

PRELIMINARY * AGENDA
GAINES CHARTER TOWNSHIP BOARD OF TRUSTEES
MEETING

April 12, 2021

Opening Prayer 7 PM ~ Michael Brew

Pledge of Allegiance

This meeting will be held live in the Township Board Room

MASKS REQUIRED AND SOCIAL DISTANCING WILL BE OBSERVED

Items Highlighted are Action Items

Meeting called by Supervisor Rob DeWard

Attendees: Supervisor Rob DeWard, Clerk Michael Brew, Treasurer Laurie Lemke, Trustees Tim Haagsma, Bob Terpstra, Dan Fryling, Kathy Vander Stel, Planner Dan Wells

CALL TO ORDER AND ATTENDANCE AT 7 PM –

Declaration of any Conflict of Interest

Approval of Agenda

I. CUSTOMARY ITEMS

- 1) Recognition of Individuals and/or Delegations - *3-minute time limit for unscheduled speakers
 - a. Public Hearing – Cook's Crossing – major PUD Amendment
 - b. Public Hearing – 6658 East Paris – OTP PUD Amendment

Consent agenda items are listed under item II, including payment of the bills. All items are considered to be routine by the Board. *There will not be separate discussion of these items.* If discussion is desired, that item will be removed from the Consent Agenda upon request of any Board Member. If you would like any item removed from the consent agenda so that it may be considered separately; please contact Kim by 10:00 a.m., the day of the meeting.

II. CONSENT AGENDA

1) Board Meeting Minutes

- A. Meeting Minutes from March 8, 2021

2) Building Department

- A. Building Department March 2021 Revenue Reports– Summary for Mechanical & Plumbing Permits, Electrical Revenue Report - *(In an effort to condense the size of meeting packets, we will be providing a Summary Report each month. A copy of the full report is on file and can be obtained by contacting Kim Triplett at kim.triplett@gainestownship.org.*

3) Clerk's Office

- A. Check Register for 3/2/2021 thru 3/26/2021
B. Payments of the bills from in the amount of \$299,585.46

Motion to Approve Consent Agenda - ACTION ITEM

III. DEPARTMENT/OFFICE REPORTS

1) Clerk's Office

2) Planning

- a) 2nd Read – Cook's Crossing – major PUD Amendment
- b) 2nd Read – 6658 East Paris – OTP PUD Amendment
- c) Industrial Facilities Tax Request – Mobile Defender
- d) 6487 College Ave – Lafayette Acres – Platted lot combinations
- e) Explorer Elementary

3) Treasurer's Department -NONE

NON-ACTION:

- a) BCTV Update

4) Assessing Department - NONE

5) Water & Sewer Department - NONE

6) Building Department - NONE

Recognition of Individuals and/or Delegations *Limit 3 Minutes*

IV. SUPERVISOR'S OFFICE

1) Action Items:

- a) Preservation Lakes PHASE III– Proposed Streetlighting Special Assessment District
- b) **Township Manager's Employment Agreement**
- c) Proposed changes to Liquor Control Ordinance
- d) Resolution establishing cost and public hearing date for proposed Township wide Special Assessment District for Public Safety

2) NON-ACTION

- a) Website stats for March 2021 10,793 Visits
- b) Community Policing Officer's Report
- c) CFD and DFD March Run Reports

V. COMMENTS & DISCUSSION

- 1) Township Board
- 2) Supervisor
- 3) Miscellaneous

VI. ADJOURNMENT

- 1) There is a second meeting date set in on the 25th. Determine if needed
- 2) The May 2021 meeting will be held May 10th
- 3) There MAY be a second May meeting on May 24th

Any interested persons are invited to attend and participate. Persons with disabilities needing any special accommodations should contact the Township offices one week prior to the meeting to request mobility, visual or any other assistance.

Preliminary Agenda – Subject to Change



CHARTER TOWNSHIP OF GAINES
KENT COUNTY, MICHIGAN

PUBLIC NOTICE OF POSTING OF AN ORDINANCE TO AMEND COOK'S CROSSING/COBBLESTONE CORNERS PUD FOR SIGNATURE LAND DEVELOPMENT AT 1089, 1103, AND 1115 84TH STREET

At a regular meeting of the Township Board for Gaines Charter Township held VIA zoom on March 8, at 7:00 p.m., the following Ordinance/amending ordinance was offered for.

A major amendment to phases 3-5 of Cook's Crossing South within the Cook's Crossing/Cobblestone Corners PUD. The approved plans are titled "Cook's Crossing/Cobblestone Corners P.U.D. Plan" and were prepared by Exxel Engineering and last revised December 21, 2020. The proposed amendments are itemized in a transmittal submitted by Signature Land Development dated December 21, 2020. The property subject to the major PUD amendment is located at 1089, 1103, and 1115 84th Street (parcel numbers 41-22-17-300-052; 41-22-17-300-053; and 41-22-17-300-056) and is described as follows:

Description of Cook's Crossing South Units S46-S113 and Cook's Crossing South Townhomes and Terrace Homes: (Dec. 2020)

Part of the SW 1/4, Section 17, T5N, R11W, Gaines Township, Kent County, Michigan, described as: Beginning at the South 1/4 corner of said Section 17; thence N89°41'29"W 1011.92 feet along the South line of said SW 1/4; thence N44°57'47"W 122.16 feet; thence N01°46'50"E 240.00 feet; thence N89°41'29"W 159.00 feet; thence N01°46'50"E 432.25 feet; thence N68°43'44"W 116.38 feet; thence N23°01'38"E 304.72 feet; thence N38°44'29"E 302.15 feet; thence S72°43'37"E 120.66 feet; thence S50°20'49"E 130.50 feet; thence S59°34'05"E 62.79 feet; thence S82°26'46"E 112.99 feet; thence N60°59'14"E 100.76 feet; thence S39°56'20"E 154.82 feet; thence S59°08'18"E 68.61 feet; thence S71°40'35"E 146.96 feet; thence S37°36'04"E 61.22 feet; thence S26°08'00"E 122.34 feet; thence N79°45'05"E 191.99 feet to the N-S 1/4 line of Section 17; thence S00°44'32"W 881.91 feet along said NS 1/4 line to the place of beginning.

The Township Board of the Charter Township of Gaines will consider the proposed amendment for adoption at its Regular Meeting on Monday, April 12, 2021 at 7:00 PM. Meetings of the Township Board of the Charter Township of Gaines are regularly held at the Gaines Charter Township Offices, 8555 Kalamazoo Ave., SE, Caledonia, MI 49316. Masks will be required and social distancing will be observed.

A true and complete copy of Ordinance to Amend The Gaines charter Township Zoning Ordinance as Provided For in Thereof by Amending The Township Zoning Map can be inspected or obtained in the office of the Township Clerk at the following location:

Charter Township of Gaines
8555 Kalamazoo Avenue, SE
Caledonia, MI 49316
616-698-6640
Michael A. Brew, Township Clerk



**CHARTER TOWNSHIP OF GAINES
KENT COUNTY, MI**

PUBLIC NOTICE OF POSTING OF PROPOSED ORDINANCE TO AMEND THE OTP PUD TO ALLOW FOR A SECONDARY DRIVEWAY ACCESS TO EAST PARIS AVENUE.

At a Regular Meeting of the Township Board of the Charter Township of Gaines, held on Monday, February 8, 2021 the Township Board introduced a first reading of proposed Ordinance to amend the OTP PUD to allow for a secondary driveway access to East Paris Avenue.

THE APPROVED PLANS ARE TITLED "VREI EAST PARIS" AS PREPARED BY NEDERVELD AND LAST REVISED DECEMBER 1, 2020. THE PROPERTY SUBJECT TO THE MAJOR PUD AMENDMENT IS LOCATED AT 6658 EAST PARIS AVENUE (#41-22-01-300-032) AND IS DESCRIBED AS FOLLOWS:

PART SW $\frac{1}{4}$ COM 2034.35 FT 90D 00M W ALONG THE S SEC LINE FROM S $\frac{1}{4}$ TH 90D 00M 00S W 281.56 FT TH N 00D 47 M 185 W 490.0 FT TH N 45 D 30M W 80.0 FT TH N 65D 50 M 00 S W 170.0 FT TH N 80D 49M 46S W 127.48 FT TO A PT 636.0 FT N 00D 47M W ALONG W SEC LINE FROM SW COR OF SEC TH N 00D 47M 185 W 407.24 FT TO SLY LINE OF KARONA CT/RELOCATED/ SD PT BEING 1610.98 FT 00D 47M 185 E ALONG W SEC LINE FROM W $\frac{1}{4}$ COR TH 89D 01M 025 E ALONG SD SLY LINE 401.96 FT TH NELY ALONG SD SLY LINE TO A LINE BEARING N 0D 56M 135 W FROM BEG TH 0D 56M 135 E TO BEG*SEC 1 T5N R11W 10.38A.

The Township Board of the Charter Township of Gaines will consider the proposed amendment for adoption at its Regular Meeting on Monday, April 12, 2021 at 7:00PM. Meetings of the Township Board of the Charter Township of Gaines are held at the Gaines Charter Township Offices, 8555 Kalamazoo Ave., SE, Caledonia, MI. Masks will be request and social distancing will be observed.

A true and complete copy of the proposed Ordinance to amend the OTP PUD to allow for a secondary driveway access to East Paris Avenue can be inspected or obtained in the office of the Township Clerk at the following address:

Charter Township of Gaines
8555 Kalamazoo Ave., SE
Caledonia, MI 49316
616-698-6640

Charter Township of Gaines
Michael A. Brew, Clerk

**MINUTES OF GAINES CHARTER TOWNSHIP BOARD
FOR THE REGULAR MEETING
March 08, 2021**

The meeting was held as a virtual meeting via Zoom – Meeting # 813 5935 8397 – Password – 770738. Public who attended the meeting obtained meeting information and password by sending a request to info@gainestownship.org on the day of the meeting.

Present: DeWard from home, Brew from 8555 Kalamazoo Avenue, Lemke from 8555 Kalamazoo Avenue, Fryling from 8555 Kalamazoo Avenue, Haagsma from home, Terpstra from home, VanderStel from home, Dan Wells from home, Chief Paul Sheely from Dutton Fire Department, Jason VanderMolen from home, Megan VanHoose from home.

Trustee Bob Terpstra opened in prayer.

Supervisor DeWard led the Pledge of Allegiance

1. The meeting was called to order at 6:02 p.m. by Supervisor DeWard

2. Question of Conflict of Interest

None.

3. Proposed Agenda

Motioned by VanderStel and supported by Fryling to approve the agenda.

ROLL CALL VOTE: Brew – yes, DeWard – yes, Fryling – yes, Haagsma – yes, Lemke – yes, Terpstra - yes, VanderStel – yes Motion carried.

4. Interviews for Township Manager position with Jonathan Seyferth and Joseph Thiel.

5. Recognition of Individuals and/or Delegations.

None.

6. Consent Agenda

Motioned by VanderStel and supported by Haagsma to approve the consent agenda including the meeting minutes from February 8, 2021 and February 22, 2021, the building department February 2021 revenue report, and bills totaling \$257,684.24 for 02-05-2021 and 02-26-2021 .

ROLL CALL VOTE: DeWard – yes, Fryling – yes, Haagsma – yes, Lemke – yes, Terpstra - yes, VanderStel – yes, Brew – yes Motion carried.

7. Department/Office Reports

A. Clerk's Department

1) Professional Development Request – Clerk

Motioned by Haagsma and supported by Fryling to approve the professional development request for the International Institute of Municipal Clerk's International Conference for the clerk.

ROLL CALL VOTE: Fryling – yes, Haagsma – yes, Lemke – yes, Terpstra - yes, VanderStel – yes, Brew – yes, DeWard – yes Motion carried.

2) Professional Development Request – Deputy Clerk

Motioned by Haagsma and supported by Terpstra to approve the professional development request for the International Institute of Municipal Clerk's International Conference for the deputy clerk.

ROLL CALL VOTE: Haagsma – yes, Lemke – yes, Terpstra - yes, VanderStel – yes, Brew – yes, DeWard – yes, Fryling – yes Motion carried.

B. Planning Department

1) 2nd read – Zoning Ordinance Amendment – request to rezone 2410 68th Street from RL-14 to RL-10

Motioned by Haagsma and supported by Lemke to approve the rezone 2410 68th Street from RL-14 to RL-10.

ROLL CALL VOTE: Lemke – yes, Terpstra - yes, VanderStel – yes, Brew – yes, DeWard – yes, Fryling – yes, Haagsma – yes Motion carried.

2) 1st read – Cook's Crossing – major PUD amendment to Phases 2 – 5 re-arranging some of the house types to meet current demands for housing

Motioned by Lemke and supported by VanderStel to approve the first read verbiage of the Cook's Crossing major PUD amendment.

ROLL CALL VOTE: Terpstra - yes, VanderStel – yes, Brew – yes, DeWard – yes, Fryling – yes, Haagsma – yes, Lemke – yes Motion carried.

Motioned by Haagsma and supported by Fryling to set the Public Hearing to April 12, 2021.

ROLL CALL VOTE: VanderStel – yes, Brew – yes, DeWard – yes, Fryling – yes, Haagsma – yes, Lemke – yes, Terpstra - yes Motion carried.

4) Hoffman Meadows – Preliminary Plat Phase 1 Approval

Motioned by Haagsma and supported by Lemke to approve the Preliminary Plat Phase 1 for Hoffman Meadows.

ROLL CALL VOTE: Brew – yes, DeWard – yes, Fryling – yes, Haagsma – yes, Lemke – yes, Terpstra - yes, VanderStel – yes Motion carried.

5) Preservation Lakes – Final Preliminary Plat Phase 4 Approval

Motioned by Haagsma and supported by VanderStel to approve the Final Preliminary Plat Phase 4 for Hoffman Meadows.

ROLL CALL VOTE: DeWard – yes, Fryling – yes, Haagsma – yes, Lemke – yes, Terpstra - yes, VanderStel – yes, Brew – yes Motion carried.

6) Planning and Zoning 2020 Annual Report

Motioned by Haagsma and supported by Lemke to accept the Planning and Zoning 2020 Annual Report.

ROLL CALL VOTE: Fryling – yes, Haagsma – yes, Lemke – yes, Terpstra - yes, VanderStel – yes, Brew – yes, DeWard – yes Motion carried.

C. Assessing Department

1) Assessing Department 2020 Annual Report

Motion by Brew and supported by Lemke to accept the Assessing Department 2020 Annual Report.

ROLL CALL VOTE: Haagsma – yes, Lemke – yes, Terpstra - yes, VanderStel – yes, Brew – yes, DeWard – yes, Fryling – yes Motion carried.

8. Recognition of Individuals and/or Delegations.

Community Policing Officer Jason VanderMolen commented on excessive stolen car incidents.

9. Supervisor's Office

1) Liquor License Renewals:

a) Briarwood

Motioned by Haagsma and supported by VanderStel to approve renewal of the Briarwood Liquor license.

ROLL CALL VOTE: Lemke – yes, Terpstra - yes, VanderStel – yes, Brew – yes, DeWard – yes, Fryling – yes, Haagsma – yes Motion carried.

b) Carmelos

Motioned by Haagsma and supported by Terpstra to approve renewal of the Carmelos Liquor license.

ROLL CALL VOTE: Terpstra - yes, VanderStel – yes, Brew – yes, DeWard – yes, Fryling – yes, Haagsma – yes, Lemke – yes Motion carried.

c) **Celebration Cinema**

Motioned by Lemke and supported by Terpstra to approve renewal of the Celebration Cinema Liquor license.

ROLL CALL VOTE: VanderStel – yes, Brew – yes, DeWard – yes, Fryling – yes, Haagsma – yes, Lemke – yes, Terpstra - yes Motion carried.

d) **Grinning Mitten, LLC (Railtown)**

Motioned by Terpstra and supported by Haagsma to approve renewal of the Grinning Mitten (Railtown) Liquor license.

ROLL CALL VOTE: Brew – yes, DeWard – yes, Fryling – yes, Haagsma – yes, Lemke – yes, Terpstra - yes, VanderStel – yes Motion carried.

e) **Logans**

Motioned by Haagsma and supported by Lemke to approve renewal of the Logans Liquor license.

ROLL CALL VOTE: DeWard – yes, Fryling – yes, Haagsma – yes, Lemke – yes, Terpstra - yes, VanderStel – yes, Brew – yes Motion carried.

f) **Peppinos**

Motioned by Haagsma and supported by Terpstra to approve renewal of the Peppinos Liquor license.

ROLL CALL VOTE: Fryling – yes, Haagsma – yes, Lemke – yes, Terpstra - yes, VanderStel – yes, Brew – yes, DeWard – yes Motion carried.

g) **TSFR Apple Holdings (Applebee's)**

Motioned by Terpstra and supported by Haagsma to approve renewal of the TSFR Apple Holdings (Applebee's) Liquor license.

ROLL CALL VOTE: Haagsma – yes, Lemke – yes, Terpstra - yes, VanderStel – yes, Brew – yes, DeWard – yes, Fryling – yes Motion carried.

h) **RedWater (Fire Rock Grille)**

Motioned by Haagsma and supported by Terpstra to approve renewal of the RedWater (Fire Rock Grille) Liquor license.

ROLL CALL VOTE: Lemke – yes, Terpstra - yes, VanderStel – yes, Brew – yes, DeWard – yes, Fryling – yes, Haagsma – yes Motion carried.

2) Purchase of large screen TV on stand for lower level

Motioned by Haagsma and supported by VanderStel to approve purchasing a large screen TV and stand for approximately \$2000.

ROLL CALL VOTE: Terpstra - yes, VanderStel – yes, Brew – yes, DeWard – yes, Fryling – yes, Haagsma – yes, Lemke – yes Motion carried.

3) Employee's Insurance Benefits

Motioned by Haagsma and supported by Lemke to accept the benefits quote as presented without passing additional costs to the employees and the Clerk sends the Hard Cap numbers and how they match to the 80 / 20 opt out to all the board members.

ROLL CALL VOTE: Fryling – yes, Haagsma – yes, Lemke – yes, Terpstra - yes, VanderStel – yes, Brew – yes, DeWard – yes Motion carried.

4) Township Manager Position

Motioned by VanderStel and supported by Haagsma to offer the position of Township Manager to J S (Jonathan Seyferth).

ROLL CALL VOTE: Haagsma – yes, Lemke – yes, Terpstra - yes, VanderStel – yes, Brew – no, DeWard – yes, Fryling – yes Motion carried.

10. Comments and Discussion

Fryling asked about road commission overlays noting Jewelbrook Drive off of 72nd Street in need of serious patching. Road commission projects are listed in the board packet.

The Revolution Farms matter may be on our next meeting with Township Attorney Cliff Bloom addressing the board.

Kent County Sheriff hot spot map was included in the board packet.

DeWard updated the board on the Public Safety Special Assessment committee meeting.

11. Adjournment

Motion by Haagsma and supported by Lemke to adjourn the meeting at 9:32 p.m.

VOICE VOTE: All Ayes.

Michael Brew, Clerk

Robert DeWard, Supervisor



Revenue Breakdown Report

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04/05/2021

Filter: All Records, Transaction.DateToPostOn Between 3/1/2021 12:00:00 AM AND 3/31/2021 11:59:59 PM

Unit Totals		
Unit Name	Records	Revenue
	204	61,655.25
TOTAL	204	61,655.25

Record Type Totals		
Unit:	Records	Revenue
Name	8	195.00
Permit	196	61,460.25
UNIT TOTAL:	204	61,655.25

Record Type Breakdowns		
Unit:	Records	Revenue
Record Type: Name		
	8	195.00
TOTAL:	8	195.00

Record Type: Permit	Records	Revenue
Building	57	39,143.00
Electrical	38	6,484.00
Mechanical	54	8,390.25
Plumbing	41	6,933.00
Storm Drain	6	510.00
TOTAL:	196	61,460.25

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank GEN CHEMICAL BANK						
03/02/2021	GEN	29279	FURTHER	FURTHER	JAMES ZENAS HSA PAYMENT	123.07
03/03/2021	GEN	29280	BREMER	RICK OR JUDY BREMER	BUY BACK CEMETERY LOTS	200.00
03/08/2021	GEN	29281	TWP-CONSUM	CONSUMERS ENERGY	LED LIGHTS AND STREETLIGHTS, BLAIN CEMET	14,286.01
03/08/2021	GEN	29282	FIRST BANK	FIRST BANKCARD CENTER	ACROBAT SUBSCRIPTION, PERSONNEL CONCEPTS	243.39
03/08/2021	GEN	29283	FIRST BANK	FIRST BANKCARD CENTER	FUEL	24.86
03/08/2021	GEN	29284	FIRST BANK	FIRST BANKCARD CENTER	BATTERIES, COFFEE, KLEENEX,3 RING BINDER	107.25
03/08/2021	GEN	29285	FIRST BANK	FIRST BANKCARD CENTER	OFFICE SUPPLIES, INTERNATIONAL MEMBERSHI	500.54
03/08/2021	GEN	29286	5 ALARM	5 ALARM FIRE AND SAFETY EQPT L	LARGE STRUCTURAL GLOVES	494.82
03/08/2021	GEN	29287	ADVANCED I	ADVANCED IMAGING SOLUTIONS INC	COPIER USE	1,212.26
03/08/2021	GEN	29288	ARROW	ARROWASTE INC	BLAIN CEMETERY RUBBISH	52.36
					CFD RUBBISH	105.91
					DFD RUBBISH	44.48
					TWP OFFICE RUBBISH	66.43
					LIBRARY RUBBISH	61.72
						330.90
03/08/2021	GEN	29289	CINTAS	CINTAS CORPORATION #301	TWP HALL FLOOR MATS	79.82
03/08/2021	GEN	29290	GR CENTRAL	G R CENTRAL IRON & STEEL	MOUNTING IRONS FOR NEW E-35	427.00
03/08/2021	GEN	29291	GAINES TWP	GAINES TOWNSHIP TREASURER	TWP WATER AND SEWER	202.03
03/08/2021	GEN	29292	HORIZON	HORIZON COMMUNITY PLANNING LLC	PLANNING COMMISSION MEETINGS, COOKS, VRE	3,270.00
03/08/2021	GEN	29293	INTEGRITY	INTEGRITY OFFICE	NOTEBOOKS, BINDERS, STAPLES	50.43
					PAD, PAPER	196.51
					BINDERS	10.37
					PENCIL HOLDERS, TAPE, PAPER NOTES, STAPL	44.35
						301.66
03/08/2021	GEN	29294	JACK'S	JACK'S LAWN & SNOWPLOWING, INC	SNOW REMOVAL CONTRACT	1,399.87
					DFD SNOWPLOWING	681.94
					LIBRARY SNOWPLOWING	716.04
					SHERIFF PLOWING	479.32
						3,277.17
03/08/2021	GEN	29295	KCI	KENT COMMUNICATIONS INC	MAILING ABSENTEE APPLICATIONS, PRINTING	1,469.37
03/08/2021	GEN	29296	KENT TREAS	KENT COUNTY TREASURER	REIMBURSE KENT COUNTY FOR TAXES REFUNDED	30.41
03/08/2021	GEN	29297	TRIPLETT	KIM TRIPLETT	CELL PHONE REIMBURSEMENT	75.00
03/08/2021	GEN	29298	LAMPHEAR	LAMPHEAR SERVICE COMPANY INC	BILER DRAIN #1 LEAK	119.50
03/08/2021	GEN	29299	LAURIE L	LAURIE LEMKE	FEBRUARY EXPENSES	84.83
03/08/2021	GEN	29300	MEDMUTUAL	MEDMUTUAL LIFE	LIFE INSURANCE	285.44
03/08/2021	GEN	29301	MENARDS	MENARDS- WYOMING	LADDAR, WASHERS, DRIVE BIT, 12 OZ GRAY S	75.24
03/08/2021	GEN	29302	MEYERS CLE	MEYERS CLEANING SERVICE INC	TWP HALL CLEANING, LIBRARY CLEANING	2,338.50
03/08/2021	GEN	29303	MAP	MICHIGAN ASSOCIATION OF PLANNI	JENNIFER JAGER REGIONAL WORKSHOP, PLANNI	100.00
03/08/2021	GEN	29304	MML	MICHIGAN MUNICIPAL TREASURERS ASSOC	MEMBERSHIP RENEWAL 2021	150.00
03/08/2021	GEN	29305	OMEGA SYST	OMEGA SYSTEMS, OCEAN INC.	SET UP NEW LAPTOPS INCLUDING WINDOWS 10	2,232.93
					RENEWAL OF GAINESTOWNSHIP.ORG	25.00
						2,257.93
03/08/2021	GEN	29306	PEOPLE	PEOPLE IT	BACKUP SERVICES AND MICROSOFT 365	369.00
03/08/2021	GEN	29307	PHASE III	PHASE 3 GRAPHICS	BUSINESS CARDS FOR JOHN, ROGER, DIANE, K	206.08
03/08/2021	GEN	29308	PURITY	PURITY CYLINDER GASES INC	MEDICAL PORTABLE, MEDIUM, MAINT FEE	31.02
03/08/2021	GEN	29309	SHYFT GROU	SHYFT GROUP	DOT INSPECTION AND WORK - FOAM SYSTEM RE	40,932.48
03/08/2021	GEN	29310	NEXTEL	SPRINT	FEBRUARY 2021 CELL PHONE	644.92
03/08/2021	GEN	29311	SUN NEWS	THE SUN AND NEWS	PUBLIC HEARINGS AND BOARD OF REVIEW, SYN	749.76

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
03/08/2021	GEN	29312	VRIESMAN	VRIESMAN & KORHORN LLC	MISCELLANEOUS ENGINEERING SWITCH PHASE 2 COOKS CROSSING SOUTH PUD 68TH STREET PATHWAY 60TH STREET SIDEWALK - PH2 DUTTON CHR MIDDLE SCH PH2 6656 EAST PARIS 3500 60TH STREET APARTMENTS VAN LAAN REBAR BUILDING AMAZON DELIVERY STATION	600.16 922.50 66.00 2,192.00 290.00 66.00 987.00 66.00 198.00 264.00
						<u>5,651.66</u>
03/08/2021	GEN	29313	WAYNE B	WAYNE BOURDO	LAINDSCAPE MAINT TOWNSHIP AND LIBRARY, D	1,054.57
03/13/2021	GEN	29314	TWP-CONSUM	CONSUMERS ENERGY	DIVISION STREET LIGHTS	433.90
03/13/2021	GEN	29315	TWP-CONSUM	CONSUMERS ENERGY	TWP OFFICE, LIBRARY, CFD, DFD, DUTTON CE	5,571.69
03/15/2021	GEN	29316	123	123.NET	TWP OFFICE TELEPHONE SERVICE	503.00
03/15/2021	GEN	29317	5 ALARM	5 ALARM FIRE AND SAFETY EQPT L	COAT AND PANT COATS AND SUSPENDERS COAT AND PAINT	2,256.95 2,256.95 354.00
						<u>4,867.90</u>
03/15/2021	GEN	29318	ACCIDENT	ACCIDENT FUND	WORKERS' COMP	3,160.61
03/15/2021	GEN	29319	AED BRANDS	AED BRANDS	BATTERY AND PADS FOR AED DEVICE IN LOBBY	121.00
03/15/2021	GEN	29320	B&B TRUCK	B&B FIRE DIVISION	COMPLIANT PUMP TEST COMPLIANT PUMP TEST E67 INTAKE RELIEF VALVE REPLACEMENT, SIR	230.00 230.00 3,379.49
						<u>3,839.49</u>
03/15/2021	GEN	29321	BLOOM	BLOOM SLUGGETT	SWITCH, HANNA HILLS FARM, REVOLUTION FAR	4,419.50
03/15/2021	GEN	29322	BOUND TREE	BOUND TREE MEDICAL LLC	G3 TIDAL VOLUME BBP RESISTANT	209.99
03/15/2021	GEN	29323	BS&A SOFTW	BS&A SOFTWARE	IMPLEMENT AND PROJECT MANAGEMENT BUILDIN	250.00
				Void Reason: PREVIOUS PAYMENT		
03/15/2021	GEN	29324	CHASE	CHASE CARD SERVICES	ASSESSING TRAINING, NOTARY FEES	1,096.95
03/15/2021	GEN	29325	FIRST BANK	FIRST BANKCARD CENTER	AWARD HARDWARE,SPICE RACK, BATHROOM SUPP	2,445.53
03/15/2021	GEN	29326	ITP	INTERURBAN TRANSIT PARTNERSHIP	RUAL GO BUS SERVICE RUAL LINEHAUL SERVICE - MARCH 2021	767.50 3,776.10
						<u>4,543.60</u>
03/15/2021	GEN	29327	IPM	IPM SERVICES	DFD PEST CONTROL	25.00
03/15/2021	GEN	29328	KEGEL	KEVIN KEGEL	NEW E-35 NUTS, CHANNELS, AND SCREWS	29.13
03/15/2021	GEN	29329	MAYNARDS	MAYNARDS WATER CONDITIONING LLC	40 LBS RED OUT SALT	136.80
03/15/2021	GEN	29330	MENARDS	MENARDS- WYOMING	SUPPLIES FOR NEW CFD TRUCK	116.52
03/15/2021	GEN	29331	PROF CODE	PROFESSIONAL CODE INSPECTIONS INC	MECHANICAL, PLUMBING, AND ELECTRICAL INS	8,520.00
03/15/2021	GEN	29332	RANDY FORE	RANDY FOREMAN	E 35 TRUCK WEIGH	12.00
03/15/2021	GEN	29333	RESCUE RES	RESCUE RESOURCES LLC	EXTRACT TOOL FOR CFD CFD FLASHLIGHTS	29,925.50 1,094.85
						<u>31,020.35</u>
03/15/2021	GEN	29334	TWP-SIEGFR	SIEGFRIED CRANDALL VOS & LEWIS	ROTH IRA - PROFESSIONAL SERVICES	877.25
03/15/2021	GEN	29335	TDS	TDS METROCOM	TWP OFFICE TELEPHONE	287.07
03/15/2021	GEN	29336	VANGUARD	VANGUARD FIRE & SECURITY SYSTEMS	FIRE ALARM MONITORING MARCH 2021 TO FEBR	495.00
03/15/2021	GEN	29337	WERKEMA	WERKEMA MACHINE COMPANY INC	WELD AND REPAIR LIGHT POLE	467.50
03/15/2021	GEN	29338	MARATHON	WEX BANK	DFD FEBRUARY FUEL	707.19
03/15/2021	GEN	29339	ZYLSTRA DO	ZYLSTRA DOOR INC	INTERNET GATEWAY COMMERCIAL SERVICE	213.60

CHECK REGISTER FOR GAINES CHARTER TOWNSHIP
 CHECK DATE FROM 03/01/2021 - 03/31/2021

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
03/19/2021	GEN	29340	BLUE CROSS	BLUE CROSS BLUE SHIELD TRADITIONAL	APRIL 2021 TRADITIONAL HEALTH	4,699.66
03/19/2021	GEN	29341	BLUE HSA	BLUE CROSS HSA	APRIL HSA HEALTH INSURANCE	12,385.85
03/19/2021	GEN	29342	BURNHAM	BURNHAM AND FLOWER AGENCY	PROVIDENT A&H 2ND INSTALLMENT	2,511.00
03/19/2021	GEN	29343	CLARK	CLARK HILL	TAX EXEMPTION REQUEST	288.00
					FC GRAND RAPIDS MI LANDLORD LLC	288.00
					SILICONATURE	408.00
					MOBILE DEFENDERS LLC	480.00
						<u>1,464.00</u>
03/19/2021	GEN	29344	DELTA DENT	DELTA DENTAL	APRIL 2021 DENTAL INSURANCE	1,723.02
03/19/2021	GEN	29345	D.J.S	DJ'S LANDSCAPE MANAGEMENT	LIBRARY LANDSCAPE MANAGEMENT	143.38
					TWP OFFICE LANDSCAPE MANAGEMENT	1,598.00
						<u>1,741.38</u>
03/19/2021	GEN	29346	GORDON	GORDON WATER	TWP OFFICE DRINKING WATER	31.80
					COOLER RENTAL DFD DRINKING WATER	8.00
						<u>39.80</u>
03/19/2021	GEN	29347	KCTREASURE	KENT COUNTY TREASURER	TOWNSHIP LAW AND CP OFFICER FEBRUARY 202	91,427.17
03/19/2021	GEN	29348	LAMPHEAR	LAMPHEAR SERVICE COMPANY INC	MID-SEASON INSPECTION AND FILTER CHANGES	643.00
03/19/2021	GEN	29349	MEDMUTUAL	MEDMUTUAL LIFE	AD&D RENEWAL INVOICE - \$60 ANNUALLY PER	210.00
03/19/2021	GEN	29350	MINER	MINER SUPPLY COMPANY	CLEANING SUPPLIES TWP AND LIBRARY	140.28
03/19/2021	GEN	29351	OMEGA SYST	OMEGA SYSTEMS, OCEAN INC.	TVS IN THE BOARD ROOM AND HARDWARE	5,079.50
03/19/2021	GEN	29352	PITNEY BOW	PITNEY BOWES RESERVE ACCOUNT	POSTAGE PLACED ON POSTAGE MACHINE	3,000.00
03/19/2021	GEN	29353	PLANNING &	PLANNING & ZONING NEWS	15 COPIES OF PLANNING AND ZONING NEWS	370.00
03/19/2021	GEN	29354	RICHMOND	RICHMOND STAMP WORKS INC	ASSESSING AND BUILDING STAMPS	147.80
03/19/2021	GEN	29355	UNUM	UNUM LIFE INSURANCE COMPANY	LONG TERM AND SHORT TERM DISABILITY	556.55
03/19/2021	GEN	29356	WEATHER SH	WEATHER SHIELD ROOFING SYSTEMS	SNOW CLEATS ALONG 25 FEET OVER EMPLOYEE	750.00
03/26/2021	GEN	29357	5 ALARM	5 ALARM FIRE AND SAFETY EQPT L	CFD UNIFORM AND HELMET	301.38
03/26/2021	GEN	29358	CARELINC	CARELINC MEDICAL EQUIPMENT & SUPPLY	OXYGEN CONTENTS, D TANK	60.00
					OXYGEN CONTENTS, D TANK	70.00
					OXYGEN CONTENTS, D TANK	60.00
						<u>190.00</u>
03/26/2021	GEN	29359	CARROT	CARROT TOP INDUSTRIES	US, MICHIGAN, LOYAL TO OUR DUTY FIREMEN	118.77
03/26/2021	GEN	29360	CINTAS	CINTAS CORPORATION #301	TWP HALL MATS	76.94
					TWP HALL MATS	(2.90)
						<u>74.04</u>
03/26/2021	GEN	29361	DTE	DTE ENERGY	TWP HALL, CFD, DFD, LIBRARY NATURAL GAS	3,069.77
03/26/2021	GEN	29362	GR CENTRAL	G R CENTRAL IRON & STEEL	WELDING AND FAB, ALUMINUM TUBING, 3/16 A	243.61
03/26/2021	GEN	29363	HURST	HURST MECHANICAL	AIR PURIFIER SYSTEM AT CFD	1,794.00
03/26/2021	GEN	29364	IPM	IPM SERVICES	TWP HALL PEST CONTROL	42.00
03/26/2021	GEN	29365	KC TREAS	KENT COUNTY TREASURER	TAXES REFUNDED PER MICHIGAN TAX TRIBUNAL	101.62
03/26/2021	GEN	29366	KLEYN	KLEYN MOBILE REPAIR LLC	SOLENOID ON AIR AUTO EJECT LEAKING / REP	934.53
					REPLACE SOLENOID FOR HOSE REEL, REPLACE	246.06
					SERVICE REAR PUMP MOTER, ANNUAL DOT INSP	308.52
						<u>1,489.11</u>
03/26/2021	GEN	29367	MARK SCHUR	MARK SCHURINGA	FUEL CARD DID NOT WORK - REIMBURSE FF	20.39
03/26/2021	GEN	29368	MENARDS	MENARDS- WYOMING	4 CYCLE OIL, GORILLA MOUNTING TAPE, ACOR	9.37

Page: 4/4

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
					ROUND CORD CLIPS, SWIVEL HASPS, FLANGES	22.83
					12 OZ STONE GREY STONE PAINT	7.97
						<u>40.17</u>
03/26/2021	GEN	29369	OMEGA SYST	OMEGA SYSTEMS, OCEAN INC.	DOWNSTAIRS NETWORK TV	1,585.00
					SET UP CONFERENCE ROOM TVS	730.00
						<u>2,315.00</u>
03/26/2021	GEN	29370	PIT BO INC	PITNEY BOWES INC	RED INK CARTRIDGE	113.04
03/26/2021	GEN	29371	PLUMMERS	PLUMMERS DISPOSAL SERVICE	PT WHEELCHAIR ACESIBLE UNIT	140.00
03/26/2021	GEN	29372	STAPLES 3	STAPLES	PLASTIC TAB DIVIDERS, BATTERY BACKUP,	79.91
					FILE BOXES, SCOTCH TAPE	37.87
						<u>117.78</u>
03/26/2021	GEN	29373	STAR	STAR 2 STAR COMMUNICATIONS	DFD TELEPHONE	355.49
					TWP HALL TELEPHONE	790.02
						<u>1,145.51</u>
03/26/2021	GEN	29374	BYRONTREAS	BYRON TOWNSHIP TREASURER	AUDIT ADJUSTMENT OVERPAYMENT FOR CUTLERY	5,553.20
GEN TOTALS:						
Total of 96 Checks:						299,835.46
Less 1 Void Checks:						250.00
Total of 95 Disbursements:						<u>299,585.46</u>

Gaines Charter Township

Board of Trustees Memo

Meeting Date: April 12, 2021

PROPOSED REQUEST: Major PUD Amendment

ADDRESS: 1089, 1103, and 1115 84th Street

PARCEL NUMBERS: 41-22-17-300-052;
41-22-17-300-053; 41-22-17-300-056

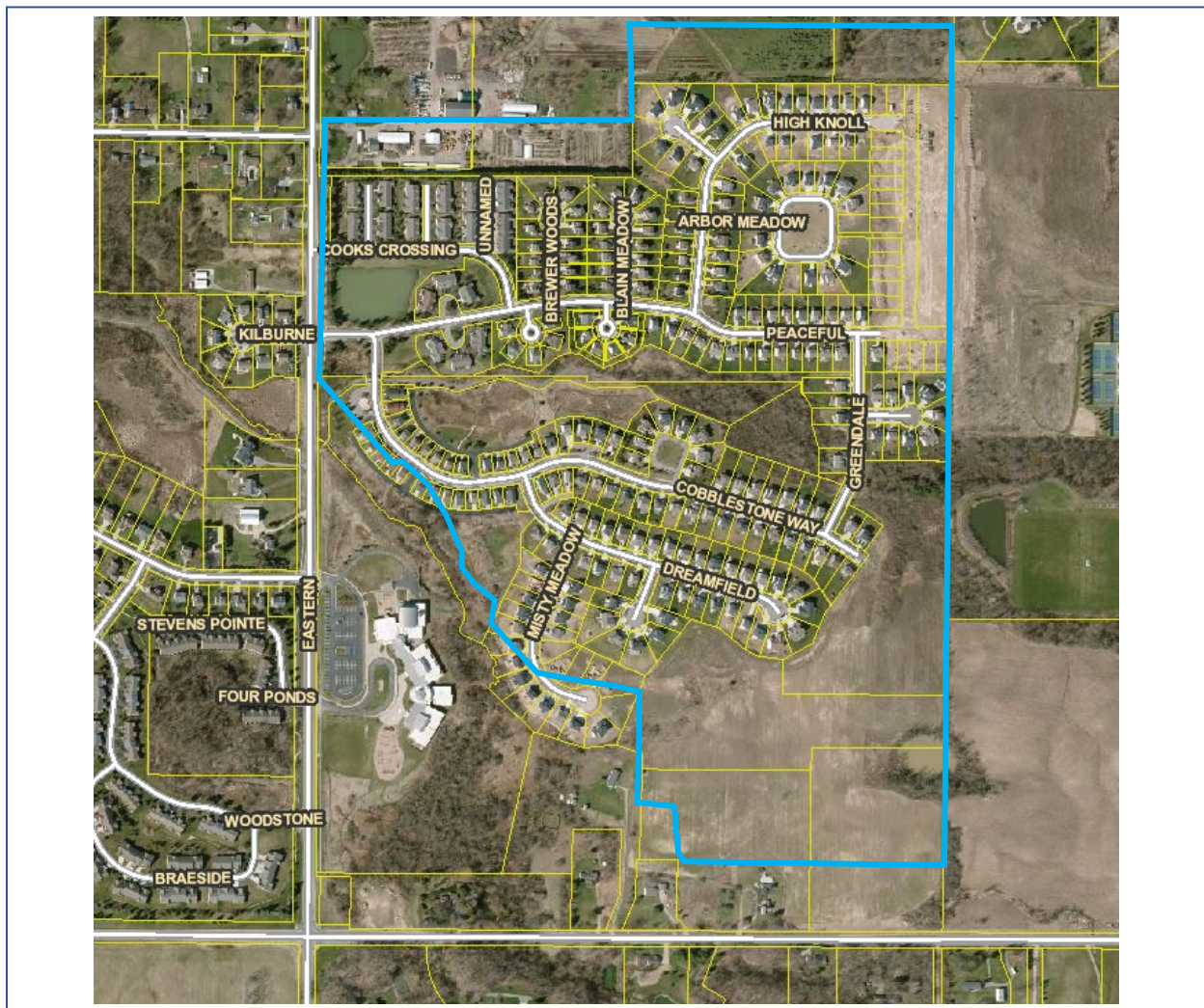
APPLICANT: Signature Land Development/
Mike McGraw

FILE NUMBER: 201224MM

PROPERTY ZONING DISTRICT: Cooks
Crossing/Cobblestone Corners PUD

PROPERTY SIZE: 160 +/- Acres (affected area
40.86 acres)

REPORT BY: Dan Wells, Community
Development Director; David Jirousek, AICP,
Planning Consultant



OVERVIEW

The applicant requests a Planned Unit Development (PUD) amendment for several changes to phases 3-5 of Cook's Crossing South within the Cook's Crossing/Cobblestone Corners PUD. In addition to establishing private street names, the applicant proposes amendments to increase the total number of dwelling units, vary the dwelling types, adjust lot lines, add landscaped park areas, and modify the private street layout. The application must be processed as a major PUD amendment per Section 10.11 D of the Gaines Charter Township Zoning Ordinance.

The approved Cook's Crossing/Cobblestone Corners PUD includes 499 dwelling units within single-family detached residences, attached ranch dwellings, and townhomes. The project includes site condominium and conventional condominium development phases.

A general summary of amendments is presented below.

1. **Street Names.** Street names were approved for Cook's Crossing South were approved by the Kent County Road Commission and were added to the plan.
2. **Total Dwelling Units.** The total number of dwelling units is proposed to increase by eight dwelling units, from a total of 499 to 507 total dwelling units. The applicant states that the overall project density will remain 55 units less than the previously approved Bosgraaf PUD purchased by Eastbrook.
3. **Single-Family Detached Condo Units.** The street and lot layouts in Phases 3-4 of Cook's Crossing South were revised to allow 11 additional single-family detached condominium units. Lot widths range between 58-70 feet within these phases, consistent with existing phases within the PUD. It should be noted that some condominium units in Cook's Crossing North are as narrow as 54 feet in width.
4. **Replacement of Townhomes.** Three townhome buildings with 18 units were removed from phase 5. The applicant proposes 15 single-family detached terrace homes in their place, a decrease of three units.
5. **Parks.** Five park areas are proposed within phases 3 and 5. While most of this space was already shown as open space in the approved plan, the applicant added additional park area and clarified the amenities available for future residents.
6. **Street Layouts.** The Carriage Pass Court cul-de-sac is proposed to be extended, and the phase 5 streets are proposed to be adjusted to accommodate the change from townhomes to terrace homes.
7. **Other.** Additional minor changes include lot numbering and phasing, as noted in the applicant's supplemental materials.

FIRE DEPARTMENT REVIEW

Fire Department review is ongoing. There are still concerns from the Fire Inspector regarding the turn radii and street widths. However, it is anticipated that compliance will not result in a major redesign of building layouts and the street plan.

RECOMMENDATION

The Board approved setting this public hearing on April 8th, and publication has been undertaken. The Board may consider approval or denial of the application.

The Planning Commission recommended approval with the following condition: Secure all Township department and outside agency approvals, including:

1. Township Engineer/BGUA.
2. Fire Department.
3. Kent County Road Commission.
4. Kent County Drain Commission.

CHARTER TOWNSHIP OF GAINES COUNTY OF KENT, MICHIGAN

RESOLUTION NO. 2021-_____

The following Resolution was offered and adopted by the Gaines Charter Township Board of Trustees at a regular meeting held on _____, 2021, at the Gaines Charter Township Offices, 8555 Kalamazoo Avenue, Caledonia, Michigan.

Members Present:

Member Absent:

The following Resolution was offered for adoption by Member _____ and supported by Member _____ to document the findings and decision by the Gaines Charter Township Board of Trustees regarding a request made by Signature Land Development to amend phases 3-5 of Cook's Crossing South within the Cook's Crossing/Cobblestone Corners PUD.

COOK'S CROSSING/COBBLESTONE CORNERS PUD MAJOR AMENDMENT FOR SIGNATURE LAND DEVELOPMENT AT 1089, 1103, AND 1115 84TH STREET

Section I General Background:

1. The applicant, Signature Land Development, requested a major amendment to phases 3-5 of Cook's Crossing South within the Cook's Crossing/Cobblestone Corners PUD for several amendments identified in the applicant's submittal package and revised PUD plan. The subject plans are titled "Cook's Crossing/Cobblestone Corners P.U.D. Plan" and were prepared by Exxel Engineering and last revised December 21, 2020. The proposed amendments are itemized in a transmittal submitted by Signature Land Development dated December 21, 2020. A general summary of amendments is presented below.
 - a. Street Names. Street names were approved for Cook's Crossing South were approved by the Kent County Road Commission and were added to the plan.
 - b. Total Dwelling Units. The total number of dwelling units is proposed to increase by eight dwelling units, from a total of 499 to 507 total dwelling units. The overall project density will remain 55 units less than the previously approved Bosgraaf PUD purchased by Eastbrook.

Resolution No. 21-_____
Cook's Crossing/Cobblestone Corners PUD
_____, 2021

- c. Single-Family Detached Condo Units. The street and lot layouts in Phases 3-4 of Cook's Crossing South were revised to allow 11 additional single-family detached condominium units. Lot widths range between 58-70 feet within these phases, consistent with existing phases within the PUD. It should be noted that some condominium units in Cook's Crossing North are as narrow as 54 feet in width.
 - d. Replacement of Townhomes. Three townhome buildings with 18 units were removed from phase 5. The applicant proposes 15 single-family detached terrace homes in their place, a decrease of three units.
 - e. Parks. Five park areas are proposed within phases 3 and 5. While most of this space was already shown as open space in the approved plan, the applicant added additional park area and clarified the amenities available for future residents.
 - f. Street Layouts. The Carriage Pass Court cul-de-sac is proposed to be extended, and the phase 5 streets are proposed to be adjusted to accommodate the change from townhomes to terrace homes.
 - g. Other. Additional minor changes include lot numbering and phasing, as noted in the applicant's supplemental materials.
2. The property subject to the major PUD amendment is located at 1089, 1103, AND 1115 84th Street (parcel numbers 41-22-17-300-052; 41-22-17-300-053; and 41-22-17-300-056) and is described as follows:

Description of Cook's Crossing South Units S46-S113 and Cook's Crossing South Townhomes and Terrace Homes: (Dec. 2020)

Part of the SW 1/4, Section 17, T5N, R11W, Gaines Township, Kent County, Michigan, described as: Beginning at the South 1/4 corner of said Section 17; thence N89°41'29"W 1011.92 feet along the South line of said SW 1/4; thence N44°57'47"W 122.16 feet; thence N01°46'50"E 240.00 feet; thence N89°41'29"W 159.00 feet; thence N01°46'50"E 432.25 feet; thence N68°43'44"W 116.38 feet; thence N23°01'38"E 304.72 feet; thence N38°44'29"E 302.15 feet; thence S72°43'37"E 120.66 feet; thence S50°20'49"E 130.50 feet; thence S59°34'05"E 62.79 feet; thence S82°26'46"E 112.99 feet; thence N60°59'14"E 100.76 feet; thence S39°56'20"E 154.82 feet; thence S59°08'18"E 68.61 feet; thence S71°40'35"E 146.96 feet; thence S37°36'04"E 61.22 feet; thence S26°08'00"E 122.34 feet; thence N79°45'05"E 191.99 feet to the N-S 1/4 line of Section 17; thence S00°44'32"W 881.91 feet along said N-S 1/4 line to the place of beginning.

3. The Planning Commission held a public hearing on the PUD amendment on January 28, 2021, and directed Staff to prepare a Resolution in support of the major PUD amendment and to conditionally approve the final site plan. The Planning Commission recommended approval of the major PUD amendment on February 25, 2021.

Section II Findings:

Based on the material and plans submitted, a review of the relevant portions of the Gaines Charter Township Zoning Ordinance (“the Zoning Ordinance”), the applicant’s presentation at the public hearing, and Township Staff and Planning Commission recommendation, and other factors, the Township Board of Trustees hereby adopts the following findings against Section 11.1 Planned Unit Development General Review Standards.

a) **Consistency with Master Plan and Zoning Ordinances.**

The project is consistent with the general intent and spirit of the Master Plan and Zoning Ordinance as it would allow for connectivity to 84th Street, provide a variety of housing units with a range of price points, and increase the amount of active amenity space for future Township residents.

b) **Aesthetics.**

The proposed changes are not significant enough to impact the character and aesthetics of the previously approved development. Aside from a variation of the proportion of single-family detached and attached housing products, the changes will have a negligible impact on the anticipated look and feel of the future neighborhood. Green space and the variety of Eastbrook housing types will ensure an attractive setting for future Township residents.

c) **Compatibility with Adjacent Uses.**

The amended phases of the Cook’s Crossing/Cobblestone Corners PUD are adjacent to South Christian High School, Township property, and a limited number of existing residences. The previously approved PUD was determined to be compatible with nearby properties and land uses, and the amendments are not anticipated to have an impact on neighborhood compatibility.

d) **Density.**

The overall density is proposed to be increased by less than two percent. The number of units in the southern portion of the PUD remains 55 units less than the previously approved Bosgraaf PUD.

e) **Traffic.**

The proposed amendments will allow the applicant to develop a more marketable neighborhood to meet regional housing demand. The added benefit of the development of Cook’s Crossing South is to bring the 84th Street connection closer to reality, a project that will improve the traffic flow throughout the entire planned development. Additionally, a net increase of eight dwellings is not anticipated to have a noticeable effect on overall traffic impact.

