

**MINUTES OF THE CASCADE CHARTER TOWNSHIP
REGULAR BOARD MEETING**

Wednesday, April 9, 2008

7:00 P.M.

Cascade Branch of the Kent District Library, Wisner Center

- Article 1.** Supervisor Julien called the meeting to order at 7:00 p.m.
Present: Supervisor Julien, Trustee Beahan, Koessel, Goldberg, Treasurer Carpenter.
Absent: Trustee Fox and Clerk Goodyke.
Also Present: Manager Cousins, Deputy Clerk Biegalle, Planning Director Peterson, Engineer Brian Vilmont, Kent County Road Commission representative Wayne Harrell and those listed on Supplement #1.
- Article 2.** Supervisor Julien led the Pledge of Allegiance to the Flag.
- Article 3.** The Agenda was revised to include the following:
- **Article 4b. 2.** – Treasurers Department Bank Balances December 2007 and January 2008.
- Motion was made by Trustee Goldberg and supported by Trustee Beahan to approve the agenda. Motion carried.
- Article 4. Approval of Consent Agenda**
- a. Receive and File Various Meeting Minutes
 1. Kent County Road Commission Meeting Minutes of 02/12/08 and 2/26/08.
 - b. Receive and File Various Reports
 1. Board of Review Action Report – re: March Session
 2. Treasurers Department Bank Balances December 2007 and January 2008.
 - c. Receive and File Communications
 1. Letter from Michigan Community Blood Centers – re: Blood Drive on March 24, 2008.
 2. Letter from Comcast – re: Channel Change in the Cable Latino digital Service.
- Motion was made by Trustee Koessel and supported by Trustee Goldberg to approve the Consent Agenda as presented. Motion carried.
- Article 5. Financial Actions (None)**
- Article 6. Public Actions (None)**
- Article 7. Public Comments**
- Article 8. Unfinished Business**
- 026-2008 Consider Approval of Proposed Buttrick Avenue Repairs.**
(Wayne Harrall from the Kent County Road Commission will be present)
Motion was made by Trustee Goldberg and supported by Trustee Koessel to remove the item from the table. Motion carried. Wayne Harrell from the Kent County Road Commission fielded questions from Board members and the public. Motion by Trustee Koessel and supported by Trustee Beahan to table the item until the April 23rd Regular Board Meeting so that we have a chance to get final numbers from the Kent County Road Commission on the cost of adding a left hand turn lane. Motion carried.

Article 9. New Business

031-2008 Consider Approval of Resolution to Adopt Storm Water Management Plan.

Planning Director Peterson and Engineer Vilmont reviewed the Storm Water Management Plan. One of the primary purposes of the document was to provide the technical background for the storm zone map that is generated out of that. The first step is to adopt the Plan that provides the basis for the map, hopefully to follow that up with the amendments to the Ordinance. Discussion followed. Motion was made by Trustee Beahan and supported by Trustee Koessel to approve the Resolution to Adopt the Storm Water Management Plan. Motion carried with roll call vote.

032-2008 Consider Request to Set Public Hearing for Amendment to Storm Water Ordinance.

Planning Director Peterson suggested May 14th for the Public Hearing date. Motion was made by Trustee Beahan and supported by Trustee Koessel to set the date for May 14th. Motion carried.

Article 10. Closed Session

a. To discuss pending litigation re: Disselkoen Lawsuit
Motion was made by Trustee Koessel and supported by Treasurer Carpenter to recess the regular meeting and move into Closed Session to discuss with counsel the litigation regarding the Disselkoen Lawsuit.
Motion carried by roll call vote.

Motion was made by Trustee Koessel and supported by Treasurer Carpenter to close the closed session and reconvene into regular session.
Motion carried Trustee Beahan and supported by Treasurer Carpenter.
Motion carried.

Article 9. New Business (con't)

033-2008 Consider Acceptance of the Settlement Offer regarding the Disselkoen Lawsuit.

Attorney Steve Stapelton was present to outline the settlement reached regarding the Disselkoen Lawsuit. The terms that were submitted to all the parties were:

1. CVS Outdoor Inc. will remove its double sided outdoor advertising sign and structure located at 3908 Thornapple River Dr. no later than April 3, 2010.
2. CVS and Randy Disselkoen will pay to Cascade Township the total sum of \$25,000.00
3. If the sign is not removed by April 3, 2010, CVS shall pay liquidated damages to the Township for all fees and costs actually incurred by the Township to remove the sign.
4. On April 4, 2010 if the sign is not removed the Township will have the right to enter the property to remove the sign and structure.
5. The \$25,000.00 that was filed by Mr. Disselkoen with the Court will be forfeited and returned back to Mr. Disselkoen.
6. The parties will waive any and all rights to indemnification.

Motion was made by Trustee Goldberg and supported by Trustee Beahan to authorize the Township Supervisor to execute a Consent Judgment in Case No. 1:06-CV-141 pending in the United States District Court

consistent with the terms and conditions as stated by counsel. Motion carried by roll call vote.

Supervisor Julien reviewed the Press Release with the audience.

Article 11. Manager's Comments

Manager Cousins offered the following comments:

- In working with the other communities in the East Precinct, (i.e., Grand Rapids Township, Ada Township) we talked about the possibility of the three townships purchasing a speed trailer for the East Precinct. It appears we all have requests for speed trailers different times of the year and we can use the County Sheriff Department Trailers but they are not always available. If we purchased our own through our Buildings and Grounds Personnel we could train them very easily to operate the equipment and have it available a lot more often. We are meeting next week to discuss that further and a cost has not been determined yet.

Article 12. Board Member Comments

Trustee Goldberg offered the following comments:

- Spoke with Diane at the Library and wanted the Board to know that the \$700 Grant had been awarded.

Trustee Koessel offered the following comments:

- Thanked Bill for all the work he has done for us putting together some memorandums of understanding regarding the duties of the Treasurer and some things that we are going to be dealing with tomorrow. Also thanked Supervisor Julien for doing all the pre-screening process. The interview process starts tomorrow for the interim treasurer.

Trustee Beahan offered the following comments:

- Just a reminder April 22nd is the Boards "Meet and Greet".
- Read an article in the New York Times regarding Wireless Internet.
- One Hundred Sixty years ago on April 3rd, Cascade Township was established.
- Received something in his mailbox regarding United Growth in Kent County.

Article 13. Adjournment

Motion was made by Trustee Goldberg and supported by Trustee Beahan to adjourn. Motion carried.

Meeting adjourned at 8:45 p.m.

Respectfully submitted,

Denise M. Biegalle
Deputy Clerk

Approved by:

Ron Goodyke, Clerk

Michael R. Julien, Supervisor