

**MINUTES OF THE REGULAR MEETING OF THE GEORGETOWN CHARTER TOWNSHIP BOARD HELD DECEMBER 27, 2010, 7:30 p.m.**

The meeting was called to order at 7:30 p.m. by Chairperson D. Dale Mohr.

Prayer for guidance by Brett Strick

Pledge of Allegiance to the Flag

**Roll Call**

Members present: D. Dale Mohr, Carol Scholma, Chad Tuttle, Richard VanderKlok, Brett Strick, Del South, Jim Wierenga

Also present: Daniel Carlton (Township Superintendent)

Absent: none

**#101227-01 - Approval of agenda as presented for December 27, 2010**

Moved by Richard VanderKlok, seconded by Carol Scholma, to approve the agenda as presented.

Moved by Chad Tuttle, seconded by Richard VanderKlok, to amend the motion to add two items from the Services Committee, the Maplewood Park Proposal and the Fire Hose Bids.

MOTION CARRIED UNANIMOUSLY.

MOTION AS AMENDED CARRIED UNANIMOUSLY.

**#101227-02 - Communications, letters and reports: Received for information, to be filed:**

- a. Finance Committee meetings minutes of [December 21, 2010](#)
- b. Services Committee meeting minutes of [December 22, 2010](#)
- c. Utilities Committee meeting minutes of [December 13, 2010](#)
- d. Ottawa County Road Commission [January 2011 Newsletter](#)
- e. [Letter](#) from Betty Round regarding sidewalks on 8<sup>th</sup> Ave.
- f. [Email](#) from Daniel Bostwick regarding sidewalks on 8<sup>th</sup> Ave.

**#101227-03 - Public Comments**

No one was present in the audience to make public comments at this time.

**#101227-04 - Consent agenda**

Moved by Carol Scholma, seconded by Richard VanderKlok, to grant the following:

- a. Approval of minutes of the regular board meeting held on [December 13, 2010](#);
- b. Approval of the regular [monthly bills](#);

MOTION CARRIED UNANIMOUSLY.

**#101227-05 - (LIQ1001) Sunnybrook Golf Club LLC-Liquor License Application/Public Hearing**

Moved by Richard VanderKlok, seconded by Chad Tuttle, to open the public hearing.

MOTION CARRIED UNANIMOUSLY.

No one was present to make public comments at this time.

Moved by Richard VanderKlok, seconded by Carol Scholma, to close the public hearing.

MOTION CARRIED UNANIMOUSLY.

Moved by Chad Tuttle, seconded by Richard VanderKlok, to approve the resolution for the issuance of a liquor license for [application](#) LIQ1001 for Sunnybrook Golf Club LLC as per the submittal material and as per the Liquor License Ordinance.

There was discussion about requiring the applicant to submit additional details to document compliance with the ordinance requirement of having food and beverage receipts total a greater amount than the receipts from the sale of alcohol. Brett Strick stated that he would like the parking requirement reviewed for restaurants that sell alcohol.

Moved by Brett Strick, seconded by Jim Wierenga, to amend the motion to require the applicant to submit detailed documentation with additional information regarding compliance with the ordinance for the amount of food sold versus alcohol and the applicant could use this location, another location or an industry standard.

There was discussion regarding the procedure of adding a stipulation to the resolution.

Yeas: Jim Wierenga, Del South, Brett Strick, Carol Scholma, Chad Tuttle  
Nays: Richard VanderKlok, D. Dale Mohr

MOTION FOR AMENDMENT CARRIED.

Steve Plakmeyer represented the Watermark Properties and commented on the establishment. He stated that the resolution as worded without the additional stipulation was required by the State of Michigan.