Concerning pedestrian accommodations, the project retains a trailway connection to the Township property to the east (between S28 and S29), and sidewalks are included on both sides of the private streets within site condo phases. Within phase 5, sidewalks are included on one side of the private streets, but this is consistent with the current approved plans. Additionally, a sidewalk is proposed within the 84th Street public right-of-way.

f) **Protection of Natural Environment.**

The proposed amendments have no impact on the protection of open space and wetlands. Additional active park areas have been detailed in the proposal to provide added amenities for future residents.

g) **Schools.**

The addition of eight additional dwelling units will have a negligible impact on the public school system. The comprehensive sidewalk system will accommodate pedestrian travel within the neighborhood and allow the ability to connect to off-site locations.

h) **Public Facilities.**

The overall infrastructure and utility plan was assessed and accepted by the Township Board as part of past approvals. The proposed changes are not considered significant enough to impact Township services and infrastructure, nor are the changes anticipated to have a negative fiscal impact on the Township.

i) **Water, Sewer, and Drainage Systems.**

All public infrastructure must be approved by the Township Engineer and stormwater facilities must be approved by the Kent County Drain Commission. A detailed assessment will occur during individual phase reviews. No significant changes to the overall utility and stormwater management plans are proposed.

j) **Open Space.**

The proposed amendments will have no impact on the protection of open space and wetlands.

k) **Non-Motorized Trail Network.**

The PUD anticipates a connection to a future multi-use trail.

TOWNSHIP BOARD DECISION

The Township Board of Trustees has determined that the preceding findings support the major amendment to phases 3-5 of Cook's Crossing South within the Cook's Crossing/Cobblestone Corners PUD. The Township Board approves the major PUD amendment with the following condition: Secure all Township department and outside agency approvals, including:

1. Township Engineer/BGUA.
2. Fire Department.
3. Kent County Road Commission.
4. Kent County Drain Commission.

A motion was made to adopt this resolution by Township Board Member _____ and supported by Township Board Member _____, the roll call vote being as follows:

AYES: _____
NAYS: _____
ABSENT: _____

RESOLUTION DECLARED ADOPTED

CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Gaines Charter Township Board at a regular meeting held on _____, 2021.

Respectfully submitted,

Michael Brew, Clerk
Gaines Charter Township

Dated: _____, 2021

Resolution No. 21-____
Cook's Crossing/Cobblestone Corners PUD
_____, 2021

CHARTER TOWNSHIP OF GAINES COUNTY OF KENT, MICHIGAN

ORDINANCE NO.

The following Ordinance was offered and adopted by the Gaines Charter Township Board of Trustees at a regular meeting held on _____, 2021.

Members Present:

Member Absent:

The following Resolution was offered for adoption by member _____ and supported by member _____ to document the findings and approval of the Gaines Charter Township Board of Trustees regarding a request made by Signature Land Development to amend phases 3-5 of Cook's Crossing South within the Cook's Crossing/Cobblestone Corners PUD.

AN ORDINANCE TO AMEND COOK'S CROSSING/COBBLESTONE CORNERS PUD FOR SIGNATURE LAND DEVELOPMENT AT 1089, 1103, AND 1115 84TH STREET

THE CHARTER TOWNSHIP OF GAINES (the "Township") ORDAINS:

Section 1. Amendment. The Gaines Charter Township Board of Trustees approves a major amendment to phases 3-5 of Cook's Crossing South within the Cook's Crossing/Cobblestone Corners PUD. The approved plans are titled "Cook's Crossing/Cobblestone Corners P.U.D. Plan" and were prepared by Exxel Engineering and last revised December 21, 2020. The proposed amendments are itemized in a transmittal submitted by Signature Land Development dated December 21, 2020. The property subject to the major PUD amendment is located at 1089, 1103, and 1115 84th Street (parcel numbers 41-22-17-300-052; 41-22-17-300-053; and 41-22-17-300-056) and is described as follows:

Description of Cook's Crossing South Units S46-S113 and Cook's Crossing South Townhomes and Terrace Homes: (Dec. 2020)

Part of the SW 1/4, Section 17, T5N, R11W, Gaines Township, Kent County, Michigan, described as: Beginning at the South 1/4 corner of said Section 17; thence N89°41'29"W 1011.92 feet along the South line of said SW 1/4; thence N44°57'47"W 122.16 feet; thence N01°46'50"E 240.00 feet; thence N89°41'29"W 159.00 feet; thence N01°46'50"E 432.25 feet; thence N68°43'44"W 116.38 feet; thence N23°01'38"E 304.72 feet; thence N38°44'29"E 302.15 feet; thence S72°43'37"E 120.66 feet; thence S50°20'49"E 130.50 feet; thence S59°34'05"E 62.79 feet; thence S82°26'46"E 112.99 feet; thence N60°59'14"E 100.76 feet; thence S39°56'20"E 154.82 feet; thence S59°08'18"E 68.61 feet; thence

S71°40'35"E 146.96 feet; thence S37°36'04"E 61.22 feet; thence S26°08'00"E 122.34 feet; thence N79°45'05"E 191.99 feet to the N-S 1/4 line of Section 17; thence S00°44'32"W 881.91 feet along said N-S 1/4 line to the place of beginning.

Section 2. Findings. For the relevant findings of fact and details, please see Resolution No. 2021-____.

Section 3. Effective Date. This Ordinance shall become effective seven (7) days after a summary is published in a newspaper of general circulation within the Township.

The vote in favor of this Ordinance was as follows:

YEAS: _____

NAYS: _____

ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by the Township Board for Gaines Charter Township at the time, date, and place specified above pursuant to the required statutory procedures.

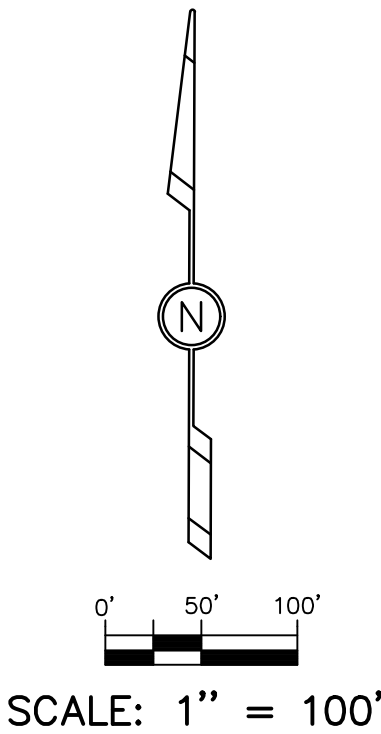
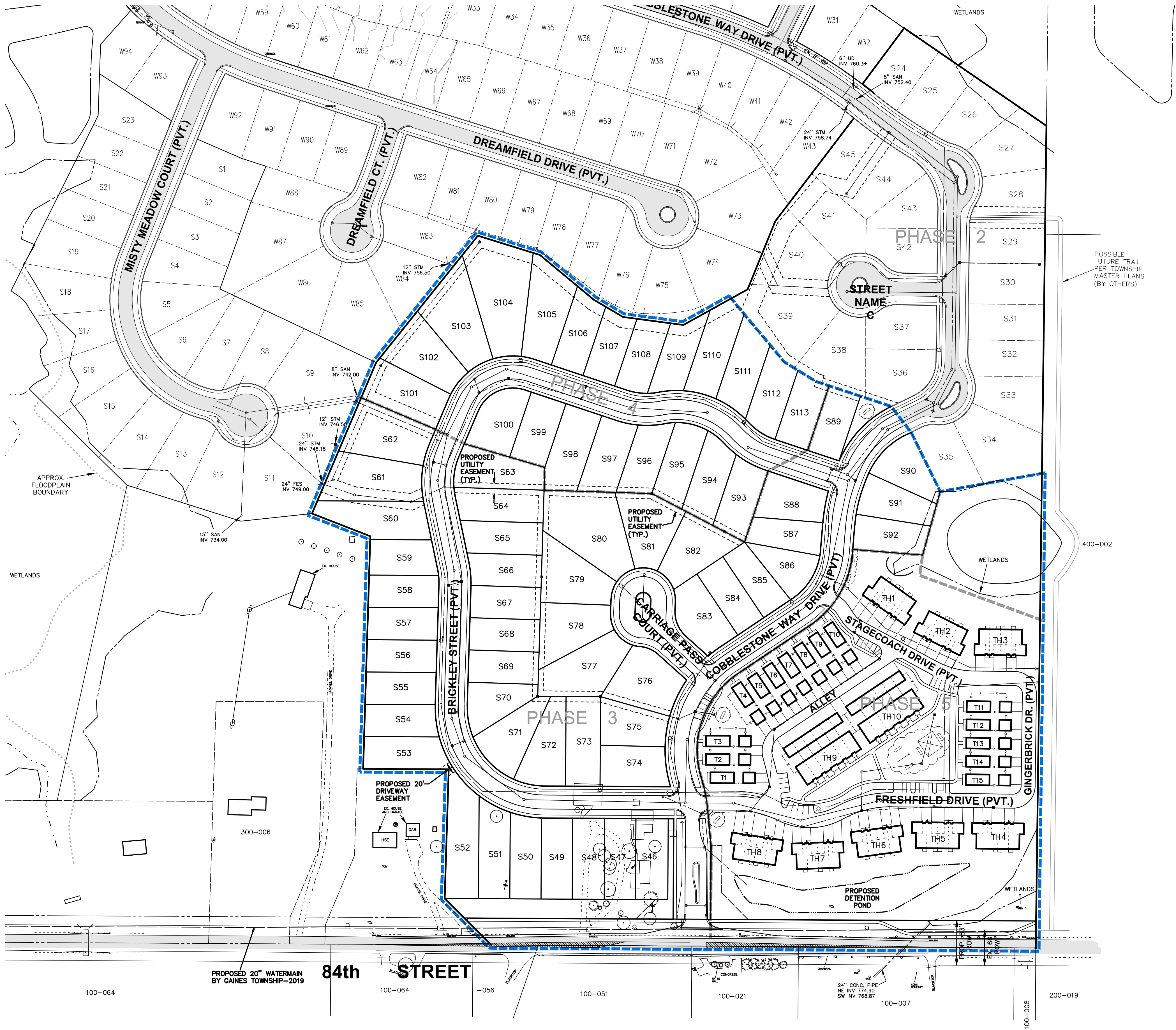
Respectfully submitted,

By _____

Michael Brew

Gaines Charter Township Clerk

P:\Projects\2020\01800\Drawings\201800-P-OVERALL-PUD.dwg, PUD-UTIL, 12/21/2020 2:07:24 PM, jroot



- PROPOSED UTILITIES LEGEND
- REPRESENTS PROPOSED 8" WATERMAIN (UNLESS NOTED OTHERWISE)
 - REPRESENTS PROPOSED 8" SAN SEWER
 - REPRESENTS PROPOSED STORM SEWER

**COOK'S CROSSING SOUTH
SCHEMATIC UTILITY PLAN**
For: **EASTBROOK HOMES (455-0200)**
ATTN: MIKE MCGRAW
1180 EAST PARIS AVENUE SE# SUITE 100
GRAND RAPIDS, MICHIGAN 49546
In: PART OF THE W 1/2 OF SECTION 17, T8N, R11W
GAINES TOWNSHIP, KENT COUNTY, MICHIGAN

REVISIONS:

12/21/20 REV. COOK'S CROSSING SOUTH	DRAWN BY: JDR	PROJ. ENG.: DDG
4/22/19 REVISED (JDR)	APPROVED BY: DDG	PROJ. SURV.: BMF
10/24/18 ADD PHASE LINES (JDR)	FILE NO.: 172116E	DATE: 9/27/2018



Gaines Charter Township

Board of Trustees Memo

Meeting Date: April 12, 2021

PROPOSED REQUEST: PUD Amendment and
Site Plan Approval

ADDRESS: 6658 East Paris Avenue, SE

PARCEL NUMBER: 41-22-01-300-032

APPLICANT: Vision Real Estate

FILE NUMBER: 200930RH

PROPERTY ZONING DISTRICT: PUD

PROPERTY SIZE: 9.5 acres

REPORT BY: Dan Wells, Community
Development Director; David Jirousek, AICP,
Planning Consultant



OVERVIEW

The Planning Commission conditionally approved a final PUD site plan for a multi-tenant industrial building and associated site development on January 28, 2021. However, the applicant requests direct driveway access to East Paris Avenue, which was not shown on the original OTP PUD plans. As such, the proposal must be processed as a major PUD amendment per Section 10.11 D of the Gaines Charter Township Zoning Ordinance.

The original preliminary PUD plan showed a 120,000 square foot building with access to Karona Court. The revised site plan proposes a 73,500 square foot building with three driveways- two to Karona Court and one to East Paris Avenue. The original OTP plan is shown below.

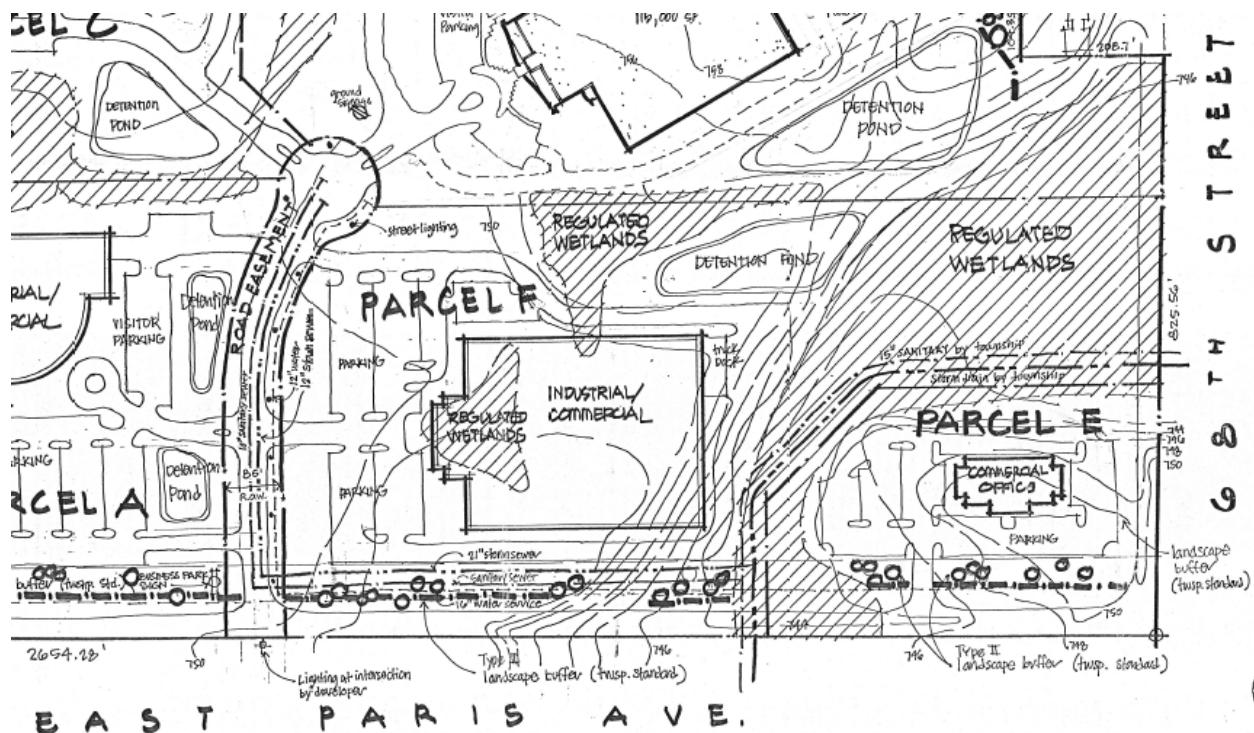


Figure 1 1995 PUD Plan

Surrounding zoning:

WEST: I-1	NORTH: PUD	
	SUBJECT PARCEL	EAST: PUD
	SOUTH: PUD-LSP	

PUD STANDARDS OF REVIEW

The major PUD amendment request has been reviewed using the applicable review standards of Section 11.1, Planned Unit Development - General Review Standards. Standards and findings are included in the proposed resolution concerning the major PUD amendment.

RECOMMENDATION

The Board approved setting this public hearing for April 12, and publication has been undertaken. The Board may consider approval or denial of the application. The Planning Commission recommended approval of the major PUD amendment.

**CHARTER TOWNSHIP OF GAINES
COUNTY OF KENT, MICHIGAN**

RESOLUTION NO. 2021-_____

The following Resolution was offered and adopted by the Gaines Charter Township Board of Trustees at a regular meeting held on _____, 2021, at the Gaines Charter Township Offices, 8555 Kalamazoo Avenue, Caledonia, Michigan.

Members Present:

Member Absent:

The following Resolution was offered for adoption by Member _____ and supported by Member _____ to document the findings and decision by the Gaines Charter Board of Trustees regarding a request made by Vision Real Estate Investment to amend the OTP Planned Unit Development (PUD) plan. The amendment will allow for direct driveway access to East Paris Avenue.

**OTP PUD MAJOR AMENDMENT FOR VISION REAL ESTATE
INVESTMENT FOR 6658 EAST PARIS AVENUE, SE**

Section I General Background:

1. The applicant, Vision Real Estate Investment, requested a major amendment to the OTP PUD to allow for a new driveway access to East Paris Avenue that was not included on the original PUD plan. The subject plans are titled "VREI EAST PARIS" and were prepared by Nederveld and last revised December 1, 2020.
2. The property subject to the major PUD amendment is located at 6658 East Paris Avenue (#41-22-01-300-032) and is described as follows:

PART SW 1/4 COM 2034.35 FT 90D 00M 00S W ALONG S SEC LINE FROM S 1/4 COR TH 90D 00M 00S W 281.56 FT TH N 00D 47M 18S W 490.0 FT TH N 45D 30M 00S W 80.0 FT TH N 65D 50M 00S W 170.0 FT TH N 80D 49M 46S W 127.48 FT TO A PT 636.0 FT N 00D 47M 18S W ALONG W SEC LINE FROM SW COR OF SEC TH N 00D 47M 18S W 407.24 FT TO SLY LINE OF KARONA CT /RELOCATED/ SD PT BEING 1610.98 FT S 00D 47M 18S E ALONG W SEC LINE FROM W 1/4 COR TH S 89D 01M 02S E ALONG SD SLY LINE 401.96 FT TH NELY ALONG SD SLY LINE TO A LINE BEARING N 0D 56M 13S W FROM BEG TH S 0D 56M 13S E TO BEG * SEC 1 T5N R11W 10.38 A.

Resolution No. 2021-_____
OTP PUD Major Amendment
Date

3. Planning Commission approved Resolution 21-01-28 PC on January 28, 2021, conditionally approving the plan last revised December 1, 2020, and recommending the major PUD amendment to the Township Board of Trustees.
4. The Township Board held a public hearing on the major PUD amendment on _____, 2021.

Section II Findings:

Based on the material and plans submitted, a review of the relevant portions of the Gaines Charter Township Zoning Ordinance ("the Zoning Ordinance"), the applicant's presentation at the public hearing, and Township Staff's recommendation, and other factors, the Township Board hereby adopts the following findings based on Section 11.1, Planned Unit Development General Review Standards:

1. Section 11.1 Planned Unit Development General Review Standards.

a) Consistency with Master Plan and Zoning Ordinances.

The subject property is located within the Dutton subarea and is subject to the recommendations and guidance of the 2008 Master Plan update for the Dutton and 100th Street subareas. The primary recommendation of the plan as it relates to the proposed PUD amendment concerns access management:

Goal 2: Improve traffic circulation, vehicle access and safety in the Dutton Subarea.

Policy: Consider access management to ensure safe and efficient traffic movements along 68th Street, Hanna Lake Avenue and East Paris Avenue.

The driveway is sufficiently separated from Korona Court and allows for alignment with a future development site to the west. The proposed driveway is considered to be consistent with the access management strategies outlined in the Master Plan.

b) Aesthetics.

This standard does not apply to the proposed major PUD amendment required for additional driveway access to East Paris Avenue.

c) Compatibility with Adjacent Uses.

This standard does not apply to the proposed major PUD amendment required for additional driveway access to East Paris Avenue.

d) Density.

This standard does not apply to the proposed major PUD amendment required for additional driveway access to East Paris Avenue.

e) Traffic.

While the driveway has been accepted in concept by the Kent County Road Commission, the driveway access will require formal approval.

f) **Protection of Natural Environment.**

The proposed driveway access to East Paris will have a negligible impact on the natural environment and the protection of open space.

g) **Schools.**

This standard does not apply to the proposed major PUD amendment required for additional driveway access to East Paris Avenue.

h) **Public Facilities.**

This standard does not apply to the proposed major PUD amendment required for additional driveway access to East Paris Avenue.

i) **Water, Sewer, and Drainage Systems.**

This standard does not apply to the proposed major PUD amendment required for additional driveway access to East Paris Avenue.

j) **Open Space.**

The proposed driveway access to East Paris will have a negligible impact on the natural environment and the protection of open space.

k) **Non-Motorized Trail Network.**

This standard does not apply to the proposed major PUD amendment required for additional driveway access to East Paris Avenue.

TOWNSHIP BOARD DECISION

Based on the above, the Township Board of Trustees hereby adopts Resolution No. 2021-____ and approves the proposed major amendment of the OTP PUD as represented by the PUD site Plan dated December 1, 2020.

The vote on the Motion to adopt this Resolution was as follows:

YEAS:

ABSENT:

NAYS:

RESOLUTION DECLARED ADOPTED

Resolution No. 2021-_____
OTP PUD Major Amendment
Date

CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Gaines Charter Township Board at a regular meeting held on _____, 2021.

Respectfully submitted,

Michael Brew, Clerk
Gaines Charter Township

Dated: _____, 2021

Resolution No. 2021-_____
OTP PUD Major Amendment
Date

**CHARTER TOWNSHIP OF GAINES
COUNTY OF KENT, MICHIGAN**

ORDINANCE NO.

The following Ordinance was offered and adopted by the Gaines Charter Township Board of Trustees at a regular meeting held on _____, 2021.

Members Present:

Member Absent:

The following Resolution was offered for adoption by member _____ and supported by member _____ to document the findings and approval of the Gaines Charter Township Board of Trustees regarding a request made by Vision Real Estate Investment to amend the OTP Planned Unit Development (PUD) plan. The amendment will allow for a secondary driveway access to East Paris Avenue.

**AN ORDINANCE TO AMEND THE OTP PUD FOR VISION REAL ESTATE
INVESTMENT FOR 6658 EAST PARIS AVENUE SE**

THE CHARTER TOWNSHIP OF GAINES (the "Township") ORDAINS:

Section 1. Amendment. The Gaines Charter Township Board of Trustees approves a major amendment to the OTP PUD to allow for a secondary driveway access to East Paris Avenue. The approved plans are titled "VREI EAST PARIS" and were prepared by Nederveld and last revised December 1, 2020. The property subject to the major PUD amendment is located at 6658 East Paris Avenue (#41-22-01-300-032) and is described as follows:

PART SW 1/4 COM 2034.35 FT 90D 00M 00S W ALONG S SEC LINE FROM S 1/4 COR TH 90D 00M 00S W 281.56 FT TH N 00D 47M 18S W 490.0 FT TH N 45D 30M 00S W 80.0 FT TH N 65D 50M 00S W 170.0 FT TH N 80D 49M 46S W 127.48 FT TO A PT 636.0 FT N 00D 47M 18S W ALONG W SEC LINE FROM SW COR OF SEC TH N 00D 47M 18S W 407.24 FT TO SLY LINE OF KARONA CT /RELOCATED/ SD PT BEING 1610.98 FT S 00D 47M 18S E ALONG W SEC LINE FROM W 1/4 COR TH S 89D 01M 02S E ALONG SD SLY LINE 401.96 FT TH NELY ALONG SD SLY LINE TO A LINE BEARING N 0D 56M 13S W FROM BEG TH S 0D 56M 13S E TO BEG * SEC 1 T5N R11W 10.38 A.

Section 2. Findings. For the relevant findings of fact and details, please see Resolution No. 2021-____.

Section 3. Effective Date. This Ordinance shall become effective seven (7) days after a summary is published in a newspaper of general circulation within the Township.

The vote in favor of this Ordinance was as follows:

YEAS:

NAYS:

ABSENT/ABSTAIN:

ORDINANCE DECLARED ADOPTED

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by the Township Board for Gaines Charter Township at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

By _____

Michael Brew

Gaines Charter Township Clerk

Memo

To: Gaines Charter Township Board of Trustees
From: Dan Wells, Community Development Director
Date: April 12th, 2021
Re: Industrial Facilities Tax Request for 6155 East Paris/Mobile Defender

Introduction

The Township has received an application from MD-3990, LLC (Mobile Defenders) for an Industrial Facilities Tax Exemption under Public Act 198, as amended (PA 198). The request is for a 12-year tax exemption that would abate local real property tax for 12 years and personal property tax for 6 years by 50%, and they intend to apply for an abatement from the State for an additional 6 mills of the State Education Tax. The first step in the process is for the Township Board to consider whether to establish an Industrial Development District for a new facility. If this is approved, the company would then be able to apply for a tax exemption certificate.



The applicant received site plan approval by the Planning Commission on December 17, 2020 for a proposed 89,430 square foot building and associated site improvements.

The proposed uses include general office space, electronic device servicing and warehousing. The estimated investment includes approximately \$5.1 million in construction and they plan to hire approximately 30 employees over the next five years with average salary of ca. \$50,000 annually.

Activities that the applicant intends to carry out on the site include:

- Harvesting parts (including microelectronics, semiconductors and electronic equipment) from damaged or inoperable equipment for use in device repair;
- Testing product specifications for accuracy (including electronic equipment and digital communication and imaging devices);
- Testing microelectronic components like proximity sensors, charge ports and camera modules to ensure performance;
- Measuring voltage and amperage for batteries and accessories;
- Utilizing magnification devices to find pixel imperfections and inconsistencies in device screens;
- Measuring product performance and specifications including screen brightness, color accuracy, screen thickness and viewing angle; and
- Studying wireless chargers and their effects on radio frequency and touch response in smart phone applications.

Based on these activities the applicant requests a determination that the property qualifies for an Industrial Development District as an “Industrial Property”, the primary purpose and use of which will be a “High Technology Activity”. The applicant works on consumer electronics (see Attachment 3).

As defined in Act 198;

Industrial property means land improvements, buildings, structures, and other real property, and machinery, equipment, furniture, and fixtures or any part or accessory whether completed or in the process of construction comprising an integrated whole, the primary purpose and use of which is the engaging in a high-technology activity, ... [the act goes on to list a number of qualifying activities].

High Technology Activity is defined in the Michigan Economic Growth Act (Act 24 of 1995) in MCL 207.803(m), and includes;

(iv) Electronic device technology, which is any technology that involves microelectronics, semiconductors, electronic equipment, and instrumentation, radio frequency, microwave, and millimeter electronics, and optical and optic-electrical devices, or data and digital communications and imaging devices.

Analysis

Township staff including the Assessor, Treasurer and Community Development Director have reviewed the application to determine conformance with PA 198 and the Gaines Charter Township PA 198 Property Tax Abatement Policy (Attachment 1). In addition, the application was reviewed by legal counsel for conformance with PA 198 (see that analysis, Attachment 2).

Per the Gaines Charter Township Policy;

1. Commencement of Process; Filing of Application; Definitions

They have filed form 1012, and a map of the proposed district with legal description as required.

2. Site Plan Approval before Considering Establishment of a District

The Mobile Defenders site plan for 6155 East Paris SE was reviewed and approved by the planning commission on December 17, 2020. As noted above, the approved site plan may be subject to a future amendment based on square footage changes.

3. Establishment and Boundary of a District;

The applicant has requested the district include the entire property, and a future certificate would apply to the specific building envelope.

4. Limit on Term of District

The applicant has requested a 12-year abatement per the policy outlined under #5.

5. Maximum Term of Tax Abatement

The policy states that the actual term of an IFT Certificate for an investment of \$1,000,000+ will be 12 years real property, 6 years personal property.

6. Minimum Amount of Investment

The minimum amount of investment under the policy is \$100,000 so they meet this requirement.

7. No Extension of Term

If granted the full 12-year term, no abatement term extensions could be granted.

8. No Speculative Buildings

As stated in the Application, the Company will be leasing only approximately 50% of the space, with the other 50% being leased to currently unknown third-party tenants. The applicant also states they intend to occupy the entire space in the future but does not provide a specific timeline for expansion (see Attachment 2).

Township Counsel has summarized the issues surrounding the vacant portions of the building;

The Company has provided two leases for the Company as tenant: one for 25,000 square feet – Suite A, and one for 12,500 square feet – Suite B, for a total of 37,500 square feet. The building will be approximately 89,430 square feet (and note that 50% would be 44,715 square feet). Recent case law requires that the tenant be obligated to pay the taxes for the property. There are First Amendments to the Leases dated January 29, 2021 that in fact require the Company, as tenant, to pay the taxes for the entire property, presumably even areas the Company does not lease. However, this does not address the question of whether the entire building is entitled to the exemption, even if the Company is obligated to pay the taxes for the entire building. This would not seem to comply with the requirement that the “primary purpose and use” of the building be the high-technology activity use.

9. Transfer of Certificates

The applicant may not transfer a certificate to a sublease if they lease space without Township approval.

10. Application Fee

A \$2,000 application fee has been paid. Based on the proposed investment amount they will

not likely meet the fee threshold of “(b) two percent (2%) of the total property taxes abated under Act 198 for the term of years that the IFT Certificate is in effect”.

11. Fee Affidavit

A fee affidavit must be attached to an application that states that no payment of any kind in excess of the fee allowed by Section 5(3) of Act 198 has been made or promised in exchange for favorable consideration of the application. This will be done after board consideration, if approved for a public hearing.

12. Agreement

The approval of an application shall be subject to the execution of a Tax Abatement Agreement between the Township and the operator of the facility outlining conditions and recourse to be upheld during the term of the IFT Certificate.

This will be drafted after board consideration, if approved.

13. Revocation of Certificate

This language will be included in the agreement.

14. Variances

The site plan was approved by the Planning Commission without need for zoning variances, but as noted above, may be subject to an amendment based on square footage changes.

15. Checklist of Procedures

Staff has provided the applicant with the checklist and they have followed the instructions and provided all the info listed on it.

16. Inconsistencies

None are anticipated.

17. Schedule of Hearings

Once the Township Board determines eligibility for the site, either the Supervisor or the Township Board may set a public hearing for consideration of the industrial development district and application for tax abatement.

Recommendations

Based on the analysis of staff and the township counsel, the Board of Trustees must determine whether the applicant meets the definition of a conducting a High Technology Activity on the property.

Also, the Board must determine whether parts of the building are speculative or not. Staff does not currently have information to determine whether future tenants will qualify for IFT benefits or not. Township counsel recommends that the Company provide legal support for its position that the entire building, even the portions not being leased to the Company, qualify for the exemption for the reason that the Company is responsible to pay the taxes for the entire building.

If the Board considers that the activities outlined by the applicant meet the definition of conducting a High Technology Activity, then the property may be considered an Industrial Property and eligible for

Industrial Development District designation.

If the Board determines that the applicant meets the definition that they conduct high technology activity, and the building isn't entirely speculative, they may set a public hearing for consideration to establish an industrial development district.



Dear Mr. DeWard,

Mobile Defenders is planning to expand into an approximately 92,785 square foot facility in Gaines Charter Township at 6155 East Paris SE, Caledonia, MI 49316. As part of the expansion, Mobile Defenders and its related entities will be making significant investments in real and personal property located in Gaines Charter Township.

MD-6155 LLC, a Michigan limited liability company, which is one of Mobile Defenders' real estate holding companies, has acquired the land for a purchase price of \$836,000. Upon closing the sale of Mobile Defenders' current location at 3990 44th Street SE, Kentwood, Michigan 49512, MD-6155 LLC will transfer the property to one of Mobile Defenders' holding companies, MD-3990, LLC, a Michigan limited liability company. The only reason for this multi-step real estate transfer is to preserve the benefits afforded by a 1031 exchange, in which MD-3990, LLC will reinvest any earnings realized from the sale of 3990 44th Street SE into the new facility located at 6155 East Paris SE.

As part of this expansion, MD-3990, LLC proposes to invest an additional \$5,165,458 to construct a new state-of-the-art industrial complex on the property at 6155 East Paris SE. MD-3990, LLC will then lease ~50% of the newly constructed facility to Mobile Defenders' operating company, MD II Holdings, LLC, a Delaware limited liability company. MD II Holdings, LLC is Mobile Defenders operating company that is responsible for the day-to-day business operations that make up Mobile Defenders' core business. The remaining 50% of the newly constructed facility will be leased to third-party tenants. Notwithstanding Mobile Defenders planned leasing of only 50% of the newly constructed facility, pursuant to its lease agreement, and as the operator of the newly constructed facility, MD II Holdings, LLC will be directly responsible for the payment of all real estate taxes and assessments levied against the property.

With this expansion, Mobile Defenders plans to hire approximately 30 employees over the next 5 years with average salaries of approximately \$50,000 per year. Mobile Defenders requests an industrial facilities tax exemption for MD II Holdings, LLC, to help offset the costs of Mobile Defenders' significant investment in Gaines Charter Township.

Since establishing an Industrial Development District (IDD) is the first step in the process of granting a possible industrial facilities tax exemption, Mobile Defenders requests that the Township create an IDD encompassing the real property located at

MOBILE DEFENDERS

3990 44th Street SE, Kentwood, MI 49512

w. www.mobiledefenders.com | **e.** sales@mobiledefenders.com | **p.** 616-551-2286



6155 East Paris SE, Caledonia, MI 49316. Enclosed with its application, Mobile Defenders has provided a copy of its construction proposal for the new facility, a copy of its site plan approval, and an addendum addressing its qualification for the industrial facilities tax exemption.

We look forward to working with Gaines Charter Township in connection with this proposed expansion of Mobile Defenders' facility, and we very much appreciate any support that the Township may offer to make this project possible. Should you have any questions, please feel free to contact me directly.

Sincerely,

Jordan Notenbaum
Jordan Notenbaum

CEO

MOBILE DEFENDERS

3990 44th Street SE, Kentwood, MI 49512

w. www.mobiledefenders.com | **e.** sales@mobiledefenders.com | **p.** 616-551-2286

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the completed application and the required attachments with the clerk of the local government unit. If you have any questions regarding the completion of this form, call 517-373-3302.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	▶ Date Received by Local Unit

STC Use Only	
▶ Application Number	▶ Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

▶ 1a. Company Name (Applicant must be the occupant/operator of the facility) MD II Holdings, LLC (Mobile Defenders)		▶ 1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 423690	
▶ 1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 6155 East Paris Ave SE, Caledonia, MI 49316		▶ 1d. City/Township/Village (indicate which) Gaines Charter Township	▶ 1e. County Kent
▶ 2. Type of Approval Requested ☒ New (Sec. 2(5)) ☐ Transfer ☐ Speculative Building (Sec. 3(8)) ☐ Rehabilitation (Sec. 3(6)) ☐ Research and Development (Sec. 2(10)) ☐ Increase/Amendment		▶ 3a. School District where facility is located Caledonia	▶ 3b. School Code 41050
4. Amount of years requested for exemption (1-12 Years) 12			
5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed. Please see attached addendum.			
6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.		▶ 5,165,458.00 Real Property Costs	
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total		▶ 159,000.00 Personal Property Costs	
6c. Total Project Costs * Round Costs to Nearest Dollar		▶ 5,324,458.00 Total of Real & Personal Costs	
7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.			
		Begin Date (M/D/Y)	End Date (M/D/Y)
Real Property Improvements	▶ 01/01/2021	12/31/2022	▶ ☐ Owned ☒ Leased
Personal Property Improvements	▶ 01/01/2021	12/31/2022	▶ ☒ Owned ☐ Leased
▶ 8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. ☐ Yes ☒ No			
▶ 9. No. of existing jobs at this facility that will be retained as a result of this project. 63		▶ 10. No. of new jobs at this facility expected to create within 2 years of completion. 18	
11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation. a. TV of Real Property (excluding land) b. TV of Personal Property (excluding inventory) c. Total TV			
▶ 12a. Check the type of District the facility is located in: ☒ Industrial Development District ☐ Plant Rehabilitation District			
▶ 12b. Date district was established by local government unit (contact local unit)		▶ 12c. Is this application for a speculative building (Sec. 3(8))? ☐ Yes ☒ No	

APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Jordan Notenbaum	13b. Telephone Number (616) 885-2656	13c. Fax Number	13d. E-mail Address jordan@mobiledefenders.com
14a. Name of Contact Person Jordan Notenbaum	14b. Telephone Number (616) 885-2656	14c. Fax Number	14d. E-mail Address jordan@mobiledefenders.com
▶ 15a. Name of Company Officer (No Authorized Agents) Jordan Notenbaum			
15b. Signature of Company Officer (No Authorized Agents) <i>Jordan Notenbaum</i>		15c. Fax Number	15d. Date
15e. Mailing Address (Street, City, State, ZIP Code) 3990 44th St SE, Kentwood, MI 49512		15f. Telephone Number (616) 885-2656	15g. E-mail Address

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit ☐ Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion ☐ Yes ☐ No ☐ Denied (Include Resolution Denying)		16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable ☐ 1. Original Application plus attachments, and one complete copy ☐ 2. Resolution establishing district ☐ 3. Resolution approving/denying application. ☐ 4. Letter of Agreement (Signed by local unit and applicant) ☐ 5. Affidavit of Fees (Signed by local unit and applicant) ☐ 6. Building Permit for real improvements if project has already begun ☐ 7. Equipment List with dates of beginning of installation ☐ 8. Form 3222 (if applicable) ☐ 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable ☐ 1. Notice to the public prior to hearing establishing a district. ☐ 2. Notice to taxing authorities of opportunity for a hearing. ☐ 3. List of taxing authorities notified for district and application action. ☐ 4. Lease Agreement showing applicants tax liability.		
16c. School Code		
17. Name of Local Government Body		▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

For faster service, email the completed application and additional required documentation to PTE@michigan.gov.

An additional submission option is to mail the completed application and required documents to:

**Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909**

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

Instruction for Completing Form 1012, *Industrial Facilities Tax Exemption (IFT) Application*

The completed original application form 1012 and all required attachments, **MUST** be filed with the clerk of the local unit of government where the facility is or will be located. Complete applications must be received by the State Tax Commission by October 31 to ensure processing and certification for the following tax year. Applications received after the October 31 deadline will be processed as expeditiously as possible.

Please note that attachments listed on the application in number 16a are to be retained by the local unit of government, and attachments listed in number 16b are to be included with the application when forwarding to the State Tax Commission (STC).

(Before commencement of a project the local unit of government must establish a district, or the applicant must request in writing a district be established, in order to qualify for an IFT abatement. Applications and attachments must be received by the local unit of government **within six months of commencement of project.**)

The following information is required on separate documents attached to form 1012 by the applicant and provided to the local unit of government (city, township or village). (Providing an accurate school district where the facility is located is vital.):

1. Legal description of the real property on which the facility is or will be located. Also provide property identification number if available.
2. Personal Property Requirements: Complete list of new machinery, equipment, furniture and fixtures which will be used in the facility. The list should include description, **beginning date of installation** or expected installation by **month/day/year**, and costs or expected costs (see sample). Detail listing of machinery and equipment **must match amount shown** on question 6b of the application. Personal property applications must have attached a certified statement/affidavit as proof of the beginning date of installation (see sample).
3. Real Property Requirements: Proof of date the construction started (groundbreaking). Applicant must include one of the following if the project has already begun; building permit, footings inspection report, or certified statement/affidavit from contractor indicating exact date of commencement.
4. Complete copy of lease agreement as executed, if applicable, verifying lessee (applicant) has direct ad

valorem real and/or personal property tax liability.

The applicant must have real and/or personal property tax liability to qualify for an IFT abatement on leased property. If applying for a real property tax exemption on leased property, the lease must run the full length of time the abatement is granted by the local unit of government. Tax liability for leased property should be determined before sending to the STC.

The following information is required of the local unit of government: [Please note that only items 2, 4, 5, 6, & 7 below are forwarded to the State Tax Commission with the application, along with items 2 & 3 from above. The original is required by the STC. The remaining items are to be retained at the local unit of government for future reference. **(The local unit must verify that the school district listed on all IFT applications is correct.)**]

1. A copy of the notice to the general public and the certified notice to the property owners concerning the establishment of the district.
2. **Certified copy of the resolution establishing the Industrial Development District (IDD) or Plant Rehabilitation District (PRD), which includes a legal description of the district (see sample). If the district was not established prior to the commencement of construction, the local unit shall include a certified copy or date stamped copy of the written request to establish the district.**
3. Copy of the notice and the certified letters to the taxing authorities regarding the hearing to approve the application.
4. **Certified copy of the resolution approving the application. The resolution must include the number of years the local unit is granting the abatement and the statement “the granting of the Industrial Facilities Exemption Certificate shall not have the effect of substantially impeding the operation of (governmental unit), or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in (governmental unit – see sample).**
5. **Letter of Agreement (signed by the local unit of government and the applicant per P.A. 334 of 1993 (see sample)).**
6. **Affidavit of Fees (signed by the local unit of government and the applicant), (Bulletin 3, January 16, 1998). This statement may be**

incorporated into the Letter of Agreement (see sample).

7. Treasury Form 3222 (if applicable - *Fiscal Statement for Tax Abatement Request.*)

The following information is required for rehabilitation applications in addition to the above requirements:

1. A listing of existing machinery, equipment, furniture and fixtures which will be replaced or renovated. This listing should include description, beginning date of installation or expected installation by month/day/year, and costs or expected costs.
2. A rehabilitation application must include a statement from the Assessor showing the taxable valuation of the plant rehabilitation district, separately stated for real property (EXCLUDING LAND) and personal property. Attach a statement from the assessor indicating the obsolescence of the property being rehabilitated.

The following information is required for speculative building applications in addition to the above requirements:

1. A certified copy of the resolution to establish a speculative building.
2. A statement of non-occupancy from the owner and the assessor.

Please refer to the following Web site for P.A. 198 of 1974: **www.legislature.mi.gov/**. For more information and Frequently Asked Questions, visit **www.michigan.gov/propertytaxexemptions**.



Supplemental Addendum to Application for Industrial Facilities

Exemption Certificate Application (Form 1012)

Background

Mobile Defenders (MD) was founded in 2013 by local Grand Valley State University business students, and MD is a supplier and service provider that tests, refurbishes, recycles and distributes mobile device replacement parts for phones, tablets, laptops and Chromebooks utilized by phone repair stores and K-12 schools. In connection with its day-to-day operations, MD performs several value-add services related to its high-technology activities. These services include:

- Disassembly of Chromebooks for harvesting of parts from damaged or inoperable equipment so that working parts may be reused;
- Disassembly of newly-released technology to record and plan for the most up-to-date technology;
- Recycling broken smartphone screens for refurbishment through a Broken Screen Buyback Program;
- Recycling batteries used in mobile technology products;
- Testing microelectronic components for optimal performance, including proximity sensors, charge ports and camera modules;
- Testing product specifications including screen brightness, color accuracy, screen thickness and viewing angle;
- Testing screen replacement parts to find pixel imperfections and inconsistencies in device systems;
- Measuring voltage and amperage for batteries and accessories; and
- Studying wireless chargers and their effects on radio frequency and touch response in smart phone applications.

MD's business centers on the reuse and recycling of existing technology products. MD works to provide its retail partners and K-12 schools with high-quality replacement parts in an effort to keep devices in use rather than in landfills. To accomplish this goal, MD uses several technology-specific tools, instruments and software applications to improve the performance and specifications of the component parts sold by MD. MD continuously tests device components and replacement parts for phones, tablets, laptops and Chromebooks in order to fine-tune these parts and to increase their performance and longevity. Such improvements include adjusting performance and specifications affecting screen brightness, color accuracy and touch functionality.

MD recently signed a contract with Apple, Inc. which will increase the company's OEM volume considerably. MD is also an authorized distributor for Motorola, LG, OnePlus, Lenovo, and Google. These OEM parts manufacturers ship "raw parts" to MD directly from the factories, and MD then takes these parts and "kits" them into a usable product. By way of example, a replacement OLED screen may come in a bulk tray directly from the manufacturer. MD then takes the trays, adds

MOBILE DEFENDERS

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w. www.mobiledefenders.com | **e.** sales@mobiledefenders.com | **p.** 616-551-2286



additional parts and consumables, adds barcodes and labels and packages these materials to prepare a “kit” that can then be used by a repair technician to repair a smartphone device.

In addition to its standard parts business, MD’s new division (eduPARTS) focuses on the teardown, parts harvesting, and resale of OEM parts for K-12 students using Chromebooks and other laptops. MD aims to stay at the forefront of electronic technology by continuously testing and developing its product knowledge to provide optimal device performance post-repair. The core of MD’s mission is to keep technology operating as long as possible in order to reduce the environmental burden placed on the planet by continuously evolving technology.

MD’s expansion into the new facility at 6155 East Paris Ave. SE is a critical step in meeting these goals, as it will allow MD to grow its new eduPARTS program and provide increased parts harvesting and recycling and provide for an area in which MD plans to expand its in-house refurbishing of Chromebooks used in the education sector.

Expansion into 6155 East Paris Ave SE

The MD group plans to invest over \$6 million (including the cost of the vacant land) into the construction of an approximately 92,785 square foot industrial complex located at 6155 East Paris Ave SE. The requested industrial facilities tax exemption will be critical to the company’s ability to fund this extensive expansion project. MD’s investment in the property at 6155 East Paris Ave SE will have a positive economic impact on Gaines Charter Township because it will allow MD to grow and hire approximately 30 employees over the next 5 years with average salaries of approximately \$50,000 per year.

MD’s business fits within the definition of a “High-Technology Activity” used for purposes of determining whether a property is an “Industrial Property” qualifying for the industrial facilities tax exemption. See *MCL 207.552(7)*. The Michigan Economic Growth Act defines “High-Technology Activity” in part as “Electronic device technology, which is any technology that involves microelectronics, semiconductors, electronic equipment, and instrumentation, radio frequency, microwave and millimeter electronics, and optical and optic-electric devices, or data and digital communications and imaging devices.” *MCL 207.803(m)(iv)*.

As summarized above, the core of MD’s business revolves around a “high-technology activity.” MD’s business relies on its assembly, testing, harvesting, refurbishing and recycling of several electronic devices and components that fit squarely within Michigan Economic Growth Act’s definition of “High-Technology Activity.” For these reasons, MD qualifies for the industrial facilities tax exemption and requests that Gaines Charter Township create the requisite Industrial Development District and approve MD’s application for the IFT certificate.

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Equipment and Fixtures

Equipment that will be part of the new facility includes the following items: conveyor belt system, Hi-Lo's & electronic pallet jacks, packaging machines, warehouse shelving, furniture, mobile devices, printers, technician teardown stations, and refurbishment machinery, which is listed on the following page.

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Schedule of Machinery, equipment, furniture and fixtures

	Date of Installation	Cost
Conveyor Belt System	11/1/2021 (proposed)	\$50,000
Hi-Lo	7/1/2018	\$20,000
Electric Pallet Jacks	11/1/2021 (proposed)	\$12,000
Voidfill Dispensing Machines	11/1/2019	\$12,000
Warehouse shelving	11/1/2021 (proposed)	\$10,000
Furniture	11/1/2021 (proposed)	\$20,000
Mobile devices (for testing)	1/1/2020	\$5,000
Label Printers	1/1/2020	\$8,000
Teardown Stations	1/1/2020	\$12,000
Refurbishment Machines	11/1/2021 (proposed)	\$10,000
Totals		\$159,000

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October 7th, 2020

Jordan Notenbaum
Garry VonMyhr
Steve Barnes
Mobile Defenders
3990 44th St. SE
Kentwood, MI 49512



RE: Industrial Spec Building for Mobile Defenders

Dear Jordan, Garry and Steve,

We are pleased to provide you with the following budget costs for the design and construction of a new Industrial Spec Building to be located on East Paris Ave in Gaines Township, MI. The budget is based on the following bid documents and scope of work:

Bid Documents

1. Site plan provided by AJV dated: 10/7/2020

Assumptions

1. a.j. Veneklasen, Inc. will be the general contractor
2. Bills will be submitted on the 29th of the month, with payment due on or before the 10th of the following month
3. The local governing authority will approve the proposed site and building plans
4. There are no unknown underground or above ground obstructions to interfere with construction
5. The soil bearing capacity of the site will be at least 3,000 psf at 12" below grade
6. This budget has been established under the assumption that no dewatering will be needed for the site and construction process. If dewatering should be required, this would be handled on a Time and Material basis
7. Temporary heat and excessive snow removal (if needed) to be completed on a time and materials basis
8. No unsuitable soils existing within the proposed building area
9. Skylights will not be required due to the proposed lighting level
10. All construction to be completed during normal working hours

Administration

1. Compliance with all federal, state, and local applicable codes and ordinances
2. All freight and sales taxes for items "included" herein
3. Guarantee of all labor and material for one full year after substantial completion, or other product guarantees if regularly greater
4. Project Management and Supervision as required
5. Temporary Services – jobsite office, computer, telephone, dumpsters, and sanitary services required for construction are provided by a.j. Veneklasen, Inc.
6. All additional work requested by owner will be estimated in advance if possible, approved as a written Change Order and completed in accordance with the contract terms
7. Construction access and staging areas will be provided as required by the Owner
8. Builder's Risk Insurance provided by a.j. Veneklasen, Inc.
9. Building permit and associated fees provided by a.j. Veneklasen, Inc.

