and dispensation of medical marihuana in order to protect the public health, safety and welfare and in a manner consistent with the Michigan Medical Marihuana Act.
3. The Township desires to ascertain the best and safest path to compliance with the Michigan Medical Marihuana Act, P.A. 2008, Initiated Law, MCL 333.26423(d) in order to protect the public health, safety, and welfare.
4. Imposing a moratorium, on a limited temporary basis, is reasonable and necessary in order to allow time for review of and potential amendments to the Code of Ordinances and Zoning Ordinance.

5. A moratorium should be imposed upon the issuance of any and all permits, licenses and approvals for the sale and dispensation of medical marihuana for six (6) months or until an amendment to the Georgetown Township Zoning Ordinance and Code of Ordinance, whichever occurs first.
6. During this moratorium period, the Georgetown Charter Township Board and Planning Commission will investigate potential modifications to the Code of Ordinances and Zoning Ordinance that may establish reasonable regulations to control the sale and dispensation of medical marihuana in order to protect the public health, safety and welfare.

**SECTION 2: Administrative Action.** A moratorium is hereby imposed upon the issuance of any and all Township permits, licenses or approvals for the sale or dispensation of medical marihuana within the Charter Township of Georgetown, so long as this ordinance is in effect.

**SECTION 3: Term of Ordinance.** The moratorium imposed by this ordinance shall remain in effect for six months following the effective date of this ordinance or until amendments to the Georgetown Charter Township's Code of Ordinances become effective, whichever occurs first. Prior to the expiration of the six month moratorium, the Charter Township of Georgetown may extend the moratorium for an additional six months to allow sufficient time to complete amendments to the ordinances.

**SECTION 4: Effective Date.** This ordinance shall become effective the day following its publication in a newspaper of general circulation in the Township.

Attachments: Ordinance from the City of [Grand Rapids](#)  
Ordinance from the City of [Kentwood](#)  
Ordinance from the City of [Hudsonville](#)  
[Articles](#)  
Medical Marihuana [Act](#)

Grand Rapids-November 10, 2009 (pages 149-152) – Moratorium:  
[http://www.ci.grand-rapids.mi.us/download\\_upload/meeting/packets/d2ddbd6836de9477c64f574d6ef2e56e.pdf](http://www.ci.grand-rapids.mi.us/download_upload/meeting/packets/d2ddbd6836de9477c64f574d6ef2e56e.pdf)

Grand Rapids-February 23, 2010 (pages 49-73) – Proposed language for adoption:  
[http://www.ci.grand-rapids.mi.us/download\\_upload/meeting/packets/03528612c51edc04ebd2579c84c71283.pdf](http://www.ci.grand-rapids.mi.us/download_upload/meeting/packets/03528612c51edc04ebd2579c84c71283.pdf)

Note: The City of Grand Rapids placed the moratorium on dispensaries, but would have added co-ops and grow facilities

Note: As recommended by the Finance Committee.

Yeas: Del South, Carol Scholma, Jim Wierenga, Chad Tuttle, Richard VanderKlok, John Schwalm

Nays: none

Absent: D. Dale Mohr

MOTION CARRIED UNANIMOUSLY.

**#100322-18 - Best Practice Payment System Proposal**

Moved by Chad Tuttle, seconded by Richard VanderKlok, to approve the agreement with Best Practice Payment System.

Note: As recommended by the Finance Committee.

MOTION CARRIED UNANIMOUSLY.

**#100322-19 - Planning Commissioner Resignation**

Moved by Del South, seconded by John Schwalm, to accept Ed Stasiak's [resignation](#) from the Planning Commission.

Note: As recommended by the Finance Committee.

MOTION CARRIED UNANIMOUSLY.

**#100322-20 - Discussion and General information**

- A. Meeting of interest-Southeast Local Quadrant meeting-Georgetown Township Hall on March 25, 2010, from 2:00 p.m. to 4:00 p.m.
- B. The initiation of rezoning the Family Fare PUD property will be on the next agenda.
- C. Assessing 2010 Presentation.

Dan Carlton stated that the library agreement with Blendon Township was terminated because they would now be served only by Hudsonville and Zeeland.

Jim Wierenga stated the following in response to comments about the Family Fare PUD. The carefulness on the part of the Township Board to react to the PUD withdrawal is the fact that one or more organizations have brought this issue to court. Even though some people may be impatient, there is a lawsuit pending and Township Board members rely on legal counsel. The Board members have been left with legal questions and the lawsuit pending. It is not fair to accuse the Board of not addressing the situation because of these issues. In regard to the Zoning Ordinance revision, seven out of the seven Board members voted to change the ordinance. In regard to public comments about the Board not addressing the point made by a gentleman at the last meeting, responses had been provided by Board members and if the responses were not detailed enough, Township Board members always provide opportunities for conversations when they make themselves available after meetings. In regard to comments about the conduct of Township meeting, meetings are not conducted the same everywhere. The Township has a set format. Township Board members are available by phone or email, and Dan Carlton, the Township Manager, is available all day long to answer questions. The people making comments about not getting answers are more playing the crowd and the media, and are grandstanding. There is valuable time that is taken away from the agenda items. It is not that Board members want the people to think that the Board members don't care, but there are multiple ways to get questions answered, but not at the expense of the meetings.

Chad Tuttle stated the following. There is also the opportunity for discussion at the committee sessions. On Thursday, April 8 at 4:00 p.m. the Finance Committee has a meeting scheduled and

will discuss the rezoning initiation. More dialogue is welcome. At this point the Planning Commission will undertake revisiting the Master Plan. Comments are welcome and the public comments go to the Planning Commission before the Master Plan comes to the Board.

Dan Carlton explained that the rezoning would have to go through the full cycle, including the following: the initiation at the Finance Committee, publication at least 15 days before a public hearing, a public hearing at the Planning Commission along with a recommendation being made, and then Board action. The process would take up to six weeks.

**#100322-21 - Public Comment**

The following people made public comments: Sheldon Cole, 3066 Park West Ct.; Phil Strick, 2876 Parkside; Brett Strick, 1973 Pinegrove, and submitted a [letter](#); Diane Johnson, 6895 Gettysburg; and Lloyd VanDuyn, 2949 Parkside.

Jim Wierenga said that although people may differ on things, all seem to love the community.

Carol Scholma said that a survey had been distributed and Maplewood Park was at the top of the list for improvements.

**#100322-22 - Meeting adjourned at 9:08 p.m.**

Moved by Del South, seconded by Richard VanderKlok, to adjourn the meeting at 9:08 p.m.

MOTION CARRIED UNANIMOUSLY.

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Carol Scholma, Acting Chairperson

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Del South, Clerk