ACTION ON MOTION AS AMENDED:

### **RESOLUTION**

At a regular meeting of the Township Board of Georgetown Township, called to order by Supervisor D. Dale Mohr on December 27, 2010, at 7:30 p.m., the following resolution was offered:

That the request from

Sunnybrook Golf Club, L.L.C., to be located at 0-624 Port Sheldon Street, Grandville, Michigan 49418, Georgetown Township, Ottawa County, be granted a new Class C liquor license with the following permits: SDM, Sunday sales, Dance Entertainment, Additional Bar, Before/after hours, Golf/food, outdoor service and banquet

be considered for Approval Above All Other Applicants *and that applicant is required to submit detailed documentation with additional information regarding compliance with the ordinance for the amount of food sold versus alcohol and the applicant could use this location, another location or an industry standard.*

Approval

Yeas: D. Dale Mohr, Carol Scholma, Chad Tuttle, Richard VanderKlok, Brett Strick, Jim Wierenga

Nays: Del South

Absent: none

MOTION AS AMENDED CARRIED.

It is consensus of this legislative body that the application be recommended for issuance.

STATE OF MICHIGAN     )  
  )     ss.  
COUNTY OF OTTAWA    )

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Georgetown Charter Township Board at a regular meeting held on December 27, 2010.

\_\_\_\_\_  
Del South, Township Clerk  
Address: 1515 Baldwin St.  
Jenison, MI 49428

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There was discussion regarding the incorrectness of amending the wording of this specific resolution which was provided by the State of Michigan and the additional documentation verifying that alcohol sales were less than have of the receipts was already required in the ordinance.

Moved by Richard VanderKlok, seconded by Carol Scholma, to reconsider the item.

Yeas: D. Dale Mohr, Del South, Carol Scholma, Jim Wierenga, Chad Tuttle, Richard VanderKlok  
Nays: Brett Strick

MOTION CARRIED.

There was discussion about the ordinance requirement for the sales receipts to be more than half from food and beverages, excluding alcohol. It was noted that the Township already has the authority to require this documentation as per the language in the ordinance and the applicant is already required to comply with this ordinance requirement. The Township Superintendent stated that he could ask for that documentation to be submitted to the Township and hold the signed resolution until the documentation was provided.

The consensus of the Township Board members was for the Superintendent to obtain the documentation detailing that food and beverage sales totaled more than half of the overall sales, with the sale of alcohol to be less than half.

**RESOLUTION**

At a regular meeting of the Township Board of Georgetown Township, called to order by Supervisor D. Dale Mohr on December 27, 2010, at 7:30 p.m., the following resolution was offered:

Moved by Richard VanderKlok, and supported by Del South,

That the request from Sunnybrook Golf Club, L.L.C., to be located at 0-624 Port Sheldon Street, Grandville, Michigan 49418, Georgetown Township, Ottawa County, be granted a new Class C liquor license with the following permits: SDM, Sunday sales, Dance Entertainment, Additional Bar, Before/after hours, Golf/food, outdoor service and banquet

be considered for Approval Above All Other Applicants.

Approval

Yeas: D. Dale Mohr, Carol Scholma, Chad Tuttle, Richard VanderKlok, Brett Strick, Del South, Jim Wierenga

Nays: none

Absent: none

MOTION CARRIED UNANIMOUSLY.

It is consensus of this legislative body that the application be recommended for issuance.

STATE OF MICHIGAN     )  
  )     ss.  
COUNTY OF OTTAWA    )

I hereby certify that the foregoing is a true and complete copy of a resolution offered and adopted by the Georgetown Charter Township Board at a regular meeting held on December 27, 2010.

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Del South, Township Clerk  
Address: 1515 Baldwin St.  
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Note:           The Finance Committee recommended approval. A review has been conducted and the determination is that the application appears to be in order and appears to comply with the terms of the Liquor License Ordinance. **The only issue is that the applicants have had numerous violations in regard to the Township sign ordinance.** At this time, however, there are no outstanding violations. As per the Liquor License Ordinance, the license is contingent upon compliance with all Township Ordinances.