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Architectural, Structural, and Civil Engineering

1. Provide architectural, structural, and civil design development and sealed construction documents for permitting and construction

Material Testing

1. Testing as required by code including soil compaction, concrete construction, masonry construction, and steel construction

Surveying & Staking

1. Provide accurate layout of exterior building corners for building addition, including placement of offset witness irons and finish floor elevation
2. Provide staking for storm sewer
3. Final grade stakes for curbs, concrete and blacktop surfaces

Excavating

1. Provide and install soil erosion and sediment control measures
2. Strip existing topsoil and stock pile onsite for future use, excess soils to be exported from the site
3. Balance site
4. Dig and backfill footings and piers
5. Excavate stormwater detention basin
6. Import 12" of sand for building
7. Parking lot storm water system
8. Provide and install new storm piping for roof drain and trench drain connections
9. Provide and install new fire hydrants as needed
10. Connect to the existing 8" fire protection line
11. Provide and install 6" of 22A gravel in parking lot for standard duty
12. Provide and install 8" of 22A gravel in parking for heavy duty
13. Re-spread existing topsoil as needed for landscaping up to 6" thick

Asphalt

1. Fine grade and compact aggregate base
2. Provide and compact 3" thick asphalt in standard duty areas (car parking)
3. Provide and compact 4" thick asphalt in heavy duty areas (drives and truck traffic)
4. Layout and stripe

Fencing

1. Provide and install one (1) set of metal chain link fence gates with privacy slats for new dumpster enclosure

Landscaping and Irrigation

1. Provide and install seeding, edging, plantings and trees required by Gaines Township
2. Provide and install irrigation system and required sleeving



Concrete

1. Provide and pour concrete footings and reinforcing
2. Provide and pour footings pads and piers
3. Provide and pour 8" x 3' frost walls at an elevation of 99'-4"
4. Provide and install 2" perimeter foundation insulation
5. Provide and pour truck dock retaining walls
6. Provide and pour six (6) dock leveler pits
7. Form and pour 6" concrete floors
8. Provide and install 10 mil vapor barrier
9. Saw cut control joints and expansion joints
10. Apply one (1) coat of seal hard sealer
11. Form and pour approximately curb and gutter at entrance
12. Form and pour 6" thick truck dock slabs and dumpster pad reinforced with 2.9 welded wire mesh
13. Form and pour 6" thick concrete aprons outside five (5) overhead doors
14. Provide and pour 4" turn down edge sidewalks reinforced with welded wire mesh along building's south side
15. Set and concrete fill bump posts
16. Form, pour, and set trench drain at the loading docks

Masonry

1. Provide and install standard 8" masonry block up to 8' high for one (1) 3-sided 12'x12' dumpster enclosure

Miscellaneous Steel

1. Supply 6" diameter by 7' long prime painted pipe bollards at overhead doors
2. Supply two (2) 4" diameter by 7' long prime painted pipe bollards at backside of dumpster enclosure
3. Provide and install galvanized 2-line truck dock guardrails
4. Provide and install new galvanized canopy structures at the new south entrances
5. Supply trench grate covers and angle frames for trench drains at loading docks

Pre-Engineered Metal Building

1. Provide and erect a pre-engineered building (manufactured by VP Buildings)
2. Building designed per 2015 International Building Code, 35# ground snow load, 5 psf collateral load, 115MPH wind load, and a wind exposure category "C", standard occupancy structure
3. Main frames are continuous beam frames with a +/- 50'x55.5' Column Grid
4. Roof is gabled with a 0.250:12 pitch
5. Roof system is 24 gage, SSR roof, 24" wide with 3" tall ribs. Roof insulation system is based on an R-Value of R-32.9
6. Wall system is Insulated Metal Panel siding with concealed fasteners installed over framing with KXL finish and 25-year finish warranty.
7. Provide and install temporary fall protection as required
8. Provide and install all necessary flashing and trims
9. Supply anchor bolts
10. Provide and install gutters and downspouts turned inside



Thermal & Moisture Protection

1. Caulk exterior hollow metal frames
2. Caulk overhead door jambs
3. Caulk precast sill joints
4. Caulk exterior aluminum window and door frames

Doors & Windows

1. Aluminum, Glass & Glazing
 - a. Provide and install three (3) aluminum entries on the south side of the addition
 - b. Doors to be standard narrow stile design with 10" A.D.A. bottom rail
 - c. Provide and install factory standard hardware package (MS deadbolt lock with thumb turn, hinges, push/pull, and closer)
 - d. Entry doors to have 2"x 4-1/2" thermal aluminum storefront entrance/sidelight framing
 - e. Entry doors to have standard clear anodized aluminum finish with 1" standard tinted low-e insulated glass
 - f. Provide and install aluminum windows with standard tint low-e glass
2. Hollow Metal
 - a. Provide and install welded hollow metal frames and flush hollow metal doors
 - b. Provide and install heavy duty door hardware
3. Overhead Doors
 - a. Provide and install 14'-2" x 14'-0" 2" thick 24 ga. steel insulated overhead doors including:
 - 2" reverse angle mounted track
 - 96" high lift
 - Torsion spring
 - Extended solid shaft
 - Perimeter weather seals
 - Electric Operator
 - b. Provide and install 8'-2" x 9'-0" 2" thick 24 ga. steel insulated overhead doors (for docks) including:
 - 2" reverse angle mounted track
 - Full vertical lift
 - Torsion springs
 - Perimeter weather seals
 - Manual Operation

Painting

1. Paint hollow metal doors and frames
2. Paint pipe bollards
3. Paint new steel awnings at the front entries on the west side of the addition
4. Staining of the dumpster enclosure block walls to match the building

Specialties

1. Provide and install fire extinguishers per code

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Dock Equipment

1. Provide and install 6'x6'x19" mechanical dock levelers
2. Provide and install 12"x13"x4" projection molded bumpers
3. Provide and install 8 piece curb angle for dock levelers
4. Provide and install 8'x9' non-tapered dock seals, 10" projection with 40 oz vinyl 8" wear pleats for the dock doors

Fire Protection

1. Fire protection to be design/build and is to include a complete engineered design
2. Provide and install new fire riser
3. The riser shall consist of control valve, main drain, water guage and water flow switch
4. An electric horn/strobe will be provided for local alarm
5. New system will be an ESFR system designed per NFPA 13
6. All area will have exposed piping with brass pendent sprinklers
7. Assumes sufficient water pressure at street (no fire pump included)

Plumbing

1. Plumbing to be design/build and is to include a complete engineered design
2. Connect to existing sanitary stub and extend PVC drain line through the building near the south wall
3. Provide and install five (5) 4" sanitary stubs for future sewer connections
4. Provide and install five (5) 24" x 24" interior precast catch basin with a cast iron ring and grate at overhead door locations and tie into sanitary line
5. Provide and install overhead water line along south wall
6. Provide and install foam pipe insulation on all overhead domestic water lines
7. Provide and install five (5) 1" valves for future water connections
8. Provide and install new underground storm lines for roof water runoff
9. Backfill and compact underground plumbing with existing soils

HVAC

1. HVAC to be design/build and is to include a complete engineered design
2. Provide and install unit heaters per code vented through the roof and piped independently for each proposed lease space
3. Provide and install circulation fans as required per code
4. Provide and install exhaust fans/fresh air hoods for ventilation requirements as required per code
5. Provide and install angle iron structures for unit heater support
6. Provide and install gas piping
7. Provide and install electronic thermostats and low voltage control wiring

Electrical

1. Electrical to be design/build and is to include a complete engineered design
2. Provide and install one (1) 200 am 480/277V Nema 3R house panel
3. Provide and install five (5) 400 amp 480/277V Nema 3R 3 phase disconnects
4. Provide and install five (5) 400 amp 480/277V 3 phase distribution panels
5. Provide and install five (5) 75 KVA transformers
6. Provide and install five (5) 200 amp 208/120 V 3 phase panels
7. Provide and install LED high bay light fixtures
8. **Note:** lighting ASHRAE 2013 compliant
9. Provide and install emergency lighting at exits per code



Electrical cont'd

10. Provide and install ten (10) exterior LED wall packs with photo cell controls
11. Provide and install three (3) light poles and concrete bases, poles to be 25' high with LED heads to cover the parking lot on the south side of the building
12. Provide and install general purpose 120v duplex receptacles on all columns
13. Provide and install 120v power connection to overhead door operators
14. Provide and install 120v power connections to mechanical equipment
15. Exit and emergency egress lighting as required by code
16. Provide conduit chases for five (5) future wall mounted signs
17. Provide and install one (1) Honeywell P2R horn strobe and make connections to new sprinkler valve tamper switch and water flow switch for sprinkler monitoring system
18. **Note:** Low voltage wiring and security wiring is **by Others**

Total Budget Costs... \$4,391,840.00

Alternates

1. Provide and install one (1) 167' long demising wall constructed of 6" metal stud framing and 1-layer of drywall each side, **please add...** **\$45,000.00**

Development Summary Breakdown (for your pro-forma use only):

- Building Size: 89,850 sq. ft.
- Building Cost: \$4,390,037 (\$48.86 / sq. ft.)
- T.I. Allowances (not in bld. cost): \$381,863 (5% @ \$85/sq. ft.)
- Signage and Demising walls: \$145,000
- Land Cost (est.): \$800,000
- Development Costs:
 - Construction Interest \$58,249
 - Commissions \$123,809
 - Legal \$25,000
 - Bank Fees \$12,500
 - Appraisal & Phase 1 (revise existing) \$9,000
 - Misc. Closing Fees \$20,000
- Total project: \$5,965,458
- Required Equity (20%): \$1,193,092
- Loan Value: \$4,772,366
- Expected Bank Terms (approx.): 3.25%, 25 yr. Am.
- Pro-Forma Rent: \$6.00 (M.D.) & \$6.50 (spec)/ sq. ft.
- Approx. Return (with 4% vacancy factor): 21.5% on cash, 27.7% IRR
- Due Diligence Duration: 2 months
- Construction Duration: 7-8 months

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Construction Budget Breakdown:

• General Requirements:	\$430,681
• Sitework:	\$700,780
• Concrete:	\$697,000
• Masonry:	\$9,000
• Conventional Steel:	\$61,030
• Thermal Protection:	\$6,650
• Doors and Windows:	\$83,000
• Finishes:	\$6,630
• Specialties:	\$1,450
• Equipment:	\$80,000
• Mechanical:	\$368,242
• Electrical:	\$205,000
• Steel:	\$1,442,896
• Carpentry:	\$42,600
• Builder OH&P (6%)	\$248,493

Thank you for the opportunity to pursue your project. By effectively coordinating the efforts of qualified professionals throughout the process, our VeneBuilt Services method of delivery generally results in significant savings of time, money and provides you with a single source of contact and accountability for project planning. Our process is timely, cost-efficient, and goal-oriented. During every phase of the project, we continually seek opportunities for cost reduction, schedule improvement, and innovative design solutions.

We look forward to working with you on the project.

Sincerely,

a.j. Veneklasen, Inc.

A handwritten signature in black ink, appearing to read "Chris Veneklasen".

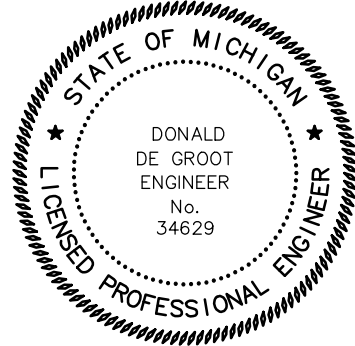
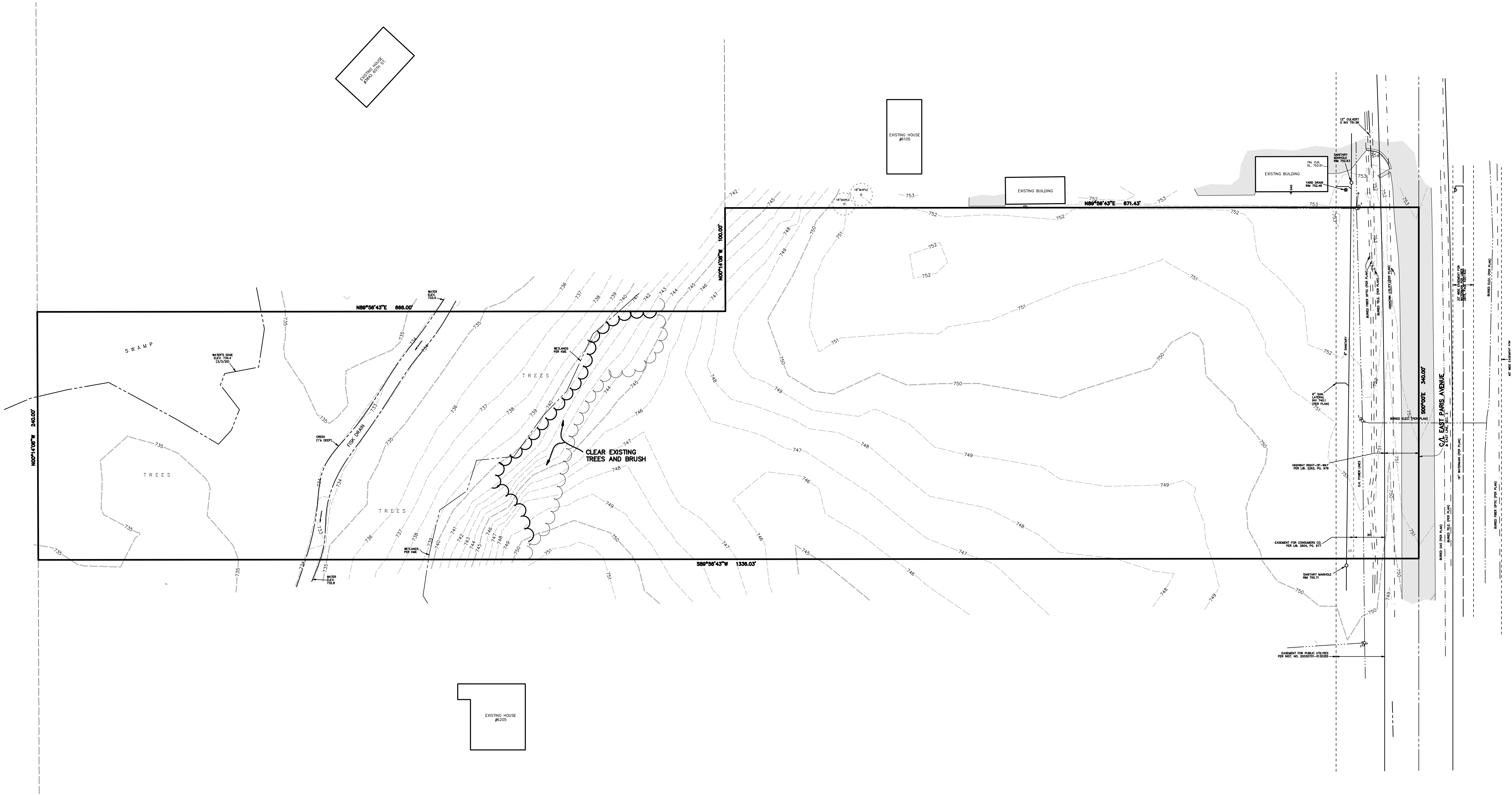
Chris Veneklasen
a.j. Veneklasen, Inc.

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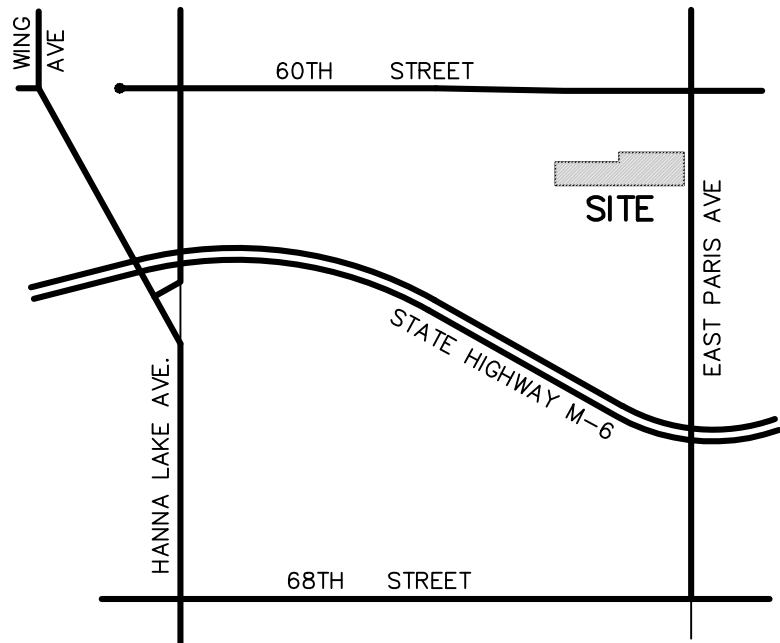


BENCHMARK ELEV. 754.07 (NAVD88)
TOP OF SE FLANGE BOLT ON HYDRANT, 35'
EAST OF C/L EAST PARIS AVENUE, 50'±
SOUTH OF C/L DRIVE TO HOUSE #6141
(630'± SOUTH OF C/L 60TH STREET)

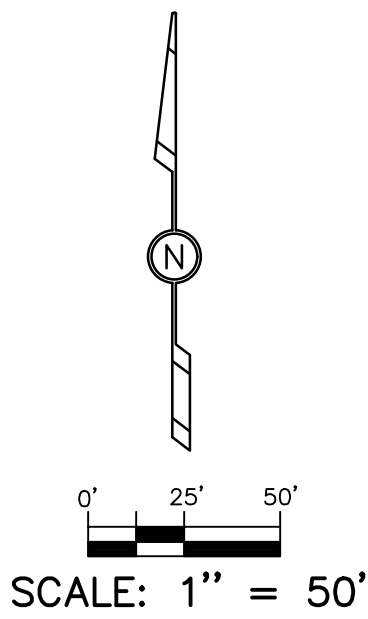
DESCRIPTION per Bell Title Commitment No. 20207247-HA:
THAT PART OF THE EAST 1/2, NE 1/4, OF SECTION 2, T5N R11W, DESCRIBED AS: BEGINNING AT A
POINT ON THE EAST LINE OF SAID NE 1/4, WHICH IS S 00 DEGREES 00' 00"E 650.00 FEET FROM THE NE
CORNER OF SAID SECTION; THENCE S 00 DEGREES 00' E 340.0 FEET; THENCE S 89 DEGREES 56' 43"W
1336.03 FEET TO THE WEST LINE OF THE E 1/2, NE 1/4; THENCE N 00 DEGREES 14' 08"W 240.0 FEET
ALONG SAID WEST LINE; THENCE N 89 DEGREES 56' 43"E 666.0 FEET; THENCE N 00 DEGREES 14' 08"W
100.0 FEET; THENCE N 89 DEGREES 56' 43"E 671.43 FEET TO THE PLACE OF BEGINNING.



Know what's below.
Call before you dig.



LOCATION MAP



LEGEND

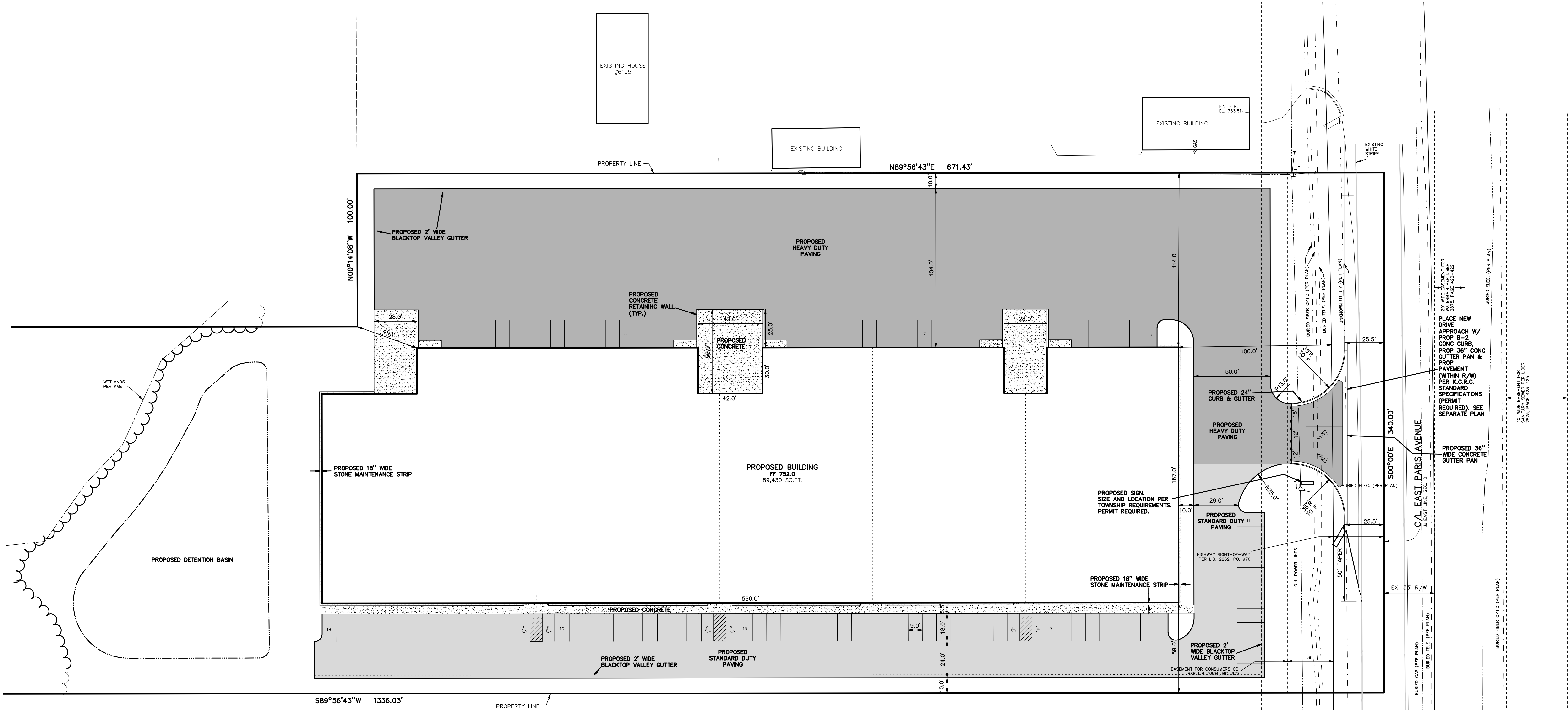
- UTILITY POLE & GUY WIRE
- HYDRANT
- CATCH BASIN
- MANHOLE
- TELEPHONE BOX
- BURIED FIBER OPTIC MARKER
- BURIED GAS LINE MARKER
- BURIED TELEPHONE MARKER
- BURIED SANITARY MARKER
- OVERHEAD WIRES

EXISTING CONDITIONS AND DEMOLITION PLAN
6155 EAST PARIS AVENUE

FOR: AJ VENEKLASSEN
ATTN: CHRIS VENEKLASSEN
5000 KENDRICK CT. SE
GRAND RAPIDS, MI 49512
PART OF THE NE 1/4, SECTION 2, T5N, R11W, GAINES TOWNSHIP, KENT COUNTY, MICHIGAN

				 exxel engineering, inc. planners • engineers • surveyors 5252 Clyde Park, S.W. • Grand Rapids, MI 49509 Phone: (616) 531-3660 www.exxelengineering.com
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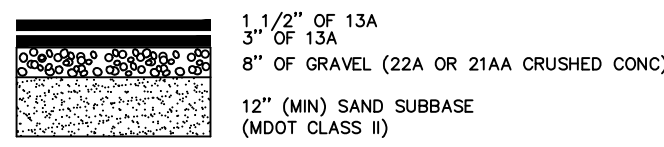
BENCHMARK ELEV. 754.07 (NAVD88)
TOP OF SE FLANGE BOLT ON HYDRANT, 35'
EAST OF C/L EAST PARIS AVENUE, 50'±
SOUTH OF C/L DRIVE TO HOUSE #6141
(630'± SOUTH OF C/L 60TH STREET)



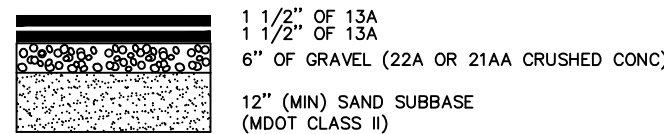
GENERAL NOTES :

- DESCRIPTION per Bell Title Commitment No. 20207247-HA:
THAT PART OF THE EAST 1/2, NE 1/4, OF SECTION 2, T5N R11W, DESCRIBED AS: BEGINNING AT A POINT ON THE EAST LINE OF SAID NE 1/4, WHICH IS S 00 DEGREES 00' 00" E 650.00 FEET FROM THE NE CORNER OF SAID SECTION; THENCE S 00 DEGREES 00' E 340.0 FEET; THENCE S 89 DEGREES 56' 43" W 1336.03 FEET TO THE WEST LINE OF THE E 1/2, NE 1/4; THENCE N 00 DEGREES 14' 08" W 240.0 FEET ALONG SAID WEST LINE; THENCE N 89 DEGREES 56' 43" E 666.0 FEET; THENCE N 00 DEGREES 14' 08" W 100.0 FEET; THENCE N 89 DEGREES 56' 43" E 671.43 FEET TO THE PLACE OF BEGINNING.
- CURRENT ZONING: I-1 INDUSTRIAL (INCLUDING SURROUNDING PARCELS TO NORTH, SOUTH AND EAST; PARCEL TO WEST IS MULTIFAMILY PUD)
- SETBACKS:
FRONT - 100' ADJACENT TO PRIMARY ARTERIAL STREET
SIDE - 15'
REAR - 25' (50' ADJACENT TO MULTIFAMILY PUD TO WEST)
- REQUIRED PARKING:
 - PROPOSED BUILDING USE IS A COMBINATION OF MANUFACTURING AND WAREHOUSE
 - 1.5 SPACES PER 1000 SQ. FT. OF MANUFACTURING BUILDING (54,000 S.F. / 1000 = 81 SPACES)
 - 1.0 SPACE PER 4000 SQ. FT. OF WAREHOUSE BUILDING (36,000 S.F. / 4000 = 9 SPACES)
 - REQUIRED PARKING SPACES = 90
 - THIS SITE PROVIDES 92 PARKING SPACES AND INCLUDES 6 BARRIER FREE SPACES.
- SIGNAGE, LIGHTING & LANDSCAPING SHALL MEET TOWNSHIP REQUIREMENTS, TO BE DESIGNED BY OTHERS.

BLACKTOP NOTES :
- ASPHALT BINDER PG58-28 FOR STANDARD DUTY PAVING
- RAP LIMITED TO MDOT TIER 1 (0-17% BY WEIGHT) FOR WEARING COURSE
AND MDOT TIER 2 (18-27% BY WEIGHT) FOR LEVELING COURSE
- 1.5A MIX TO HAVE 60% MINIMUM CRUSHED MATERIAL WITH 3% AIR VOIDS
- ASPHALT TO BE COMPACTED TO 94-97% OF THEORETICAL MAXIMUM DENSITY AS DETERMINED BY THE RICE METHOD
- A BOND COAT OF SS-1h EMULSION IS REQUIRED BETWEEN ASPHALT LAYERS AT A RATE OF 0.1 GALLONS/SYD

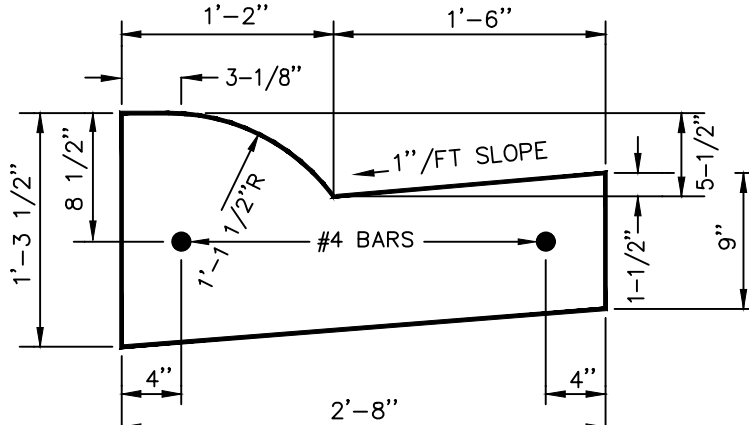


HEAVY DUTY PAVING SECTION

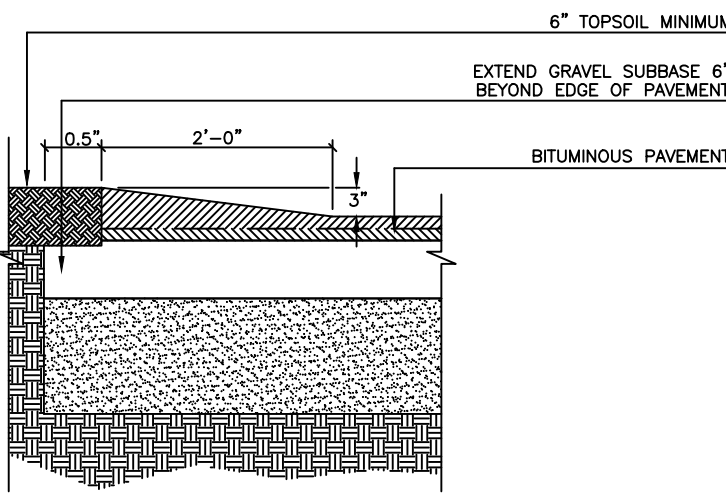


STANDARD DUTY PAVING SECTION
(OUTSIDE OF PUBLIC R/W)

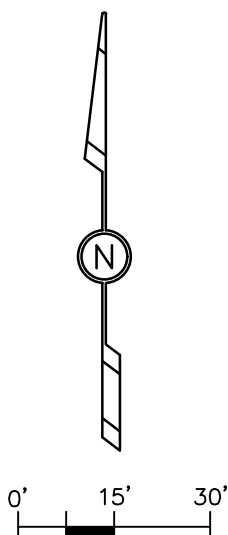
PAVEMENT CROSS SECTIONS TO BE VERIFIED BY SOILS ENGINEER FOLLOWING COMPLETION OF GEOTECHNICAL REPORT



MDOT "B2" CURB DETAIL



BITUMINOUS VALLEY GUTTER



SCALE: 1" = 30'



Know what's below.
Call before you dig.

LEGEND

- UTILITY POLE & GUY WIRE
- HYDRANT
- CATCH BASIN
- MANHOLE
- TELEPHONE BOX
- BURIED FIBER OPTIC MARKER
- BURIED GAS LINE MARKER
- BURIED TELEPHONE MARKER
- BURIED SANITARY MARKER
- OVERHEAD WIRES

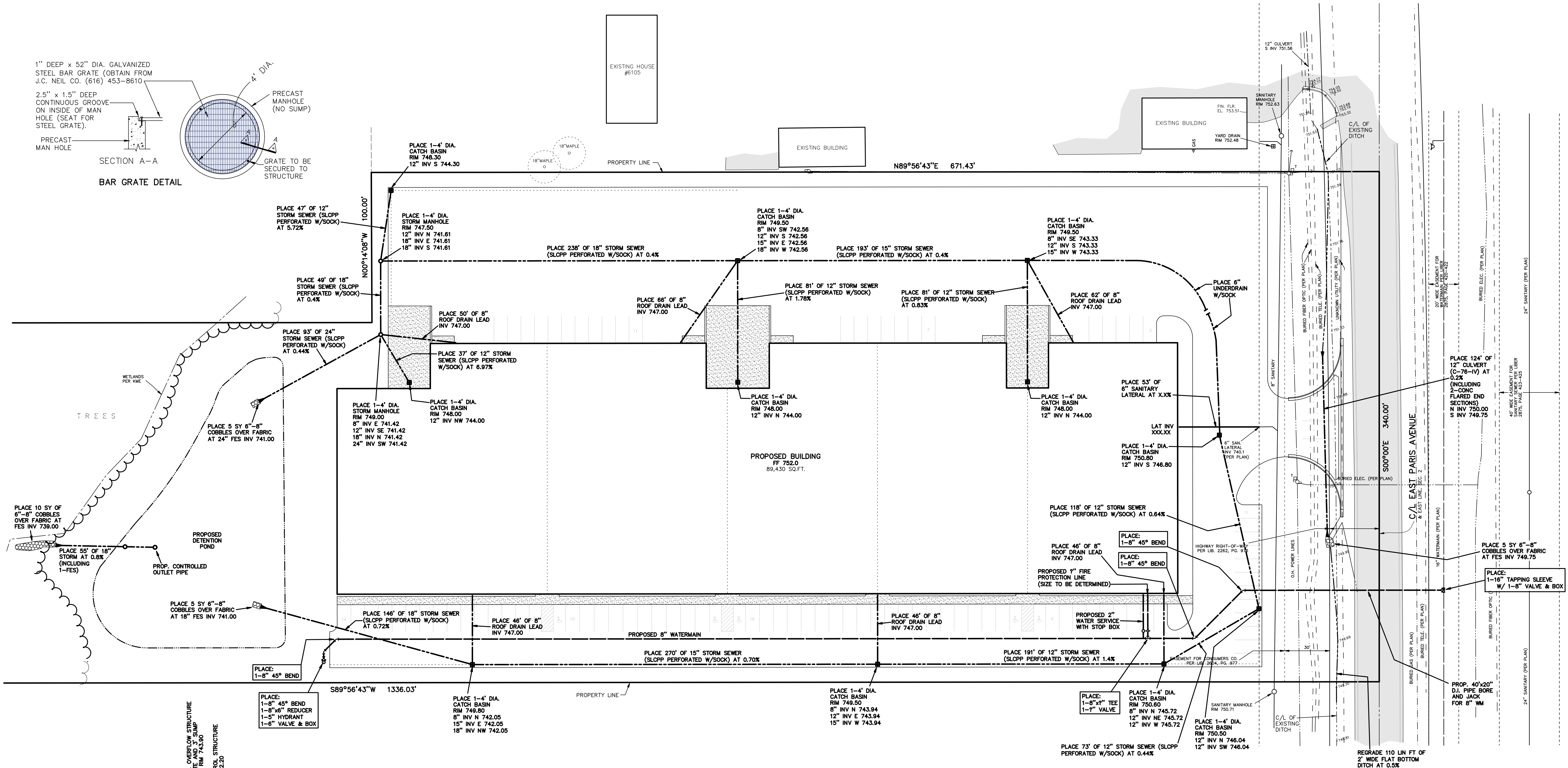
SITE DEVELOPMENT PLAN
6155 EAST PARIS AVENUE

FOR: AJ VENEKLASEN
ATTN: CHRIS VENEKLASEN
5000 KENDRICK CT. SE
GRAND RAPIDS, MI 49512

PART OF THE NE 1/4, SECTION 2, T5N, R11W, GAINES TOWNSHIP, KENT COUNTY, MICHIGAN

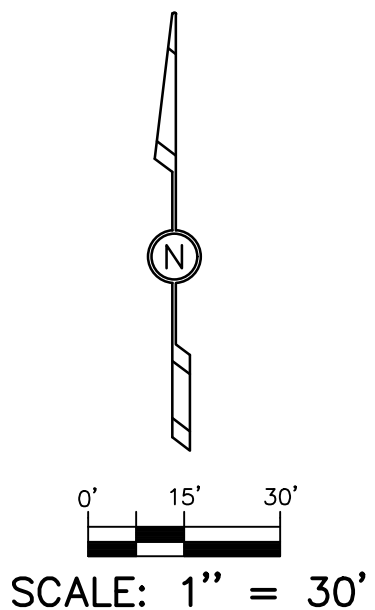
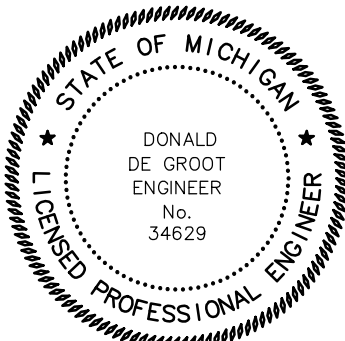
			
		5282 Clyde Park, S.W. • Grand Rapids, MI 49509 Phone: (616) 531-3660 www.exxelengineering.com	
DRAWN BY: JSD	APPROVED BY: DDG	PROJ. ENG.: DDG	SHEET 2 of 4
DATE: 11/16/2020	FILE NO.: 201207E	DATE: 11/16/2020	

BENCHMARK ELEV. 754.07 (NAVD88)
TOP OF SE FLANGE BOLT ON HYDRANT, 35'
EAST OF C/L EAST PARIS AVENUE, 50'±
SOUTH OF C/L DRIVE TO HOUSE #6141
(630'± SOUTH OF C/L 60TH STREET)



GENERAL NOTES:

- CATCH BASINS (CB) WITHIN BIT VALLEY GUTTER SHALL BE 4' DIA. + HAVE E.J. NO. 7065 CASTINGS WITH M1 GRATES + 2' SUMPS UNLESS NOTED OTHERWISE.
- CATCH BASINS (CB) WITHIN PAVED AREAS SHALL BE 4' DIA. + HAVE E.J. NO. 5105 CASTINGS + 2' SUMPS UNLESS NOTED OTHERWISE.
- STORM MANHOLES (MH) SHALL BE 4' DIA. + HAVE E.J. NO. 1040 CASTINGS WITH TYPE A SOLID COVERS UNLESS OTHERWISE NOTED.
- YARD DRAINS (YD) SHALL BE 4' DIA. + HAVE E.J. NO. 6488 CASTINGS + 2' SUMPS UNLESS NOTED OTHERWISE.
- STORM UNDERDRAIN SHALL BE PERFORATED ADS N-12 WITH SOCK OR APPROVED EQUAL.
- STORM SHALL BE ADS N-12 OR APPROVED EQUAL UNLESS NOTED OTHERWISE.
- 6" UNDERDRAIN SHALL BE CORRUGATED PLASTIC PIPE WITH SOCK OR APPROVED EQUAL. MAINTAIN 3' MIN COVER WHEN POSSIBLE.
- ROOF DRAIN SHALL BE PVC SDR-35.
- FINAL STORM SEWER SIZES TO BE DETERMINED PENDING FINAL DESIGN.



LEGEND

- UTILITY POLE & GUY WIRE
- HYDRANT
- CATCH BASIN
- MANHOLE
- TELEPHONE BOX
- BURIED FIBER OPTIC MARKER
- BURIED GAS LINE MARKER
- BURIED TELEPHONE MARKER
- BURIED SANITARY MARKER
- OVERHEAD WIRES

SITE UTILITY PLAN 6155 EAST PARIS AVENUE

FOR: AJ VENEKLASEN
ATTN: CHRIS VENEKLASEN
5000 KENDRICK CT. SE
GRAND RAPIDS, MI 49512
PART OF THE NE 1/4, SECTION 2, T5N, R11W, GAINES TOWNSHIP, KENT COUNTY, MICHIGAN

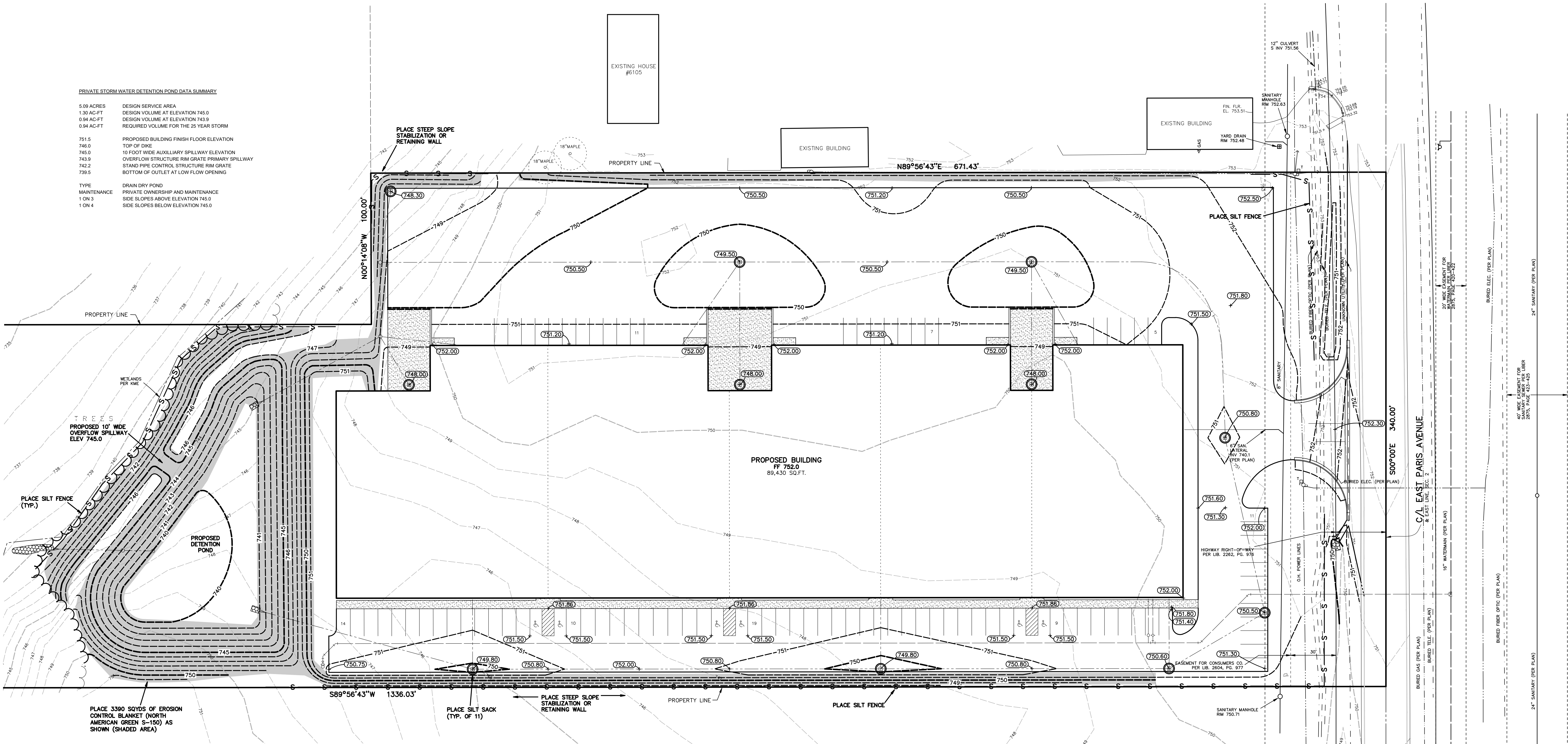
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BENCHMARK ELEV. 754.07 (NAV88)
TOP OF SE FLANGE BOLT ON HYDRANT, 35'
EAST OF C/L EAST PARIS AVENUE, 50'±
SOUTH OF C/L DRIVE TO HOUSE #6141
(630'± SOUTH OF C/L 60TH STREET)

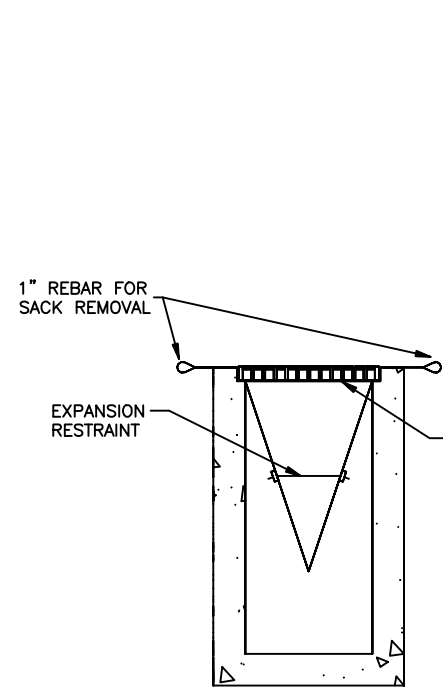
PRIVATE STORM WATER DETENTION POND DATA SUMMARY

5.09 ACRES	DESIGN SERVICE AREA
1.30 AC-FT	DESIGN VOLUME AT ELEVATION 745.0
0.94 AC-FT	DESIGN VOLUME AT ELEVATION 743.9
0.94 AC-FT	REQUIRED VOLUME FOR THE 25 YEAR STORM
751.5	PROPOSED BUILDING FINISH FLOOR ELEVATION
746.0	TOP OF DIKE
745.0	10 FOOT WIDE AUXILIARY SPILLWAY ELEVATION
743.9	OVERFLOW STRUCTURE RIM GRATE PRIMARY SPILLWAY
742.2	STAND PIPE CONTROL STRUCTURE RIM GRATE
739.5	BOTTOM OF OUTLET AT LOW FLOW OPENING
TYPE	DRAIN DRY POND
MAINTENANCE	PRIVATE OWNERSHIP AND MAINTENANCE
1 ON 3	SIDE SLOPES ABOVE ELEVATION 745.0
1 ON 4	SIDE SLOPES BELOW ELEVATION 745.0

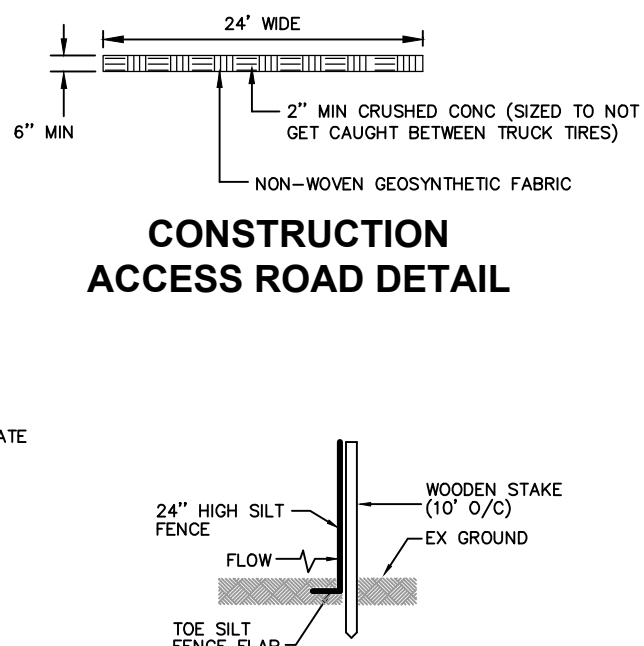


SOIL EROSION CONTROL NOTES:

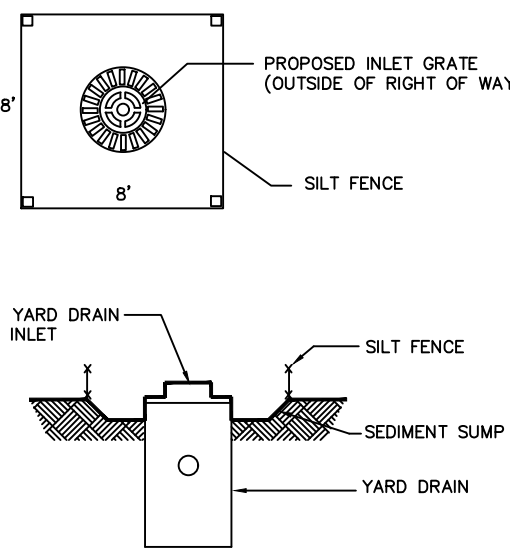
- ALL SOIL EROSION CONTROL MEASURES ARE TO BE IN PLACE PRIOR TO THE START OF ANY GRADING. EARTH CHANGE AREA = APPROX. 5.5 ACRES.
- INSPECT & MAINTAIN ALL TEMPORARY SOIL EROSION CONTROLS AFTER EACH SIGNIFICANT RAINFALL EVENT UNTIL THE SITE HAS BEEN PERMANENTLY STABILIZED.
- ALL NON PAVED AREAS TO BE TOPSOILED (6" MIN.) & SEEDDED
- PLACE SILT FENCE AS SHOWN ON PLAN & PER DETAIL.
- PROTECT 25 PROPOSED STORM INLETS WITH SILT SACKS AS SHOWN ON PLAN & PER DETAIL & REMOVE WHEN SITE IS STABILIZED.
- PROTECT 2 PROPOSED STORM YARD DRAINS WITH YARD DRAIN PROTECTION AS SHOWN ON PLAN & PER DETAIL & REMOVE WHEN SITE IS STABILIZED.
- CONTRACTOR IS RESPONSIBLE TO SWEEP ANY TRACKING ON PUBLIC STREETS CAUSED BY SITE CONTRACTOR OR HIS SUBCONTRACTORS.



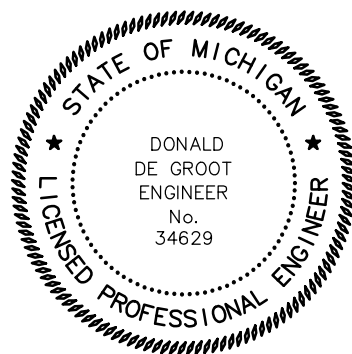
SILT SACK DETAIL



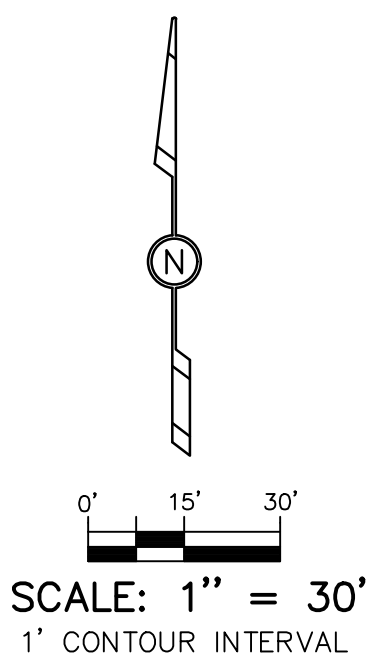
SILT FENCE DETAIL



YARD DRAIN PROTECTION DETAIL



Know what's below.
Call before you dig.



