

Vergennes Township

Regular Meeting Minutes

April 28, 2014

The regular meeting of the Vergennes Township Board was called to order by Wittenbach at 7:00 pm in the Vergennes Township Hall.

Present: Tim Wittenbach -Supervisor
 Mari Stone -Clerk
 Rick Gillett -Trustee
 Jean Hoffman -Treasurer

Absent: Vern Nauta - Trustee

The agenda for the April 28, 2014 meeting was approved with 3 additions: Grindle property tax, Grindle limestone project and Lowell Fire Department bill. The motion was made to approve agenda with changes by Wittenbach; seconded by Gillett. **Motion Carried.** The minutes for the March 17, 2014 meeting were approved as presented. The Treasurer's report and bills were read and approved as presented. Motion made by Stone; seconded by Wittenbach. **Motion Carried.**

Guest – Kent County Senior Millage

The guest speaker explained various ways that senior citizens receive care locally in Vergennes Township. These services include caretaking of seniors living in their homes and also daycare services that senior citizens and their caretakers can utilize. He also stated that their services attempt to keep senior citizens in their own homes or in their children's residences in order to save government funds. Finally, he stated that there would be a request for millage increase from 1/3 to 1/2 millage on upcoming ballot.

Public Hearing – McDowell Request for Special use Permit, Adjoining Lot

The public hearing began at 7:17 pm. Mr. McDowell bought a lot of land adjacent to his house and desires to construct a pole barn near the property line of the lot adjacent to his home. The construction of the building requires a special use permit because of his desire to locate said building inside setback restriction according to Township ordinance and that he wants to place a building on a vacant lot. Mr. McDowell has already achieved the support of his sixteen neighbors. There were no citizens comments. The hearing ended at 7:18 pm.

Public Hearing – J&H Oil, Request for Packaged Liquor Sales

The public hearing began at 7:19 pm. J&H has applied for approval under the Township Alcoholic Liquor Ordinance. Craig Hoppen, owner of J&H, started by stating that he has passed all requirements for the state and did not see a valid argument for the Board to not approve liquor sales by J&H in Vergennes Township. The citizens comments then commenced. Doug Olin had

a concern regarding the lighting of the store near the runway, a lack of police presence in the vicinity of a store selling alcohol, and the high probability of alcoholics hiding packaged liquor products. Roger Odell was also concerned over the close proximity to the airport and also was concerned that the liquor sales will hold negative consequences for the Township's current character. Bill Schreur disliked the fact that packaged alcohol would be sold and he also wants the board to reject the request in order to maintain the Townships uniqueness. Mac McPherson stated that he didn't want alcohol to be sold in the Township because it will be disadvantageous to local families. Penny Rosema thanked the Board for not previously passing the motion and said she was concerned about long term impacts of alcohol sales in Vergennes Township. Duane Rasch was primarily concerned over J&H being the first retail establishment in the Township to sell packaged liquor. Robert Rogers said he was neutral in regards to the sales of alcohol and also stated that the business in the Township should be supported. Pete Gustafson agreed with the other citizens comments against the sales of alcohol and said the owner showed a lack of understanding of the Township. The hearing ended at 7:35

Unfinished Business:

1. McDowell – Request for Special use Permit, Adjoining Lot – Mr. McDowell met all requirements set by township except he would like to be allowed to build within the 25 foot sideline setback. In the event of the property being sold, both lots must be sold together, or the accessory building must be removed. Gillett motioned for the special use permit to be granted, and to allow McDowell to build within the side line setback; seconded by Hoffman. **Motion Carried.**

New Business:

1. J&H Oil – Request for Packaged Liquor Sales – J&H owner Craig Hoppen addressed issues raised by citizens during the public hearing. He stated that he is complying with the airport, Township, and FAA regulations regarding lights near the airstrip. In support of packaged alcohol sales, he stated that he has met numerous citizens who wanted packaged alcohol to be sold, and he said that he ensures that his workers follow all laws and regulations regarding alcohol sales. He also commented on the fact that he can't control how individuals conduct themselves outside of his store. The owner then said that he already can acquire the license through the state and is only working with the Board in order to gain the Townships respect. The Board stated that they were upset that the owner had not mentioned that he would be selling alcohol a year and a half ago when his project was initially proposed, as well as being surprised that J&H was a business that sold alcohol. The owner said that he sells other materials such as cigarettes that could also be considered offensive by people and also that his people receive extensive training in alcohol sales and they will not sell alcohol to minors or to intoxicated individuals. Wittenbach said he believes packaged alcohol sales will bring a negative characteristic to the Township. Some Board members stated a desire for the owner to sell only beer and wine and not liquor. The owner offered to sell only beer and wine for six months to prove his trustworthiness to the Board. The Board discussed the likely possibility of the state overriding their ruling, and also whether a valid reason to deny the request for approval to sell

alcohol is needed. Wittenbach motioned to deny the request; seconded by Hoffman; opposed by Stone and Gillett. **Motion Failed.** Gillett then motioned to grant the license with the six month probationary period previously offered by the owner and a requirement for alcohol sales to end at 12:00 am; seconded by Stone; opposed by Wittenbach and Hoffman. **Motion Failed.** The request for approval was therefore denied.

2. Kim Greenwald, White Barn Weddings – Application for Special use Permit – Mrs. Greenwald requested a special use permit to turn her barn into a wedding hall. Gillett stated concerns over the grass parking lot; the owner plans to install tiles under the grass parking lot in the future. The Board also discussed the location of bathroom facilities. Stone motioned to hold a public hearing on the matter at the next regular Board meeting on May 19; seconded by Gillett. **Motion Carried.**

3. Approval of Designated Depository Institutions – The approved depository institutions were Huntington Bank, Kent County Money Max and Mercantile Bank. Hoffman motioned to approve these institutions; seconded by Gillett. **Motion Carried.**

4. Designation of Township Attorney, Auditor, Engineer, and Planner – Wittenbach motioned to designate the following firms and/or individuals for their respective positions – Jim Doezema, Attorney; Phil Saurman, of Hungerford, Nichols as Auditor; Dave Austin, Williams & Works, Engineer; Brian Wegenaar, Williams & Works, Planner; seconded by Hoffman. **Motion Carried.**

5. Request to Amend Site Plan for Witt’s Inn –Stone motioned to exclude Wittenbach from this deliberation and vote; seconded by Gillett. **Motion Carried.** The Wittenbach’s would like to relocate the pavilion they have been approved to build closer to the driveway for better handicapped access. Gillett motioned for the amendment to be approved; seconded by Hoffman. **Motion Carried.**

6. Ike Dr. Addressing Issues – Residents in the Ike Dr. neighborhood have had issues with emergency responders because addresses are out of sequence. Additionally, the road crosses into Ionia County from Kent County, with no access from Ionia because of the river, which causes confusion regarding who can and should respond to emergencies. Four residents would need to change their address for more expedient emergency service responses and to clear up the issue for first responders. The board believes this is a serious safety concern and a matter that should be discussed further with citizens affected. Stone motioned to hold a special meeting for the residents of Ike Drive at 5:00 pm, May 19; seconded by Gillett. **Motion Carried.**

7. Grindle Property Tax – The property has been foreclosed on and will be auctioned. The bank offered the property to the Township to purchase because there are unpaid back taxes on the property. Stone motioned to decline buying the property; seconded by Gillett. **Motion Carried.**

8. KCRC project approval - Limestone on Grindle Rd. – The Board was pleased with the McPherson project in 2013. Stone motioned to approve the same application on Grindle Road; seconded by Gillett. **Motion Carried.**

9. Fire Department Budget – Township received final quarter bill from the Lowell Area Fire Authority and because of adjustments for number of runs it was considerably lower than previous quarters. The Board discussed requesting that the number of responders to emergencies

be studied and to consider using this information in the formula as well. Board feels the formula may not accurately reflect use of emergency services and would like to see an investigation of possible solutions to make the cost more reflective of the needs of Vergennes Township residents.

Citizens Comments:

Penny Rosema introduced herself as she intends to run in the election for the currently open Trustee position in the August Primary election.

Meeting adjourned at 9:07 pm.

Respectfully Submitted,