**#101227-06 - Second Reading and Adoption of Ordinance No. 2011-01, Michigan Motor Vehicle Code and Uniform Traffic Code**

Moved by Richard VanderKlok, seconded by Jim Wierenga, to approve the second reading and adoption of Ordinance No. 2011-01, Michigan Motor Vehicle Code and Uniform Traffic Code, as follows:

**ORDINANCE NO. 2011-01  
MICHIGAN MOTOR VEHICLE CODE AND UNIFORM TRAFFIC CODE  
AN ORDINANCE TO AMEND CHAPTER 54 OF THE  
CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF GEORGETOWN, MICHIGAN,  
TO ADOPT THE MICHIGAN VEHICLE CODE AND UNIFORM TRAFFIC CODE BY  
REFERENCE**

**THE CHARTER TOWNSHIP OF GEORGETOWN ORDAINS:**

**Section 1. Amendment. That Chapter 54 of the Code of Ordinances, Charter Township of Georgetown, Michigan, is hereby amended to read as follows in its entirety:**

**ARTICLE I. TRAFFIC CODE**

**Sec. 54-1. Michigan Vehicle Code adopted.**

Pursuant to the provisions of the Michigan Charter Township Act, 1947 PA 359; MCLA 42.23; MSA 5.26(23), the Michigan Vehicle Code, Act No. 300 of the Public Acts of Michigan of 1949, as amended, MCL 257.1, *et seq.*, is adopted by reference, as if fully set forth herein.

**Sec. 54-2. References in code.**

References in the Michigan Vehicle Code to "local authorities" shall mean the Charter Township of Georgetown, Ottawa County, Michigan.

**Sec. 54-3. Enforcement; sanctions.**

(a) The Michigan Vehicle Code may be enforced by any police officer or other employee of the township authorized to enforce criminal ordinances or authorized to issue civil infractions.

(b) The penalties provided by the Michigan Vehicle Code are adopted by reference, provided, however, that the township may not enforce any provision of the Michigan Vehicle Code for which the maximum period of imprisonment is greater than 93 days.

(c) When any person is found guilty of a misdemeanor or responsible for a civil infraction pursuant to this section, the judge or magistrate shall summarily determine and tax the costs of the action which shall include all expenses, direct and indirect, to which the township has been put in connection with the violation or infraction up to the entry of judgment.

**Sec. 54-4. Uniform Traffic Code Adopted.**

The Uniform Traffic Code for Cities, Townships, and Villages as promulgated by the Director of the Michigan Department of State Police pursuant to the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328 and made effective October 30, 2002 is adopted by reference, as if fully set forth herein.

**Sec. 54-5. References in code.**

References in the Uniform Traffic Code to “governmental unit” or “municipality” shall mean the Charter Township of Georgetown, Ottawa County, Michigan.

**Sec. 54-6. Enforcement; sanctions.**

(a) The Uniform Traffic Code may be enforced by any police officer or other employee of the township authorized to enforce criminal ordinances or authorized to issue civil infractions.

(b) The penalties provided by the Uniform Traffic Code are adopted by reference, provided, however, that the township may not enforce any provision of the Uniform Traffic Code for which the maximum period of imprisonment is greater than 93 days.

(c) When any person is found guilty of a misdemeanor or responsible for a civil infraction pursuant to this section, the judge or magistrate shall summarily determine and tax the costs of the action which shall include all expenses, direct and indirect, to which the township has been put in connection with the violation or infraction up to the entry of judgment.

**Section 2. Pending Proceedings.** All proceedings pending and all rights and liabilities existing at the time this ordinance takes effect are saved and may be consummated or continued according to the law in force when they were commenced. No prosecution initiated prior to the effective date of this ordinance or initiated after the effective date of this ordinance for an offense committed prior to the effective date shall be affected by this ordinance.

**Section 3. Publication.** The Township Clerk shall publish a summary of this ordinance in the manner provided by law and shall at the same time publish a supplementary notice setting forth the purpose of the Michigan Vehicle Code and Uniform Traffic Code and the fact that a complete copy of the Michigan Vehicle Code and Uniform Traffic Code are available at the office of the Township Clerk for inspection by the public at all times.

**Section 4. Effective Date.** This ordinance shall become effective on the thirtieth day after publication after adoption. This ordinance was read for the first time on December 13, 2010, published on December 21, 2010, read for the second time and adopted by the Georgetown Charter Township Board on \_\_\_\_\_, published for the second time on \_\_\_\_\_, and effective thirty days from publication on \_\_\_\_\_.