LEGEND

- UTILITY POLE & GUY WIRE
- HYDRANT
- CATCH BASIN
- MANHOLE
- TELEPHONE BOX
- BURIED FIBER OPTIC MARKER
- BURIED GAS LINE MARKER
- BURIED TELEPHONE MARKER
- BURIED SANITARY MARKER
- OVERHEAD WIRES
- PROPOSED CONTOUR
- EXISTING CONTOUR
- PROPOSED SPOT ELEVATION
- EXISTING SPOT ELEVATION
- SILT FENCE
- SILT SACK
- YARD DRAIN SUMP

GRADING AND SOIL EROSION CONTROL PLAN
6155 EAST PARIS AVENUE

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GRAND RAPIDS, MI 49512
PART OF THE NE 1/4, SECTION 2, T5N, R11W, GAINES TOWNSHIP, KENT COUNTY, MICHIGAN

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Attachment 1

**CHARTER TOWNSHIP OF GAINES
KENT COUNTY, MICHIGAN**

P.A. 198 PROPERTY TAX ABATEMENT POLICIES

The following policies shall apply to the Township's consideration of requests to establish industrial development and plant rehabilitation district and approve applications for industrial facilities exemption certificates pursuant to Act 198 of the Public Acts in 1974, as amended ("Act 198"), MCL 207.551 et seq.:

1. **Commencement of Process; Filing of Application; Definitions.** The applicant for an industrial facilities exemption certificate (an "IFT Certificate") shall file a complete Application For Industrial Facilities Exemption Certificate (Michigan Department of Treasury Form 1012, as amended) (an "Application") in conjunction with a written request to establish an industrial development district or plant rehabilitation district (a "District"). This Application must be accompanied by all applicable attachments (including a legal description and survey of the boundaries of the requested District) and supporting information and payment of the Fee Deposit required by Paragraph 10. The Township will not process or consider an Applicant's request to establish a District until the Township has received a properly completed Application (including all applicable attachments and exhibits) and Fee Deposit.
2. **Site Plan Approval before Considering Establishment of a District.** The Township shall not consider a request to establish a District before the Township Planning Commission or Site Plan Review Committee, grants any required site plan approval for the project.
3. **Establishment and Boundary of a District.** Under the provisions of Public Act 198, a District must be established prior to the Application for an IFT Certificate. The District must be a legal description of the parcel of land on which the abatement is to take place. If a District currently exists on the property, the applicant may proceed directly to the Application of an IFT Certificate.
4. **Limit on Term of District.** There will be no limit on the term of a District. However, the Township reserves the right to revoke a District at any time. IFT Certificates approved by the State Tax Commission for facilities located in the District shall continue in full force and effect for the approved term of the IFT Certificate. In the event an applicant applies for an IFT Certificate for additional real and/or personal property on the site of a District whose term of existence has terminated, the consideration of the Application for the new IFT Certificate is subject to the establishment of a new District in accordance with Act 198.
5. **Maximum Term of Tax Abatement.** The maximum term of an IFT Certificate to be approved by the Township shall be twelve (12) years for real property and six (6) years for personal property. The actual term of an IFT Certificate will be based on the following table:

As adopted on 4/13/98
Amended 6/12/00
Amended 7/14/08

Investment Amount	Real Property Term	Personal Property Term
\$100,000 - \$249,999	4 years	2 years
\$250,000 - \$499,999	6 years	3 years
\$500,000 - \$749,999	8 years	4 years
\$750,000 - \$999,999	10 years	5 years
\$1,000,000 +	12 years	6 years

6. **Minimum Amount of Investment.** The Township will not create an industrial development or plant rehabilitation district, nor approve an application for tax abatement, unless the minimum amount of investment for which abatement is requested is \$100,000.
7. **No Extension of Term.** The Township will not approve an Application filed with the Township pursuant to PA Act 198 for the extension, renewal or reissuance of an IFT Certificate previously approved by the Township Board.
8. **No Speculative Buildings.** The Township will not establish a District for a speculative building (as defined in Act 198).
9. **Transfer of Certificates.** An IFT Certificate may be transferred and assigned by the holder of the IFT Certificate to a new owner or lessee of the facility but only with the approval of the Township and the State Tax Commission after application by the new owner or lessee, and notice and hearing in the same manner as provided in this policy and Act 198.

An IFT Certificate may be transferred from another jurisdiction into the Township, subject to approval by the legislative body of that jurisdiction and with the approval of the Township and the State Tax Commission after application by the new owner or lessee, and notice and hearing in the same manner as provided in this policy and Act 198.

The Township Board reserves the right to decrease or increase the existing term length involved in the transfer of an IFT Certificate.

10. **Application Fee.** The Township shall charge an applicant an application fee to process an Application. The application fee shall not exceed the **lesser** of (a) the actual cost incurred by the Township to process the Application (including, for example, legal, publication, mailing and similar costs), (b) two percent (2%) of the total property taxes abated under Act 198 for the term of years that the IFT Certificate is in effect or (c) \$2,000. The Township will not file the Application with the State Tax Commission until full payment of the application fee, as billed, is received. If an Application is subsequently denied or withdrawn, the Township shall be entitled to payment of its actual costs incurred up to such denial or withdrawal, subject to the above stated limits.
11. **Fee Affidavit.** There shall be attached to each Application, approved by the Township and filed with the State Tax Commission, an affidavit, signed by the Township Assessor and by the applicant, which states that no payment of any kind in excess of the fee allowed by Section 5(3)

of Act 198 has been made or promised in exchange for favorable consideration of the Application.

12. **Agreement.** In accordance with Section 22 of Act 198, the approval of an Application shall be subject to the execution of a Tax Abatement Agreement between the Township and the operator of the facility outlining conditions/recourse to be upheld during the term of the IFT Certificate. A sample Tax Abatement Agreement is attached hereto as Attachment I.
13. **Revocation of Certificate.** The Township reserves the right to revoke an IFT Certificate in accordance with Section 15 of Act 198, the terms and conditions of the Tax Abatement Agreement or upon the failure of the Applicant/Owner/Occupant of the facility to pay ad valorem and/or industrial facilities taxes prior to the same becoming delinquent in accordance with applicable law.
14. **Variances.** The Township Board reserves the right to vary from these policies. Such variances shall only be considered by the Township Board on a very limited basis where the nature of the project in the sole judgment of the Township Board (as determined by the Township Board in the exercise of its reasonable discretion) is so significant that it presents a unique opportunity for the Township and its residents.
15. **Checklist of Procedures.** The Township shall develop a checklist of procedures to allocate the responsibilities for filing and processing an Application between the Township and the Applicant. It is intended that a copy of these policies and the checklist will be provided to each potential Applicant at the time the Applicant first contacts the Township to discuss a potential Application.
16. **Inconsistencies.** In the event of an inconsistency between the terms of these policies and Act 198, the provisions of Act 198 shall prevail.
17. **Schedule of Hearings.** The Township Supervisor is hereby authorized to schedule the required public hearings for the creation of the industrial development district and consideration of the application for tax abatement, and to arrange for giving notice of these hearings as required by law. In his discretion, the Township Supervisor may instead request that the Township Board approve the time and date of these public hearings.

ATTACHMENT I

_____[SAMPLE]

TAX ABATEMENT AGREEMENT

As required by Section 22 of Act 198 of the Public Act of Michigan of 1974, as amended ("Act 198"), **ABC Company ("ABC")**, hereby enters into the following agreement with the Charter Township of Gaines ("the Township"), for the purpose of inducing the Township to grant an industrial facilities exemption certificate ("IFEC") for new buildings and equipment described in an application that has been filed with the Township (the "Facility"), pursuant to Act 198:

1. **ABC** hereby represents that it will, with respect to the Facility, subject to allowance for depreciation and decrease in market value during the entire period of the tax abatement approved by the Township:

a. invest (or lease) and maintain not less than **\$(Insert Amount of Real Property itemized in Application)** in land improvements and buildings in the Township; provided, however, that such amount shall be increased to an amount equal to the actual value of land improvements and building, if greater than **\$(Insert Amount of Real Property itemized in Application)**; and

b. invest (or lease) and maintain not less than **\$(Insert Amount of Personal Property itemized in Application)** in new equipment and furniture at the Facility; provided, however, that such amount shall be increased to an amount equal to the actual value of new equipment and furniture, if greater than **\$(Insert Amount of Personal Property itemized in Application)**. (the land improvements and building in 1(a) and the equipment and furniture in 1(b) shall be referred to as the "Property")

2. **ABC** shall provide the Township with a written appraisal of the Property not later than 180 days following completion of the installation of the Property. **ABC** agrees that said appraisal shall be admissible as evidence, and **ABC** shall not contest such admissibility in any proceeding before the Township Board of Review, the Michigan Tax Tribunal, the State Tax Commission, or in any other proceeding intended to review and/or amend the valuation of the Property for tax purposes.

3. **ABC** further represents that it will, commencing not later than 2 years after the Facility is completed, provide and maintain employment for the equivalent of **[Insert total of existing and proposed employees from Application]** employees working at least an average of 35 hours per week.

4. When hiring, **ABC** shall make a good faith effort to hire employees from the Township and the immediately surrounding area, including advertising in a newspaper of general circulation within the Township and the surrounding area. However, this section shall not require **ABC** to take any action in

violation of applicable employment-related laws and **ABC** retains the right to hire the most qualified employees as permitted under applicable law without regard to geographical residence.

5. **ABC** commits to operate the Facility for which abatement has been requested for the entire period of the tax abatement. If, in the sole judgment of the Township, **ABC** has taken action which constitutes relocation of more than an insubstantial part of its Facility to another jurisdiction, or closes more than an insubstantial part of the Facility, prior to expiration of the tax abatement, then **ABC** shall reimburse all affected taxing units a portion of the difference between the taxes which were paid, and those which would have been paid but for the abatement, in accordance with the following schedule:

[12 year abatement] – REAL PROPERTY

Year of Closing or Relocation	Refund %
0-3	100%
4-5	75%
6-7	50%
8-9	25%
10-12	0%

[6 year abatement] – PERSONAL PROPERTY

Year of Closing or Relocation	Refund %
0-2	100%
3	75%
4	50%
5-6	0%

6. If **ABC** does not repay the Township upon demand, the Township may collect the required abatement in the manner provided by Act 198 for the collection of delinquent industrial facilities taxes or in any other manner permitted by law.

7. If the Facility fails to meet the expectations, or to comply with the agreements set forth in paragraph 1 through 5 above, then the Township may, in its sole discretion, terminate or reduce the term of the industrial facilities exemption certificate granted to **ABC**.

8. The Township shall provide at least 15 days written notice to **ABC** if the Township intends to take action to enforce this Agreement, and shall permit **ABC** an opportunity to be heard concerning the matter at a special or regular meeting of the Township Board. The Township shall not require repayment, or revoke or reduce the term of the certificate, unless investment or employment are less than the commitments made in paragraphs 1, 2 or 3 for a continuous period of more than 180 days.

9. Not later than 90 days following completion of the installation of the Property, **ABC** shall provide to the Township certification of all amounts spent on the Property in the Facility. **ABC** shall also, at that time, certify to the Township the number of full-time (over 35 hours per week) employees presently working at the Facility.

10. On October 15, **[Insert first calendar year IFEC is expected to be in effect]** and annually on each October 15 thereafter as long as the IFEC remains in effect, **ABC** shall certify to the Township the number of full-time (over 35 hours per week) employees then employed in the Facility. In addition, **ABC** shall provide such other information as is reasonably requested by the Township to verify continued compliance with this Agreement.

11. The remedies in this Agreement are in addition to the remedies provided by Act 198. This Agreement contains the entire agreement between the parties with regard to its subject matter and may be amended only in writing signed on behalf of **ABC** and approved by resolution of the Township Board.

12. **ABC** acknowledges receipt of and agrees to be bound by the terms of the Township's P.A. 198 Property Tax Abatement Policies

13. In addition to the preceding statements, **ABC** and the Township do swear and affirm by the signatures below that "no payment of any kind in excess of the fee allowed by PA Act 198 of 1974, as amended by Public Act 323 of 1996, has been made or promised in exchange for favorable consideration of an exemption certificate application."

ABC COMPANY

Dated: _____, 2____

by (print name): _____

Its _____

Signature: _____

CHARTER TOWNSHIP OF GAINES

Dated: _____, 2____

by (print name): _____

Its _____

Signature: _____

Attachment 2

Dan Wells

From: Megan VanHoose
Sent: Monday, February 15, 2021 1:50 PM
To: Dan Wells
Subject: FW: Mobile Defenders renewed Application for IFT
Attachments: Final Revised IFT Application and Supplement Executed.pdf

From: Jensen, Ingrid A. <ijensen@clarkhill.com>
Sent: Monday, February 15, 2021 1:13 PM
To: Megan VanHoose <megan.vanhoose@gainestownship.org>
Subject: Mobile Defenders renewed Application for IFT

Hi Megan – I have 2 comments on the renewed Application for IFT exemption (attached) submitted by MD II Holdings, LLC - Mobile Defenders (the “Company”).

1. The Company has submitted the renewed exemption request on the basis that the primary purpose and use of its improvements to the real property constitute “the engaging in a high-technology activity” (MCL 207.552(7)). High-technology activity is defined in MCL 207.803. The Company claims that its activities fall within section (m)(iv) of the statute, which activities are as follows:

(iv) Electronic device technology, which is any technology that involves microelectronics, semiconductors, electronic equipment, and instrumentation, radio frequency, microwave, and millimeter electronics, and optical and optic-electrical devices, or data and digital communications and imaging devices.

The Company lists on the first page of the Supplemental Addendum of its Application 9 specific services it provides that it claims qualify as high-technology activities as defined in (m)(iv). I do not have sufficient expertise to know if this is accurate. For example, one of the services is “Recycling broken smartphone screens for refurbishment through a Broken Screen Buyback Program”. Does this service constitute “*electronic device technology*”? Perhaps Dan or other Township staff has the expertise to determine whether any of the listed services qualify. If yes, then the Company qualifies for the exemption, subject to comment 2 below.

2. Note, though, as stated in the Application, the Company will be leasing only approximately 50% of the space, with the other 50% being leased to third party tenants. The Company has provided 2 Leases for the Company as tenant: one for 25,000 square feet – Suite A, and one for 12,500 square feet – Suite B, for a total of 37,500 square feet. The building will be approximately 92,785 square feet (and note that 50% would be 46,392 square feet). Recent case law requires that the tenant be obligated to pay the taxes for the property. There are First Amendments to the Leases dated January 29, 2021 that in fact require the Company, as tenant, to pay the taxes for the entire property, presumably even areas the Company does not lease. However, this does not address the question of whether the entire building is entitled to the exemption, even if the Company is obligated to pay the taxes for the entire

building. This would not seem to comply with the requirement that the “primary purpose and use” of the building be the high-technology activity use. I recommend that the Company provide legal support for its position that the entire building, even the portions not being leased to the Company, qualify for the exemption for the reason that the Company is responsible to pay the taxes for the entire building.

Let me know if you have any questions or would like to discuss further.

Ingrid A. Jensen

Member in Charge – Grand Rapids Office

CLARK HILL PLC

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This email message and any attachments are confidential and may be privileged. If you are not the intended recipient, please notify us immediately by reply email and destroy all copies of this message and any attachments. Please do not copy, forward, or disclose the contents to any other person. Thank you.

Attachment 3



Dear Dan,

Please see below for additional information that addresses your questions raised in your email dated February 23, 2021:

Mobile Defenders' Business Is a "High-Technology Activity"

Under PA 198 of 1974, a "High-technology activity" qualifies as an Industrial Property for purposes of granting the industrial facilities tax exemption. See MCL 207.552(7). PA 198 defines "High-technology activity" by pointing to a definition of the phrase used in the Michigan Economic Growth Act. See MCL 207.552(12) and MCL 207.803(m).¹

Mobile Defenders ("MD") provides several services and operates programs that fit squarely within the Economic Growth Act's definition of a "High-technology activity." MD's operations include several aspects that involve electronic device technology and product research and development:

- Harvesting parts (including microelectronics, semiconductors and electronic equipment) from damaged or inoperable equipment for use in device repair;
- Testing product specifications for accuracy (including electronic equipment and digital communication and imaging devices);
- Testing microelectronic components like proximity sensors, charge ports and camera modules to ensure performance;
- Measuring voltage and amperage for batteries and accessories;
- Utilizing magnification devices to find pixel imperfections and inconsistencies in device screens;
- Measuring product performance and specifications including screen brightness, color accuracy, screen thickness and viewing angle; and
- Studying wireless chargers and their effects on radio frequency and touch response in smart phone applications.

MD's business qualifies as a "High-technology activity" due to its regular testing, processing and study of electronic device technology. These operations involve several components that the Economic Growth Act uses to define an "electronic device technology." See MCL 207.803(m)(viii). Namely, MD's operations involve the use, testing and harvesting of microelectronics, semiconductors, electronic equipment and data and digital communications and imaging devices. Each of these facets of MD's business meets the definition of a "High-technology activity."

A "High-technology activity" also includes "product research and development." See MCL 207.803(m)(viii). As highlighted above, MD is continually engaged in testing, measuring and studying computing and mobile device components in an effort to test parts for optimal product performance. MD utilizes industry-specific tools, instruments, software and equipment as part of its research and development process in an effort to improve the performance of certain parts like mobile phone screens.

¹ See also https://www.michigan.gov/documents/taxes/IFE_FAQs_Final2_490109_7.pdf



Even if MD's core business didn't qualify as a "High-technology activity," MD's business nevertheless qualifies because MD is "processing goods or materials" by "physical change". That processing is an independent means of qualifying as "industrial property." *See* 207.552(7). Like any manufacturer, MD builds these products by physically altering components of these products. For example, MD disassembles used Chromebooks, removes the operable and inoperable parts, and process those parts for reuse. Some of this alteration consists of refurbishing existing (used) components. But nothing in PA 198 says that a manufacturer cannot produce things out of used materials, or parts made by someone else. In fact that's what every manufacturer does who does not own their own mining, smelting, and steel producing facilities. Accordingly, MD's use of the proposed facility qualifies as an Industrial Property.

MD Will Lease the Facility with the Intent to Expand

As discussed in our application materials, MD will not initially occupy the entire facility. Rather, MD intends to expand into the full space in the future. MD II Holdings, LLC, a Delaware limited liability company, and an affiliate of the MD real estate holding company, will lease approximately 50% of the newly constructed facility. The remaining 50% of the facility will be leased to third-party tenants until MD is able to expand into the remainder of the facility. Doing so will enable MD to fund construction of this new facility and will ensure that MD has the necessary space for future expansion.

The Township's counsel has noted that the State Tax Commission ("STC") has two specific requirements with regard to whether a leased facility will qualify for the IFT certificate: (1) the length of the lease must be as long as or longer than the length of the certificate to be granted, and (2) the tenant must have the tax liability for the length of the certificate to be granted (any indication that the taxes are being reimbursed as "additional rent" is not acceptable).

In this case, MD's lease documents address these two items directly. First, the amendments to the respective lease agreements extend the term of the leases to December 31, 2034. This term covers the entire 12 year period of the requested IFT certificate (which would be December 1, 2022 to December 31, 2034). Second, the lease amendments clarify that the Tenant will pay all taxes directly to the taxing authority – not to the landlord as additional rent. We understand that that the Township's main concern with regard to this item is that MD will be responsible for real estate taxes for a portion of the Property which MD is not occupying.

The STC does not provide written, published guidance on how real estate tax liability or application of the industrial facilities tax exemption applies to a multi-tenant property. Our legal counsel did, however, speak with Janay Jenkins, a representative of the Michigan Department of Treasury Community Services Division, in connection with the STC's specific lease requirements concerning a multi-tenant building's qualification for the IFT Certificate. Given the facts involved and MD's proposed use of the facility, Ms.

MOBILE DEFENDERS

3990 44th Street SE, Kentwood, MI 49512

w. www.mobiledefenders.com | **e.** sales@mobiledefenders.com | **p.** 616-551-2286



Jenkins suggested that, while MD will only initially occupy approximately 50% of the building, the MD operating entity should be responsible for payment of 100% of the taxes because MD eventually plans to expand into the entire facility. The STC representative shared that this allocation of responsibility for property taxes would satisfy the STC's leasing requirements. However, Ms. Jenkins also advised that should the Township choose to grant MD an IFT certificate only for the area which MD will presently occupy, MD would be able to apply for further abatement in the future. Following this guidance from the STC, we structured our application materials and lease arrangements accordingly to maximize the available abatement in an effort to make this expansion a reality.

Summary

For each of the reasons detailed above and those contained in our previously submitted application materials, MD satisfies the requirements for the industrial facilities tax exemption. MD requests that Gaines Charter Township create the requisite Industrial Development District and approve MD's application for the IFT certificate. Should the Township require MD to re-submit its application following creation of the Industrial Development District, we'd be happy to do so.

We very much appreciate the Township's assistance and support throughout this process as we endeavor to make this project possible. We look forward to the opportunity to address any questions or concerns that the Board of Trustees may have at the meeting scheduled for March 15th. Should you have any questions in the meantime, we'd appreciate an opportunity to speak with you and the Township's counsel to address any questions or concerns prior to the March 15th meeting.

Sincerely,

Jordan Notenbaum

MOBILE DEFENDERS

3990 44th Street SE, Kentwood, MI 49512

w. www.mobiledefenders.com | **e.** sales@mobiledefenders.com | **p.** 616-551-2286

Memo

To: Gaines Charter Township Board of Trustees
From: Dan Wells, Community Development Director
Date: April 12th, 2021
Re: Platted Lot Combinations

Introduction

The Township has received four applications to combine platted lots. Three of the applications are from the Assessing Department to add Township owned, undeveloped lots to adjacent lots with residences which will reduce the number of small undevelopable lots owned by the township and reduce parcel tracking work by Assessing. One of the lot combinations was initiated by the landowner so he doesn't receive two tax bills. Per "Township Ordinance 22-66: Division of Platted Lots", no platted lots shall be further partitioned or divided without Township Board approval. This includes combinations.

Staff has reviewed all the proposed lot line changes and all proposed lots meet lot dimension requirements under current zoning. All property owners benefiting from the combinations are currently up to date on their taxes. Quit Claim deeds for the transfer of parcels owned by the Township have been approved by the Supervisor and Clerk.

The properties include:

6487 College Avenue SE – Lafayette Acres

Combine Parcels 41-22-06-401-018 (0.039 acre, 220' x 80') with 41-22-06-401-022 (0.02 acre, 220' x 5').

6820 Rosecrest Drive SE – Dutton Dales

Combine Parcels 41-22-10-227-016 (0.039 acre, 110' x 160') with 41-22-10-227-017 (0.04 acre, 170' x 12').

6916 Union Avenue SE - Fennema Plat No 1

Combine Parcels 41-22-07-226-013 (0.024 acre, 133' x 80') with 41-22-07-226-014 (0.02 acre, 133' x 7').

6940 Union Avenue SE - Fennema Plat No 1

Combine Parcels 41-22-07-226-020 (0.024 acre, 133' x 80') with 41-22-07-226-019 (0.02 acre, 133' x 7').

Recommendations

Staff recommends the proposed combinations be approved via resolution. If approved, Staff will prepare approval letters to be sent to property owners and Kent County.





Gaines Charter Township

Board of Trustees Memo

Meeting Date: April 12, 2021

AGENDA ITEM: XXXXXXXX

PROPOSED REQUEST: Tentative Preliminary
Plat Review

ADDRESS: 2307 68th Street

PARCEL NUMBER: 41-22-04-477-051

APPLICANT: Kentwood Public Schools

FILE NUMBER: 210317TB

PROPERTY ZONING DISTRICT: RL-10

PROPERTY SIZE: 1.02 Acres

REPORT BY: Dan Wells, Community
Development Director; David Jirousek, AICP,
Planning Consultant



OVERVIEW

The applicant requests a tentative preliminary plat review for three proposed lots along Peerpoint Drive. The subject area is approximately one acre and is zoned RL-10.

The Township Board's role is to review the preliminary plat plan for consistency with zoning and subdivision requirements as part of the platting process. Section 112 (4) of the Land Division Act provides for initial acceptance of the overall development concept but does not consider detailed engineering design or final details. The Land Division Act states that "[t]entative approval....confers upon the proprietor for a period of 1 year from date, approval of lot sizes, lot orientation, and street layout, and application of the then-current subdivision regulations."

Surrounding zoning:

	NORTH: RL-10	
WEST: RL-10	SUBJECT PARCEL	EAST: PUD
	SOUTH: RL-10	

STANDARDS OF REVIEW

This project is subject to review against the following requirements and standards:

- GCTZO Section 6.3 Development Standards and GCT Code of Ordinances Section 22-62 Compliance with Zoning Regulations
- GCTZO Section 6.4 Additional Requirements for Plats & Site Condominium Developments
- GCTZO Section 16.13 Residential Landscaping
- GCT Code of Ordinances, Section 22-63 Sidewalks
- GCT Code of Ordinances, Section 22-64 Street Lighting
- GCT Code of Ordinances Section 22- 65 Public Utilities

We have reviewed the preliminary plat and associated application package and find that the plans are generally in order for this stage of the plat approval process. The following are the primary subject areas with comments.

1. GCTZO Section 6.3 Development Standards and GCT Code of Ordinances Section 22-62 Compliance with Zoning Regulations

Single-family lots in RL-10 must be a minimum of 10,000 square feet in area and 80 feet in width. All proposed lots comply with size and width requirements.

Setbacks for single-family and two-family lots in RL-10 are 35 feet for the front and rear and eight feet for the sides. Conforming building envelopes are shown on the preliminary plat, which will allow for compliant single-family building footprints.

2. GCTZO Section 6.4 Additional Requirements for Plats & Site Condominium Developments

Section 6.4 A requires that a preliminary plat incorporates a variety of house models. Since the development only includes three lots, only two models are required. Each house model shall have multiple characteristics that clearly distinguish it from the other house models, such as different exterior materials, rooflines, garage placement, architectural style, number of stories, and/or building face. Staff recommends that the review of house models and future variations be an administrative responsibility during the zoning and building permitting process.

3. GCTZO Section 16.13 Residential Landscaping

Section 16.13 A requires that all platted subdivisions include one canopy tree for every 80 feet of road frontage. Street trees must be placed in accordance with Section 16.13 and the requirements of the Kent County Road Commission. Staff recommends that the graphic representation requirement on the preliminary plat is unnecessary at this time and notes that the requirement will be enforced when individual homes are constructed.

4. GCT Code of Ordinances, Section 22-63 Sidewalks

In accordance with Section 22-63, sidewalks shall be installed by the proprietor as specified by Township ordinance or as otherwise required by the Township Board or its designated Township official or body. A sidewalk already exists along the Peerpoint Drive right-of-way.

5. GCT Code of Ordinances, Section 22-64 Street Lighting

In accordance with Section 22-64, street lighting shall be installed by the proprietor as specified by Township ordinance or as otherwise required by the Township Board or its designated Township official or body. Consistent with past developments, the developer should request that the Township create a Street Light Assessment District before a residential building permit is issued by the Township if one is not already established.

- The number and location of street lights are to be determined by Consumers Energy for each phase of development.
- The developer must provide the necessary funds for installation within 30 days of Gaines Charter Township issuing an invoice for the installation costs.

The applicant shall ensure that street lights are installed at the same distance interval as other fixtures along Peerpoint Drive.

6. GCT Code of Ordinances Section 22- 65 Public Utilities

The development will be served by connections to existing municipal water and sanitary sewer lines. Stormwater will be treated by an existing detention pond to the south of the project area on the school site.

Provisions for the installation of buried power, telephone, gas distribution, and cable TV lines are also to be included. The applicant shall be required to comply with all utility and stormwater recommendations of the Township Engineer.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommended tentative approval of the preliminary plat with the following conditions, and a resolution has been prepared for the Township Board. No public hearing is necessary, and this resolution providing tentative preliminary plat approval can be considered at one meeting.

1. Staff shall confirm that no less than two house models that meet the requirements of the GCTZO Section 6.4 A are built within the plat.
2. Staff shall enforce the street tree requirement of the GCTZO Section 16.13 A at the time of building permitting.
3. The applicant shall request the creation of a Street Light Assessment District before applying for residential building permits. The applicant shall ensure that street lights are installed at the same distance interval as other fixtures along Peerpoint Drive.
4. The applicant shall adhere to all review comments provided by the Township Engineer.



8500 Burlingame Ave. SW / Byron Center / MI / 49315 / 616 878-6860 / bctv@bcpsk12.net

March 5, 2021

Dear BCTV Board Members,

I hope this letter finds you well and in good spirits. Since our last update, a tremendous amount has happened at BCTV.

We knew our Fall sports season was going to look a little different in 2020. Both football and volleyball were originally postponed until the Spring. (Fortunately, we still had tennis, soccer and swimming to cover.) However, the reduced production schedule opened up time for us to take-on a major project. To comply with COVID distancing requirements, we decided to move our Studio Control out of the classroom to its own dedicated room. As simple as that may sound, this was no small task! Our entire layout had to be redesigned and, from a technological standpoint, everything had to be reconfigured. This involved gutting and redesigning most of our patchbay, pulling cable and creating custom cables for everything else. The hard work paid off, though. And just in time...

An eleventh-hour decision reinstated our football and volleyball seasons in about the middle of September. In addition to our normal practice of recording these Byron Center and South Christian games for later broadcast, the Michigan High School Athletic Association has allowed us to also broadcast and/or stream these events LIVE, which has been very exciting. We've received an extraordinary amount of positive feedback during (and after!) these live broadcasts and hope that it is something the MHSAA will allow us to continue to do after COVID restrictions are lifted.

However, not all Fall productions are sports productions. Even with limited events happening, we were still able to produce videos of the Chamber of Commerce Scholarship Golf Outing, the South Kent National Night Out, both nights of the Byron Center High School Marching Band's final performance, Trunk-or-Treat, the String Fling and the Halloween Softball tournament. We were really on a roll when, once again, the brakes were applied.

Our Fall sports season was cut short and we would soon learn that the Winter season would be delayed. While this was frustrating in many ways, it did allow us to focus our attention on another major project that needed to happen. BCTV's broadcasting headend needed to be moved from the BCHS Main Distribution Frame to our new offices behind the BCTV studio. Much like moving the Studio Control, this was no small task! However, it did allow us the chance to redesign and streamline things. Like with the Studio Control, we did all the work ourselves, from designing a new configuration to the arduous task of pulling cable. Thanks to thorough

planning, BCTV never went off air when we made the switch from the old headend to the new. With this project complete, all of our facilities are now centrally located within the building.

Our hope was that Winter sports would begin at some point in January. This did not happen. Without a substantial amount of programming to produce on the horizon, we decided that the normally busy February would be a good chance to dig into the BCTV archive for something we would call Flashback February! We poured through the tapes looking for fun, memorable and important programs that BCTV has produced over the last twenty-odd years. The last thing we wanted it to be was a dumping ground for any-ol'-program, so we really dug into it. The database was perused, old footage had to be converted and all the material had to be prepared for broadcast specifications. Promotional material was cut and clips were prepared for social media. We had an assembly line process going to quickly make all of this to happen. And then...

Winter sports abruptly began! On top of the huge project that Flashback February had become, we now had but a few days to organize for a new Winter sports schedule! Naturally, everyone stepped up to the task and our first Winter 2021 athletic event (Girls Basketball) went *beautifully*. So while we will still had plenty of great Flashback February programming throughout the month, our schedule once again began filling up with Winter athletics.

In addition to boys basketball, girls basketball, wrestling and swimming, musical performances (with limited or no audience) are also resuming. We've got a few of them under our belts already with several more on the calendar. These events are also streamed and/or broadcasted live whenever possible. And in the midst of all this, we are already beginning to map out our Spring schedule. We are hoping to add South Christian tennis and lacrosse to our production list as well as Byron Center soccer.

So much of the past few months has been touch-and-go and while we're glad a more familiar schedule has emerged, we are prepared to roll with any future punches that might occur, so to speak. Everyone here has been well and we've been feeling great about the work we are doing, despite many external challenges. We appreciate the continued support of Byron Township and Gaines Charter Township. Here's to a better year!

Sincerely,

A handwritten signature in dark ink, appearing to read "Patrick Vidro". The signature is fluid and cursive, with a long horizontal line extending from the bottom of the last name.

Patrick Vidro / Assistant Manager, BCTV.

Kim Triplett

From: KRISTEN R. GREENWOOD <KRISTEN.GREENWOOD@cmsenergy.com>
Sent: Wednesday, February 24, 2021 11:28 AM
To: Kim Triplett
Subject: RE: Two Special Assessment Street Light Districts

Sure can! Please see formal quote/estimate for Phase 3 Streetlighting installation below.

Phase 3 (Preservation Lakes Development):

Install (6) new streetlights on Waterscape Dr & Waters Bluff Dr

- (6) 19' fiberglass black poles – FREE
- (6) 100W Traditional HPS post top fixtures – FREE
- (6) Luminaire Charge - \$100.00/location = \$600.00
- (6) \$7.61/mo. (plus tax/fees) per streetlight fixture
- Total Installation Cost - \$600.00

Kristen Greenwood

Statewide Streetlight Project Coordinator Specialist

Ph: 269-969-8521

Mobile: 269-986-7352

<mailto:Kristen.Greenwood@cmsenergy.com>

World Class Performance Delivering Hometown Service
That's Our Promise to Michigan!



From: Kim Triplett <Kim.triplett@gainestownship.org>
Sent: Wednesday, February 24, 2021 11:04 AM
To: KRISTEN R. GREENWOOD <KRISTEN.GREENWOOD@cmsenergy.com>
Subject: RE: Two Special Assessment Street Light Districts

**##CAUTION##: This email originated from outside of CMS/CE.
Remember your security awareness training: Stop, think, and use caution before clicking
links/attachments.**

Can you give me a formal quote for my Board...we have to hold two public hearings

From: KRISTEN R. GREENWOOD <KRISTEN.GREENWOOD@cmsenergy.com>
Sent: Wednesday, February 24, 2021 11:03 AM
To: Kim Triplett <Kim.triplett@gainestownship.org>
Subject: RE: Two Special Assessment Street Light Districts

Signature Land Development

1188 East Paris
Grand Rapids, MI 49546

February 22, 2021

Gaines Charter Township
Attn: Dan Wells
8555 Kalamazoo Avenue
Caledonia, MI 49316

RE: Street Lights in Preservation Lakes Phase 3

Dear Mr. Wells,

Signature Land Development would like to request street lights be installed at Preservation Lakes Phase 3. Signature Land Development agrees to pay for the cost of the streetlights and any installation costs related to providing street lights in Preservation Lakes Phase 3. The future homeowners will pay for the operational and maintenance cost of these street lights.

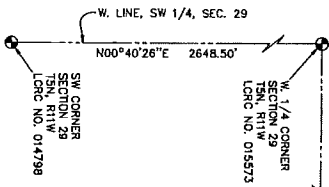
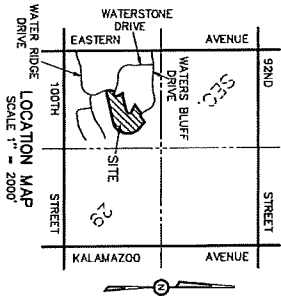
If you have any questions or need any additional information please let me know.

Sincerely,



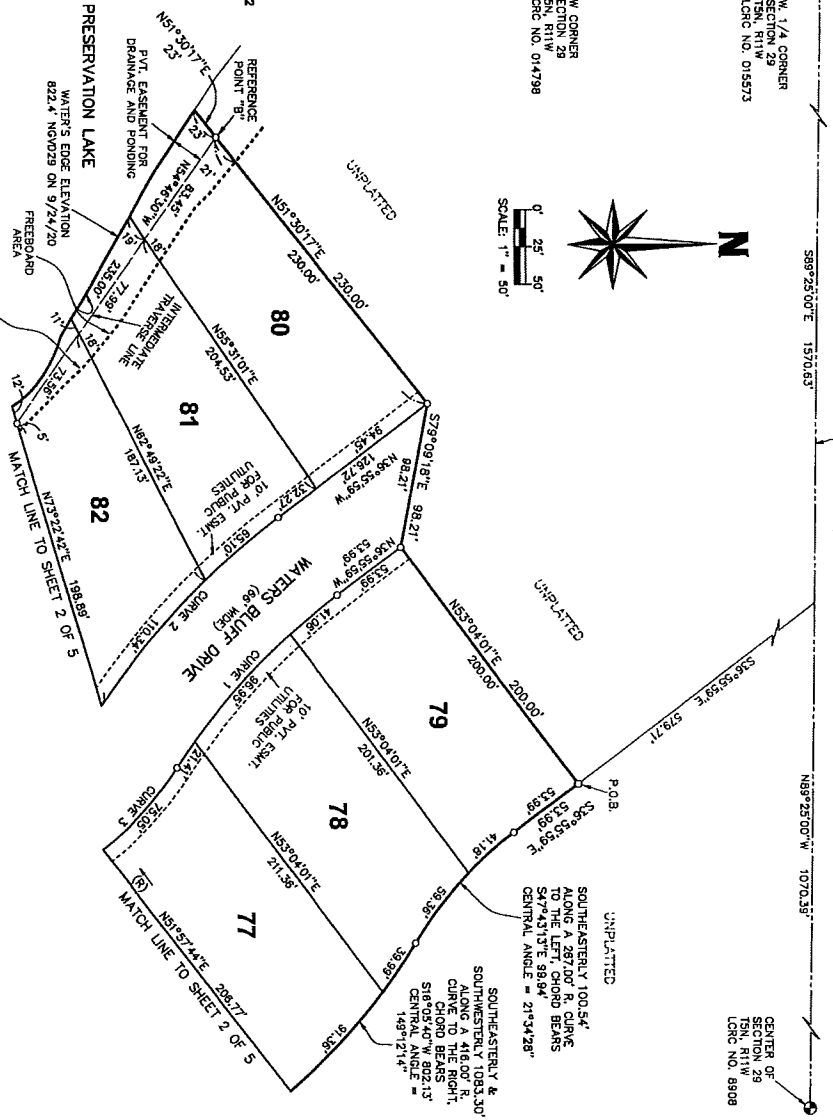
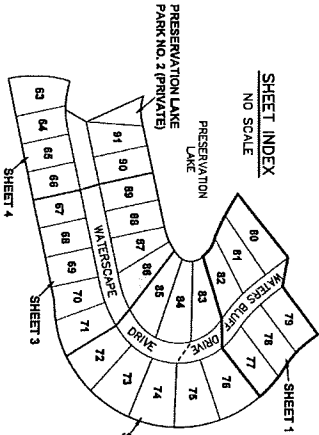
Wendy A. Tanis
Development Manager
Signature Land Development
Phone: (616) 988-1338
E-mail: tanis@eastbrookhomes.com

PRESERVATION LAKES NO. 3 **PART OF THE SW 1/4, SECTION 29, T5N, R11W,** **GAINES TOWNSHIP, KENT COUNTY, MICHIGAN** **SHEET 1 OF 5**



CERTIFIED
TRUE COPY

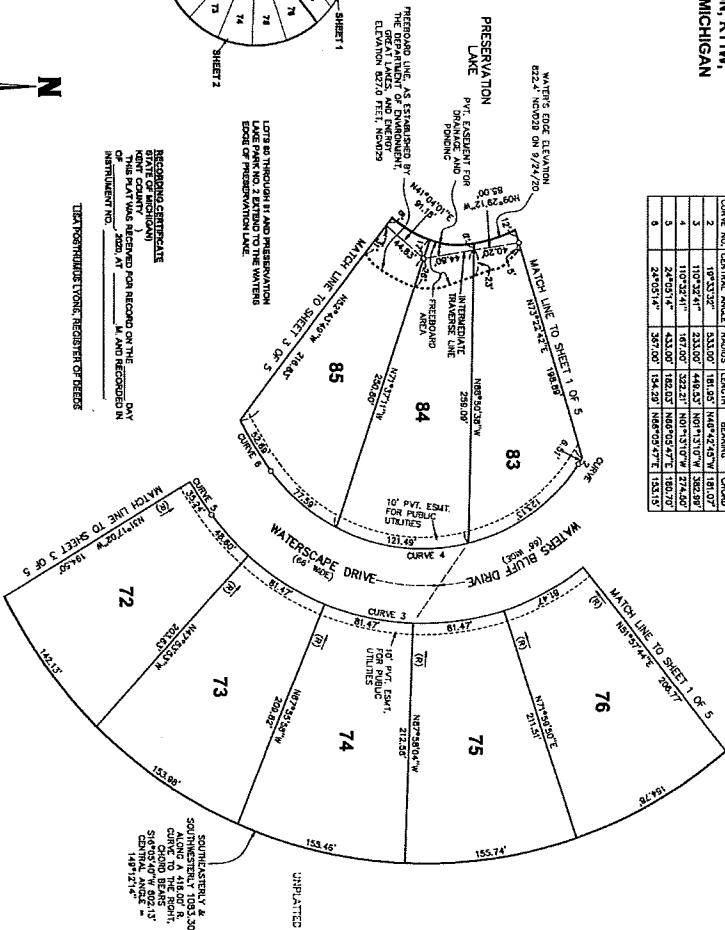
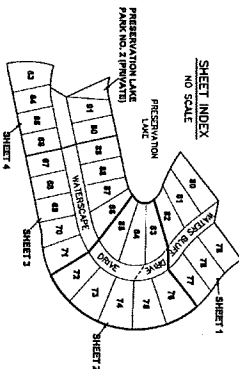
CURVE TABLE			
CURVE NO.	CENTRAL ANGLE	RADIUS	LENGTH
1	18°33'32"	467.00'	159.42'
2	18°33'32"	533.00'	181.95'
3	110°32'41"	233.00'	448.33'



LEGEND
 ALL DIMENSIONS ARE IN FEET.
 CURVILINEAR MEASUREMENTS ARE ARC MEASUREMENTS.
 PLAT BEARINGS ARE BASED ON PRESERVATION LAKES AS
 RECORDED AND IN THE NO. 20 NORTH-MODEST
 RECORDED MAP WITH A 1/2" DIAMETER STEEL BAR, 30" LONG,
 ENCASED IN 4" DIAMETER CONCRETE.
 ALL LOT CORNERS ARE MARKED BY 1/2" DIAMETER STEEL BARS,
 18" IN LENGTH WITH SURVEY CAP MARKED EXCEL, 5043.
 R = RADIAL, LINES NOT MARKED ARE ALSO NON-RADIAL.
 P = POUND MONUMENT WITH A 1/2" DIAMETER STEEL BAR,
 ENCASED IN 4" DIAMETER CONCRETE.
 INST. = INSTRUMENT

RESTRICTION NOTE:
 THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 288
 OF 1987 AS AMENDED, ON CERTAIN LOTS WITH RESPECT TO THE
 USE OF THE LAKES AND THE KENT COUNTY DRAIN
 COMMISSIONER WHICH ARE RECORDED IN INSTRUMENT NUMBER
 OF RECORDS OF THIS COUNTY.

CLONE TABLE			
CLONE NO.	CENTRAL ANGLE	RADIUS	LENGTH
2	19°33'32"	533.00'	181.85'
			N46°42'43"W 181.07'
3	110°32'41"	233.00'	448.83'
			N01°13'10"W 382.80'
4	167°00'	167.00'	321.03'
			N01°33'10"W 373.60'
5	24°03'14"	433.00'	182.03'
			N68°05'47"E 181.70'
6	24°03'14"	367.00'	154.29'
			N68°05'47"E 153.15'



LEGEND
ALL DIMENSIONS ARE IN FEET.
UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE
TYPICAL FOR ALL INSTRUMENTS.
P. = PERMANENT INSTRUMENT.
R. = RECORDING INSTRUMENT.
O. = SET MONUMENT WITH A 1/2" DIAMETER STEEL BAR, 3' LONG.
ALL LOT CORNERS ARE MARKED BY 1/2" DIAMETER STEEL BARS.
IF A LOT CORNER IS MARKED BY A 1/2" DIAMETER STEEL BAR,
IT IS IN LINE WITH STAKES OR MARKED EXCEL STAKES.
R. = ROAD, UNLESS NOT MARKED, IT IS ALSO ROAD.
ENC. = ENCLOSURE.
ST. = SURVEY STATION.
ENCL. = INSTRUMENT.
CONC. = CONCRETE.

SCALE: 1" = 50'

[Signature]

RESTRICTION NOTE:
THIS PLAY IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 260 OF 1987, AS AMENDED, ON CERTAIN LOTS WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF ENVIRONMENT GREAT LAKES, AND ENERGY AND THE KENT COUNTY DRAIN COMMISSIONER WHICH ARE RECORDED IN INSTRUMENT NUMBER _____ OF RECORDS OF THIS COUNTY.

WATERSTONE DRIVE

EASTERN DRIVE

WATERS BLUFF DRIVE

WATER RIDGE DRIVE

100TH STREET

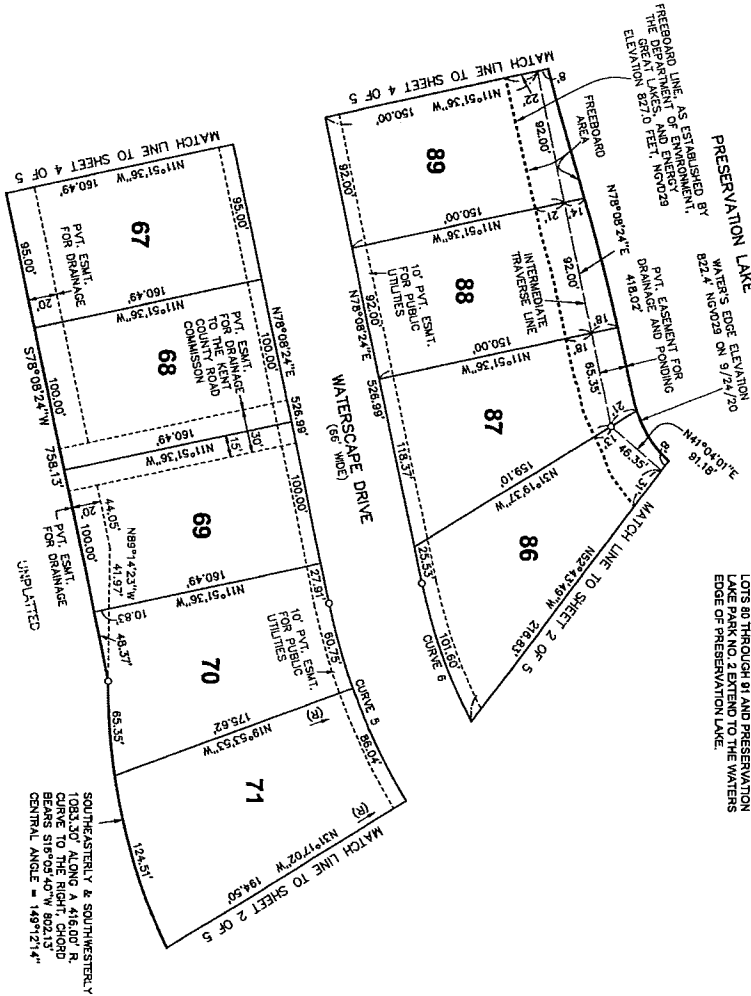
KALAMAZOO AVENUE

92ND STREET

SEC. 2

SITE

SCALE 1" = 2000'



CURVE NO.	CENTRAL ANGLE	RADIUS	LENGTH	BEARING	CHORD
5	24°03'14"	433.00'	182.03'	N68°05'47"E	180.70'
6	24°03'14"	367.00'	154.23'	N68°05'47"E	153.15'

LEGEND
ALL DIMENSIONS ARE IN FEET.
CURVILINEAR MEASUREMENTS ARE ARC MEASUREMENTS.
P.L.V. BEARINGS ARE BASED ON PRESERVATION LINES AS
SHOWN ON INSTRUMENT NO. 2010871/4026807.
O = SET POINT WITH A 1/2" DIAMETER STEEL BAR, 35" LONG,
ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT CORNERS ARE MARKED BY 1/2" DIAMETER STEEL BARS.
1" LONG WITH SUFFICIENT CAP MARKED EXCEL, S&B3.
R = ROUND, LINES NOT MARKED ARE NON-ROUND.
P = POUND NOUNMENT WITH A 1/2" DIAMETER STEEL BAR,
ENCASED IN 4" DIAMETER CONCRETE.
INST. = INSTRUMENT



0' 25' 50'

SCALE: 1" = 50'



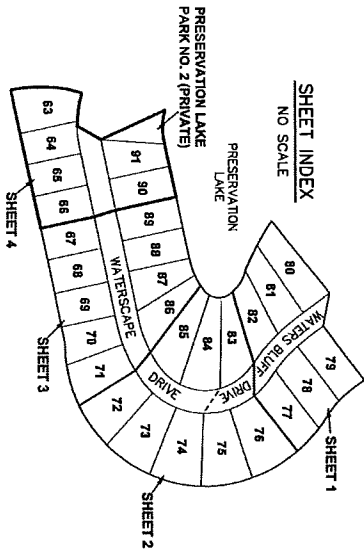
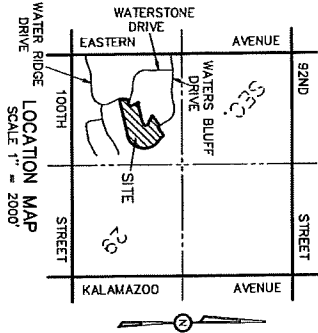
Kent A. V.

RESTRICTION NOTE:
THIS PLAT IS SUBJECT TO RESTRICTIONS AS REQUIRED BY ACT 298 OF 1987 AS AMENDED, ON CERTAIN LOTS WITH RESPECT TO THE REQUIREMENTS OF THE MICHIGAN DEPARTMENT OF ENVIRONMENT GREAT LAKES, AND ENERGY AND THE KENT COUNTY DRAIN COMMISSIONER WHICH ARE RECORDED IN INSTRUMENT NUMBER _____ OF RECORDS OF THIS COUNTY.

PRESERVATION LAKES NO. 3

PART OF THE SW 1/4, SECTION 29, T5N, R11W, GAINES TOWNSHIP, KENT COUNTY, MICHIGAN

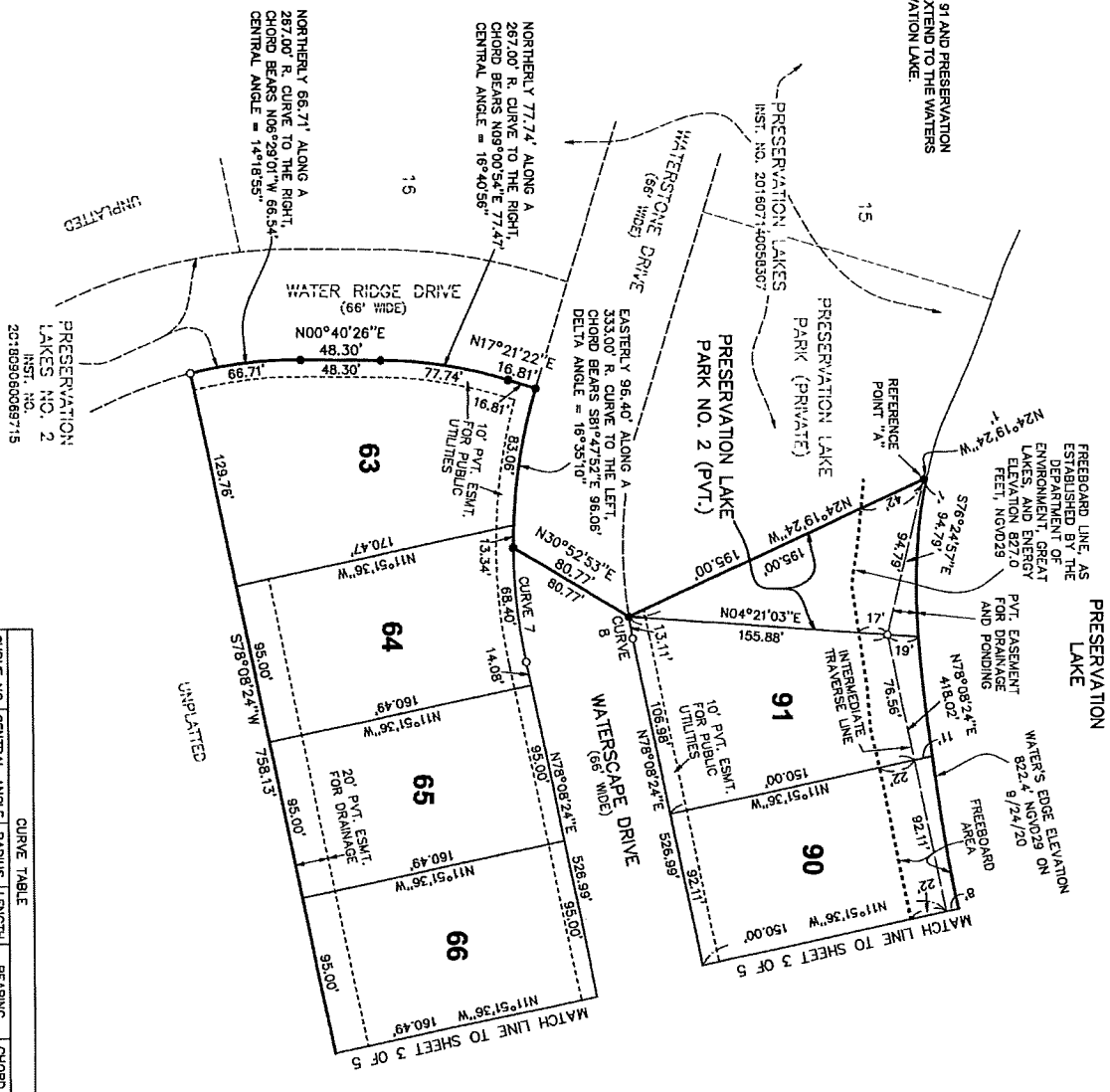
SHEET 4 OF 5



LEGEND
ALL DIMENSIONS ARE IN FEET.
CURVILINEAR MEASUREMENTS ARE ARC MEASUREMENTS.
PLAT BEARINGS ARE BASED ON PRESERVATION LAKES AS
RECORDED IN INSTRUMENT NO. 20160740069307.
O = SET MONUMENT WITH A 1/2" DIAMETER STEEL BAR, 36" LONG,
ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT CORNERS ARE MARKED BY 1/2" DIAMETER STEEL BARS.
18" IN LENGTH WITH SURVEY CAP MARKED EXCEL 5043.
R = RADIAL. LINES NOT MARKED ARE NON-RADIAL.
● = FOUND MONUMENT WITH A 1/2" DIAMETER STEEL BAR,
ENCASED IN 4" DIAMETER CONCRETE.
INST. = INSTRUMENT



LOTS 80 THROUGH 91 AND PRESERVATION
LAKE PARK NO. 2 EXTEND TO THE WATERS
EDGE OF PRESERVATION LAKE.



CURVE TABLE				
CURVE NO.	CENTRAL ANGLE	RADIUS	LENGTH	CHORD
7	11°46'09"	333.00'	68.40'	184°01'29"E 68.28'
8	02°48'46"	267.00'	13.11'	N78°32'47"E 13.11'

SHEET 5 OF 5

THE WATER'S EDGE

CONTAINS 29 LOTS, 1 PRIVATE PARK AND 14.6 ACRES

THE BEADINGS SHOWN ON
EXPLAINED IN THE LEGEND.

September 25, 2020

КОНСТАНТИН
КОРНЕЙ

SURVEYOR CERTIFICATION OF TRUE COPY
I, KENNETH J. VIERZEN, SURVEYOR, CERTIFY:

APPROVAL OF EACH OF THE FOLLOWING AGENCIES (WHOSE APPROVAL UNDER SECTION 500.101 TO 500.293):

KENNETH D. PARRISH, COUNTY TREASURER, COUNTY PLAT BOARD

THROUGH D1 AND PRES OF PRESERVATION LAGE

SIGNATURE LAND DEVELOPMENT CORPORATION

STATE FILE NUMBER 0286897
FILED ON JUNE 29, 2010

THE CORPORATION.

✓ NO PART PUBLIC, KENIL COUNTRY, MICHIGAN
MY COMMISSION EXPIRES: 01/09/2027

PRESERVATION LAYER PA
LAYER.

REPO LAND INVESTMENTS LLC
2025 FORECLOSURE SALE AND THE
2025 FORECLOSURE SALE AND THE

MICHAEL R. MCCRAW, MEMBER

INVESTMENTS LLC, A
LIMITED LIABILITY COMP

NOTARY PUBLIC, KENT COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 01/09/2027

INCLUDED IN THIS PLAT.

KENNETH D. PARRISH, KENT COUNTY TREASURER

DATE: _____

DATE _____

DATE: _____

LISA FOSTHULMUS LYONS, COUNTY CLERK
REGISTER OF DEEDS

KENT COUNTY TREASURER

300.184 AND THE APPLICANT
IN THE COUNTY OF KENT

OF COUNTY ROAD COMMISSION

EXPIRES WITHIN ONE YEAR

THE PROVISIONS OF THE
APPLICABLE RULES AND

MANDY BOLTER, BOARD CHAIRMAN

LISA FOSTHULMUS LYONS, COUNTY CLERK
REGISTER OF DEEDS

KENT COUNTY TREASURER



COUNTY OF KENT, MICHIGAN
STREET LIGHTING SPECIAL ASSESSMENT DISTRICT
PRESERVATION LAKES #3
RESOLUTION NO. 2021-____

DECLARATION OF INTENT TO MAKE PUBLIC IMPROVEMENTS; TENTATIVE DESIGNATION OF SPECIAL ASSESSMENT DISTRICT; FILING OF SPECIAL ASSESSMENT ROLL; NOTICE OF PUBLIC HEARINGS

Minutes of a regular meeting of the Township board of the Charter Township of Gaines, Kent County, Michigan, held at the Township Offices in said Township on the _____, 2021, at 7:00PM, local time where there were:

PRESENT:

ABSENT:

The following resolution was offered by Member _____ and supported by Member _____:

WHEREAS, Section 3 of Act 188 of the Public Acts of Michigan of 1954, as amended ("Act 188") provides that the Township Board may proceed and exercise the powers granted by Act 188 upon the filing with the Township Clerk of petitions signed by record owners of land constituting more than 50% of the land area in a special assessment district as finally hereafter established by the Township Board; and

WHEREAS, the Clerk has received petitions to make certain public improvements consisting of installing, operating, and maintaining street lighting (the "improvements") in the Preservations Lakes Phase III development, and has verified that the petitions have been signed by the record owners of land constituting more than 50% of the land area in the proposed special assessment district; and

WHEREAS, there exists a need for the improvements in the Township; and

WHEREAS, THE TOWNSHIP Supervisors has tentatively made a special assessment roll for the parcels benefited by said improvements and contained in the special assessment district determined for said improvements, and, in addition, the Township supervisor has reported said roll to the Township Board.

NOW THEREOFRE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. That the Township Board intends to proceed on the petitions filed pursuant to Act 188 to make the improvements.
2. That the Township Supervisor has caused preliminary plans to be prepared showing the improvements and an estimate of the cost thereof.
3. That said plans and estimate have been filed with the Township Clerk.
4. That the Township Board hereby tentatively designates a special assessment district known as Preservation Lakes Phase III Special Assessment District consisting of certain parcels of land, the descriptions of which are set forth in the Notice of hearing attached as Exhibit A hereto, which descriptions are incorporated herein by reference for the District, and against which parcels all of a portion of the cost of said improvements shall be assessed.
5. That the tentative special assessment roll for the District attached as Exhibit B hereto (the "Special Assessment Roll"), as reported to the Township Board by the Township Supervisor, shall be filed in the office of the Township Clerk and shall be available for public inspection during the normal working hours of the Township office.
6. That the Township Board shall hold a public hearing on the ____ day of _____, 2021, at 7:00PM local time, at the Township offices, in said Township, to hear and consider objections to the petitions, the proposed improvements, the special assessment district tentatively designated herein, and to all other matters relating to the improvements.
7. That the township Board shall hold a public hearing on the ____ day of _____, 2021, at 7:00PM, local time, at the Township offices immediately after the public hearing provided for the Paragraph 6, at 7:00PM, local time, to hear and consider comments and objections to the Special Assessment Roll.
8. That the Township Clerk shall cause to be published one notice of the hearings in a newspaper(s) of general circulation within the Township, totaling at least two publication times prior to the hearing. The first publication shall be at least ten days prior to the hearing and proof of publication of such notice shall be filed with the Township Board.
9. That the Township Clerk, at least ten days prior to the date of the hearing, shall send a notice of the hearing by first class mail addressed to each record owner of or party in interest in each parcel of land to be assessed, at the address shown for such record owner or party in interest upon the last Township tax assessment roll for ad valorem tax purposes which was reviewed by the Township Board of Review, as supplemented by any subsequent changes in the names or addresses of the owners or parties listed thereon (except in the case of railroad companies, which shall be mailed a notice of the hearing by registered mail within five days after the first publication of the notice in Paragraph 8, above); provided, that if a record owner's name does not appear on the Township tax assessment records, then the notice required by this paragraph shall be given to the record owner at the address shown by the records of the County Register of Deeds.
10. That the form of the notice of the hearing to be mailed and published as set forth herein shall be substantially as set forth in Exhibit A hereto.

11. That all actions heretofore taken by the Township officials; employees, and agents with respect to the improvements and proceedings under Act 188 are hereby ratified and confirmed.
12. That all resolutions or parts of resolutions in conflict herewith are hereby rescinded.

YEAS:

NAYS:

ABSTAIN:

RESOLUTION DECLARED ADOPTED.

Michael A. Brew, Clerk
Gaines Charter Township

STATE OF MICHIGAN)
) ss.
COUNTY OF KENT)

I, Michael A. Brew, the duly qualified and acting Clerk of the Charter Township of Gaines, Kent County, Michigan (the "Township") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township at a regular meeting thereof held on the ____ day of _____, 2021 the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267 of the Public Acts of Michigan of 1976, as amended, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

EXHIBIT A

NOTICE OF PUBLIC HEARING

**CHARTER TOWNSHIP OF GAINES
COUNTY OF KENT, MICHIGAN**

**STREET LIGHTING SPECIAL ASSESSMENT DISTRICT
PRESERVATION LAKES PHASE III**

NOTICE IS HEREBY GIVEN that the Township Board of the Charter Township of Gaines, Kent County, Michigan, having received petitions to make certain public improvements consisting installation, operation, and maintenance of street lighting within the development of Preservation Lakes #3, from record owners of land constituting more than 50% of the land area in the special assessment district described below, has resolved its intention to proceed on the petitions and, pursuant to Act 188 of the Public Acts of Michigan of 1954, as amended, to make said improvements in the Township.

The Township Board has tentatively determined that the cost of said improvements shall be specially assessed against each of the following described lots and parcels of land which are benefited by the improvements and which together comprise the following proposed special assessment district:

The Preservation Lakes #3 Plated Subdivision (Lots 63 through 91), in Part of the SW ¼ of Section 29, T5N, R11W, Gaines Township, Kent County Michigan

Hearings on Petition, Improvements, District and Special Assessment Roll

TAKE NOTICE, THAT THE Township Board of the Charter Township of Gaines will hold a public hearing on May 10, 2021 at 7:00 PM at the Township Offices, 8555 Kalamazoo Avenue, SE, within the Township to hear and consider any objections to the petitions filed, the proposed improvements, the proposed special assessment district, and all other matters relating to said improvements. If it is mandated that public meetings be held electronically, the Township will hold the meeting via ZOOM. Login information will be available by sending a request to info@gainestownship.org.

TAKE FURTHER NOTICE that the Township Board shall hold a second public hearing on the May 10, 2021, immediately after closure of the public hearing provided for NOTED ABOVE. The purpose of the hearing being to hear and consider comments and objections to the Special Assessment Roll.

Persons with disabilities needing special accommodations should contact Kim Triplett at 616-504-4332 one week prior to the meeting to request mobility, visual, or any other assistance.

EXHIBIT B

PRESERVATION LAKES #3

SPECIAL ASSESSMENT DISTRICT

ROLL NO. 1

PPN	ADDRESS	OWNER	ASSESSMENT
41229303013	0 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303014	981 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303015	989 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303016	993 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303017	999 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303018	1007 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303019	1015 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303020	1027 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303021	1045 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303022	966 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303023	954 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303024	946 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303025	940 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333002	978 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.

Preservation Lakes Phase III Street Lighting Resolution 1
Street Lighting Special Assessment District

41229333003	984 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333004	990 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333005	996 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333006	1002 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333007	1008 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333008	1014 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333009	1020 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333010	1026 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333011	1032 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333012	1048 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333013	965 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333014	959 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333015	957 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333016	9953 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333017	947 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.

EXHIBIT C

SUPERVISORS CERTIFICATE

I, Robert DeWard, Supervisor of the Charter Township of Gaines, hereby state that the attached Special Assessment Roll of Preservation Lakes Phase III, Street Lighting Special Assessment District was made pursuant to a resolution of the Township Board adopted on April 12, 23021, and in making such special Assessment Roll, I have according to my best judgment, conformed in all respects to the directions contained in such resolution and the statutes of the State of Michigan.

Date: _____

Robert DeWard, Supervisor
Charter Township of Gaines

CERTIFICATE OF CONFIRMATION

I hereby certify that the above Special Assessment Roll was confirmed on April 12, 2021, by resolution of the Township Board of the Charter Township of Gaines.

Date: _____

Michael A. Brew, Clerk
Charter Township of Gaines

Memo

To: Gaines Charter Township Board
From: Rob DeWard, Township Supervisor
Date: April 7, 2021
Re: Township Manager's Employment Agreement

I have included a copy of the Employment Agreement for our new Township Manager.

We have gone through a negotiation process with Jonathan Seyferth and at this time our Personnel Committee, our attorney, and Jonathan are happy with the contract.

The contract closely resembles the contract we had with Mark Jansen, with minor "tweaks", mostly for clarification.

An addition to the contract was item "C" under Section 8 (Expenses). Under Section 8 (c), the Township agrees to allot a minimum of \$5,000 annually to cover costs related to attending meetings, conventions and conferences (approved by the Board). Jonathan is very active in the MME and ICMA, and is committed to upholding the strong ethic codes these organizations have. (Page 7)

Jonathan has agreed to signing the contract once this Board approves the terms, and is looking forward to a start date of May 19, 2021.

**Gaines Charter Township
8555 Kalamazoo Ave., SE
Caledonia, MI 49316**



**EMPLOYMENT CONTRACT
TOWNSHIP MANAGER**

**JONATHAN C.
SEYFERTH**

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TOWNSHIP MANAGER – EMPLOYMENT AGREEMENT

THIS AGREEMENT, made and entered into this [REDACTED] day of [REDACTED], 2021, by and between the Charter Township of Gaines, State of Michigan, a charter township, hereinafter called “Employer”, as party of the first part, and Jonathan Seyferth, hereinafter called “Employee”, as party of the second part, both of whom understand as follows:

WITNESSETH;

WHEREAS, Employer desires to employ the services of said Employee as Township Manager of the Charter Township of Gaines.

WHEREAS, it is the desire of the Board of Trustees, hereinafter called “Board”, to provide certain benefits, establish certain conditions of employment and to set working conditions of said Employee; and

WHEREAS, Employee desires to accept employment as Manager of the Charter Township of Gaines.

NOW THEREFORE, in consideration of mutual agreements herein contained, the parties agree as follows:

SECTION 1. DUTIES

- A. Employer hereby agrees to employ Employee as Manager of the Charter Township of Gaines to perform the functions and duties specified in EXHIBIT A “Duties of the Township Manager” and to perform other legally permissible and proper duties and functions the Board shall from time to time assign.
- B. Employer hereby agrees to the principle of noninterference in the administration of outlined duties (EXHIBIT A) as necessary to insure the orderly and efficient implementation of Board policy, and agrees to direct performance concerns and communications to the Township Supervisor. Employee agrees to respond promptly to all performance concerns.

SECTION 2. TERMS

- A. The term of this agreement shall be for two (2) years. Nothing in this agreement shall prevent, limit or otherwise interfere with the right of the Board to terminate the services of Employee at any time, subject only to the provisions set forth in Section 4, of this agreement.
- B. Nothing in this agreement shall prevent, limit or otherwise interfere with the right of Employee to resign at any time from his position with Employer, subject only to the provisions set forth in Section 4.D, of this agreement.
- C. Employee agrees to remain in the exclusive employee of Employer until May 19, 2023, and Employee shall neither accept other employment nor become employed by any other employer while employed as the Manager of the Charter Township of Gaines.

The term “employed” shall not be construed to include occasional teaching, writing, consulting, or military reserve service performed on Employee’s time off. Excluded from the term “employed” shall be the conduct of a private business that has no relation or conflict with the Township as decided by the Board.

- D. In the event written notice is not given by either party to this agreement, to the other, 30 days prior to the termination date as herein given, this agreement shall be extended on the same terms and conditions for successive one-year terms. If the term is not extended, it shall terminate at its existing ending date. This subsection should take full effect upon completion of the first two (2) years of employment. Renewal for the next twelve (12) months shall then occur, with annual renewals or notice as provided. Renewal shall automatically occur unless specific action to the contrary is taken or a mutually agreed upon change is made to this agreement.

SECTION 3. SUSPENSION

Employer may suspend Employee with full pay/benefits at any time during the term of this agreement, but only if:

- 1) A majority of the Board and the Employee agree, or
- 2) After a public meeting, a majority of the Board votes to suspend Employee for just cause, provided however, that Employee shall have been given written notice setting forth any charges at least ten days prior to such hearing by the Board.

SECTION 4. TERMINATION AND SEVERANCE PAY

- A. In the event of Termination without Cause by either party giving 30 days' notice entitles Employee to Severance Pay as specified and subject to the conditions as follows. Should termination occur before May 19, 2023, Employee shall be provided with three (3) months' Severance Pay in the full amount of his then bi-weekly salary and benefits; plus, Employee shall receive compensation for any unused vacation days at the basis of one day salary for each unused day of vacation time.

Should such termination occur on or after May 19, 2023, employee shall be provided with four (4) months' Severance Pay in the full amount of his then bi-weekly salary and benefits; plus, unused vacation time as noted above.

Such severance pay will be paid to the Employee over the agreed period by direct deposit, issued on regular Employer paydays, and with appropriate amounts withheld.

Further, if the Employee secures another position of equal or greater pay during the severance period, the Employer's obligation to make severance payments will cease. If the Employee takes another position at less pay during the severance period, the Employer's obligation is limited to the difference in pay for the balance of said severance period. For purposes of this section, "another position" shall include employment, self-employment, independent contracting, or compensation from any source.

As a condition precedent to receiving any Severance Pay pursuant to this Section, Employee shall sign and deliver a fully executed copy of the Release (attached as Exhibit C to this Agreement) to the Employer within twenty-one (21) days of the date Employee is terminated or is notified of his termination, whichever occurs last. While Employee is receiving Severance Pay pursuant to this Section, he shall make himself reasonably available to the Employer for consultation on Township business matters of which Employee was involved in during the term of his employment with the Township.

- B. In the event Employee is terminated with Cause by the Board, termination shall be immediate. For purposes of this Agreement, with Cause includes, but is not limited to, Employee doing or being involved with any of the following:

- 1) Conviction of a crime other than a minor traffic violation
- 2) Misappropriation or misuse of Township property, information, or funds
- 3) Violation of applicable laws, rules or regulations governing his conduct in office or the performance of his duties

- 4) Knowingly making statements or taking action that results in increased liability to the Township, against the wishes of the Township Board.
- 5) Regularly failing to report to work or perform his duties as Township Manager
- 6) Breach of this Agreement
- 7) Engaging in misfeasance, malfeasance, or nonfeasance in the office
- 8) Disobedience of the directives of the Township Board
- 9) Intentional violation of any material provision of the Employee Personnel Manual

The determination of whether appropriate cause for termination exists shall be in the sole discretion of a majority vote of the members of the Township Board then in office. If the Township terminates Employee's employment for Cause, Employee's annual base salary and other benefits under this Agreement and the Employee Personnel Manual shall cease immediately and the Township shall not be responsible for any further benefits or compensation of any kind to Employee.

- C. In the event Employer at any time during the term of this agreement reduces the salary or other financial benefits of Employee, with the exception of unavoidable budgetary reasons, or in the event Employer refuses, following written notice, to comply with any other provision benefiting Employee herein, or Employee resigns following a suggestion, whether formal or informal, by the Board that he resign, then, in that event, Employee may, at his option, be deemed to be "terminated" at the date of such refusal to comply within the meaning and context of the severance pay provision herein.
- D. Employee may terminate his employment with the Township by giving the Township Board at least forty-five (45) days' notice in writing. The parties may mutually agree to a shorter notice.

SECTION 5. DISABILITY

If Employee is permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, mental incapacity or health for a period of four (4) successive weeks beyond any accrued sick leave, or for twenty working days over a thirty (30) day working period, Employer shall have the option to terminate this agreement, subject to the severance pay requirements of Section 4. Employee shall be compensated for accrued sick leave, vacation, holidays, compensatory time and other benefits.

SECTION 6. SALARY

Employer agrees to pay Employee for his services rendered pursuant to this agreement an Annual Base Salary of \$100,000.00, payable in installments at the same time as other employees of the Employer are paid.

The base salary shall be reviewed in six (6) months, on or about November 19, 2021, in connection with a performance evaluation, and, if the performance evaluation is positive, said salary shall be increased to \$105,000.00, and to \$110,000.00 starting May 19, 2022, contingent upon a positive performance evaluation. Thereafter, the amount of Employee's salary will be reviewed in connection with an annual performance evaluation.

SECTION 7. BENEFITS

In addition to Employee's Annual Base Salary, he shall, during the term of his employment with the Employer, be entitled to participate in all fringe benefits which the Employer provides to full time Township employees. These benefits are more specifically identified in EXHIBIT B hereto.

SECTION 8. EXPENSES

- A. All equipment, supplies and facilities for providing services under this Agreement shall be provided by the Employer at its expense. During the period of his employment by the Employer, Employee shall be reimbursed for necessary and reasonable expenses incurred in the course of his duties to the Employer and in accordance with the general policies and procedures of the Employer as adopted from time to time. In order to be reimbursed for these expenses, Employee must promptly present the Township Clerk with an itemized and detailed account for such expenditures, together with proper documentation as required by the Employer. Employee agrees any expenses disallowed as an appropriate deduction by a taxing authority will be treated as income for the Employee.
- B. Mileage for Township related business will be reimbursed at the then-current IRS business mileage rate. This reimbursement does not include commutes to and from the Township office for daily work or required meetings.
- C. Upon Township Board approval, Employer agrees to pay for Employee's professional dues and subscriptions, and for Employee's full participation in national, regional, state and local associations and organizations necessary and desirable for his continued professional participation, growth and advancement, as it relates to Employee's position as Township Manager, including:
 - Michigan Municipal Executives (MME) membership;
 - International City/County Management Association (ICMA) membership

Additionally, the Employer shall also reimburse the Employee's reasonable costs for attending meetings, conventions and conferences, approved by the Employer, up to the amount approved in the Employer's annual budget, which shall be at least \$5,000.00.

- D. The Employer recognizes that certain expenses of a non-personal and job-related nature may be incurred by Employee from time to time with respect to the business of the Township, including meals (but not alcoholic beverage) expenses incurred in the course of meetings concerning Township business with persons other than employees of the Township.

SECTION 9. LIABILITY/INDEMNIFICATION

To the extent allowed by law without affecting the Employer's governmental immunity, the Employer shall defend, hold harmless, and indemnify Employee against any tort, professional liability claim or demand, or other legal action, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of Employee's duties as Township Manager. Employer will compromise and settle any such claim or suit and pay the amount of any settlement or judgement rendered thereon.

However, the Employer shall have no such obligation to defend or indemnify Employee if he did not act in good faith or he knowingly violated applicable laws, rules, regulations, guidelines, orders, directives, or policies. With respect to any criminal proceeding, the Employer shall have no obligation to defend or indemnify Employee under this provision unless Employee had no reasonable cause to believe that his conduct was unlawful.

SECTION 10. TOWNSHIP'S AUTHORITY

Employee agrees to observe and comply with the rules and regulations of the Township as adopted by the Township Board regarding the performance of his duties, and to carry out and to perform orders, directions and policies announced to Employee by the Township Board from time to time, either orally or in writing, and the ICMA Code of Ethics. Employee will be obligated to take direction only from the Township Board as a whole and not from individual Township Board members. Employee specifically understands that the Township Board shall have the final authority and the power to direct, control, or supervise the manner and timing of Employee's duties. Nothing contained herein shall prevent an individual Township Board member from making reasonable requests for information from Employee or meeting with him. If Employee thinks his work on behalf of the Township is being hampered by unreasonable requests, he shall immediately request a determination from the Township Board through either the Personnel Committee or the Township Supervisor.

SECTION 11. RELATIONSHIP OF DUTIES AS TO THE TOWNSHIP'S ELECTED OFFICIALS

Elected officials have statutory duties defined by the State of Michigan. Michigan statutes do not express the division of authority and duties between a township manager and a township supervisor, clerk, or treasurer. Attached EXHIBIT D provides, in more detail, the role and authority of the Gaines Charter Township Manager in relationship to the Gaines Charter Township Supervisor.

SECTION 12. PERFORMANCE REVIEWS

- A. The Supervisor and the Personnel Committee shall conduct a performance review of the job performance of Employee every six (6) month thru November 2022, and not less frequently than annually every year, thereafter. Predefined goals and objectives deemed necessary for the proper operation of the Township and the attainment of the Township's policy objectives will be reviewed.
- B. The Township Board and Employee shall meet at least annually to evaluate and assess the performance of Employee to discuss the progress towards the predefined goals.
- C. Individual Board members shall be encouraged to periodically identify their concerns regarding Employee's performance to the Township Supervisor by either informal discussions with Supervisor or by more formal means during Township Board meetings.
- D. In the event the Township Board determines that the performance of Employee is unsatisfactory in any respect, or needs significant improvement in any area, the Township Board shall describe these concerns in writing, and in reasonable detail, and with specific examples, to be objective and positive. Adequate opportunity shall be provided for Employee to discuss the evaluation with the Township Board.
- E. In furthering the provisions of this Section, the Township Board and Employee mutually agree to abide by the provisions of applicable law.

SECTION 13. HOURS OF WORK

Because Employee will devote time outside normal office hours to business of the Township, flexibility in hours worked and work schedules benefit both Employer and Employee. Work of more than an average of 40-hours per week shall be deemed part of the professional responsibility of Employee's position, and Employee shall not be entitled to overtime pay.

SECTION 14. OTHER TERMS AND CONDITIONS OF EMPLOYMENT

- A. The Township Board, in consultation with the Township Supervisor and Personnel Committee, shall establish any such other additional terms and conditions of Employee's employment, as may be deemed appropriate, from time to time, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this agreement, the Gaines Charter Township Charter, or any other law.
- B. All provisions of the Gaines Charter Township Charter, and regulations and rules of Employer relating to vacation and sick leave, retirement and pension system, holidays and other fringe benefits and working conditions as they now exist or hereafter may be amended, and shall apply to Employee as they would to other employees of the Employer, in addition to said benefits enumerated specifically for the benefit of Employee as provided herein.
- C. Employee shall be entitled to receive the same vacation and sick leave benefits as are accorded department heads, including provisions governing accrual and payment thereof upon termination.

SECTION 15. SERVERABILITY

The provisions of this Agreement are severable. If any one or more provisions are determined to be illegal or unenforceable, in whole or in part, the remaining provisions and any partially enforceable provisions will remain binding and enforceable.

SECTION 16. AMENDMENT

This Agreement may be modified or amended in whole or in part only by mutual written agreement signed by all parties.

SECTION 17. NOTICES

Any notice required or permitted to be given or made by either party to the other shall be sufficient if hand-delivered, mailed postage prepaid, sent by prepaid express or courier delivery service, or sent by facsimile or email transmission actually received by the receiving equipment to the parties at their respective addresses set forth below, or to such changed address as with party shall designate by property notice to the other:

If to the Township:

Attn: Robert DeWard
Township Supervisor
Gaines Charter Township
8555 Kalamazoo Ave., SE
Caledonia, MI 49316
Fax: 616-698-2490
Email: robert.deward@gainestownship.org

If to Employee:

Jonathan C. Seyferth
510 Elsa Street
North Muskegon, MI 49445
231-286-8458
jonseyferth@gmail.com

SECTION 18. ASSIGNMENT

This Agreement, being a personal service contract, is not assignable by Employee without first obtaining the prior written consent of the Township.

SECTION 19. ENFORCEABILITY

Even though the Township may fail to insist on strict compliance with any of the terms or conditions of this Agreement, such failure should not be deemed a waiver of any of its terms or conditions.

SECTION 20. STATUTE OF LIMITATION

Neither party shall commence any action or other legal proceeding relating to this Agreement of Employee's employment with the Township or the termination of Employee's employment, more than six (6) months after the event complained of which is the subject of the action or legal proceeding. Both parties specifically waive any statute of limitation to the contrary.

SECTION 21. ENTIRE AGREEMENT

This agreement supersedes all prior agreements between the parties concerning this subject matter and constitutes the entire understanding between the parties with respect to Employee's employment with the Township. This agreement has not been executed in reliance upon any representations or promises except those specifically contain in the Agreement, including the attached EXHIBITS A, B, C, AND D and the Gaines Charter Township Employee Personnel Manual, as referenced herein. This Agreement has been executed in duplicate.

The parties have executed this Agreement on the day and year first written above.

GAINES CHARTER TOWNSHIP

By: _____
Robert DeWard Date
Its Supervisor

And By: _____
Michael A. Brew Date
Its Clerk

* * * *

By: _____
Jonathan C. Seyferth Date

EXHIBIT A

Duties of the Township Manager

The Township hereby delegates to Employee, as Township Manager, the following functions and duties:

1. As Chief Administrative Officer, contract professionals (i.e. attorneys, engineers, auditors) report to Township Manager.
2. Assume the duties and responsibilities as “Personnel Director”:
 - a. Evaluation performance of, and supervise all department heads
 - b. Administer the Township’s personnel policies for full and part-time employees
 - c. Administer and enforce rules and regulations
 - d. Participate in labor negotiations with the Cutlerville Fire Board (negotiate and recommend for approval of the Township Board any contracts).

The Township Board retains final hiring and firing authority.

The Township Board requires that a Personnel Committee consisting of three (3) members (a trustee, the Supervisor, a member at large) be retained in an advisory capacity to assist the Township Manager with interviews, personnel policies, other personnel related matters.

After consultation with the Personnel Committee, the Township Manager will provide recommendations to the Township Board for its approval of any Department Head(s).

The creation of any new staff position (including setting pay and benefits) shall be forwarded to the Township Board as a recommendation from the Personnel Committee with background rational provided by the Township Manager.

3. Develop and prepare a proposed annual budget for submission to the Township Board.
4. Unless an individual specifically request the Township Supervisor, the Township Manager will meet and/or correspond with citizens interested in Township operations. The Township Manager will generally handle public complaints and help find solutions to problems in a timely and courteous manner.
5. Regularly conduct staff meetings to coordinate departmental activities.

6. Prepare the Township meeting agenda in conjunction with the Township Supervisor. The Supervisor is responsible for setting the agenda and conducting meetings. The Township Manager will assist the Supervisor in agenda preparation by providing background information related to discussion topics. The agenda and related materials will be forwarded to the Township Executive Secretary for preparation, posting and distribution to Township Board members, including the news media and others as determined by the Township Board.
7. Supervise the preparation and distribution of correspondence, notices, and resolutions after each meeting as directed by the Township Board.
8. Oversee publications and/or required legal notices concerning amendments to ordinances, public hearings, rezonings, public improvements, and similar matters as authorized by the Township Board.
9. Where applicable, sign and certify ordinances, contracts, reports, warrants and other documents as authorized by the Township Board.
10. At the direction of and in coordination with the Township Supervisor, attend meetings with representatives of other units of government, business owners, citizens, and groups on matters of mutual concern, and provide verbal or written reports to the Supervisor and the Township Board.
11. Read extensively regarding government topics to keep informed. With Township Board approval, attend various conferences, seminars, and meetings within Michigan in order to keep current on township government trends and needs. Keep the Township Board informed of local, state, and national issues that may affect the well-being of the Township.
12. Attend all meetings of the Township Board, with the right to take part in discussions, but without the right to vote.
13. The Township Supervisor and the Township Manager are members, ex-officio, of all Township committees approved by the Township Board. The Township Manager acts as an advisory member only, without voting privileges.
14. Township Manager is responsible to the Township Board for the efficient operation of all Departments of the Township.
15. Township Manager is responsible for leasing, sales and purchases of equipment as directed by the Township Board.
16. Attend meetings of the Planning Commission, Zoning Board of Appeals, Parks and Trails Committee and any other meetings as is reasonably necessary and/or as determined by the Township Board.
17. Act as the Township's "purchasing agent" and coordinate that authority with Department Heads.
18. Township Managers office shall provide administrative assistance for all Township Board approved commissions, boards, and committees.
19. Coordinate and administer Township insurance and benefit issues, including health, long and short-term disability, workers compensation, building, liability, and pensions.

20. Perform such other duties as may be prescribed from time to time by the Township Board.
21. Meet with the Township Supervisor on a regular basis to keep him/her apprised of Township business and other related matters.

The above is intended to describe the general nature and level of work being performed by a person assigned this classification. This is not to be construed as a complete list of all job duties and responsibilities, and the above may be periodically changed by the Township Board. An addendum may be included for clarification.

EXHIBIT B

Benefits

Employee shall be entitled to receive and participate in all fringe benefits* as outlined in the Gaines Charter Township Benefit Summary document available in the Clerk's office. Including but not limited to:

1. Medical Insurance, traditional or HSA (\$200 per pay period "buy-out" for opting out of health insurance offered by the Township.)
2. Dental Insurance
3. Flexible Spending Account (FSA)
4. Life Insurance:
The Township will provide a life insurance policy on Employee in a maximum amount of \$50,000.00. Additionally, the life insurance benefit includes dependent life coverage of \$5,000 per spouse and \$2,000 per minor child.
5. Short/long term disability
6. Paid vacation:
Employee shall receive 112 hours of vacation thru December 31, 2021 and 168 hours each calendar year thereafter.
7. Paid Personal Time Off
8. Deferred Compensation Plan (VOYA)
9. Retirement – John Hancock 401A (Equivalent of 10% of salary deposited – no employee match – each pay period. 100% vested at conception.)
10. Direct Deposit
11. Mileage reimbursement:
Employee will not be provided with a Township-owned vehicle or a vehicle allowance, but will be reimbursed for the use of his personal vehicle for Township business at the IRS business mileage rate.

***Benefits are subject to change**

EXHIBIT C

Release

This RELEASE is made by Jonathan C. Seyferth (“Seyferth”), and GAINES CHARTER TOWNSHIP, a Michigan charter township (the “Township”) pursuant to the requirements set out in Section 4.A of the Employment Agreement between the parties effective [REDACTED], 2021 (“Employment Agreement”).

1. **Release.** Seyferth, for himself, his heirs, successors and assigns, unconditionally and forever releases and discharges the Township, along with its elected and appointed officials, agents, and assigns (collectively referred to as “Releasees”), from all suits, claims or demands of any nature that he ever had or now has against Releasees. In particular, this release includes any rights or claims relating in any way to the Employment Agreement, the employment relationship between Seyferth and the Township or the termination of that relationship, including, without limitation by reason of specification, claims under the *Civil Rights Act of 1991*, *Age Discrimination in Employment Act*, *Michigan Elliott-Larsen Civil Rights Act*, or any other federal, state or local laws prohibiting all forms of discrimination, or any claims growing out of any legal restrictions on the Township’s right to discharge its employees. This Release shall not diminish Seyferth’s rights to Severance Pay under the Employment Agreement.
2. **Covenant Not to Sue.** Seyferth agrees and covenants that he has not and will not institute any legal, administrative, or other action, suit or claim of any kind against the Township, other than to enforce his right to Severance Pay under the Employment Agreement, with any state, federal, or local court, agency, or other tribunal. However, this provision will not prevent Seyferth from filing a charge with the Equal Employment Opportunity Commission (“EEOC”) or similar state agency, or from participating in any investigation conducted by the EEOC or similar state agency; provided, however, that any claims by Seyferth for personal relief in connection with such a charge or investigation (such as reinstatement or monetary damages) would be barred by the release in paragraph one (1) of this Release. Seyferth agrees, as a matter of contract, that in the event he challenges the validity of any of the terms of the Employment Agreement or this Release in any court or agency, he will forfeit and repay the Township the Severance Pay set forth in the Employment Agreement. Additionally, if he is unsuccessful in his challenge, he will be fully responsible to the Township for any expenses or damages incurred by the Township, including reasonable attorneys’ fees, as a result of the challenge.

3. Nondisparagement. Seyferth will not initiate or join in any negative or critical comments about the Township, its services, employees, elected and appointed officials, agents, or assigns.
4. Voluntariness of Agreement. Seyferth has read all of the terms of this Agreement, including the fact that his employment relationship with the Township is permanently and irrevocably ended and this this Agreement releases forever the Township from any legal action arising from that employment relationship and the termination of that relationship by the Township. Seyferth signs this Release of his own free will and in exchange for the Severance Pay outlined in the Employment Agreement. Seyferth declares that he is competent to execute this Release and the prior to signing this Release he has been advised to consult with his attorney about this matter.
5. Revocation Period. Pursuant to the terms of the *Older Workers Benefit Protection Act of 1990*, Seyferth understands that he has twenty-one (21) days in which to consider this Release. Even after signing this Release, Seyferth has seven (7) days to revoke this Release. This Release will not become effective or enforceable until that seven (7) day period is over.

Dated: _____, 2021

Jonathan C. Seyferth

GAINES CHARTER TOWNSHIP

Dated: _____, 2021

Supervisor, Robert DeWard

Dated: _____, 2021

Clerk, Michael A. Brew

EXHIBIT D

Policy Statement

Importance of an Accessible Supervisor

Relationship of Duties to the Elected Supervisor Position

The citizens of Gaines Charter Township have always benefited from a strong, accessible Township Supervisor. The intent of hiring a Township Manager is to provide technical and administrative support to the Township Board and the Supervisor when carrying out statutes, Township policy, and ordinances. The Township Manager will assume certain duties formerly performed by the Supervisor and provide technical and administrative direction and supervision of the Township staff on a daily basis. However, in the event that the Township Manager is absent from the Township's offices for three (3) or more consecutive days, the Township Supervisor will assume all duties of the Township Manager until the Township Manager returns. The Township Supervisor will still be responsible for meeting certain requirements of the Supervisor position as mandated by state statute and the Township Board. By reducing the daily administrative duties currently performed by the Supervisor, it will allow him/her time to explore and provide visionary ideas and policy recommendations to the Township Board for consideration. The Supervisor will continue to represent the Township's residents and property owners and Township Board by serving on various boards and committees such as the Grand Valley Metro Council (GVMC) and the Michigan Townships Association (MTA). The Supervisor will continue to act as an *ex officio* member of all committees of the Township Board, will continue to act in an oversight capacity, and if requested, will meet with citizens, other individuals, or delegations on Township related matters.

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Memo

To: Gaines Charter Township Board
From: Robert DeWard/Liquor Control Committee
Date: April 6, 2021
Re: Proposed Changes to Liquor Control Committee

The Township received a request from Celebration Cinema for revisions to our Liquor Control Ordinance which would allow them to serve alcoholic beverages in the theatres.

The attached documents express the reasoning and statistics behind their request.

The attached proposed revisions to our Liquor Control Ordinance (which would allow serving alcoholic beverages in the theatres) is the result of a collaborative effort between Attorney DeeDee (Tania) Fuller, our attorneys Bloom Slugget, and our Liquor Control Committee.

Celebration Cinema does not feel it can successfully reopen the theatre without the approval to serve alcoholic beverages to movie goers.

Based on a thorough review of the information provided, the Liquor Control Committee recommends the existing ordinance be amended.

Should this Board approve the changes, a motion should be made to approve the changes (via resolution/agreement) and set May 10, 2021 as the date for a public hearing and second read.

Chapter 4 - ALCOHOLIC LIQUORS

FOOTNOTE(S):-- (1) ---

Editor's note— Ord. No. 14-04, § 1, adopted April 14, 2014, amended former Ch. 4, Arts. I— III, in its entirety to read as herein set out. Former Ch. 14 pertained to similar subject matter and derived from the following: Ord. No. 93-00-01-LQ, §§ 1—4, 10-25-1993; Ord. No. 05-FEB-14-SUP1, §§ 2—16, 3-14-2005; Ord. No. 10-04, § 1, 6-14-2010.

State Law reference— Michigan liquor control code of 1998, MCL 436.1101 et seq.

ARTICLE I. - IN GENERAL

Secs. 4-1—4-18. - Reserved.

ARTICLE II. - LICENSING AND CONTROL

Sec. 4-19. - Definitions.

- (a) Terms not defined in this Article will be defined pursuant to the Michigan Liquor Control Code, PA 58 of 1998 (MCL 436.1101 *et seq.*), as amended.
- (b) Terms not defined in this Article or in the Michigan Liquor Control Code will be defined pursuant to the administrative rules promulgated by the state of Michigan Department of Licensing and Regulatory Affairs Michigan Liquor Control Commission or its successor agency.
- (c) For the purpose of this Article, the following definitions will apply unless the context clearly indicates or requires otherwise:
 - (1) *Alcohol* means the product of distillation of fermented liquid, whether or not rectified or diluted with water, but the term "alcohol does not mean ethyl or industrial alcohol, diluted or not, that has been denatured or otherwise rendered unfit for beverage purposes.
 - (2) *Alcoholic liquor* means any spirituous, vinous, malt or fermented liquor, liquid or compound, whether or not medicated, proprietary, patented, and by whatever name called, containing one-half of one percent (0.005) or more of alcohol by volume which is fit for use for beverage purposes.
 - (3) *Alcohol service area* means the portion of an establishment which is licensed to sell alcoholic liquor for on premises consumption and where persons are permitted to consume such alcoholic liquor.
 - (4) *Applicant* means any person who seeks approval from the Township Board to sell alcoholic liquor.
 - (5) *Beer* means any beverage obtained by alcoholic fermentation of an infusion or decoction of barley, malt, hops, or other cereal in potable water.

Commented [DE1]: In addition to reviewing the added language I rearranged some parts of the ordinance to make it flow better. I tried to keep the changes minimal as the Township did not request a broad revision.

Commented [DE2]: Added to provide clarification re terms not defined in the article

- (6) *Banquet/event facility* means a building or any portion of a building used for functions such as meetings, conferences, lectures, seminars, live speaking engagements, weddings, receptions and banquets, which as determined by the Township Board may be eligible for a Banquet/event facility license as provided herein.
- (7) *Banquet/event facility license* means a license issued to an on-premise licensee for use in a Banquet/event facility.
- (8) *Bona Fide restaurant* shall mean a restaurant meeting the following standards:
 - a. The restaurant serves complete meals selected by a patron from a menu that includes a choice of appetizer, salad, entrée (entrées shall include a variety of meat, poultry and/or fish dishes), vegetable, bread, dessert and beverages served by a wait staff and prepared on-premises;
 - b. Seventy-five percent of the gross receipts of the restaurant inclusive of receipts for alcoholic liquors are derived from the sale of food and beverages other than alcoholic liquors;
 - c. The restaurant provides separate restrooms on-premises for both men and women for the exclusive use of restaurant patrons;
 - d. Except as provided below for a tavern license, if the restaurant provides counter space (i.e. a bar) for the purpose of dispensing alcoholic liquors, the counter space shall be separated from the dining area by a suitable partition, the size of the counter space shall be limited to provide seating space for a total number of patrons equal to or less than 20 percent of the restaurant's dining room capacity, and such counter space seating capacity shall be included in the calculation of 15 square feet per patron. However, in the case of a restaurant holding a Tavern License, the term "bona fide restaurant" shall not include any restaurant providing additional counter space (i.e. bar) for the dispensing of alcoholic liquor;
 - e. The restaurant has no standing room at a counter space except for the use of wait staff in serving food and beverages;
 - f. The term "bona fide restaurant" shall not include any restaurant serving food and beverages with a "drive up" window or a "drive through" to provide service to a patron in a motor vehicle or any restaurant serving food and beverages in or on disposable plates or disposable baskets or disposable cups or with disposable utensils; and
 - g. The term "bona fide restaurant" shall include a restaurant providing for the sale of food on a "take out" basis if the restaurant meets all other standards above for a "bona fide restaurant".
- (9) *Brandy manufacturer* means the term "brandy manufacturer" as defined in the Liquor Code and the administrative rules of the MLCC.
- (10) *Brewer* means the term "brewer" as defined in the Liquor Code and the administrative rules of the MLCC.

- (11) *Brewpub* means the term "brewpub" as defined in the Liquor Code and the administrative rules of the MLCC.
- (12) *Class A license* means a license for a hotel or motel authorizing the retail sale of beer and wine for consumption on the premises.
- (13) *Class B license* means a license for a hotel or motel authorizing the retail sale of beer, wine and spirits for consumption on the premises.
- (14) *Class C license* means a license for any place, other than a hotel or motel, authorizing the retail sale of beer, wine and spirits for consumption on the premises.
- (15) *Dining area* means the room or section of a premises intended for the sole purpose of seating patrons to consume food and/or drink. The dining area does not include hallways, restrooms or entry ways.
- (16) *Distiller* means the term "distiller" as defined in the Liquor Code and the administrative rules of the MLCC.
- (17) *Liquor Code* means Michigan Liquor Control Code, PA 58 of 1998 (MCL 436.1101 et seq.), as amended.
- (18) *Manufacturer* means the term "manufacturer" as defined in the Liquor Code and the administrative rules of the MLCC.
- (19) *Manufacturer license* means any license issued by the MLCC to a manufacturer that requires approval by the local legislative body under the Liquor Code or the administrative rules of the MLCC. The term "manufacturer license" includes, but is not limited to, a brandy manufacturer, brewer, distiller, microbrewer, small distiller, small wine maker, and wine maker.
- (20) *Microbrewer* means the term "microbrewer" as defined in the Liquor Code and the administrative rules of the MLCC.
- (21) *MLCC* means the Michigan Liquor Control Commission or successor agency.
- (22) *Movie Theater Complex* means a motion-picture complex comprised of not less than ten (10) screens, total seating for not less than 1,000 patrons and a minimum of 50,000 square feet of indoor space.
- (23) *Movie Theater License* means a license issued to an on-premises licensee for use in a Movie Theater Complex.
- (24) *Person* means any legal entity, including an individual, firm, partnership, association, corporation, limited liability company, trust, business trust, club, or lodge.
- (25) *Sacramental wine* means wine containing not more than 24 percent of alcohol by volume which is used for sacramental purposes.
- (26) *Sale* includes exchange, barter, traffic or furnishing or giving away any alcoholic liquor.

Commented [DE3]: This was the definition provided to us. It excludes smaller theaters, but that is a policy issue. (I didn't see any other theaters in the township when I googled...)

- (27) *Small distiller* means the term "small distiller" as defined in the Liquor Code and the administrative rules of the MLCC or successor agency.
- (28) *Small wine maker* means the term "small wine maker" as defined in the Liquor Code and the administrative rules of the MLCC.
- (29) *Spirits* means any beverage which contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, and includes wine containing an alcohol content of more than 21 percent by volume, except sacramental wine.
- (30) *Suitable partition* means a physical separation of a counter space from table seating areas. The suitable partition shall provide a separation designed to provide a buffer between counter space and table seating areas and to provide privacy for diners seated in table seating areas. The partition may consist of any physical separation which is determined by the Township Board in its reasonable discretion to meet this definition, and may consist, for example, of a wall or a partial wall completed to the ceiling with frosted or stained glass, lattice work, wine cabinets, decorative hangings, or a combination thereof.
- (31) *Tavern License* means a license for any place, other than a hotel or motel, authorizing the retail sale of beer and wine for consumption on the premises.
- (32) *Wine* means the product made by the normal alcoholic fermentation of the juice of sound, ripe grapes, or any other fruit with the usual cellar treatment, and containing not more than 21 percent of alcohol by volume, including fermented fruit juices other than grapes, and mixed wine drinks.
- (33) *Wine maker* means the term "wine maker" as defined in the Liquor Code and the administrative rules of the MLCC.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-20. - Approval required

- (a) Unless specifically authorized under this Article, the sale of alcoholic liquor within the Township for on-premise consumption is prohibited.
- (b) Unless specifically authorized under this Article the manufacturing of alcoholic liquor within the Township is prohibited
- (c) No person shall sell alcoholic liquor for on-premise consumption without Township Board approval and a valid liquor license issued by the Michigan Liquor Control Commission or its successor agency.
- (d) No person shall manufacture alcoholic liquor without Township Board approval and a valid liquor license issued by the Michigan Liquor Control Commission or its successor agency

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-21. - Application times and procedures.

Commented [DE4]: Revised section to make clear that license was needed

- (a) *Application form and submission.* A person seeking any license under this Article shall make application for approval by the Township. Two copies of such application for approval shall be filed, one with the Township Clerk for processing as described in this section, and one with the Township supervisor for the purpose of monitoring competing applications that have been filed. Applications shall be made upon forms to be provided by the Township Clerk or, if no such forms shall be available from the Township Clerk, duplicate copies of the application to be made to the MLCC may be used along with a letter directed to the Township requesting approval.

The Township Board shall not consider or act upon any request and/or any application or any matter related to a request and/or an application until a completed application and the application fee have been received by the Township.

- (b) *Application fee.* A fee as prescribed by resolution of the Township Board shall accompany all applications for a new license and all applications for license renewals made pursuant to this article.
- (c) *Preliminary review.* Upon receipt of a completed application and the application fee the Township Clerk shall transmit the application to the Township Treasurer who shall endorse thereon a statement as to whether the applicant is in default to the Township in connection with the payment of any taxes or other obligations. Following endorsement by the Township Treasurer, the Township Clerk shall transmit the application to the Township Board for consideration at the next scheduled Township Board meeting.
- (d) *License hearings.* The Township Board shall grant a public hearing on applications submitted in compliance with the requirements of this article, provided that such applications are complete, the application fee required by this article has been paid, and all preliminary review required by this article has been completed. Following the public hearing, the Township Board shall adopt a resolution setting forth its findings and determinations and approving or denying the application, or taking other action consistent with this article. In no event shall an application be approved without satisfactory compliance with all applicable restrictions set forth in this Article.
- (e) *Reservation of authority.* No applicant for a liquor license has the right to the issuance of such license to them, and the Township Board reserves the right to exercise reasonable discretion to determine who, if anyone shall be entitled to the issuance of such license.
- (f) *Term of license.* Approval of a license shall be for a period of one year subject to annual renewal by the Township Board upon continued compliance with the regulations of this article. Approval of a license shall be with the understanding that any necessary remodeling or new construction for the use of the license shall be commenced within six months of the action of the Township Board and of the MLCC approving such license, whichever last occurs. Any unusual delay in

the completion of such remodeling or construction shall subject the license to revocation.