**A summary of the Michigan Vehicle Code and Uniform Traffic Code is as follows:**

The Michigan Vehicle Code is an act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales

and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways and to provide penalties and sanctions for its violation.

The Uniform Traffic Code is an administrative rule promulgated by the Michigan Department of State Police to provide local law enforcement officers with the authority to locally enforce traffic laws; to provide for local traffic administration; to provide for the rights and duties of pedestrians; to regulate the operation of motorcycles, mopeds and toy vehicles; to provide for the rights and duties of drivers and others; to provide for the establishment and maintenance of traffic control devices; and to compel obedience to traffic regulations and provide sanctions for their violation.

Note: The Township Attorney recommended that the Township adopt the MMVC and UTC each year. The Township currently enforces the MMVC (which is readopted annually to include all revisions). With the new ordinance, this will continue; however, the Township will have the ability to enforce the recently amended version of the UTC (which previously largely duplicated the MMVC, but now has been amended such that only its unique supplemental provisions remain). The attorney said that the ordinance HAS to be readopted each year and could not contain wording to include amendments each year without readopting it.

MOTION CARRIED UNANIMOUSLY.

**#101227-07 - Resolution for Sidewalks on Port Sheldon Ave./Chicago Dr.**

GEORGETOWN TOWNSHIP  
OTTAWA COUNTY, MICHIGAN

Minutes of a regular meeting of the Township Board of the Township of Georgetown, County of Ottawa, Michigan (the "Township"), held in said Township on the 27<sup>th</sup> day of December, 2010, at 7:30 p.m.

Present: Members D. Dale Mohr, Carol Scholma, Chad Tuttle, Richard VanderKlok, Brett Strick, Del South, Jim Wierenga

Absent: Members none

The following preamble and resolution were offered by Member Richard VanderKlok and seconded by Member Carol Scholma :

WHEREAS, this Township has determined that it is necessary for the public health, safety and welfare of the Township that sidewalk improvements be installed together with the other work incidental thereto (the "Project") as described as follows:

Sidewalks along Port Sheldon to 44<sup>th</sup> St., at 2088 Chicago Dr and 2050 Chicago Dr, to be completed in 6 months as shown on the map

WHEREAS, after study, it has been determine that the Project is in the best interest of the residents of the Township;

WHEREAS, the Township Board has the authority to direct that the Project be undertaken as per authority granted to the Township Board in Sec. 10-216 of the Georgetown Township Code of Ordinances as follows:

Sec. 10-216. Construction by land owner; sidewalk locations.

The township board has the authority (at its discretion) to order the installation and construction of sidewalks and/or non-motorized paths, pursuant to township sidewalk and/or non-motorized path specifications, in any area of the township it deems reasonably necessary in order to protect the health, safety or welfare of the residents of the township.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. It is hereby determined that the Project be undertaken as per authority granted to the Township Board in Sec. 10-216;
2. The Township does hereby grant its consent to the location, establishment and construction of the Project as herein provided;
3. The Supervisor and Township Clerk are hereby authorized and directed to execute the Project on behalf of the Township.

Yeas: Members D. Dale Mohr, Carol Scholma, Chad Tuttle, Richard VanderKlok, Brett Strick, Del South, Jim Wierenga

Nays: Members none

MOTION CARRIED UNANIMOUSLY AND RESOLUTION ADOPTED.

\_\_\_\_\_  
Del South, Township Clerk

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CERTIFICATE

I, Del South, the duly elected and acting clerk of the Township of Georgetown, hereby certify that the foregoing constitutes a true copy of an Excerpt of the Minutes of a regular meeting of the Georgetown Township Board, Ottawa County, Michigan held on December 27, at which meeting all members were present as indicated in said minutes and voted as therein set forth; that said meeting was held in accordance with the Open Meetings Act of the State of Michigan.