- (g) *Renewals*. On or before February 1 after the first full year of licensure, and on or before February 1 of each year thereafter, each licensee licensed under this article shall prepare and submit an application for renewal of his license on the same forms and containing the same information as required for the issuance of a new license, along with the applicable fee. Such applications shall be considered by the Township Board within 60 days thereafter to determine whether the license should be renewed.
- (h) *On-premises license quota*. For licenses subject to the quota under Section 31 of the Liquor Code (MCL 436.1531), only one on-premises license for each 2,873 persons of population within the Township (as determined according to the latest decennial census) shall be issued or considered for issuance pursuant to the provisions of this article.
- (i) *Compliance*. The applicant bears the burden of establishing compliance with all requirements of this article.
- (j) *Privilege*. A license issued under this Article is a revocable privilege granted by the Township and is not a property right. The application for or granting of a Township license under this Article does not create or vest any right, title, franchise, or other property interest.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-22. - Application contents for licenses.

- (a) *Information to be submitted*. Applications for any license under this Article shall be in writing, signed by the applicant, if an individual, or by a duly authorized agent thereof, if a partnership or corporation, verified by oath or affidavit, and shall contain all of the following statements and information:
 - (1) The name, age and address of the applicant in the case of an individual; or, in the case of a co- partnership, the persons entitled to share in the profits thereof in the case of a corporation, the objects for which organized, the names and addresses of the officers and directors, and, if a majority interest in the stock of such corporation is owned by one person or his nominee, the name and address of such person.
 - (2) In the case of an individual, the citizenship and place of birth of the applicant and, if a naturalized citizen, the time and place of his naturalization.
 - (3) The character of business of the applicant, and in the case of a corporation, the object for which it was formed.
 - (4) The length of time said applicant has been in business of that character, or in the case of a corporation, the date when its charter was issued.
 - (5) The location and description of the premises or place of business which is to be operated under such license.

Commented [DE5]: This is more applicable to real property rights. A license is a personal property right which entitles the holder to some level of due process.

- (6) A statement whether applicant has made application for a similar or other license on premises other than described in this application, and the disposition of such application.
 - (7) A statement that applicant has never been convicted of a felony and is not disqualified to receive a license by reason of any matter or thing contained in this Article or the laws of the state.
 - (8) A statement that the applicant will not violate any of the laws of the state or of the United States or any ordinances of the Township in the conduct of its business.
 - (9) The application shall be accompanied by building and site plans showing the entire structure and premises and, in particular, the specific areas where the license is to be utilized. The plans shall demonstrate adequate off-street parking, lighting, refuse disposal facilities and where appropriate, adequate plans for screening and noise control.
 - (10) For premises pending or under construction, evidence of the financial capability of the applicant to satisfactorily complete the development and construction of the premises.
- (b) *Additional information.* The applicant shall also provide such other information as requested by the Township Board in connection with its review of an application.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-23. – License criteria and restrictions.

- (a) *Prohibited Licensees.* Except to the extent that the Township Board issues a variance as permitted in subsection (g) of this Section, no license (including, but not limited to, class A, class B, class C, tavern, brewpub, or manufacturer licenses) may be issued or transferred to:
- (1) A person whose license, under this Article, has been revoked for cause.
 - (2) A person who, at the time of application or renewal of any license issued hereunder, would not be eligible for such license upon a first application.
 - (3) A co-partnership, unless all of the members of such co-partnership shall qualify to obtain a license.
 - (4) A corporation, if any officer, manager or director thereof or a stock owner or stockholders owning in the aggregate more than five percent of the stock of such corporation, would not be eligible to receive a license hereunder for any reason.
 - (5) A person whose place of business is conducted by a manager or agent unless such manager or agent possesses the same character qualifications required of the licensee.
 - (6) A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor or a controlled substance.

Commented [DE6]: This section was revised. Substantively the changes were minimal. The intent was to make it more reader friendly (get rid of some of the double negatives etc.)

- (7) A person who does not own the premises for which a license is sought or does not have a lease therefore for the full period for which the license is issued.
- (8) A person who has knowingly made any false statement in his application, or who has failed to fully complete the application.
- (9) Any law enforcing public official covered by MCL 436.1523.
- (10) Any premises where there exists a violation of the applicable building, electrical, mechanical, plumbing, or fire codes, applicable zoning regulations, applicable public health regulations, or any other applicable Township ordinance.
- (11) Any premises where it is determined by a majority of the Township Board that the premises do not or will not reasonably soon after commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, screening, noise, or nuisance control or where a nuisance does or will exist.
- (12) Any premises which the Township Board determines, by majority vote, to be inappropriate considering the desirability of establishing a location in developed, commercial areas, in preference to isolated, undeveloped areas; the attitude of adjacent residents and property owners; traffic safety; accessibility to the site from abutting roads, capability of abutting roads to accommodate the commercial activity; distance from public or private schools for minors; effect on adjacent properties; and accessibility from primary roads or state highways.
- (13) Any premises where the proposed use for the licensed premises would not fully comply with the applicable zoning ordinance provisions (including the proper zoning district) or other Township ordinances.
- (14) Any person who has not demonstrated sufficient financial assets:
 - a. To carry on or maintain the licensed business;
 - b. If the specific areas where the license is to be utilized are part of a new premises, to complete construction of the new premises according to the site plan and building plans filed with the Township; and
 - c. To otherwise comply with the requirements of this article.
- (15) Any premises which shares a common wall, hallway, or restroom with another premises, excluding an establishment holding a tavern license, manufacturer license or Banquet/event facility license which meets the following criteria:
 - a. The establishment shall provide separate on-premises private restroom facilities for men and for women. Restrooms located in common areas of a premises are not acceptable to meet this requirement unless the entire facility is under the control of the licensee.

- b. No more than two establishments with a liquor license permitting on-premises consumption of alcohol shall be located within the same multi-tenant building or strip mall unless the multi-tenant building or "strip mall" has less than 6,500 square feet of total space in which case only one establishment with a liquor license for on-premises consumption may be located in the multi-tenant building or "strip mall."
- (b) *On-premise Licenses.* Except to the extent that the Township Board issues a variance as permitted in subsection (g) of this Section, a license for on-premise consumption (including, but not limited to, class A, class B, class C, and tavern) will only be issued or transferred as follows:
- (1) Class A license (including a brewpub with a Class A license): The licensed premises must contain at least 40 guestrooms and a bona fide restaurant and utilizes the license only in conjunction with the operation of the hotel/motel and bona fide restaurant and, in addition, unless the bona fide restaurant has a total area of not less than 4,290 square feet, and dining capacity of at least 150 patrons at a ratio of not less than 15 square feet of dining area for each patron.
 - (2) Class B license (including a brewpub with a class B license): The licensed premises must contain at least 50 guestrooms and a bona fide restaurant and utilizes the license only in conjunction with the operation of the hotel/motel and bona fide restaurant and, in addition, unless the bona fide restaurant has a total area of not less than 5,000 square feet, and dining capacity of at least 175 patrons at a ratio of not less than 15 square feet of dining area for each patron.
 - (3) Class C license (including a brewpub with a class C license):
 - a. The licensed premises must contain a bona fide restaurant and utilizes the license only in conjunction with the operation of the bona fide restaurant and, in addition, unless the bona fide restaurant has a total area of not less than 5,000 square feet, and dining capacity of at least 175 patrons at a ratio of not less than 15 square feet of dining area for each patron;
 - b. The licensed premise is a Banquet/event facility; or
 - c. The licensed premise is a Movie Theatre Complex.
 - (4) Tavern License (including a brewpub with a tavern license):
 - a. The licensed premises must contains a bona fide restaurant and utilizes the license only in conjunction with the operation of the bona fide restaurant and, in addition, unless the bona fide restaurant has a total area of not less than 1,000 square feet, and dining capacity of at least 65 patrons at a ratio of not less than 15 square feet of dining area for each patron;
 - b. The licensed premise is a Banquet/event facility; or
 - c. The licensed premise is a Movie Theatre Complex.

Commented [DE7]: added

Commented [DE8]: added

(c) *Additional On-Premise Criteria:* Except to the extent that the Township Board issues a variance as permitted in subsection (g) of this section, the following criteria must be met for the below listed license types:

- (1) Banquet/event facility: All Banquet/ event facility licensees must comply with the following:
 - a. The licensed premises must be a physically defined building or portion of a building but the entire facility must be controlled by the licensee.
 - b. The facility shall provide separate on-premises private restroom facilities for men and for women. Restrooms located in unlicensed areas of a premises are not acceptable to meet this requirement unless the entire facility is controlled by the licensee.
 - c. The event facility shall provide food service for the patrons of the banquet/event facility during all times that alcoholic beverages are available to patrons, whether the food is provided free of charge or made available for purchase. Food service may be prepared on-premises or may be provided through a vendor or vendors that prepare the food off-premises but deliver it to the premises for on-premises consumption.
 - d. Specially designated licensed premises areas, as such areas may be modified from time to time by the licensee within the licensed premises, shall be used for specially scheduled functions and events such as meetings, conferences, lectures, seminars, live speaking engagements, weddings, receptions and banquets when alcoholic beverages are served.
 - e. Less than 50 percent of the gross receipts of the event facility must be derived from sales of alcoholic liquor;
 - f. If a bar or counter space is provided in the facility for the dispensing and sale of alcoholic liquor, such bar or counter space may occupy not more than ten percent of the area of the licensed premises;
 - g. The seating and/or table configuration at the licensed premises must be transitory; and
 - h. The defined event facility premises shall provide a minimum approved occupancy of at least 100 persons.
- (2) **Movie Theater Complex:** All Movie Theater Complex licensees must comply with the following:
 - a. The licensed premises must be a physically defined building or portion of a building, but the entire facility must be controlled by the licensee.
 - b. The facility shall provide separate on-premises private restroom facilities for men and for women. Restrooms located in unlicensed areas of a premises are not acceptable to meet this requirement unless the entire facility is controlled by the licensee.
 - c. The movie theater facility shall provide food service for the patrons of the Movie Theater Complex during all times that alcoholic beverages are

Commented [DE9]: added

available to patrons. Food service may be prepared on-premises or may be provided through a vendor or vendors that prepare the food off-premises but deliver it to the premises for on-premises consumption.

- d. Less than twenty percent of the gross receipts of the Movie Theater Complex may be derived from sales of alcoholic liquor.
- e. If a bar or counter space is provided in the facility for the dispensing and sale of alcoholic liquor, such bar or counter space may occupy not more than five percent of the area of the licensed premises.

(d) **Manufacturer licenses.** Manufacturer licenses are issued by the MLCC upon local legislative body approval. A person applying for or holding a manufacturer license, as applicable, shall comply with the following requirements:

Commented [DE10]: moved to this section to help with flow of the ordinance.

- (1) An applicant for a Manufacturer license shall submit to the Township Clerk the MLCC resolution along with a detailed description of their request.
 - (2) An applicant for a manufacturer license shall submit the location where they intend to manufacture alcohol and demonstrate that all Township zoning ordinance requirements are met by the applicant.
 - (3) A person holding a manufacturer license shall provide separate restrooms on-premises for both men and women for the exclusive use of the patrons being served.
 - (4) A person holding a manufacturer license shall provide food service for the patrons of the manufacturer for consumption on the premises during all hours of operation, whether the food is provided free of charge or made available for purchase. Food service may be provided on- premises or may be provided through a vendor or vendors that prepare the food off- premises but deliver it to the premises for on-premises consumption. For purposes of this section only, "food service" means the availability of any food including deli-style food or pre-packaged snack foods.
 - (5) A person holding a manufacturer license shall have a dining area or tap room or tasting room that is a minimum of 750 square feet and shall have seating capacity for a minimum of 50 patrons with 15 square feet of area for each patron in the dining area, tap room, or tasting room.
 - (6) If a counter space (i.e. a bar) is provided for dispensing and selling alcoholic liquors, the size of the counter space on the premises of a person holding a manufacturing license shall be limited to provide seating space for a total number of patrons equal to or less than 20 percent of the total seating capacity of the dining area/tap room/tasting room.
 - (7) A person holding a manufacturer license shall comply with all other applicable requirements of this Article.
- (e) **All licensed persons:** All persons licensed under this Article must comply the terms of this Article, applicable Township ordinances, and all state and federal laws, standards, rules, and regulations. In addition to the other requirements

imposed under this Article, all licensed persons must comply with all other conditions or requirements imposed by the Township Board as a condition of approval and licensure. Such conditions or requirements may be imposed as a term of licensure and/ or through a separate agreement between the Township and the licensed person.

Commented [DE11]: Clearly addressing agreements.

- (f) *Continued compliance.* Following the issuance of a license under this Article, the Township Board may suspend or revoke its approval pursuant to section 4-26 should any licensee or licensed premises at any time cease to meet the requirements of this section or other provisions of this Article, or violate the requirements of the Liquor Code, administrative rules of the MLCC, or other applicable state and federal laws, statutes, rules, and regulations, and the continued sale of liquor for consumption on the premises shall constitute a violation of this article. All licensees that are required to operate a bona fide restaurant on the licensed premises shall maintain accurate records of receipts and disbursements in such a manner that receipts from food and beverages other than alcoholic liquors can be readily distinguished from receipts for alcoholic liquors. Such records shall be available for inspection by the Township or its agent from time to time during normal business hours.

(g) *Variances.*

- (1) In connection with the issuance, transfer or renewal of a license, the Township Board, in its sole discretion, may allow a variance from the strict requirements of this article where it is shown by the applicant that: It would be impossible or very difficult for the applicant to comply with the strict requirements of this article (financial hardship alone shall not satisfy this requirement);
 - b. The variance provides for adequate alternate means of ensuring that the spirit and intent of this article is maintained;
 - c. The variance sought is sufficient to protect the health, safety and general welfare of the Township and its residents;
 - d. The variance sought will not contradict other applicable laws, rules or regulations.
- (2) In connection with the grant of a variance, the Township Board may impose other requirements to ensure that the spirit and intent of this Article is maintained and that the health, safety and general welfare of the Township and its residents is protected.
- (3) A variance granted pursuant to this section is not transferable to another licensee or location.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-24. - Reserved

Sec. 4-25. - Competing applications.

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Where there are competing applications for an available liquor license, the Township Board shall use criteria including but not limited to the following in determining which application, if any, should be granted:

- (1) Zoning and use of the parcel and adjacent parcels.
- (2) Availability of utilities.
- (3) What uses will be conducted with the license.
- (4) Traffic on adjacent streets and the existence of any traffic hazards in the area or produced by the applicant's proposed use.
- (5) Economic backing of the applicant sufficient to conduct such a use.
- (6) The design and layout of improvements of the applicant for his proposed use.
- (7) Effect upon existing adjacent uses and uses in the vicinity.
- (8) The location of any licensed establishments as relates to potential traffic effects or hazards.
- (9) Any information contained in the application or requirements of this Article.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-26. - Objections to renewal and request for revocation.

(a) Procedure.

- (1) Before filing an objection to renewal or request for revocation of any license with the MLCC, the Township Board shall hold a hearing and shall serve the license holder, by first class mail, mailed not less than ten days prior to the hearing with notice of the hearing, which notice shall contain the following:
 - a. Notice of proposed action.
 - b. Reasons for the proposed action.
 - c. Date, time and place of the hearing.
 - d. A statement that the license holder may present evidence and testimony and confront adverse witnesses.
- (2) Following the hearing, the Township Board shall submit to the license holder and the MLCC, a written statement of its findings and determination.

(b) Criteria for nonrenewal or revocation. The Township Board shall recommend nonrenewal or revocation of a license upon a determination by it that, based upon a preponderance of the evidence presented at the hearing, any of the following exist:

- (1) Violation of any provision of this Article.
- (2) Maintenance of a nuisance (defined as any violation of this article, or any other Township ordinance, or any state or federal law, rule or regulation, or the maintenance of any common law nuisance) upon the premises.

- (3) Fraudulent information provided upon original application or application for renewal.
 - (4) The consumption of spirits on the premises, if it is licensed to sell only beer or wine, or both beer and wine.
 - (5) Dancing or live entertainment open to the public, with or without an admission charge, unless holding a valid dance or dancing entertainment permit.
 - (6) Any disorderly conduct or action which disturbs the peace and good order of the neighborhood.
 - (7) Any incidents of prostitution, solicitation for prostitution, or larceny.
 - (8) Any gambling activity or the placing or using of any gambling apparatus or paraphernalia therein.
 - (9) Any unlawful possession, sale or use of any controlled substance.
 - (10) Use of interior lighting which is insufficient to enable a person with average vision to clearly see all persons within the premises.
 - (11) Any violation of any other provision of any Township ordinance, or any violation of any law, rule, regulation or lawful order or directive which is designed to protect the public health, safety or welfare.
 - (12) Any violation of the Liquor Code or any administrative rule or regulation promulgated by the MLCC.
 - (13) Nonpayment of any federal, state or local tax or special assessment.
 - (14) Nonpayment or repeated delinquency payment of utility or other bills outstanding and owing to the Township.
 - (15) Any failure by the licensee, or the licensee's agent or employee to fully cooperate with any federal, state, county or Township official.
 - (16) Any failure by the licensee, or the licensee's agent or employee to fully cooperate with any law enforcement officer.
 - (17) Any license that has been placed into escrow for 180 days or more.
- (c) *Existing license renewals.* Existing licenses shall be subject to annual renewal by the Township Board. (Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-27. - Nudity prohibited.

- (a) *Definitions.* The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
- (1) *Licensee* means a person or entity having a license to sell alcohol (including, but not limited to, class A, class B, class C, tavern, brewpub, and manufacturer licenses), and the owners, officers, agents, and employees of such person or entity.

- (2) *Nudity* means a state of undress so as to expose to the view of another person the following body parts without any covering or with less than a fully opaque covering:
- The whole or part of the pubic region;
 - The whole or part of the anus;
 - The whole or part of the buttocks;
 - The whole or part of the genitals; or
 - Any portion of the female breast below the top of the areola.

A woman's breast feeding of a baby does not constitute nudity irrespective of whether or not the nipple is covered during or incidental to the feeding.

(b) *Licensee responsibilities.*

- (1) *Nudity on premises.* A licensee shall not allow in or upon the licensed premises any person in a state of nudity.
- (2) *Hiring.* A licensee shall not hire, employ, or procure a person to appear in or upon the licensed premises in a state of nudity.
- (3) *Films, slides, etc., depicting nudity; exception.* A licensee shall not allow in or upon the licensed premises the showing of films, television, slides, or other electronic reproductions which depict scenes wherein any person appears in a state of nudity. This prohibition does not apply to any public broadcast television transmission from a federally licensed station or movies unless the Motion Picture Association of America, or the equivalent, assign an X rating or higher, or another equivalent rating to the film.

- (c) *Persons appearing on premises.* No person shall appear in or upon premises licensed for the sale of alcoholic liquor in a state of nudity.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-28. - Christmas, Sundays; prohibited sales.

Pursuant to Section 1113 of the Liquor Code:

- (1) No person shall sell alcoholic liquor on any premises within the Township between 11:59 p.m. on December 24 and 11:59 p.m. on December 25 (Christmas).
- (2) No person shall sell spirits or mixed spirit drink (as defined in the Liquor Code) for off-premises consumption on Sundays between the hours of 2:00 a.m. and 12:00 noon.
- (3) No person shall sell alcoholic liquor for on-premises consumption on Sundays between the hours of 2:00 a.m. and 12:00 noon.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-29. - Issuance or renewal not required.

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Nothing in this article shall be construed to require the Township or the Township Board to renew a license or to issue or approve the issuance of a license that may be available due to the population. Whether a license should be issued or renewed shall be determined in the sole discretion of the Township Board.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-30. - Enforcement.

For the purpose of the enforcement of the Liquor Code within the Township, there is hereby established a Liquor Control Enforcement Department with full power, authority, and duty to see that the provisions of the Liquor Code and the administrative rules and regulations of the MLCC are enforced within said Township. Such department shall consist of not less than one constable or deputy sheriff appointed by the Township Board and such other personnel as the Township Board may, in its discretion, appoint. The personnel of such department shall be entitled to such compensation as the Township Board may determine. Such department or a member thereof shall be reasonably available to investigate complaints received under this article and enforce the provisions hereof.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-31. - Inspection.

- (a) The Township liquor control enforcement department shall periodically inspect all liquor establishments in the Township licensed under the Liquor Code and report the results of all inspections promptly to the Township Board. The Township liquor control enforcement department shall further promptly investigate all complaints received by it concerning violations of the Liquor Code or improper operations and practices concerning alcoholic liquor traffic within the Township and report the same to the Township Board and, where appropriate under the Liquor Code, to the MLCC for appropriate proceedings against the violator.
- (b) All inspectors shall carry appropriate cards issued by the Township Clerk clearly identifying them as Township liquor control inspectors and shall present said cards to the owner or manager of every place inspected by them when making an inspection upon demand for identification by such owner or manager.
- (c) Inspectors shall have the right to inspect any place in the Township where alcoholic liquor is manufactured, sold, offered for sale, kept for sale, possessed or transported, or where the inspector suspects the same is being thus manufactured, sold, offered for sale, kept for sale, possessed or transported. Whenever possible, all inspection reports shall be made on liquor law enforcement forms furnished by the MLCC or on similar forms otherwise obtained by the Township liquor control enforcement department.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-32. - Appropriations.

DRAFT
APRIL 6, 2021

For the purpose of carrying out the provisions of this article and establishing the liquor control enforcement department herein provided for, the Township Board may appropriate reasonable monies for such use, and is hereby authorized and directed to annually appropriate such an amount as will, in its discretion, be sufficient to maintain and operate such liquor control enforcement department for the ensuing fiscal year of the Township.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-33. - Violation a misdemeanor.

- (a) Any person violating this article shall be guilty of a misdemeanor, punishable as provided in Section 1-11 entitled "General penalty; continuing violations," of Chapter 1 entitled "General Provisions", of the Gaines Charter Township Code of Ordinances.
- (b) It is the intent of the Township Board that the court, in imposing punishment under the provisions of this article, should discriminate between causal or slight violations and habitual sales of alcoholic liquor or attempts to commercialize violations of this article or any of the administrative rules or regulations of the MLCC promulgated under the Liquor Code.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-34. - Existing licenses.

As of the effective date of the ordinance from which this article is derived, there exists one licensee within the Township subject to local approval under this article (Briarwood Golf Course), the premises of which would not qualify for the issuance of a new or renewal license under the terms of this article. In recognition of the property interest of that existing licensee in its licensed premises, the Township Board acknowledges that such licensed premises shall be grandfathered with regard to, and exempt from, the zoning and bona fide restaurant requirements set forth in this article such that the continued use of the premises as currently configured and operated shall be permitted.

(Ord. No. 14-04, § 1, 4-14-2014)



CHARTER TOWNSHIP OF GAINES
COUNTY OF KENT, MICHIGAN

**RESOLUTION ESTABLISHING ESTIMATED COST AND EXPENSES OF MAINTENANCE, OPERATION AND CAPITAL
EXPENDITURES OF PROVIDING PUBLIC SAFETY (INCLUDING FIRE/POLICE/EMERGENCY) WITHIN THE CHARTER
TOWNSHIP OF GAINES**

At a regular meeting of the Board of Trustees of Gaines Charter Township, held in the Township Hall in said Township, 8555 Kalamazoo Avenue, SE, Caledonia, MI 49316, on April 12, 2021 there were:

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and seconded by _____.

WHEREAS the Board of Trustees, of the Charter Township of Gaines, County of Kent, has estimated that the cost and expense of the maintenance and operation of providing public safety (including fire/police/emergency) within the Charter Township of Gaines, including capital expenditures, for the fiscal year commencing January 1, 2021, will be \$2,594,586.00.

THEREFORE, be it resolved that in accordance with the order of the Township Board and Michigan statute, a public hearing will be held on May 10, 2021, at the Gaines Charter Township Hall beginning at 7:00 p.m. for the purpose of considering the creation of a special assessment district to defray the cost and expense of the maintenance, operation and capital expenses of providing public safety (including fire/police/emergency), by special assessment on all property to be especially benefited (MCL41801(4)).

ALL INTERESTED PARTIES ARE HEREBY NOTIFIED TO BE PRESENT AT THE AFORESAID TIME AND PLACE FOR THE PURPOSE OF CONSIDERING THE FOREGOING AND ANY OBJECTIONS OR COMMENTS THERETO.

AYES:

NAYS:

ABSENT:

Resolution Declared Adopted _____

_____, Clerk
Michael A. Brew

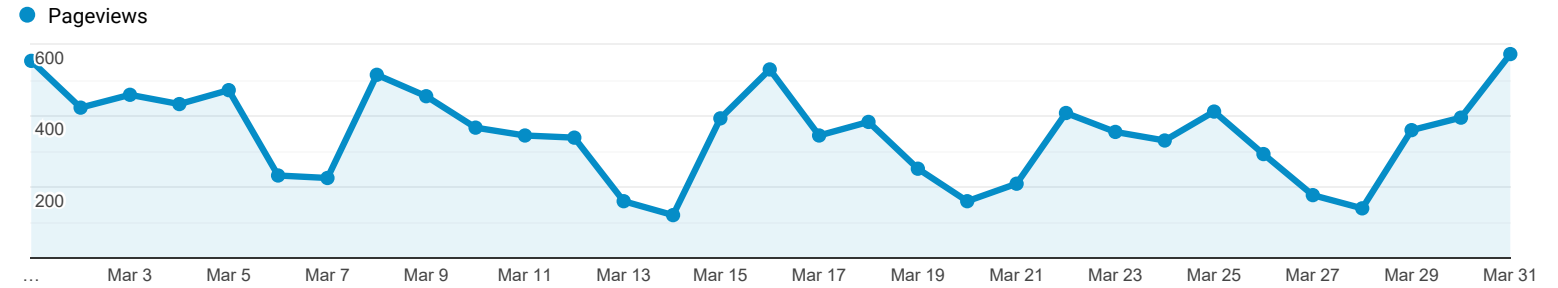
DATE: _____

Pages

 All Users
100.00% Pageviews

Mar 1, 2021 - Mar 31, 2021

Explorer



Page	Pageviews	Unique Pageviews	Avg. Time on Page	Entrances	Bounce Rate	% Exit	Page Value
	10,793 % of Total: 100.00% (10,793)	8,415 % of Total: 100.00% (8,415)	00:01:18 Avg for View: 00:01:18 (0.00%)	4,456 % of Total: 100.00% (4,456)	47.44% Avg for View: 47.44% (0.00%)	41.29% Avg for View: 41.29% (0.00%)	\$0.00 % of Total: 0.00% (\$0.00)
1. /	2,490 (23.07%)	1,998 (23.74%)	00:00:57	1,847 (41.45%)	30.75%	35.38%	\$0.00 (0.00%)
2. /residents/index.php	864 (8.01%)	503 (5.98%)	00:01:20	41 (0.92%)	68.29%	32.75%	\$0.00 (0.00%)
3. /document_center/index.php	628 (5.82%)	507 (6.02%)	00:04:36	145 (3.25%)	84.14%	67.68%	\$0.00 (0.00%)
4. /how_do_i_(faq)/contact/office.php	589 (5.46%)	482 (5.73%)	00:00:54	161 (3.61%)	59.01%	45.33%	\$0.00 (0.00%)
5. /parks_and_recreation/prairie_wolf_park.php	391 (3.62%)	246 (2.92%)	00:01:15	236 (5.30%)	45.34%	48.59%	\$0.00 (0.00%)
6. /revize/gaines/	361 (3.34%)	262 (3.11%)	00:00:40	249 (5.59%)	39.36%	37.67%	\$0.00 (0.00%)
7. /online_services/index.php	259 (2.40%)	234 (2.78%)	00:02:54	99 (2.22%)	57.58%	53.67%	\$0.00 (0.00%)
8. /departments/water_sewer.php	248 (2.30%)	178 (2.12%)	00:02:23	140 (3.14%)	42.14%	39.92%	\$0.00 (0.00%)
9. /departments/planning_zoning.php	204 (1.89%)	160 (1.90%)	00:01:13	98 (2.20%)	32.65%	27.45%	\$0.00 (0.00%)
10. /departments/treasurer_.php	200 (1.85%)	167 (1.98%)	00:01:44	124 (2.78%)	57.26%	51.50%	\$0.00 (0.00%)
11. /how_do_i_(faq)/contact/build_dept.php	199 (1.84%)	146 (1.73%)	00:01:49	64 (1.44%)	60.94%	44.22%	\$0.00 (0.00%)
12. /trustee_log-in/index.php	193 (1.79%)	169 (2.01%)	00:01:18	52 (1.17%)	65.38%	52.33%	\$0.00 (0.00%)
13. /how_do_i_(faq)/index.php	184 (1.70%)	94 (1.12%)	00:00:26	3 (0.07%)	33.33%	7.61%	\$0.00 (0.00%)
14. /departments/acessing.php	176 (1.63%)	143 (1.70%)	00:02:40	78 (1.75%)	47.44%	54.55%	\$0.00 (0.00%)
15. /how_do_i_(faq)/contact/policedept.php	163 (1.51%)	121 (1.44%)	00:01:30	109 (2.45%)	66.97%	59.51%	\$0.00 (0.00%)
16. /gaines_charter_township/bid_ops.php	155 (1.44%)	146 (1.73%)	00:00:13	142 (3.19%)	95.77%	90.97%	\$0.00 (0.00%)
17. /departments/clerk_.php	120 (1.11%)	96 (1.14%)	00:01:46	51 (1.14%)	68.63%	50.83%	\$0.00 (0.00%)
18. /departments/bldg_inspections.php	92 (0.85%)	78 (0.93%)	00:02:12	37 (0.83%)	54.05%	48.91%	\$0.00 (0.00%)
19. /gaines_charter_township/index.php	89 (0.82%)	77 (0.92%)	00:00:26	5 (0.11%)	100.00%	15.73%	\$0.00 (0.00%)
20. /how_do_i_(faq)/contact/planning_contact.php	85 (0.79%)	69 (0.82%)	00:00:55	8 (0.18%)	62.50%	34.12%	\$0.00 (0.00%)
21. /departments/index.php	81 (0.75%)	69 (0.82%)	00:00:22	17 (0.38%)	17.65%	11.11%	\$0.00 (0.00%)

		(0.75%)	(0.82%)		(0.38%)			(0.00%)
22.	/parks_and_recreation/trails.php	77 (0.71%)	66 (0.78%)	00:01:07	7 (0.16%)	100.00%	48.05%	\$0.00 (0.00%)
23.	/businesses/index.php	75 (0.69%)	61 (0.72%)	00:00:16	4 (0.09%)	75.00%	13.33%	\$0.00 (0.00%)
24.	/revize/gaines/document_center/index.php	68 (0.63%)	30 (0.36%)	00:02:37	16 (0.36%)	18.75%	38.24%	\$0.00 (0.00%)
25.	/employment/index.php	65 (0.60%)	59 (0.70%)	00:00:35	34 (0.76%)	97.06%	78.46%	\$0.00 (0.00%)

Rows 1 - 25 of 507



MARCH 2021 GAINES TOWNSHIP CP REPORT

Michelle LaJoye-Young
SHERIFF

COMPLETED

- Continued patrol of Rapids Dr for parking violations
- Continued patrol of 60th / Kalamazoo for stolen vehicle suspect(s)
- Investigated a threat against South Christian HS from an outside source
- Dealt with a sex offender neighbor issue on Brownell St
- Multiple bait car deployments with surveillance on Kalamazoo Ave and Woodfield
- Responded to a serious injury crash at Hanna Lake Ave and 92nd St
- Took lead in a pursuit with a stolen vehicle Kalamazoo Ave / 60th St
- Bike patrol in Prairie Wolf Park
- Handled a neighbor dispute on Millstone Dr
- Dealt with a hoarding situation on 68th St near Eastern Ave
- High School Shop with a Sheriff at Tanger Outlet with a student from Crossroads H.S.
- Neighborhood watch meeting with Stevens Pointe neighborhood via Zoom
- Dealt with a neighbor issue on Millrace St
- Responded to an armed subject at a Domestic Assault on Ironwood Dr
- Participated in a Kentwood Public Schools safety meeting via Zoom
- Followed up on an ordinance violation on Hammond
- Investigated an ordinance violation 3400 blk of 76th St
- Assisted the Michigan State Police with a possible kidnapping issue
- Assisted Kentwood Public Schools with a bus stop issue in Woodfield
- Dealt with a neighbor parking issue in Green Meadow MHP

- Participated in a Zoom meeting with Lonestar Staffing reference issues with rental apartments at Woodfield and York Creek.
- Assisted with investigating a peeping tom complaint on Gaines St
- Assisted with apprehending 2 juveniles that had just stole a car from the Macatawa Bank 68th / Kalamazoo. Vehicle located and suspects arrested in Woodfield

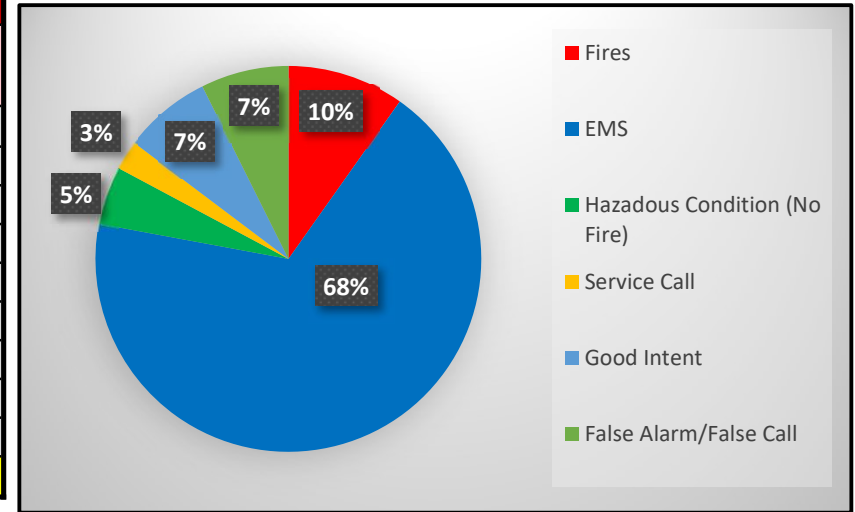
UPCOMING / ONGOING

- Attend Sheriff Department block training
- Attend Crisis Intervention training learning to deal with people with mental health and substance abuse issues
- Patrol trail system (Thornapple / Paul Henry) and Prairie Wolf on bike weather dependent
- Continued enforcement of Rapids Dr parking issues
- Continue monitoring stolen vehicles around the township and provide extra patrol when needed

CUTLERVILLE FIRE DEPARTMENT

MARCH 2021 REPORT

MARCH 2021 RESPONSE SUMMARY				
NFIRS INCIDENT TYPE SERIES	MAR 2021	2021 YTD	2020 YTD	YTD CHANGE
Fires	16	26	11	136.4%
Explosion/Excessive Heat	0	0	0	0.0%
EMS	111	345	360	-4.2%
Hazadous Condition (No Fire)	8	17	13	30.8%
Service Call	4	9	19	-52.6%
Good Intent	12	36	30	20.0%
False Alarm/False Call	12	39	30	30.0%
Severe Weather/Natural Disaster	0	0	0	0.0%
Special Incident Type	0	0	0	0.0%
TOTAL	163	472	463	1.9%



RESPONSE BY SHIFT SUMMARY				
SHIFT	MAR 2021	2021 YTD	2020 YTD	YTD CHANGE
Full-Time	105	305	335	-9.0%
Full-Time/POC	58	167	128	30.5%
TOTAL	163	472	463	

RESPONSES BY ZONE SUMMARY				
ZONE	MAR 2021	2021 YTD	2020 YTD	YTD CHANGE
CFD-Byron - Cutlerville Fire District Byron Township	61	197	214	-7.9%
CFD-Gaines - Cutlerville Fire District Gaines Township	92	256	230	11.3%
Byron - Byron Twp Fire District	3	4	7	0.0%
Dutton - Dutton Fire District	1	4	2	100.0%
Kentwood - Kentwood Fire District	4	7	7	0.0%
Leighton - Leighton Twp Fire District	0	0	0	0.0%
Wyoming - Wyoming Fire District	2	4	3	33.3%
TOTAL	163	472	463	

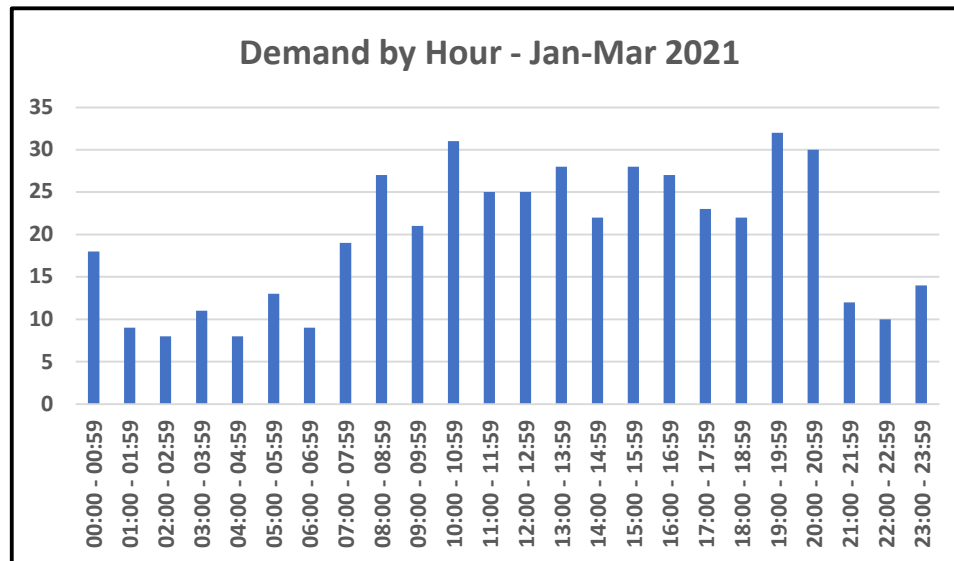
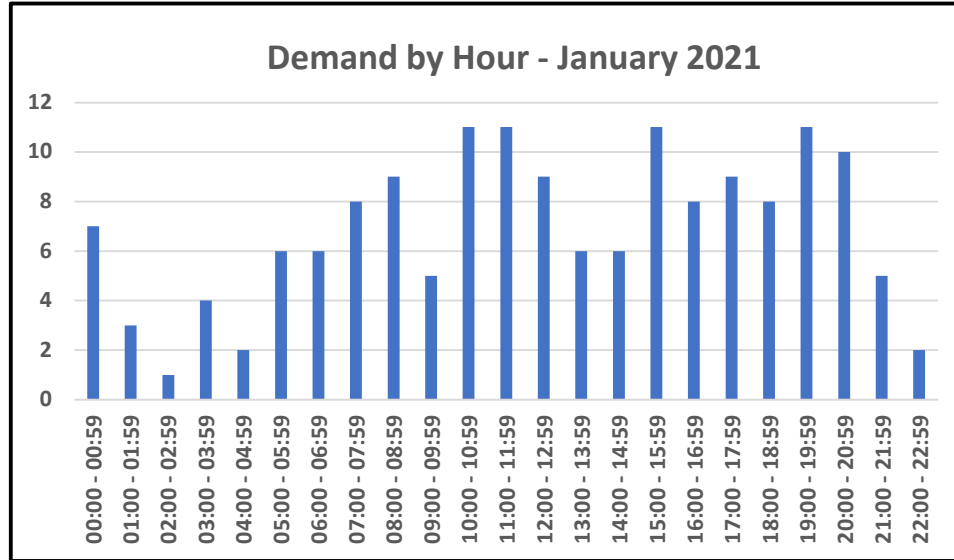
AID TYPE	MAR 2021	2021 YTD	2020 YTD	YTD CHANGE
Mutual aid received	4	11	11	0.0%
Automatic aid rec	2	6	9	-33.3%
Mutual aid given	2	3	6	-50.0%
Automatic aid given	7	11	8	37.5%
Other aid given	0	0	0	0.0%
None	148	441	429	2.8%
TOTAL	163	472	463	

TRAINING HOURS SUMMARY			
MAR 2021	2021 YTD	2020 YTD	YTD CHANGE
307	782	944	-17.16%

CUTLERVILLE FIRE DEPARTMENT

MARCH 2021 REPORT

No. of Incidents by Hour - Mar 2021	
00:00 - 00:59	7
01:00 - 01:59	3
02:00 - 02:59	1
03:00 - 03:59	4
04:00 - 04:59	2
05:00 - 05:59	6
06:00 - 06:59	6
07:00 - 07:59	8
08:00 - 08:59	9
09:00 - 09:59	5
10:00 - 10:59	11
11:00 - 11:59	11
12:00 - 12:59	9
13:00 - 13:59	6
14:00 - 14:59	6
15:00 - 15:59	11
16:00 - 16:59	8
17:00 - 17:59	9
18:00 - 18:59	8
19:00 - 19:59	11
20:00 - 20:59	10
21:00 - 21:59	5
22:00 - 22:59	2
23:00 - 23:59	5



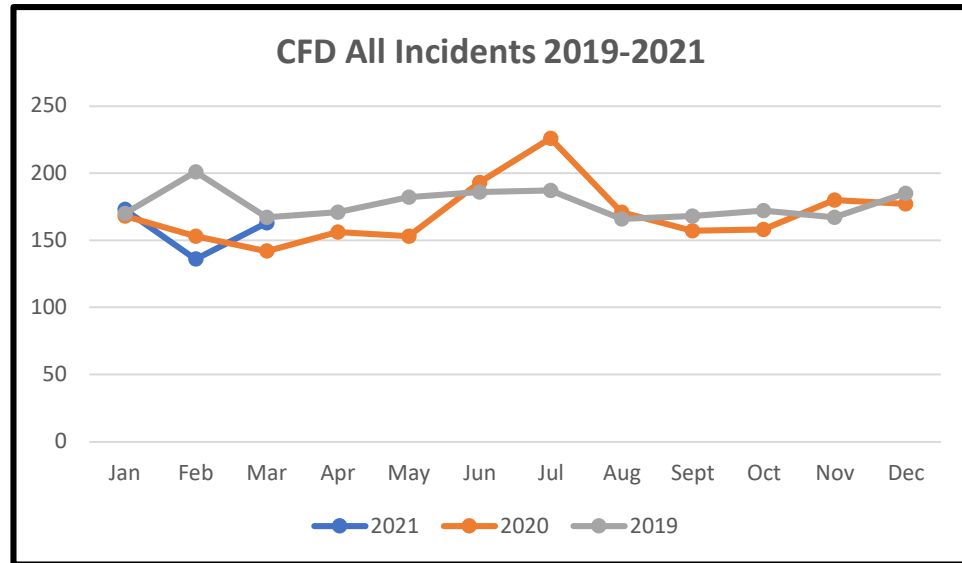
No. of Incidents by Hour 2021 YTD	
00:00 - 00:59	18
01:00 - 01:59	9
02:00 - 02:59	8
03:00 - 03:59	11
04:00 - 04:59	8
05:00 - 05:59	13
06:00 - 06:59	9
07:00 - 07:59	19
08:00 - 08:59	27
09:00 - 09:59	21
10:00 - 10:59	31
11:00 - 11:59	25
12:00 - 12:59	25
13:00 - 13:59	28
14:00 - 14:59	22
15:00 - 15:59	28
16:00 - 16:59	27
17:00 - 17:59	23
18:00 - 18:59	22
19:00 - 19:59	32
20:00 - 20:59	30
21:00 - 21:59	12
22:00 - 22:59	10
23:00 - 23:59	14

Count of Overlapping Incidents/Percentage of Incidents					
2021	%	2020	%	2019	%
79	15.3%	194	9.5%	181	9.0%

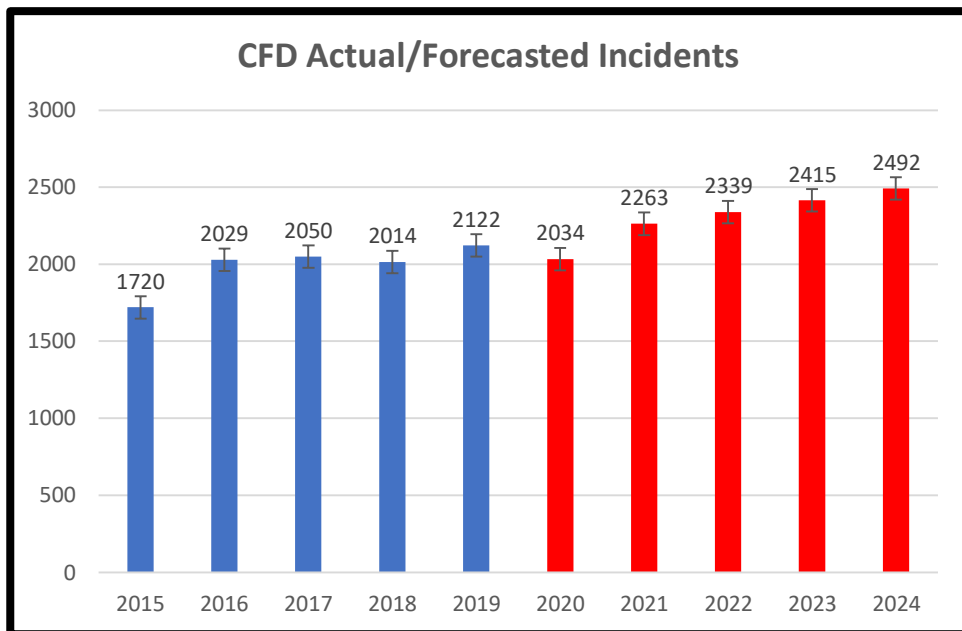
CUTLERVILLE FIRE DEPARTMENT

MARCH 2021 REPORT

Month	2021	2020	2019
Jan	173	168	170
Feb	136	153	201
Mar	163	142	167
Apr		156	171
May		153	182
Jun		193	186
Jul		226	187
Aug		171	166
Sept		157	168
Oct		158	172
Nov		180	167
Dec		177	185



Year	Incidents
2015	1720
2016	2029
2017	2050
2018	2014
2019	2122
2020	2034
2021	2263
2022	2339
2023	2415
2024	2492

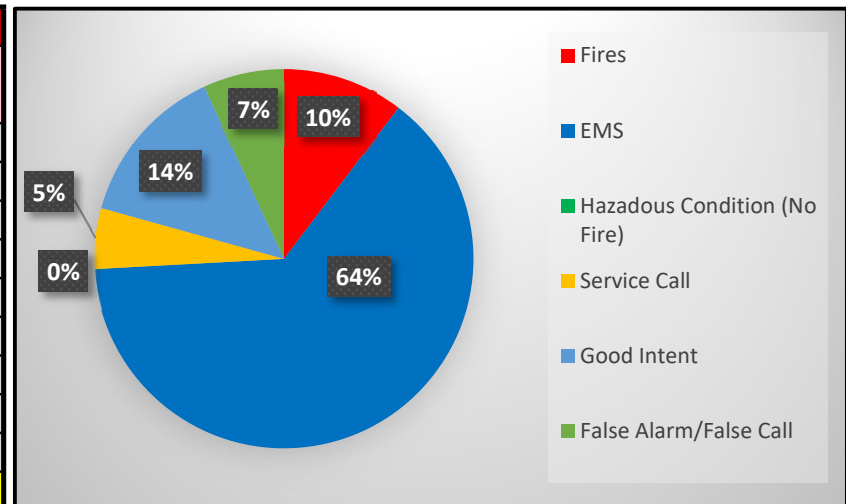


DUTTON FIRE DEPARTMENT

MARCH 2021 REPORT

MARCH RESPONSE SUMMARY

NFIRS INCIDENT TYPE SERIES	MAR 2021	2021 YTD	2020 YTD	YTD CHANGE
Fires	6	12	5	140.0%
Explosion/Excessive Heat	0	0	0	0.0%
EMS	37	113	116	-2.6%
Hazadous Condition (No Fire)	0	4	6	-33.3%
Service Call	3	8	5	60.0%
Good Intent	8	28	16	75.0%
False Alarm/False Call	4	19	8	137.5%
Severe Weather/Natural Disaster	0	0	0	0.0%
Special Incident Type	0	0	0	
TOTAL	58	184	156	17.9%



RESPONSE BY SHIFT SUMMARY

SHIFT	MAR 2021	2021 YTD	2020 YTD	YTD CHANGE
FT/PT Day Shift	8	44	35	25.7%
FT/PT Day/POC & POC	50	140	121	15.7%
TOTAL	58	184	156	

RESPONSES BY ZONE SUMMARY

ZONE	MAR 2021	2021 YTD	2020 YTD	YTD (+/-)
Dutton - Dutton Fire District (All Zones)	49	160	131	22.1%
CFD-Byron - Cutlerville Fire District Byron Township	1	1	2	0.0%
CFD-Gaines - Cutlerville Fire District Gaines Township	4	14	13	7.7%
Byron - Byron Twp Fire District	0	0	1	0.0%
Caledonia- Caledonia Fire Rescue	2	4	3	33.3%
Kentwood - Kentwood Fire District	2	4	5	-20.0%
Leighton - Leighton Twp Fire District	0	1	0	0.0%
Thornapple - Thornapple FD	0	0	0	0.0%
Wyoming - Wyoming FD	0	0	1	0.0%
TOTAL	58	184	156	

AID TYPE	MAR 2021	2021 YTD	2020 YTD	YTD CHANGE
Mutual aid received	0	3	1	200.0%
Automatic aid rec	1	2	0	0.0%
Mutual aid given	2	8	9	-11.1%
Automatic aid given	2	8	4	100.0%
Other aid given	2	4	4	0.0%
None	51	159	138	15.2%
TOTAL	58	184	156	

TRAINING HOURS SUMMARY

MAR 2021	2021 YTD	2020 YTD	YTD CHANGE
269	606	522	16.09%

PRELIMINARY * AGENDA
GAINES CHARTER TOWNSHIP BOARD OF TRUSTEES
MEETING

May 10, 2021

Opening Prayer 7 PM ~ Laurie Lemke

Pledge of Allegiance

This meeting will be held live in the Township Board Room

MASKS REQUIRED AND SOCIAL DISTANCING WILL BE OBSERVED

Items Highlighted are Action Items

Meeting called by Supervisor Rob DeWard

Attendees: Supervisor Rob DeWard, Clerk Michael Brew, Treasurer Laurie Lemke, Trustees Tim Haagsma, Bob Terpstra, Dan Fryling, Kathy Vander Stel, Planner Dan Wells

CALL TO ORDER AND ATTENDANCE AT 7 PM –

Declaration of any Conflict of Interest

Approval of Agenda

I. CUSTOMARY ITEMS

- 1) **Recognition of Individuals and/or Delegations** - *3-minute time limit for unscheduled speakers
 - a. Public Hearing – Mobile Defender's IFT Request
 - b. Public Hearing – Amendment to Liquor Control Ordinance
 - c. Public Hearing – Preservation Lakes III Special Assessment – to hear and consider objections to the petitions, proposed improvements, and all other matters relating to the improvements
 - d. Public Hearing – Preservation Lakes III Special Assessment – to hear and consider comments and objections to the Special Assessment Roll

Consent agenda items are listed under item II, including payment of the bills. All items are considered to be routine by the Board. *There will not be separate discussion of these items.* If discussion is desired, that item will be removed from the Consent Agenda upon request of any Board Member. If you would like any item removed from the consent agenda so that it may be considered separately; please contact Kim by 10:00 a.m., the day of the meeting.

II. CONSENT AGENDA

1) Board Meeting Minutes

A. Meeting Minutes from April 12, 2021

2) Building Department

A. Building Department April 2021 Revenue Reports– Summary for Mechanical & Plumbing Permits, Electrical Revenue Report - *(In an effort to condense the size of meeting packets, we will be providing a Summary Report each month. A copy of the full report is on file and can be obtained by contacting Kim Triplett at kim.triplett@gainestownship.org.*

3) Clerk's Office

A. Check Register for April 1, 2021 thru April 30, 2021

B. Payments of the bills from in the amount of \$278,681.79

Motion to Approve Consent Agenda - ACTION ITEM

III. DEPARTMENT/OFFICE REPORTS

1) Clerk's Office

a) Correction of 01_11_2021 Board of Trustees meeting minutes

2) Planning

a) 1st Read 1171 & 1175 68th Street SE – major PUD Amendment

b) Mobile Defender's IFT Request

c) The Crossings PUD Major Amendment for M-6 Hotel Group 1439 & 1469 Eastport Drive – 1st

Read

NON-ACTION ITEM

a) 8460 Kalamazoo Ave – Mike Speedy/American Kendall Properties, LLC – Presentation to Board of a draft agreement for utility services to the proposed development.

3) Treasurer's Department

a) 2021 1st Qtr. Financial Report

4) Assessing Department - NONE

5) Water & Sewer Department - NONE

6) Building Department - NONE

Recognition of Individuals and/or Delegations Limit 3 Minutes

IV. SUPERVISOR'S OFFICE

1) **Action Items:**

- a) Preservation Lakes PHASE III– Proposed Streetlighting Special Assessment District
- b) Proposed changes to Liquor Control Ordinance

2) **NON-ACTION**

- a) New Air Conditioner at Library
- b) Website stats for April 2021 9,850 Visits
- c) Community Policing Officer's Report
- d) Dutton and Cutlerville Fire Department monthly reports

V. COMMENTS & DISCUSSION

- 1) Township Board
- 2) Supervisor
- 3) Miscellaneous

VI. ADJOURNMENT

- 1) **A second meeting date (May 24th) is on the calendar – Will be held if Determined necessary**
- 2) **The June 2021 meeting will be held June 14th**

Any interested persons are invited to attend and participate. Persons with disabilities needing any special accommodations should contact the Township offices one week prior to the meeting to request mobility, visual or any other assistance.

Preliminary Agenda – Subject to Change

Fuller Law and Counseling, P.C.

Tania B. (Dee Dee) Fuller
751 Kenmoor, SE, Suite C
Grand Rapids Michigan 49546
fuller@fitlerlaw.biz
(616) 454-0022
(616) 456-0022 Facsimile

May 6, 2021

SENT VIA EMAIL ONLY

Gaines Township
Robert DeWard, Supervisor
8555 Kalamazoo Avenue SE
Caledonia, Michigan 49316

Re: Celebration Banquets, L.L.C. Liquor License

Dear Rob:

We understand that the public hearing for the liquor license ordinance change will occur next week. We just wanted to reiterate how important this change is to Celebration! Banquets, L.L.C. ("Banquets"), especially in light of the exceedingly challenging year this last year has been for Celebration ("Celebration") and the entire theatre industry.

If authorized to utilize our liquor license throughout the entire Celebration! Cinema GR South ("CCGS") building, we feel that, once the COVID operational restrictions are lifted, more people will choose to frequent this location than have in the past, since we will be able to offer experiences that are similar to our other locations. We are hopeful that it will also enable us to increase per capita revenues and make this location competitively profitable.

We are optimistic that the people of Gaines Township will not only support the ordinance modifications but will also enjoy and appreciate the expanded offerings we will be able to provide at CCGS, once we are able to utilize the liquor license throughout the entire building and we can legally operate as we did pre-COVID.

Operations

CCGS in Gaines Township is presently the last of the Celebration! licensed locations to allow alcoholic beverages in the auditoriums. After we modify the restrictions presently in place, our plan is that Banquets will sell alcoholic beverages at the main concession counter at the front of CCGS near the front door and it would likely dedicate the far right or left side to the bar area. Tickets, food and beverages will continue to be sold from that same concession counter as well.

Over the last nineteen years, Banquets has established very specific alcoholic beverage service policies and procedures that are followed at all of its licensed facilities to

Gaines Township
Robert DeWard, Supervisor
May 6, 2021
Page 2

ensure that there will not be illegal sales. All of these policies and procedures will be followed at CCGS as well, when its liquor license use is expanded. I explained all of these procedures in detail in the letter we sent to Cliff Bloom last August.

As we have explained, movie theatres throughout the United States have been serving alcoholic beverages over the last several decades to better meet customers' demands and expectations and to enhance their movie going experience. Alcohol sales in theatres started on the east side of the State of Michigan more than twenty years ago and, over time, serving alcohol has become a factor in making the theatre industry profitable. We are hopeful that offering alcoholic beverage service for consumption throughout the entire facility at CCGS will make this location profitable and competitive in the future, while allowing us to provide another service that our customers have come to expect in theatres.

If there is anything you need from us to complete these next steps, please do not hesitate to ask. We look forward to working with you to rewrite the Operation Agreement for CCGS. Thank you!

Very Truly Yours,

Fuller Law and Counseling, P.C



Tania E. (Dee Dee) Fuller

TEF/akd

Enclosures

cc: Kristin Kent, Celebration Banquet L.L.C.

**MINUTES OF GAINES CHARTER TOWNSHIP BOARD
FOR THE REGULAR MEETING
April 12, 2021**

Present: DeWard, Brew, Lemke, Haagsma, Terpstra, Fryling, Vander Stel
Absent with notice: None
Community Development Director Dan Wells was also present
Opening prayer was given by Brew and the Pledge of Allegiance was recited

1. The meeting was called to order at 7:04 p.m. by Supervisor DeWard

2. Question of Conflict of Interest

None

3. Proposed Agenda

Motioned by Haagsma and supported by Fryling to approve the agenda as amended.

ROLL CALL VOTE: Vander Stel – yes, Terpstra – yes, Lemke - yes, Haagsma – yes, Fryling – yes, DeWard - yes, Brew – yes Motion carried.

4. Recognition of Individuals and/or Delegations.

None

5. Public Hearing – Cook’s Crossing – major PUD Amendment

Motioned by Haagsma and supported by Lemke to open the public hearing on Cook’s Crossing major PUD amendment.

VOICE VOTE: All Ayes. Motion Carried.

Motioned by Haagsma and supported by Fryling to close the public hearing on Cook’s Crossing major PUD amendment.

VOICE VOTE: All Ayes. Motion Carried.

6. Public Hearing – 6658 East Paris – OTP PUD Amendment

Motioned by Haagsma and supported by Lemke to open the public hearing on 6658 East Paris OTP PUD amendment.

VOICE VOTE: All Ayes. Motion Carried.

Motioned by Haagsma and supported by Fryling to close the public hearing on 6658 East Paris OTP PUD amendment.

VOICE VOTE: All Ayes. Motion Carried.

7. Consent Agenda

Motioned by Haagsma and supported by Vander Stel to approve the consent agenda including payment of bills for 03/02/2021 through 3/26/2021 in the amount of \$299,585.46.

VOICE VOTE: All Ayes. Motion carried.

8. Department/Office Reports

A. Planning Department

1) Cook's Crossing Major PUD Amendment Resolution and Ordinance

Motioned by Haagsma and supported by Terpstra to approve the Resolution to change the Cook's Crossing PUD.

ROLL CALL VOTE: Terpstra – yes, Lemke - yes, Haagsma - yes, Fryling - yes, DeWard - yes, Brew - yes, Vander Stel - yes Motion carried.

Motioned by Haagsma and supported by Fryling to approve the Ordinance to change Cook's Crossing PUD.

ROLL CALL VOTE: Vander Stel - yes, Terpstra - yes, Lemke - yes, Haagsma - yes, Fryling – yes, DeWard – yes, Brew – yes Motion carried.

2) 6658 East Paris OTP PUD Amendment

Motion by Haagsma and seconded by Terpstra to approve the Resolution and Ordinance for 6658 East Paris OTP PUD Amendment

ROLL CALL VOTE: Brew- yes, Vander Stel - yes, Terpstra- yes, Lemke - yes, Haagsma - yes, Fryling- yes, DeWard – yes Motion carried.

3) Industrial Facility Tax Request – Mobile Defenders – Is the applicant in a tech industry?

Motion by Vander Stel and seconded by Haagsma to define Mobile Defenders as engaged in high technology industry.

ROLL CALL VOTE: DeWard - yes, Brew - yes, Vander Stel - yes, Terpstra - yes, Lemke - yes, Haagsma - yes, Fryling – yes Motion carried.

4) Industrial Facility Tax Request – Mobile Defenders – Building project is not speculative

Motion by Haagsma and seconded by Lemke to define Mobile Defenders building project as not speculative.

ROLL CALL VOTE: Fryling - yes, DeWard - yes, Brew - yes, Vander Stel - yes, Terpstra- yes, Lemke - yes, Haagsma – yes Motion carried.

5) Industrial Facility Tax Request – Mobile Defenders – Public Hearing to establish an Industrial Development District to May 10, 2021

Motion by Haagsma and seconded by Lemke to set the Public Hearing to establish an Industrial Development District for Mobile Defenders to May 10, 2021

ROLL CALL VOTE: Haagsma - yes, Fryling - yes, DeWard - yes, Brew - yes, Vander Stel - yes, Terpstra - yes, Lemke – yes Motion carried.

6) Platted Lot Combinations

Motion by Lemke and seconded by Fryling to combine the narrow lots of 6487 College Avenue SE, 6820 Rosecrest Drive SE, 6916 Union Avenue SE, and 6940 Union Avenue SE to lots adjacent to the properties.

ROLL CALL VOTE: Lemke - yes, Haagsma – yes, Fryling - yes, DeWard - yes, Brew - yes, Vander Stel - yes, Terpstra – yes Motion carried.

7) 2307 68th Street – Preliminary Plat Approval

Motion by Lemke and seconded by Haagsma to accept the Preliminary Plot for 2307 68th Street SE.

ROLL CALL VOTE: Terpstra - yes, Lemke - yes, Haagsma - yes, Fryling - yes, DeWard - yes, Brew - yes, Vander Stel - yes, Motion carried.

B. Treasurer's Office

1) Byron Center Television (BCTV)

Motioned by Haagsma and supported by Terpstra to approve the expenditure of \$12,000 to BCTV with a review of their services before renewal in 2022.

ROLL CALL VOTE: Vander Stel - yes, Terpstra - yes, Lemke - yes, Haagsma - yes, Fryling – yes, DeWard – yes, Brew – no Motion carried.

9. Recognition of individuals and/or delegations

- Public Safety Community Policing Officer Vander Molen reviewed his report

10. Supervisor's Office

A. Preservation Lakes PHASE III – Proposed Street Lighting Special Assessment District

Motioned by Lemke and supported by Haagsma to set the Public Hearing for Preservation Lakes proposed Street Lighting Special Assessment District to May 10, 2021.

ROLL CALL VOTE: Brew- yes, Vander Stel - yes, Terpstra- yes, Lemke - yes, Haagsma - yes, Fryling- yes, DeWard – yes Motion carried.

B. Township Manager's Employment Agreement

Motioned by Terpstra and supported by Vander Stel to accept the Employment Agreement for Manager Jonathan Seyferth.

ROLL CALL VOTE: DeWard - yes, Brew - yes, Vander Stel - yes, Terpstra - yes, Lemke - yes, Haagsma - yes, Fryling – yes Motion carried.

C. Proposed changes to Liquor Control Ordinance

Motioned by Haagsma and supported by Fryling to set the Public Hearing for proposed changes to the Liquor Control Ordinance to May 10, 2021.

ROLL CALL VOTE: Fryling - yes, DeWard - yes, Brew - yes, Vander Stel - yes, Terpstra- yes, Lemke - yes, Haagsma – yes Motion carried.

D. Resolution establishing cost and public hearing date for a proposed Township wide Special Assessment District for Public Safety

Motioned by Haagsma and supported by Lemke to set the Public Hearing for a proposed Township wide Special Assessment District for Public Safety to June 07, 2021.

ROLL CALL VOTE: Haagsma - yes, Fryling - yes, DeWard - yes, Brew - yes, Vander Stel - yes, Terpstra - yes, Lemke – yes Motion carried.

11. Comments & Discussion

Fryling commented on the improvements to township Public Safety in reference to Officer Vander Molen's report

12. Adjournment

Motion by Fryling and supported by Haagsma to adjourn the meeting at 9:13 p.m.

VOICE VOTE: All Ayes. Meeting adjourned.

Michael Brew, Clerk

Robert DeWard, Supervisor



Revenue Breakdown Report

Page: 1 of 32

05/04/2021

Filter: All Records, Transaction.DateToPostOn Between 4/1/2021 12:00:00 AM AND 4/30/2021 11:59:59 PM

Unit Totals		
Unit Name	Records	Revenue
	224	49,365.00
TOTAL	224	49,365.00

Record Type Totals		
Unit:	Records	Revenue
Name	9	205.00
Permit	215	49,160.00
UNIT TOTAL:	224	49,365.00

Record Type Breakdowns		
Unit:	Records	Revenue
Record Type: Name		
	9	205.00
TOTAL:	9	205.00

Record Type: Permit	Records	Revenue
Air Conditioning Replacement	1	110.00
Building	49	21,778.00
Commercial Sign	1	170.00
Electrical	42	7,302.00
Furnace Replacement	1	110.00
Mechanical	69	11,821.00
Plumbing	44	7,184.00
Residential Roofing	1	90.00
Storm Drain	7	595.00
TOTAL:	215	49,160.00

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank GEN CHEMICAL BANK						
04/01/2021	GEN	29375	AMAZON	AMAZON CAPITAL SERVICES	EPSON INK CARTRIDGE	34.99
					CAPTAIN INSIGNIA	11.49
					DESK DOCUMENT FILE TRAY ORGANIZER	30.86
					LITHIUM BATTERIES 12 PK	25.79
					CFD EXAM GLOVES,	254.00
					CFD RUCK R20 CASE	44.95
					CFD WASH AND WAX, SUPERSHIELDZ FOR MICRO	52.97
					CFD MAGNETIC TOOLBOX SHELF	34.99
					CFD CRADLE CHARGER ASSEMBLY, CUP HOLDER,	340.56
					LAPTOP BAG	25.98
					KLEENEX TISSUES TWP OFFICE	15.69
					TWP OFFICE DYMO LABELS	18.99
					CFD COMMERCIAL GRADE ENTRANCE MAT,	137.54
					STANDING DESK	159.99
					SUPERVISOR DEPT DIVIDERS	29.97
						<u>1,218.76</u>
04/01/2021	GEN	29376	AUTOZONE	AUTOZONE	CFD MOLDING TAPE	15.80
					CFD UNDERCOAT RUB UNDERCOATING	5.11
					CUSTOM RUGGED BLACK	13.01
						<u>33.92</u>
04/01/2021	GEN	29377	COMCAST	COMCAST	CFD TELEPHONE	293.60
04/01/2021	GEN	29378	DINGES FIR	DINGES PARTNERS GROUP LLC	CFD 5 GALLON FOAM CONTAINER	594.65
04/01/2021	GEN	29379	FIRST BANK	FIRST BANKCARD CENTER	ZOOM, ACROBAT, MILITARY FLAGS, CELL PHON	545.22
					ELECTION FILE BOXES FOR APPS, IIMC CONFE	1,213.02
					ACROBAT, FINANCE CHARGE	17.64
					CFD EMS DUES, CHAIN OIL,BRACKETS, WRENCH	1,218.05
						<u>2,993.93</u>
04/01/2021	GEN	29380	INTEGRITY	INTEGRITY OFFICE	FILE FOLDERS FOR PLANNING	18.62
					CLEAR PUSH PINS, INDEX CARDS	5.28
					CUSTOM STAMP FOR CLERK'S DEPARTMENT	31.30
					PAPER FOR ELECTION INSTRUCTION, TWP OFFI	23.62
						<u>78.82</u>
04/01/2021	GEN	29381	IPM	IPM SERVICES	DFD PEST CONTROL	25.00
04/01/2021	GEN	29382	JAMES ZENA	JAMES ZENAS	WEBINAR AND MILEAGE	46.58
04/01/2021	GEN	29383	JENN J	JENNIFER JAGER	JENNIFER JAGER CELL PHONE	75.00
04/01/2021	GEN	29384	KC SUPER	K.C. SUPERVISORS ASSOCIATION	MEMBERSHIP DUES	115.00
04/01/2021	GEN	29385	KLEYN	KLEYN MOBILE REPAIR LLC	LOW VOLTAGE AND SPIKE IN VOLTAGE WHEN AP	575.58
04/01/2021	GEN	29386	MEDMUTUAL	MEDMUTUAL LIFE	MAY 2021 LIFE INSURANCE	285.44
04/01/2021	GEN	29387	MEYERS CLE	MEYERS CLEANING SERVICE INC	TWP OFFICE AND LIBRARY CLEANING	2,315.50
04/01/2021	GEN	29388	BREW	MICHAEL BREW	MILEAGE AND CELL PHONE	142.37
04/01/2021	GEN	29389	PURITY	PURITY CYLINDER GASES INC	CFD MEDICAL OXYGEN, MAINTENANCE FEE	92.93
04/01/2021	GEN	29390	ROB DEWARD	ROBERT DEWARD	MILEAGE EXPENSES	133.84
04/01/2021	GEN	29391	NEXTEL	SPRINT	CELLULAR PHONE	635.74
04/01/2021	GEN	29392	VRIESMAN	VRIESMAN & KORHORN LLC	MISCELLANEOUS ENGINEERING	600.16
					EXPLORER ESTATES	66.00
					CROSSINGS PUD HOTEL	132.00
					STONECO MINE EXPANSION	792.00

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
					60TH STREET SIDEWALK - PH2	3,544.46
					6658 EAST PARIS	735.00
					HOFFMAN MEADOWS	462.00
					3500 60TH STREET APARTMENTS	198.00
					VAN LAAN REBAR BUILDING	198.00
					AMAZON DELIVERY STATION	1,224.00
					PINE REST - VANANDEL CENTER	330.00
						<u>8,281.62</u>
04/01/2021	GEN	29393	WAYNE B	WAYNE BOURDO	PARKS & REC TRASH SERVICE AND BAGS FOR D	135.00 V
				Void Reason: LOST CHECK		
				Void Reason: LOST CHECK	LANDSCAPE MANAGEMENT TWP OFFICE, TAKE DO	1,039.57 V
						<u>1,174.57</u>
04/08/2021	GEN	29394	TWP-CONSUM	CONSUMERS ENERGY	DIVISION STREET LIGHTS	480.87
04/08/2021	GEN	29395	TWP-CONSUM	CONSUMERS ENERGY	LED LIGHTS AND STREET LIGHTS, BLAIN CEME	14,265.72
04/08/2021	GEN	29396	TWP-CONSUM	CONSUMERS ENERGY	TWP OFFICE, LIBRARY, CFD, DFD, DUTTON CE	5,414.46
04/09/2021	GEN	29397	123	123.NET	TWP OFFICE TELEPHONE SERVICES	251.50
04/09/2021	GEN	29398	5 ALARM	5 ALARM FIRE AND SAFETY EQPT L	HELMET AND LEATHERETTE FRONT	344.00
04/09/2021	GEN	29399	ACTIONCHEM	ACTION CHEMICAL INC	BOUNCE DRYER FABRIC SHEETS	22.20
04/09/2021	GEN	29400	ADVANCED I	ADVANCED IMAGING SOLUTIONS INC	COPIER RENTAL	729.45
04/09/2021	GEN	29401	AMAZON	AMAZON CAPITAL SERVICES	DIGITAL VOICE RECORDER FOR PLANNING	38.99
					I PHONE CHARGER, SUPERSHIELDZ FOR SURFAC	51.83
						<u>90.82</u>
04/09/2021	GEN	29402	ARROW	ARROWASTE INC	BLAIN CEMETERY REFUSE	52.36
					CFD REFUSE	105.91
					DFD REFUSE	44.48
					DFD REFUSE SECOND PICK UP	36.22
					TWP OFFICE REFUSE	66.43
					LIBRARY REFUSE	61.72
						<u>367.12</u>
04/09/2021	GEN	29403	BURNHAM	BURNHAM AND FLOWER AGENCY	NEW CFD ENGINE INSURANCE FOR 2021	2,502.00
04/09/2021	GEN	29404	BYRONTREAS	BYRON TOWNSHIP TREASURER	CFD WATER BILL	196.13
04/09/2021	GEN	29405	CHARTER CO	CHARTER COMMUNICATIONS	TWP OFFICE INTERNET SERVICE	154.97
04/09/2021	GEN	29406	CHERRY VAL	CHERRY VALLEY STOVE & SAW	CFD 20 IN SAW AND DEPTH LIMITER KIT RESC	383.90
04/09/2021	GEN	29407	OLIVER	DARRYL OLIVER	RENEW EMS FOR 2021	25.00
04/09/2021	GEN	29408	ERIC W	ERIC WIERENGA	EMT RENEWAL	25.00
04/09/2021	GEN	29409	EVERETT'S	EVERETT'S LANDSCAPE MANAGEMENT INC	TWP OFFICE REPLACE DAMAGED SHRUB	328.50 V
				Void Reason: WRONG AMOUNT		
				Void Reason: WRONG AMOUNT	PRARIE WOLF PARK PRUNING PROJECT	4,324.50 V
						<u>4,653.00</u>
04/09/2021	GEN	29410	TAX FUND	GAINES TOWNSHIP TAX FUND	JP MORGAN CHASE TAX TRIBUNAL SETTLEMENT	109.71
04/09/2021	GEN	29411	NAPA	GENUINE PARTS COMPANY-GRAND RAPIDS	BLUE THREADLOCKER	6.99
04/09/2021	GEN	29412	GREAT L	GREAT LAKES UPFITTING	HAVIS DEVICE MOUNT, SLIDE OUT LOCKING SW	1,253.41
					C60 SPORADIC LIGHT ISSUES, REPLACED UPFI	95.00
						<u>1,348.41</u>
04/09/2021	GEN	29413	GREEN GRAS	GREEN GRASS INC	DFD SPRING CRABGRASS PREVENTER AND FERTI	281.00

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Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
04/09/2021	GEN	29414	ITP	INTERURBAN TRANSIT PARTNERSHIP	CONTRACT SERVICE FOR APRIL 2021 RUAL GO BUS SERVICE	3,776.10 767.50 <u>4,543.60</u>
04/09/2021	GEN	29415	JACK'S	JACK'S LAWN & SNOWPLOWING, INC	SNOW REMOVAL SERVICE TWP OFFICE SNOW REMOVAL DFD SNOW REMOVAL LIBRARY SNOW REMOVAL SHERIFF SUBSTATION	1,399.87 681.94 716.04 479.32 <u>3,277.17</u>
04/09/2021	GEN	29416	JOHN S	JOHN STUYFZAND	MILEAGE REIMBURSEMENT	754.88
04/09/2021	GEN	29417	KC DISPATCH	KENT COUNTY DISPATCH AUTHORITY	EXCESS RADIO PURCHASE	1,876.50
04/09/2021	GEN	29418	MARK GROOT	MARK GROOTERS	EMT RENEWAL	25.00
04/09/2021	GEN	29419	MCDONALD	MCDONALD PLUMBING INC	TWP OFFICE	296.00
04/09/2021	GEN	29420	MEEKHOF EL	MEEKHOF ELECTRIC INC	BOARD ROOM TV INSTALL	445.00
04/09/2021	GEN	29421	MEGAN VAN	MEGAN VANHOOSE	CELL PHONE, MAA WEBINAR, ACROBAT RENEWAL	296.88
04/09/2021	GEN	29422	OMEGA SYST	OMEGA SYSTEMS, OCEAN INC.	MAINTAIN BACKUP REPLICATION MICROSOFT EXCHANGE ONLINE	147.00 3,342.50 <u>3,489.50</u>
04/09/2021	GEN	29423	PEOPLE	PEOPLE IT	SERVER AGENT, MANAGED BACKUP, MICROSOFT	369.00
04/09/2021	GEN	29424	ROGER STER	ROGER STERK	MILEAGE REIMBURSEMENT	114.80
04/09/2021	GEN	29425	TWP-SIEGFR	SIEGFRIED CRANDALL VOS & LEWIS	PROGRESS BILLING ON AUDITING SERVICES, A	16,500.00
04/09/2021	GEN	29426	TDS	TDS METROCOM	TWP OFFICE TELEPHONE	287.18
04/09/2021	GEN	29427	SUN NEWS	THE SUN AND NEWS	SYNOPSIS, PUBLIC HEARING NOTICES	692.28
04/09/2021	GEN	29428	WEST SHORE	WEST SHORE FIRE INC	PROBE PSI, FILL CYLINDER WASTE BELT ASSY	105.75 89.75 <u>195.50</u>
04/09/2021	GEN	29429	MARATHON	WEX BANK	DFD FUEL CFD FUEL	733.43 827.35 <u>1,560.78</u>
04/12/2021	GEN	29430	EVERETT'S	EVERETT'S LANDSCAPE MANAGEMENT INC	TWP OFFICE REPLACE DAMAGED SHRUB PRARIE WOLF PARK PRUNING PROJECT	328.50 3,996.00 <u>4,324.50</u>
04/16/2021	GEN	29431	WAYNE B	WAYNE BOURDO	PARKS & REC TRASH SERVICE AND BAGS FOR D	1,174.57
04/17/2021	GEN	29432	5 ALARM	5 ALARM FIRE AND SAFETY EQPT L	HELMETS AND PATCHES	1,265.88
04/17/2021	GEN	29433	ACCIDENT	ACCIDENT FUND	WORKERS COMP	3,160.61
04/17/2021	GEN	29434	ACTIONCHEM	ACTION CHEMICAL INC	MANGO WAVE DEO SCREEN, MANGO BOWL CLIP	46.20
04/17/2021	GEN	29435	AMAZON	AMAZON CAPITAL SERVICES	BINDER DIVIDERS, LETTER OPENERS, BINDER AA BATTERIES 8 PC GARAGE TOOL CABINETS AIR PUMP WEDGE ALIGNMENT TOOL PUBLIC SAFETY TAMPER GUARD EVIDENCE TAPE	48.24 44.10 1,559.99 17.88 26.97 <u>1,697.18</u>
04/17/2021	GEN	29436	BLOOM	BLOOM SLUGGETT	ANEMA ENGINEER REPORT, REVOLUTION FARMS,	1,533.00
04/17/2021	GEN	29437	BLUE CROSS	BLUE CROSS BLUE SHIELD TRADITIONAL	MAY 2021 TRADITIONAL HEALTH INSURANCE	4,699.66
04/17/2021	GEN	29438	BLUE HSA	BLUE CROSS HSA	MAY 2021 HSA HEALTH INSURANCE	12,385.85

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Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
04/17/2021	GEN	29439	BCPS	BYRON CENTER PUBLIC SCHOOLS	BCTV	12,000.00
04/17/2021	GEN	29440	CHASE	CHASE CARD SERVICES	MMTA 2021 VIRTUAL ADVANCED INSTITUTE	295.00
04/17/2021	GEN	29441	CLARK	CLARK HILL	FIFTH THIRD BANK MMT MATTER	48.00
					FC GRAND RAPIDS MI LANDLORD, LLC	338.00
					SILICONATURE USA	960.00
					MOBILE DEFENDERS LLC	48.00
						<u>1,394.00</u>
04/17/2021	GEN	29442	DELTA DENT	DELTA DENTAL	MAY 2021 DENTAL	1,723.02
04/17/2021	GEN	29443	D.J.S	DJ'S LANDSCAPE MANAGEMENT	TWP OFFICE	1,598.00
					LIBRARY	143.38
						<u>1,741.38</u>
04/17/2021	GEN	29444	UNUM	FIRST UNUM LIFE INSURANCE COMPANY	LONG AND SHORT TERM DISABILITY	872.53
04/17/2021	GEN	29445	GORDON	GORDON WATER	TWP OFFICE WATER	27.85
04/17/2021	GEN	29446	GV MET	GRAND VALLEY METRO COUNCIL	REGIS DUES FY 2020 - 2021 - APRIL - SEPT	22,113.09
04/17/2021	GEN	29447	HORIZON	HORIZON COMMUNITY PLANNING LLC	EMAILS, PLANNING COM MEETING, HOFFMAN ME	2,640.00
04/17/2021	GEN	29448	HUIZ LAWN	HUIZINGA LAWN SPRINKLING INC	TWP OFFICE, TURN ON SYSTEM, INSTALL FOUN	407.60
04/17/2021	GEN	29449	JND	JND SNOWPLOWING INC	SNOWPLOWING APRIL	2,000.00
					SNOWPLOWING MARCH	2,000.00
						<u>4,000.00</u>
04/17/2021	GEN	29450	KC EMS	K.C. EMERGENCY MEDICAL SERVICE	DFD QUARTERLY ASSESSMENT FEE	243.31
04/17/2021	GEN	29451	LAIR	LAIR INVESTIGATIONS	SEYFERTH BACKGROUND CHECK	150.00
04/17/2021	GEN	29452	LAMPHEAR	LAMPHEAR SERVICE COMPANY INC	TWP OFFICE MAIN LEVEL WAS HOT - CLOCK PR	156.00
					DFD COMPLETED ANNUAL MAINTENANCE, INSPEC	467.00
						<u>623.00</u>
04/17/2021	GEN	29453	MENARDS	MENARDS- WYOMING	MATERIALS FOR TRAINNG	308.87
04/17/2021	GEN	29454	MINER	MINER SUPPLY COMPANY	CLEANING SUPPLIES TWP OFFICE	118.28
04/17/2021	GEN	29455	PHOENI	PHOENIX SAFETY OUTFITTERS	GEOFF EVANS FIRE GEAR	686.81
04/17/2021	GEN	29456	PLUMMERS	PLUMMERS DISPOSAL SERVICE	WHEELCHAIR ACCESSIBLE UNIT	140.00
04/17/2021	GEN	29457	ROUGE CUST	ROUGE CUSTOMS	SAND PREP WELDS AND ALUMINUM, PAINT WITH	158.75
04/17/2021	GEN	29458	WATERWAY	WATERWAY OF MICHIGAN LLC	LADDER AND HOSE TESTING	1,701.67
04/24/2021	GEN	29459	ACTIVE911	ACTIVE 911, INC.	CFD TRADITIONAL SUBSCRIPTION FOR AGENCY	273.00
04/24/2021	GEN	29460	AMAZON	AMAZON CAPITAL SERVICES	CFD BATTERIES	65.81
					DFD MOP HANDLE	27.29
					DFD ENGINE OIL AND ANTI-FREEZE	82.72
						<u>175.82</u>
04/24/2021	GEN	29461	BS&A SOFTW	BS&A SOFTWARE	ONLINE BUILDING DEPARTMENT	6,450.00
04/24/2021	GEN	29462	BYRONTREAS	BYRON TOWNSHIP TREASURER	CFD REIMBURSE 1ST QTR BILLS PAID BY BYRO	1,080.91
04/24/2021	GEN	29463	CINTAS	CINTAS CORPORATION #301	TWP OFFICE BLACK FLOOR MATS	76.94
04/24/2021	GEN	29464	COMCAST	COMCAST	DFD INTERNET SERVICES	167.23
04/24/2021	GEN	29465	GORDON	GORDON WATER	DFD WATER AND COOLER RENTAL	28.25
04/24/2021	GEN	29466	HURST	HURST MECHANICAL	CFD AIR PURIFIER SYSTEM	897.00
04/24/2021	GEN	29467	INTEGRA RE	INTEGRA REALTY RESOURCES	APPRAISAL SERVICES SILICONATURE CORP	1,471.90
04/24/2021	GEN	29468	IPM	IPM SERVICES	CFD PEST CONTROL	25.00
					DFD PEST CONTROL	25.00
						<u>50.00</u>
04/24/2021	GEN	29469	J&B	J&B MEDICAL SUPPLY	DFD IRRIGATION UROLOGY SOLUTIONS, LUCOSE	26.60
04/24/2021	GEN	29470	KC DRAIN	K.C. DRAIN COMMISSION	DRAIN EXPENDITURES THRU MARCH 31, 2021	132.37

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Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
04/24/2021	GEN	29471	KC TREAS	KENT COUNTY TREASURER	CP OFFICER AND TOWNSHIP LAW MARCH 2021	78,640.98
04/24/2021	GEN	29472	LAMPHEAR	LAMPHEAR SERVICE COMPANY INC	LIBRARY ANNUAL MAINTENANCE, INSPECTIONS,	640.00
04/24/2021	GEN	29473	MENARDS	MENARDS- WYOMING	TEFLON TAPE, PISTOL GRIP, PLUGS AND COUP	68.86
04/24/2021	GEN	29474	BREW	MICHAEL BREW	USB DRIVES, USB HUB, PAPERCLIPS	69.47
04/24/2021	GEN	29475	MINER	MINER SUPPLY COMPANY	MULTIFOLD TOWEL	64.48
04/24/2021	GEN	29476	OMEGA SYST	OMEGA SYSTEMS, OCEAN INC.	TWP OFFICE UPPER AND LOWER TV PROJECT, G	2,218.25
04/24/2021	GEN	29477	PEOPLE	PEOPLE IT	CFD ASSIST KEN WITH REMOVING OLD USER AN	21.25
04/24/2021	GEN	29478	PROF CODE	PROFESSIONAL CODE INSPECTIONS INC	MECHANICAL AND PLUMBING INSPECTIONS	7,140.00
04/24/2021	GEN	29479	BDREFUND	Ryan Companies US INC	BD Payment Refund	1,500.00
04/24/2021	GEN	29480	STAPLES 3	STAPLES	RED FILE BOX, DYMO LABELWRITER FILE, AVE	68.34
04/30/2021	GEN	29481	5 ALARM	5 ALARM FIRE AND SAFETY EQPT L	CAIRNS WHITE AND 6" LEATHERETTE FRONT	401.93
04/30/2021	GEN	29482	ADVANTAGE	ADVANTAGE COMMERCIAL REAL ESTATE	SILICANATURE PROPERTY TAX APPEAL	600.00
04/30/2021	GEN	29483	AMAZON	AMAZON CAPITAL SERVICES	GRILL BRUSH, STOWAWAY WITH ADJUSTABLE DI	30.23
					USB EXTENTION CABLE FOR AVCB	20.98
					LOGITECH HD PRO WEBCAM	79.99
						131.20
04/30/2021	GEN	29484	APOLLO	APOLLO FIRE EQUIPMENT CO.	TFT 4" NST FEMALE X 5" STORZ	176.50
04/30/2021	GEN	29485	BS&A SOFTW	BS&A SOFTWARE	ANNUAL SERVICE AND SUPPORT FEE	4,484.00
04/30/2021	GEN	29486	CORRECT	CORRECT MECHANICAL SERVICES, INC	HVAC PREVENTATIVE MAINTENANCE	143.75
04/30/2021	GEN	29487	DTE	DTE ENERGY	CFD HEAT	238.25
					TWP HALL HEAT	957.05
					DFD HEAT	370.81
					LIBRARY HEAT	217.74
						1,783.85
04/30/2021	GEN	29488	FIRE PROS	FIRE PROS. INC.	FIRE EXTINGUISHER MAINTENANCE	227.75
04/30/2021	GEN	29489	GRAINGER	GRAINGER	WELDING ROD HDPE 5/32 IN BLACK	28.33
04/30/2021	GEN	29490	IPM	IPM SERVICES	TWP OFFICE PEST CONTROL	42.00
04/30/2021	GEN	29491	KLEYN	KLEYN MOBILE REPAIR LLC	ENGINE STARTING AND CHARGING	319.77
04/30/2021	GEN	29492	MAYNARDS	MAYNARDS WATER CONDITIONING LLC	RED OUT SALT DELIVERY	182.40
04/30/2021	GEN	29493	MED-1	MED-1 BRETON	GEOFFREY EVANS PHYSICAL	495.00
04/30/2021	GEN	29494	NEXTEL	SPRINT	MAY CELL PHONE	627.27
04/30/2021	GEN	29495	STAR	STAR 2 STAR COMMUNICATIONS	DFD TELEPHONE	356.24
					TWP OFFICE TELEPHONE	791.37
						1,147.61
04/30/2021	GEN	29496	WAYNE B	WAYNE BOURDO	TRASH SERVICE AND DOG WALK BAGS	135.00
					MULCH (PER CONTRACT)	1,040.00
					LANDSCAPE MAINT TWP OFFICE AND LIBRARY	919.57
						2,094.57
04/30/2021	GEN	29497	ZYLSTRA DO	ZYLSTRA DOOR INC	DFD SERVICED AND INSPECTED ALL DOORS	240.00
GEN TOTALS:						
Total of 123 Checks:						281,509.36
Less 2 Void Checks:						5,827.57
Total of 121 Disbursements:						275,681.79

**MINUTES OF GAINES CHARTER TOWNSHIP BOARD
FOR THE REGULAR MEETING
January 11, 2021**

The meeting was held as a virtual meeting via Zoom – Meeting # 818 9646 5818 – Password – 435367. Public who attended the meeting obtained meeting information and password by sending a request to info@gainestownship.org on the day of the meeting.

Present: DeWard from home, Brew from 8555 Kalamazoo Avenue, Lemke from 8555 Kalamazoo Avenue, Fryling from 8555 Kalamazoo Avenue, Haagsma from home, Terpstra from home, VanderStel from home, Dan Wells from 8555 Kalamazoo Avenue
Absent with notice: Jansen

1. The meeting was called to order at 7:03 p.m. by Supervisor DeWard

2. Question of Conflict of Interest

None.

3. Proposed Agenda

Motioned by Haagsma and supported by VanderStel to approve the agenda.

ROLL CALL VOTE: VanderStel - yes, Terpstra - yes, Lemke - yes, Haagsma – yes, Fryling – yes, DeWard - yes, Brew - yes Motion carried.

4. Recognition of Individuals and/or Delegations.

None.

5. Consent Agenda

Motioned by VanderStel and supported by Haagsma to approve the consent agenda including bills totaling \$279,884.33 for 12-01-2020 and 12-31-2020 .

ROLL CALL VOTE: Brew - yes, VanderStel – yes, Terpstra - yes, Lemke - yes, Haagsma – yes, Fryling – yes, DeWard - yes Motion carried.

6. Department/Office Reports

A. Clerk's Office

1) Appoint additional FOIA Coordinator

Motioned by Haagsma and supported by Lemke to appoint the fire chief as a FOIA Coordinator for FOIA matters specific to the Fire Department.

ROLL CALL VOTE: DeWard - yes, Brew - yes, VanderStel – yes, Terpstra - yes, Lemke - yes, Haagsma – yes, Fryling – yes Motion carried.

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B. Planning Department

1) Clover PUD Rezoning – Final Read

Motion by VanderStel and supported by Fryling to table the Clover Senior Housing PUD resolution due to additional matters to be resolved beyond the Township Board.

ROLL CALL VOTE: Fryling – yes, DeWard - yes, Brew - yes, VanderStel – yes, Terpstra - yes, Lemke – yes, Haagsma – yes Motion carried.

2) Mobile Defenders – Industrial Development Deferment request

Taken off the agenda by applicant due to additional matters beyond the Township Board.

3) Rezone 17 and 21 Willman and 6536 and 6540 South Division Avenue – First Read

Motion by Haagsma and supported by VanderStel to proceed to the Public Hearing for rezoning 17 and 21 Willman and 6536 and 6540 South Division Avenue.

ROLL CALL VOTE: Haagsma – yes, Fryling – yes, DeWard - yes, Brew - yes, VanderStel – yes, Terpstra - yes, Lemke - yes Motion carried

4) Set Public Hearing - Rezone 17 and 21 Willman and 6536 and 6540 South Division Avenue

Motion by Haagsma and supported by VanderStel to set the Public Hearing for rezoning 17 and 21 Willman and 6536 and 6540 South Division Avenue to February 8, 2021.

ROLL CALL VOTE: Lemke – yes, Haagsma – yes, Fryling – yes, DeWard - yes, Brew - yes, VanderStel – yes, Terpstra - yes Motion carried

C. Assessing Department

1) Professional Development Request

Motioned by Lemke and supported by VanderStel to approve the professional development request for James Zenas.

ROLL CALL VOTE: Terpstra - yes, Lemke – yes, Haagsma – yes, Fryling – yes, DeWard - yes, Brew - yes, VanderStel – yes Motion carried.

2) Resolution to establish water supply and sewer rates and charges

7. Recognition of individuals and/or delegations

None.

8. Supervisor's Office

1. Kent County Cooperative Agreement

Motioned by Haagsma and supported by VanderStel to approve the Kent County Cooperative Agreement as presented

ROLL CALL VOTE: VanderStel - yes, Terpstra - yes, Lemke - yes, Haagsma – yes, Fryling – yes, DeWard - yes, Brew - yes Motion carried.

2. Personnel Committee Recommendation – Position title change request

Motioned by Lemke and supported by Terpstra to approve the position title request from Assessing Clerk to Assessing Technician

ROLL CALL VOTE: Brew - yes, VanderStel – yes, Terpstra - yes, Lemke - yes, Haagsma – yes, Fryling – yes, DeWard - yes Motion carried.

3. Personnel Committee Recommendation – Wage increase request

Motioned by VanderStel and supported by Haagsma to approve changing the current Assessing Technician's wage from \$19.26/hour to \$23.00/hour - **CHANGE \$23/HR TO \$20.75/HR**

ROLL CALL VOTE: DeWard - yes, Brew - yes, VanderStel – yes, Terpstra - yes, Lemke - yes, Haagsma – yes, Fryling – yes Motion carried.

4. Personnel Committee Recommendation – Additional paid vacation request

Motioned by Haagsma and supported by VanderStel to approve a second week of vacation to the current Assistant Assessor until the next step of three weeks vacation.

ROLL CALL VOTE: Fryling – yes, DeWard - yes, Brew - yes, VanderStel – yes, Terpstra - yes, Lemke – yes, Haagsma – yes Motion carried.

9. Comments and Discussion

The Township Office will open to the public on Monday, January 18, 2021. Social distancing and mask wearing will be enforced to protect from COVID.

10. Adjournment

Motion by Lemke and supported by VanderStel to adjourn the meeting at 8:03 p.m.

VOICE VOTE: All Ayes.

Michael Brew, Clerk

Robert DeWard, Supervisor

Gaines Charter Township

Board of Trustees Memo

Meeting Date: May 10th, 2021

PROPOSED REQUEST: Major PUD Amendment

ADDRESS: 1171 & 1175 68th Street SE

PARCEL NUMBER: 41-22-05-326-015

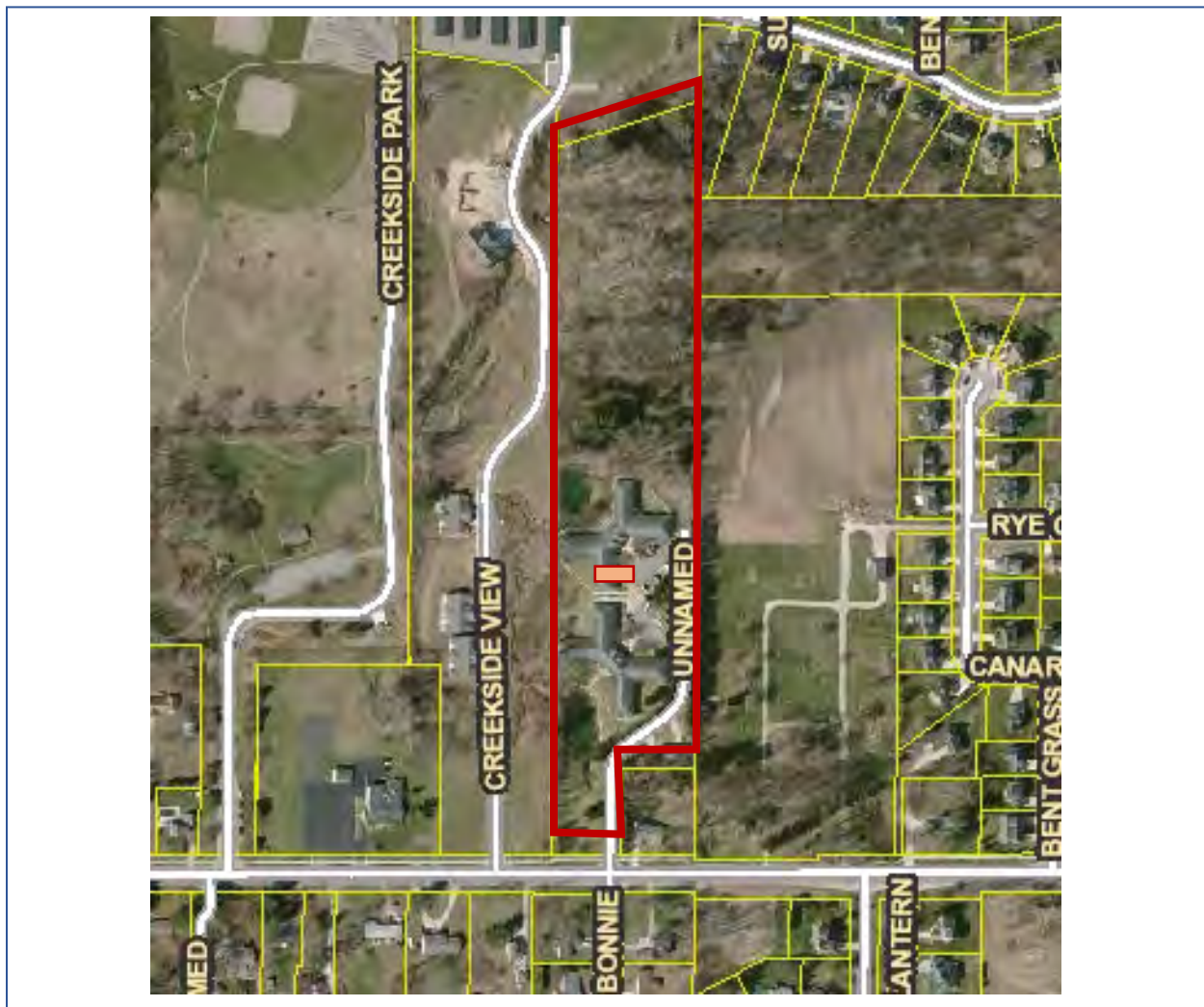
APPLICANT: MCAP Grand Rapids Propco,
LLC/Kevin Willis

FILE NUMBER: 210203KW

PROPERTY ZONING DISTRICT: Crystal Manor
PUD

PROPERTY SIZE: 12.0 acres

REPORT BY: Dan Wells, Community
Development Director



OVERVIEW

The applicant has recently purchased the property and requests a PUD amendment to allow for a 3,000 square foot addition to connect the two existing buildings within the Crystal Manor PUD, which has been renamed Addington Place. The addition will include interior lobby, office, bathroom, and common activity areas for administrative staff and residents. A port cochere will also be built over the main entrance and front driveway to create a welcoming entrance area that is protected from the elements. The property will continue to be used as an assisted living facility specializing in memory care for senior citizens and has been renamed Addington Place.

The Crystal Manor PUD was approved by the Township Board in September 1993, and it was amended in 1995 to allow for a slightly enlarged accessory building.

Although the project is relatively minor with no discernable impact, it exceeds the square footage threshold for an addition to be considered as a minor amendment per the Zoning Ordinance. Specifically, the proposal exceeds a five percent increase in total building square footage (Section 10.11 C.2). Therefore, the project requires a major PUD amendment review.

Surrounding zoning:

	NORTH: Creekside PUD (Storage)	
WEST: Creekside PUD (Condos)	SUBJECT PARCEL	EAST: Cemetery
	SOUTH: 68 th Street then residential	

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Section 11.1, Planned Unit Development - General Review Standards. Additional information is included over the following pages concerning review considerations and standards.

- A. *Consistency with Master Plan and Zoning Ordinance: The Planned Unit Development must further the goals and objectives of the Township Master Plan and must be consistent with it. It must also be consistent with the intent and purpose of this Zoning Ordinance.*

Meets standard. The Crystal Manor PUD was approved by the Planning Commission and Township Board for this same use, and so it has been determined to meet the goals of the Master Plan. The building expansion is not a significant change, and the project is within the spirit of both the original Crystal Manor PUD and intent of the Township Zoning Ordinance.

- B. *Aesthetics: The Planned Unit Development must be aesthetically pleasing and be an integrated development with respect to building facades, building materials, landscape and berming, noise and visual screening mechanisms, and signs. It should contribute to creating a distinctive attractive community with a strong sense of place.*

Meets standard. The architectural design of the addition and building materials are consistent with the existing building and nearby structures.

- C. *Compatibility with Adjacent Uses: The Planned Unit Development must be compatible with surrounding uses. Efforts must be made to reduce any adverse effects on surrounding uses.*

Meets standard. The current adult care facility land use is compatible with the intent of the original PUD approval, and the expansion project will maintain compatibility.

- D. *Density: The density requirements of the proposed Planned Unit Development shall be based on the underlying land use district in the Master Plan. The Township Board, upon recommendation of the Planning Commission, may vary the density requirements if doing so would result in a development that better achieves the intent of the Master Plan.*

Not applicable. The proposed addition will not include residential units and will not increase residential density.