\_\_\_\_\_  
Del South, Township Clerk

Attachment: [Letter](#) from Jacqueline Lipscomb

Note: The Utilities Committee recommended approval



**#101227-08 - School Election Contracts**

Moved by Chad Tuttle, seconded by Carol Scholma, to approve entering into the contracts for the conduct of school elections with [Jenison](#), [Hudsonville](#), [OAISD](#) and [Grandville](#) and to authorize the Clerk to sign the contracts

Attachment: The contracts are basically the same as the ones that were signed two years ago; however, there were some minor changes that were explained in the [email](#) from the County and the changes are noted in red text in the contracts. The County has also agreed in writing to pay the election workers right after the election and to reimburse the Township for training costs.

Note: The Finance Committee recommended approval

MOTION CARRIED UNANIMOUSLY.

**#101227-09 - 2011 Boards and Commissions Appointments**

Moved by Richard VanderKlok, seconded by Carol Scholma, to approve the following 2011 [appointments](#) for Boards and Commissions.

Note: The Finance Committee recommended approval

There was discussion regarding the process for committee appointments.

MOTION CARRIED UNANIMOUSLY.

**#101227-10 - Addendum to Contract for Township Superintendent**

Moved by Richard VanderKlok, seconded by Carol Scholma, to approve the [addendum to the contract](#) for the Township Superintendent

Note: The Finance Committee recommended approval

MOTION CARRIED UNANIMOUSLY.

**#101227-11 - Modifications to the Lakeland Library Cooperative Plan of Service**

Moved by Chad Tuttle, seconded by Del South, to approve the modifications to the Lakeland Library Cooperative Plan of Service

Attachments: [Library No Vote](#)  
[Library Plan of Service 6-12-09](#)  
[Library Resolution](#)

Note: The Services Committee recommended approval

MOTION CARRIED UNANIMOUSLY.

**#101227-12 - Bids for DPW Truck Replacement**

Moved by Del South, seconded by Chad Tuttle, to approve a bid from Harold Zeigler Ford for the amount of \$19,182 for a DPW truck.

Attachments: [DPW Director Recommendation](#)  
[Harold Zeigler Ford Bid](#)  
[Berger Chevrolet Bid](#)  
[K&M Dodge Bid](#)  
[Harold Zeigler Dodge Bid](#)  
[Elhart GMC Bid](#)

MOTION CARRIED UNANIMOUSLY.

**#101227-13 - Maplewood Park Proposal**

Moved by Chad Tuttle, seconded by Richard VanderKlok, to approve the bid from M.C. Smith Associates and Architectural Group, Inc. for Maplewood Park as per their acceptance of a 7% charge for their professional fees as noted in the [letter](#) from M.C. Smith Associates and Architectural Group, Inc.

Brett Strick stated that it should be opened to the bid process. Chad Tuttle explained that the Services Committee determined that the process was best served by the continued work of M. C. Smith, the same as with other projects when the determination is made that the original contractor on a project should continue work and complete it.

Yeas: D. Dale Mohr, Del South, Carol Scholma, Chad Tuttle, Jim Wierenga, Richard VanderKlok  
Nays: Brett Strick

MOTION CARRIED.

**#101227-14 - Fire Hose Bids**

Moved by Chad Tuttle, seconded by Richard VanderKlok, to approve the purchase of 20, 100' lengths of 5" LDH from EVS at \$540.00 per length for a total of \$10,800.00 and donate the hose needing replacement to the Jamestown Township Fire Department, as per the [letter](#) dated December 7, 2010 from the Fire Chief.

MOTION CARRIED UNANIMOUSLY.

**#101227-15 - Public Comment**

No one was present in the audience to make public comments at this time.

**#101227-16 - Discussion and General information**

Chad Tuttle asked the Services Committee to review the alcohol ordinance.

There was discussion regarding Board members' opportunities for debates.

**#101227-17 - Meeting Adjourned**

Moved by Chad Tuttle, seconded by Carol Scholma, to adjourn the meeting at 8:52 p.m.

MOTION CARRIED UNANIMOUSLY.

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D. Dale Mohr, Supervisor

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Del South, Clerk