- E. *Traffic: The Planned Unit Development shall be designed to minimize the effect of traffic generated by the proposed development on surrounding uses. Consideration should be given to: 1. The amount and type of traffic generated by the proposed project and capacity of existing and proposed streets to safely absorb that additional traffic. Whether the streets and pedestrian walkways within each project are designed to facilitate safe pedestrian and vehicular traffic flow patterns. 3. All points of ingress and egress to the project shall be located and designed to maximize safety.*

Meets standard. The increase in square footage will have a negligible impact on traffic generation and no impact on traffic flow or access.

- F. *Protection of Natural Environment: Each project shall be designed to minimize adverse effects on the environment. Special emphasis shall be placed on maintaining the quality of air, soils, groundwater, streams, wetlands, and rivers.*

Meets standard. The proposed increase of square footage will have a negligible impact on the natural environment and the protection of open space.

- G. *Schools: Whether a project can be served by existing schools and school related facilities and the impact upon schools if the property is developed in accordance with the Planned Unit Development plans or in accordance with the conventional zoning district requirements shall both be considered. In addition, streets and pedestrian walkways shall be designed and located in any project to facilitate the ability of students to make the best and safest use of existing schools and school related facilities.*

Meets standard. The proposed increase of square footage will have no impact on schools and pedestrian travel as no school age children reside on the property and the buildings are surrounded by sidewalks. The north side of 68th street is served with sidewalks as well.

- H. *Public Facilities: The Planning Commission shall consider the impact a project will have on: 1. Public safety and protection services. 2. Water and sewer facilities. 3. The costs for such services. Each project shall be designed and located so as to facilitate use of, access to, or the logical expansion or extension of existing facilities in order to minimize any adverse financial or other impact upon the Township and to promote public health and safety.*

Undetermined. The proposed project may fill in an area that fire protection would use to access the back of the building. All future development plans are subject to Township Engineering and Fire Department review.

- I. *Water, Sewer, and Drainage Systems: A Planned Unit Development shall be served by a public or private water and sanitary sewer systems. The Kent County Health Department and/or the Township Engineer must approve the systems. A PUD shall also have a drainage system for surface water run-off which the Kent County Drain Commission and / or the Township Engineer must approve.*

Meets standard. The proposed increase of square footage will have no impact on water, sewer, and drainage systems. However, all future development plans are subject to Township Engineering review.

- J. *Open Space: The Planning Commission and Township Board should consider whether the PUD permanently preserves significant amounts of open space or significant natural features. The Township Board may require, upon recommendation of the Planning Commission, that natural amenities such as, but not limited to, ravines, rock outcrops, wooded areas, tree or shrub specimens, unique wildlife habitat, ponds, streams, and wetlands be preserved as part of the open space system.*

Meets standard. The proposed increase of square footage will have no significant impact on open space associated with the approved site plan.

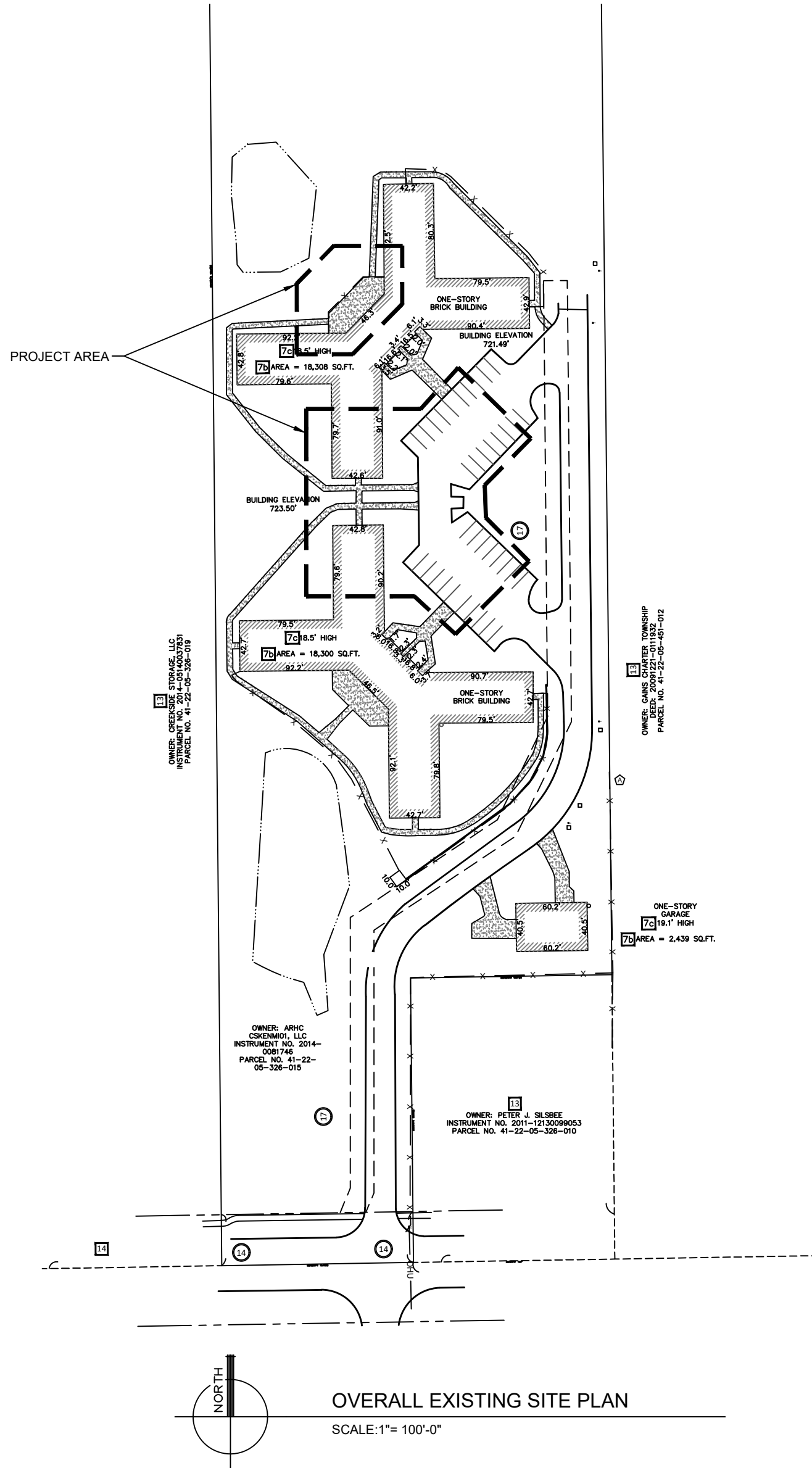
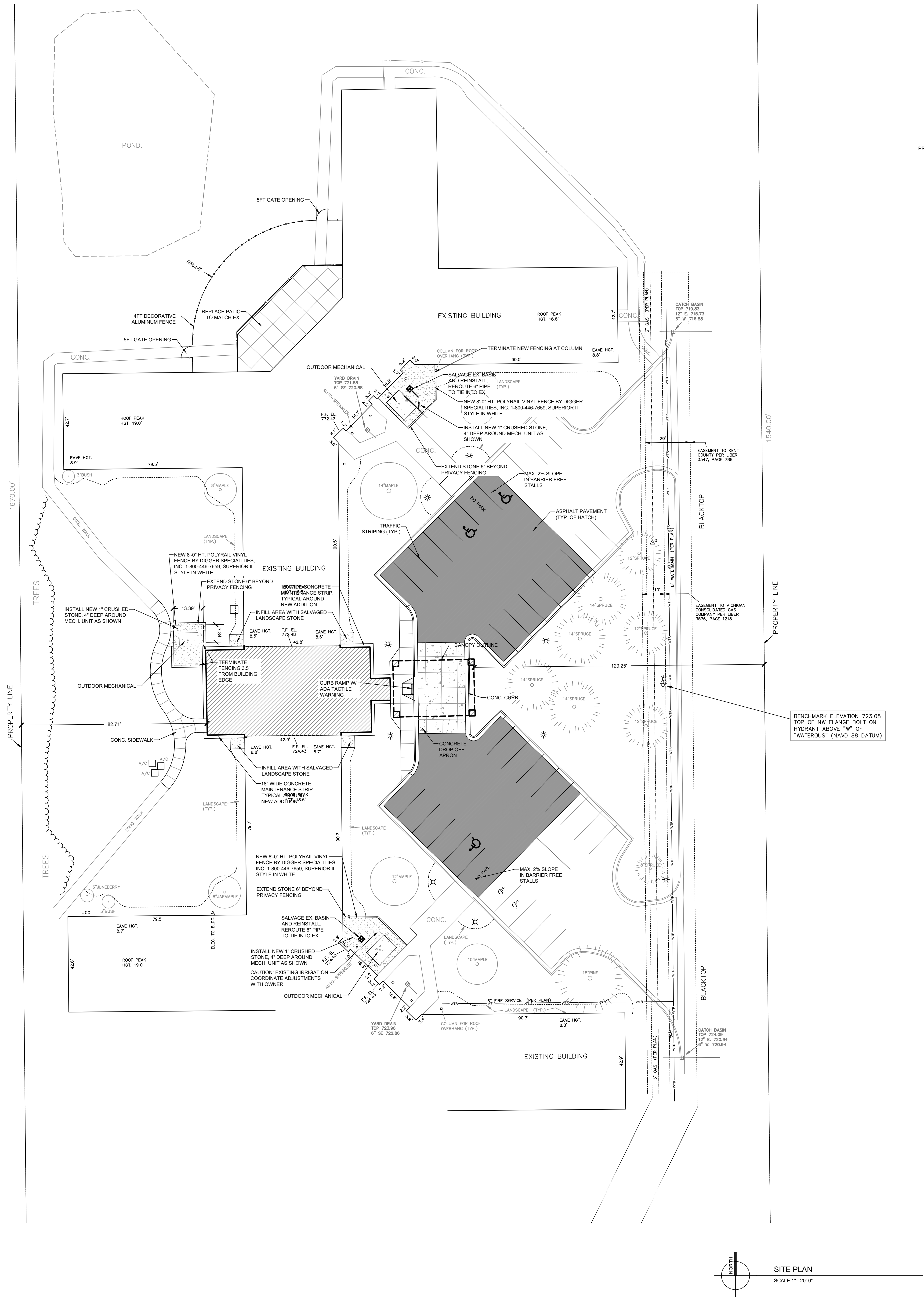
- K. *Non-Motorized Transportation Network: Projects within an identified trail network corridor may be required to construct a portion of the trail.*

Meets standard. The proposed increase of square footage will have no impact on sidewalks or pathways and will not result in the need for network improvements.

RECOMMENDATION

The planning commission reviewed the proposed project and determined the proposed addition meets the standards outlined above and approved Resolution PC-21-03-25-01 recommending that the ordinance amendment for the requested PUD amendment be forwarded to the Township Board of Trustees for consideration. Planning Commission recommended the following condition; The applicant shall be required to secure all applicable department and outside agency approvals prior to site development, including Township Engineering/BGUA, Fire Department, Kent County Road Commission, and Kent County Drain Commission.

This is the first read of the proposed PUD amendment, if the Board of Trustees supports the amendment, a resolution in support of a public hearing and publication may be made.



PROPERTY DESCRIPTION:

(from Commitment No. : 19000071446)
Land situated in the Township of Gaines, County of Kent, Michigan, more particularly described as:
That part of the SW 1/4, Section 5, T5N, R11W, Gaines Township, Kent County, Michigan, described as:
Beginning at a point on the South line of said SW 1/4, which is S 89 degrees 02 minutes 13 seconds W 170.00 feet from the S 1/4 corner of said Section 5; thence S 89 degrees 02 minutes 13 seconds W 161.84 feet along said South line; thence N 00 degrees 32 minutes 51 seconds W 1670.00 feet along the West line of the E 1/8 of said SW 1/4; thence N 70 degrees 38 minutes 20 seconds E 348.56 feet; thence S 00 degrees 38 minutes 31 seconds E 1540.00 feet along the East line of said SW 1/4; thence S 89 degrees 02 minutes 13 seconds W 170.00 feet; thence S 00 degrees 38 minutes 31 seconds E 240.00 feet to the place of beginning.

(For informational purposes only)
Commonly Known As: 1171 68th St SE, Grand Rapids, MI 49519
Tax Parcel ID: 22-05-326-015

PROPERTY COMMITMENTS AND EXCEPTIONS:

Note regarding Schedule B - Section II Exceptions
(see Note 1 for full commitment information)
(Numbers correspond to specific exceptions listed)

- | | | |
|-----------|----|--|
| Exception | 13 | Right of Way in favor of American Telephone and Telegraph Company of Michigan recorded in Liber 34M, Page 480. (document not legible, description of right of way not found in furnished document) |
| Exception | 14 | Right of Way in favor of County of Kent recorded in Liber 66M, Page 364. (described right of way is not within surveyed area) |
| Exception | 15 | County of Kent General Easement and Right of Way Grant recorded in Liber 2072, Page 437. (described public easement and right of way is not within surveyed area) |
| Exception | 16 | General Easement and Right of Way in favor of Kent County Drain Commissioner recorded in Liber 2098, Page 703. (described public easement and right of way is not within surveyed area) |
| Exception | 17 | County of Kent General Easement and Right of Way recorded in Liber 3547, Page 788. Assignment of Easements recorded in Liber 4852, Page 450. (shown hereon) |
| Exception | 18 | Distribution Main & Service Line Easement to Michigan Consolidated Gas Company recorded in Liber 3576, Page 1218. (shown hereon) |
| Exception | 19 | Grant of Easement to Comcast of California/Massachusetts/Michigan/Utah, Inc. recorded in Instr: 20070130-0012213. (blanket type easement) |

ZONING INFORMATION:

1171S 68TH ST SE, GRAND RAPIDS, MI 49508

- | | |
|--------------------|---|
| 1. PROPERTY ZONING | PLANNED UNIT DEVELOPMENT |
| 2. PROPERTY SIZE | 523,503sq. ft. (12.02 ac) |
| 3. USE TYPE | Housing for the elderly assisted living |

GENERAL NOTES:

- DO NOT BURY ANY DEBRIS, ROOTS, TOPSOIL OR OTHER MATERIALS.
- ALL WORK SHALL COMPLY WITH APPLICABLE REQUIREMENTS OR THE LOCAL CODE, ORDINANCES AND ACCIDENT PREVENTION REGULATIONS.
- PROTECT THE SITE, ADJACENT PROPERTY AND UTILITY SERVICES FROM DAMAGE OR DISRUPTION OF SERVICE/ACCESS. DAMAGE TO EXISTING STRUCTURE, SITE OR UTILITIES SHALL BE REPAIRED AT THE CONTRACTORS EXPENSE.
- ALL TREES TO REMAIN SHALL BE CAREFULLY PROTECTED. DO NOT DRIVE HEAVY EQUIPMENT WITHIN 12 FT OF TREE TRUNKS BRANCHES WHICH ARE DAMAGED DURING DEMOLITION OF STRUCTURES AND/OR SURFACES SHALL BE CUT OUT AS DIRECTED BY THE ARCHITECT/ENGINEER. ANY ROOTS OF TREES BEING SAVED WHICH ARE EXPOSED DUE TO DEMOLITION/REMOVAL SHALL BE COVERED WITHIN 6 HOURS WITH SOIL. DAMAGED TREES MAY BE REPLACED AT THE DISCRETION OF THE ARCHITECT/ENGINEER AT THE EXPENSE OF THE CONTRACTOR RESPONSIBLE FOR THE DAMAGE.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS FOR WORK IN ROW AND ON ANY UTILITY CONNECTIONS OR ABANDONMENT PRIOR TO THE START OF CONSTRUCTION.
- CONTRACTORS TO REVIEW ALL SHEETS FOR RELATED INFORMATION.
- LIST OF STANDARD ABBREVIATIONS -

"A.F.F." = ABOVE FINISHED FLOOR
"C.L." = CENTER LINE
"F.F.E." = FINISH FLOOR ELEVATION
"U.N.O." = UNLESS NOTED OTHERWISE

ADDITIONS AND RENOVATIONS ADDINGTON PLACE OF GRAND RAPIDS MCAP GRAND RAPIDS PROPCO, LLC GRAND RAPIDS, MICHIGAN

ISSUANCES

02.01.2021 BIDS & CONSTRUCTION

Submitted
February 2,
2021- DW

DRAWN ACB
REVIEWED TDV

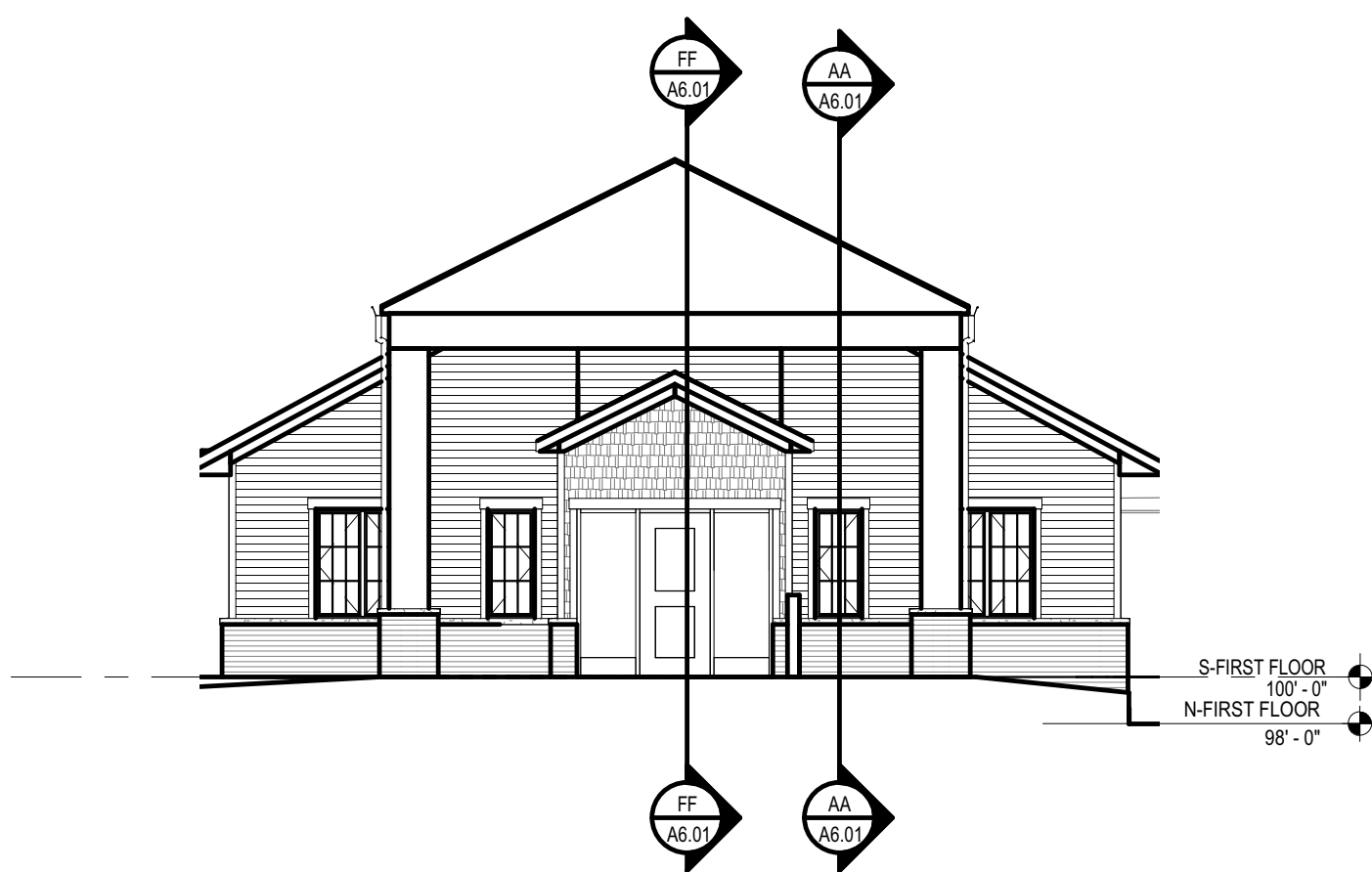
PROJECT NO. 5-5262

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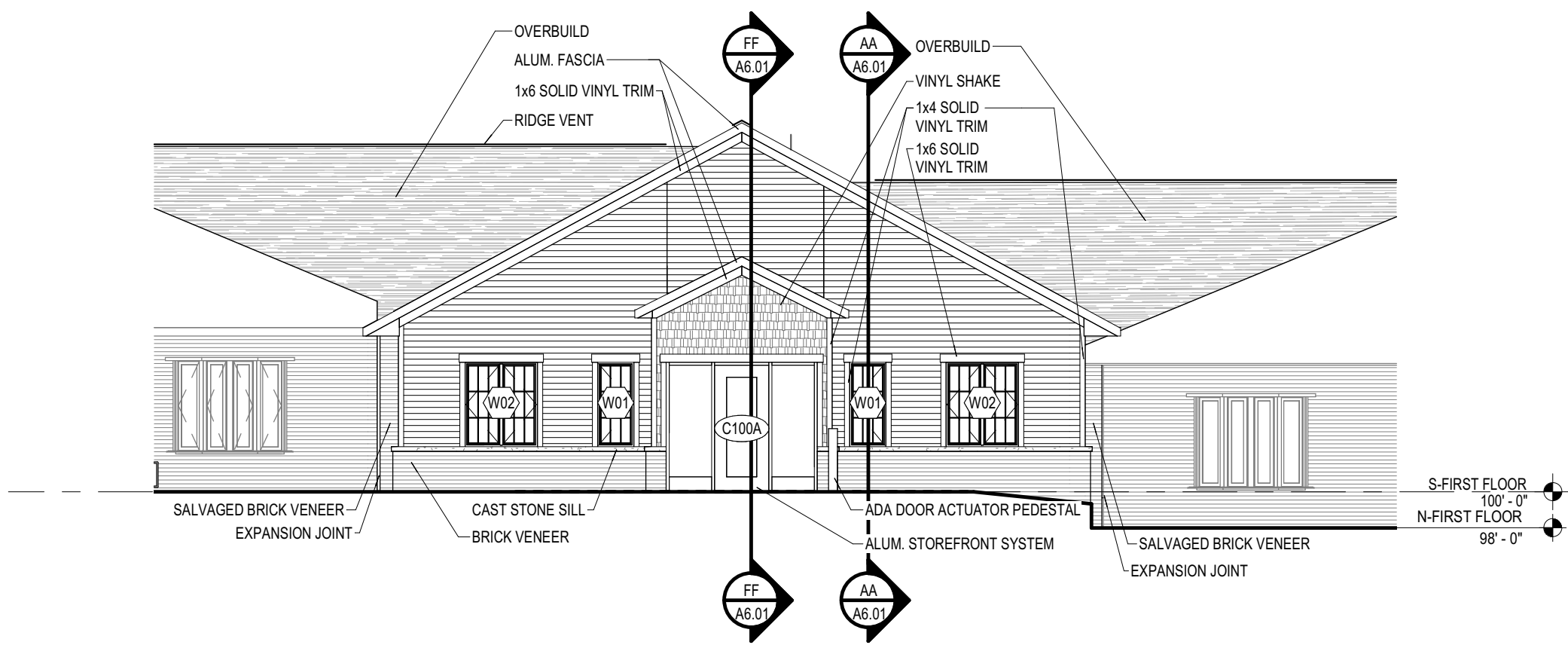
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SITE PLAN

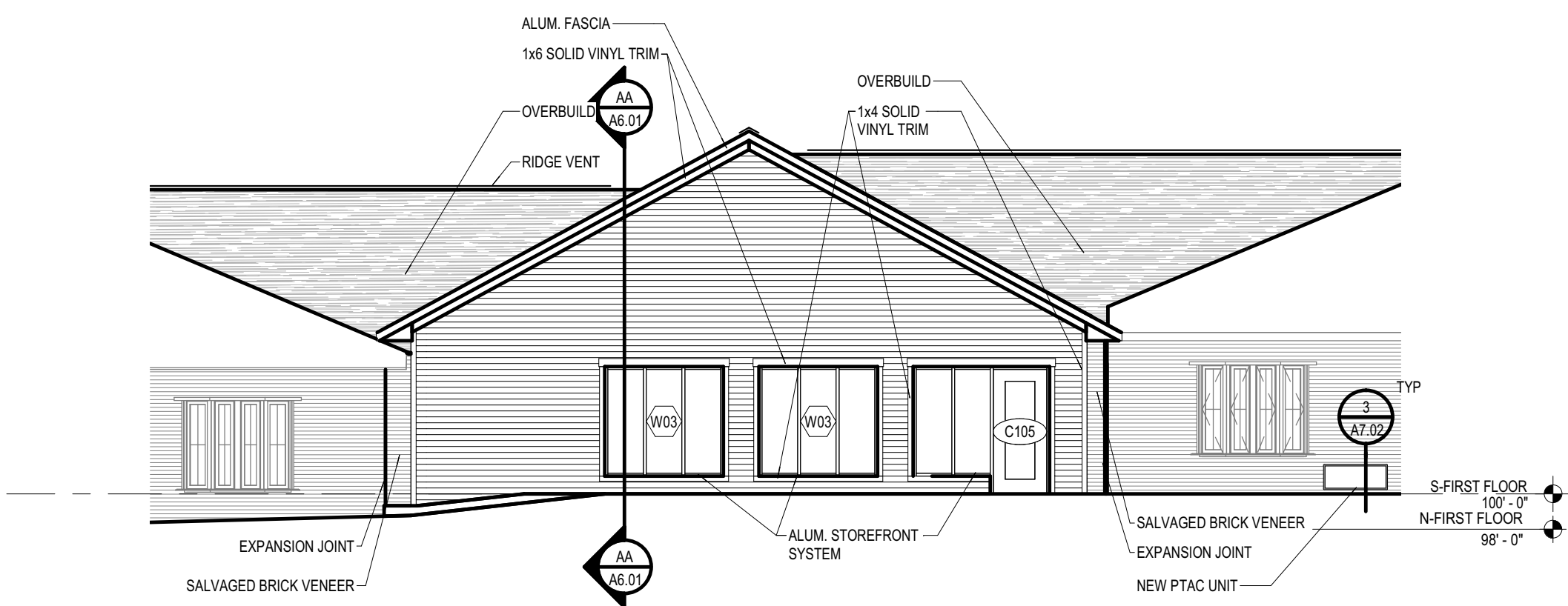
C2.01



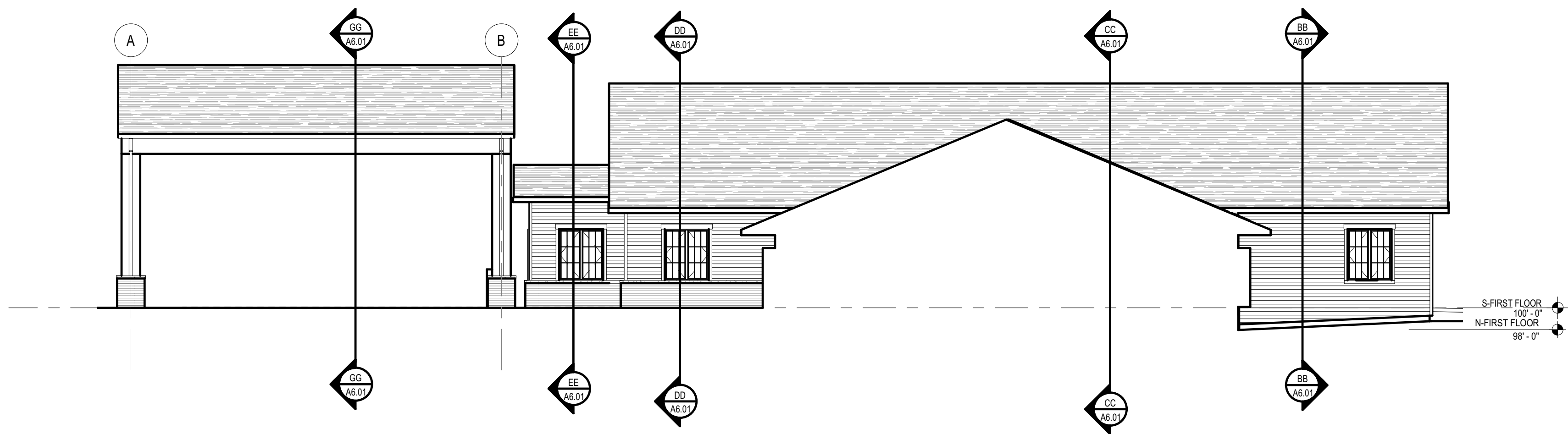
5 EAST CANOPY ELEVATION
1/8" = 1'-0"



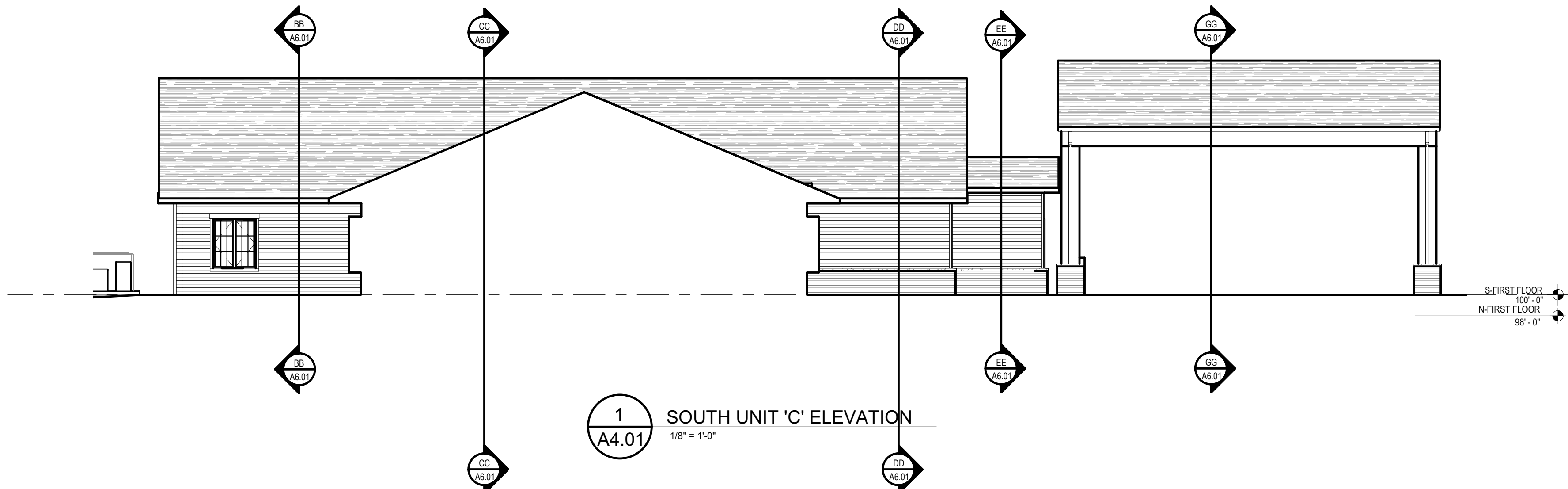
4 EAST UNIT 'C' ELEVATION
1/8" = 1'-0"



2 WEST UNIT 'C' ELEVATION
1/8" = 1'-0"



3 NORTH UNIT 'C' ELEVATION
1/8" = 1'-0"



1 SOUTH UNIT 'C' ELEVATION
1/8" = 1'-0"

CHARTER TOWNSHIP OF GAINES
COUNTY OF KENT, MICHIGAN

RESOLUTION NO. PC 21-03-25-01
CRYSTAL MANOR PUD

The following Resolution was offered and adopted by the Gaines Charter Township Planning Commission at a video conference meeting held on March 25, 2021.

Members Present: Burns, Giarmo, Haagsma, Rober, Thomas, Waayenberg, Billips
Member Absent: None

The following Resolution was offered for adoption by Planning Commissioner Waayenberg and supported by Planning Commissioner Rober to document the findings and the recommendations of approval by the Gaines Charter Township Planning Commission ("Planning Commission") regarding a request made by MCAP Grand Rapids Propco, LLC to amend the PUD plan for Crystal Manor (AKA Addington Place). The amendment will add a 3,000 square foot addition, connecting the existing residential buildings, and adding an awning over the entrance at 1171 and 1175 68th Street SE.

STATEMENT OF FINDINGS

Section I General Background:

1. The Planning Commission is authorized to review major amendments to Planned Unit Developments and make recommendations to the Township Board.
2. The PUD is legally described as:
PART OF E 1/2 E 1/2 E 1/2 SW 1/4 COM 170.0 FT S 89D 02M 13S W ALONG S SEC LINE FROM S 1/4 COR TH S 89D 02M 13S W ALONG S SEC LINE 161.84 FT TOW LINE OF E 1/2 E 1/2 E 1/2 SW 1/4 TH N OD 32M SIS W ALONG SD W LINE 1670.0 FT TH N 70D 38M 20S E 348.56 FT TO N&S 1/4 LINE TH SOD 36M 31S E ALONG N&S 1/4 LINE 1540.0 FT TON LINE OF S 240.0 FT OF SW 1/4 TH S 89D 02M 13S W ALONG SD N LINE 170.0 FT TOW LINE OF E 170.0 FT OF SW 1/4 TH SOD 36M 31S E ALONG SD W LINE 240.0 FT TO BEG* SEC 5 T5N R11W 12.17 A.
3. The Planning Commission held a public hearing on the PUD project on March 25, 2021.
4. MCAP Grand Rapids Propco, LLC requested a major amendment to the Crystal Springs PUD to increase the square feet (SF) of the building by 3,000 SF.
5. The Planning Commission conducted a review of the plans submitted February 2, 2021 for the PUD amendment on February 25, 2021. The Planning Commission directed staff to draft a resolution on

February 25, 2021, and to set a public hearing. This Resolution considers the revised PUD plans submitted February 2, 2021.

Section I Findings:

Based on the material and plans submitted, a review of the relevant portions of the Gaines Charter Township Zoning Ordinance ("the Zoning Ordinance"), the applicant's presentation at the public hearing, and Township Staff's recommendation, and other factors, the Planning Commission hereby adopts the following findings:

1. Section 11.1 Planned Unit Development General Review Standards.

(a) Consistency with Master Plan and Zoning Ordinances.

The Crystal Manor PUD was approved by the Planning Commission and Township Board for this same use, and so it has been determined to meet the goals of the Master Plan. The building expansion is not a significant change, and the project is within the spirit of both the original Crystal Manor PUD and intent of the Township Zoning Ordinance.

(b) Aesthetics.

The architectural design of the addition and building materials are consistent with the existing building and nearby structures.

(c) Compatibility with Adjacent Uses.

The current adult care facility land use is compatible with the intent of the original PUD approval, and the expansion project will maintain compatibility.

(d) Density.

The proposed addition will not include residential units and will not increase residential density.

(e) Traffic.

The increase in square footage will have a negligible impact on traffic generation and no impact on traffic flow or access.

(f) Protection of Natural Environment.

The proposed increase of square footage will have a negligible impact on the natural environment and the protection of open space.

(g) Schools.

The proposed increase of square footage will have no impact on schools as no school age children reside on the property.

(h) Public Facilities.

The proposed project may fill in an area that fire protection would use to access the back of the building. All future development plans are subject to Township Engineering and Fire Department review.

(l) **Utilities.**

The proposed increase of square footage will have no impact on water, sewer, and drainage systems. However, all future development plans are subject to Township Engineering review.

(j) **Open Space.**

The proposed increase of square footage will have no significant impact on open space associated with the approved site plan.

(k) **Non-Motorized Trail Network.**

The proposed increase of square footage will have no impact on sidewalks or pathways and will not result in the need for network improvements.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission has determined that the preceding findings support the amendment to the PUD site plan. The Planning Commission hereby recommends that the Township Board approves the proposed amendment to the Crystal Manor PUD plan for the property located at 1171 and 1175 68th Street SE. with the condition that the applicant shall be required to secure all applicable department and outside agency approvals prior to site development, including Township Engineering/BGUA, Fire Department, Kent County Road Commission, and Kent County Drain Commission.

The vote on the motion to adopt this Resolution was as follows:

YES: Burns, Giarmo, Haagsma, Rober, Thomas, Waayenberg, Billips

NO: None

RESOLUTION DECLARED ADOPTED

CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Gaines Charter Township Planning Commission at a video conference meeting held on March 25, 2021.

Respectfully submitted,



[signature pending]

Lani Thomas, Secretary
Gaines Charter Township
Planning Commission

Dated: March 25, 2021

**CHARTER TOWNSHIP OF GAINES
COUNTY OF KENT, MICHIGAN
ORDINANCE NO. 2021-__**

**PROPOSED AMENDMENT TO THE CRYSTAL MANOR PUD TO ADD A 3,000 SQUARE FOOT ADDITION TO
THE RESIDENTIAL BUILDING LOCATED AT 1171 AND 1175 68TH STREET SE.**

THE CHARTER TOWNSHIP OF GAINES ORDAINS:

Section 1. Legal Description

The PUD provisions for the following described property located at 1171 and 1175 68th Street SE are amended to allow 3,000 additional square feet of office, community gathering space, and an awning over the entry:

PART OF E 1/2 E 1/2 E 1/2 SW 1/4 COM 170.0 FT S 89D 02M 13S W ALONG S SEC LINE FROM S 1/4 COR TH S 89D 02M 13S W ALONG S SEC LINE 161.84 FT TO W LINE OF E 1/2 E 1/2 E 1/2 SW 1/4 TH N 0D 32M 51S W ALONG SD W LINE 1670.0 FT TH N 70D 38M 20S E 348.56 FT TO N&S 1/4 LINE TH S 0D 36M 31S E ALONG N&S 1/4 LINE 1540.0 FT TO N LINE OF S 240.0 FT OF SW 1/4 TH S 89D 02M 13S W ALONG SD N LINE 170.0 FT TO W LINE OF E 170.0 FT OF SW 1/4 TH S 0D 36M 31S E ALONG SD W LINE 240.0 FT TO BEG * SEC 5 T5N R11W 12.17 A.

Section 2. Records

All plans, attachments, conditions, and amendments to the PUD as provided under Section 10.11 shall be kept on file and may be inspected at the offices of Gaines Charter Township.

Section 3. Scope of Approval

In no other respects shall any other provisions of the Zoning Ordinance of the Charter Township of Gaines be changed.

FINDINGS. For the relevant findings of fact and details, please see Resolution No. 2021-__.

A motion was made to adopt the foregoing ordinance by Township Board Member _____ and supported by Township Board Member _____, the roll call vote being as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ORDINANCE DECLARED ADOPTED.

Rob DeWard, Supervisor
Charter Township of Gaines

Michael Brew, Clerk
Charter Township of Gaines

CERTIFICATE OF TOWNSHIP CLERK

I hereby certify that the foregoing is a true and complete copy of an Ordinance introduced by the Township Board of the Charter Township of Gaines, County of Kent, State of Michigan at a meeting held on [MONTH, DAY], 2021 and adopted by the Township Board of the Charter Township of Gaines, County of Kent, State of Michigan, at a meeting held on [MONTH, DAY], 2021. I further certify that public notice of said meetings were given pursuant to the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and such recording has been authenticated by the signatures of the Supervisor and the Township Clerk.

Michael Brew, Clerk
Charter Township of Gaines

CHARTER TOWNSHIP OF GAINES COUNTY OF KENT, MICHIGAN

RESOLUTION NO. 2021-_____

The following Resolution was offered and adopted by the Gaines Charter Township Board of Trustees at a regular meeting held on _____, 2021, at the Gaines Charter Township Offices, 8555 Kalamazoo Avenue, Caledonia, Michigan.

Members Present:

Member Absent:

The following Resolution was offered for adoption by Member _____ and supported by Member _____ to document the findings and decision by the Gaines Charter Township Board of Trustees regarding a request made by MCAP Grand Rapids Propco, LLC to amend the PUD plan for Crystal Manor (AKA Addington Place).

CRYSTAL MANOR PUD MAJOR AMENDMENT AT 1171 AND 1175 68TH STREET SE

Section I General Background:

1. The applicant, MCAP Grand Rapids Propco, LLC requests to amend the PUD plan for Crystal Manor (AKA Addington Place). The amendment is to construct a 3,000 square foot addition, connecting the existing residential buildings, and adding an awning over the entrance. The subject plans were prepared by GMB and last revised December 17, 2020 and received February 2, 2021.
2. The property subject to the major PUD amendment is located at 1171 and 1175 68th Street SE (parcel number 41-22-05-326-015) and is described as follows:

PART OF E 1/2 E 1/2 E 1/2 SW 1/4 COM 170.0 FT S 89D 02M 13S W ALONG S SEC LINE FROM S 1/4 COR TH S 89D 02M 13S W ALONG S SEC LINE 161.84 FT TO W LINE OF E 1/2 E 1/2 E 1/2 SW 1/4 TH N 0D 32M 51S W ALONG SD W LINE 1670.0 FT TH N 70D 38M 20S E 348.56 FT TO N&S 1/4 LINE TH S 0D 36M 31S E ALONG N&S 1/4 LINE 1540.0 FT TO N LINE OF S 240.0 FT OF SW 1/4 TH S 89D 02M 13S W ALONG SD N LINE 170.0 FT TO W LINE OF E 170.0 FT OF SW 1/4 TH S 0D 36M 31S E ALONG SD W LINE 240.0 FT TO BEG * SEC 5 T5N R11W 12.17 A.

Resolution No. 21-_____
Crystal Manor PUD Amendment
_____, 2021

3. The Planning Commission held a public hearing on the PUD amendment on March 25, 2021. The Planning Commission approved forwarding the major PUD amendment, with conditions, to the Township Board for consideration on March 25, 2021.

Section II Findings:

Based on the material and plans submitted, a review of the relevant portions of the Gaines Charter Township Zoning Ordinance (“the Zoning Ordinance”), the applicant’s presentation at the public hearing, and Township Staff and Planning Commission recommendation, and other factors, the Township Board of Trustees hereby adopts the following findings against Section 11.1 Planned Unit Development General Review Standards.

1. Section 11.1 Planned Unit Development General Review Standards.

(a) Consistency with Master Plan and Zoning Ordinances.

The Crystal Manor PUD was approved by the Planning Commission and Township Board for this same use, and so it has been determined to meet the goals of the Master Plan. The building expansion is not a significant change, and the project is within the spirit of both the original Crystal Manor PUD and intent of the Township Zoning Ordinance.

(b) Aesthetics.

The architectural design of the addition and building materials are consistent with the existing building and nearby structures.

(c) Compatibility with Adjacent Uses.

The current adult care facility land use is compatible with the intent of the original PUD approval, and the expansion project will maintain compatibility.

(d) Density.

The proposed addition will not include residential units and will not increase residential density.

(e) Traffic.

The increase in square footage will have a negligible impact on traffic generation and no impact on traffic flow or access.

(f) Protection of Natural Environment.

The proposed increase of square footage will have a negligible impact on the natural environment and the protection of open space.

(g) Schools.

The proposed increase of square footage will have no impact on schools as no school age children reside on the property.

(h) Public Facilities.

The proposed project may fill in an area that fire protection would use to access the back of the building. All future development plans are subject to Township Engineering and Fire Department review.

(i) Utilities.

The proposed increase of square footage will have no impact on water, sewer, and drainage systems. However, all future development plans are subject to Township Engineering review.

(j) Open Space.

The proposed increase of square footage will have no significant impact on open space associated with the approved site plan.

(k) Non-Motorized Trail Network.

The proposed increase of square footage will have no impact on sidewalks or pathways and will not result in the need for network improvements.

TOWNSHIP BOARD DECISION

The Township Board of Trustees has determined that the preceding findings support the major amendment the Crystal Manor PUD. The Township Board approves the major PUD amendment with the following condition:

Secure all Township department and outside agency approvals, including:

1. Township Engineer/BGUA.
2. Fire Department.
3. Kent County Road Commission.
4. Kent County Drain Commission.

A motion was made to adopt this resolution by Township Board Member _____ and supported by Township Board Member _____, the roll call vote being as follows:

AYES: _____

NAYS: _____

ABSENT: _____

RESOLUTION DECLARED ADOPTED

Resolution No. 21-__
Crystal Manor PUD Amendment
_____, 2021

CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Gaines Charter Township Board at a regular meeting held on _____, 2021.

Respectfully submitted,

Michael Brew, Clerk
Gaines Charter Township

Dated: _____, 2021

Memo

To: Gaines Charter Township Board of Trustees
From: Dan Wells, Community Development Director
Date: May 10th, 2021
Re: Industrial Facilities Tax Request for 6155 East Paris/Mobile Defender

Introduction

The Township has received an application from MD-3990, LLC (Mobile Defenders) for an Industrial Facilities Tax Exemption under Public Act 198, as amended (PA 198). The request is for a 12-year tax exemption that would abate local real property tax for 12 years and personal property tax for 6 years by 50%, and they intend to apply for an abatement from the State for an additional 6 mills of the State Education Tax. The first step in the process is for the Township Board to consider whether to establish an Industrial Development District (IDD) for a new facility. If this is approved, the company would then be able to apply for an Industrial Facilities Exemption Certificate.



The applicant received site plan approval by the Planning Commission on December 17, 2020 for a proposed 89,430 square foot building and associated site improvements.

The proposed uses include general office space, electronic device servicing and warehousing. The estimated investment includes approximately \$5.1 million in construction and they plan to hire approximately 30 employees over the next five years with average salary of ca. \$50,000 annually.

Activities that the applicant intends to carry out on the site include:

- Harvesting parts (including microelectronics, semiconductors and electronic equipment) from damaged or inoperable equipment for use in device repair;
- Testing product specifications for accuracy (including electronic equipment and digital communication and imaging devices);
- Testing microelectronic components like proximity sensors, charge ports and camera modules to ensure performance;
- Measuring voltage and amperage for batteries and accessories;
- Utilizing magnification devices to find pixel imperfections and inconsistencies in device screens;
- Measuring product performance and specifications including screen brightness, color accuracy, screen thickness and viewing angle; and
- Studying wireless chargers and their effects on radio frequency and touch response in smart phone applications.

On April 12th 2021, the Board of Trustees determined via resolution that Mobile Defenders met the definition of a High Technology business.

Analysis

Township staff including the Assessor, Treasurer and Community Development Director have reviewed the application to determine conformance with PA 198 and the Gaines Charter Township PA 198 Property Tax Abatement Policy (Attachment 1).

Per the Gaines Charter Township Policy;

- 1. Commencement of Process; Filing of Application; Definitions**
They have filed form 1012, and a map of the proposed district with legal description as required.
- 2. Site Plan Approval before Considering Establishment of a District**
The Mobile Defenders site plan for 6155 East Paris SE was reviewed and approved by the planning commission on December 17, 2020.
- 3. Establishment and Boundary of a District;**
The applicant has requested the IDD include the entire property, and a future certificate would apply to the specific building envelope.
- 4. Limit on Term of District**
The applicant has requested a 12-year abatement per the policy outlined under #5.
- 5. Maximum Term of Tax Abatement**
The policy states that the actual term of an IFT Certificate for an investment of \$1,000,000+ will be 12 years real property, 6 years personal property.
- 6. Minimum Amount of Investment**
The minimum amount of investment under the policy is \$100,000 so they meet this

requirement.

7. No Extension of Term

If granted the full 12-year term, no abatement term extensions could be granted.

8. No Speculative Buildings

As stated in the Application, the Company will be leasing only approximately 50% of the space, with the other 50% being leased to currently unknown third-party tenants. The applicant also states they intend to occupy the entire space in the future but does not provide a specific timeline for expansion.

On April 12th the Board of Trustees determined via resolution that the proposed project was not speculative as the building is being constructed for the company, but did acknowledge that portions of the building not directly leased by Mobile Defenders may not qualify for the Exemption Certificate.

9. Transfer of Certificates

The applicant may not transfer a certificate to a sublease if they lease space without Township approval.

10. Application Fee

A \$2,000 application fee has been paid. Based on the proposed investment amount they will not likely meet the fee threshold of “(b) two percent (2%) of the total property taxes abated under Act 198 for the term of years that the IFT Certificate is in effect”.

11. Fee Affidavit

A fee affidavit must be attached to an application that states that no payment of any kind in excess of the fee allowed by Section 5(3) of Act 198 has been made or promised in exchange for favorable consideration of the application. This will be done after board consideration, if approved for an IDD.

12. Agreement

The approval of an application shall be subject to the execution of a Tax Abatement Agreement between the Township and the operator of the facility outlining conditions and recourse to be upheld during the term of the IFE Certificate.

This will be drafted after board consideration, if approved.

13. Revocation of Certificate

This language will be included in the agreement.

14. Variances

The site plan was approved by the Planning Commission without need for zoning variances.

15. Checklist of Procedures

Staff has provided the applicant with the checklist and they have followed the instructions and provided all the info listed on it.

16. Inconsistencies

None are anticipated.

17. Schedule of Hearings

If the Township Board approves an IDD for the property, the applicant may then continue with a request for an Industrial Facilities Exemption Certificate.

Recommendations

On April 12th the Board of Trustees determined via resolution that Mobile Defenders met the definition of a High Technology business, and that the proposed building was not speculative. The Board then approved setting a public hearing for the application. Certified letters have been sent to taxing jurisdictions notifying them of the public hearing.

Staff has prepared a draft resolution for approval of the Industrial Development District for consideration.

If approved, the establishment of the Industrial Development District will enable the company to apply for an Industrial Facilities Exemption Certificate, which will also require Board consideration of an agreement, and affidavit of fees and other documentation.

Attachment 1

**CHARTER TOWNSHIP OF GAINES
KENT COUNTY, MICHIGAN**

P.A. 198 PROPERTY TAX ABATEMENT POLICIES

The following policies shall apply to the Township's consideration of requests to establish industrial development and plant rehabilitation district and approve applications for industrial facilities exemption certificates pursuant to Act 198 of the Public Acts in 1974, as amended ("Act 198"), MCL 207.551 et seq.:

1. **Commencement of Process; Filing of Application; Definitions.** The applicant for an industrial facilities exemption certificate (an "IFT Certificate") shall file a complete Application For Industrial Facilities Exemption Certificate (Michigan Department of Treasury Form 1012, as amended) (an "Application") in conjunction with a written request to establish an industrial development district or plant rehabilitation district (a "District"). This Application must be accompanied by all applicable attachments (including a legal description and survey of the boundaries of the requested District) and supporting information and payment of the Fee Deposit required by Paragraph 10. The Township will not process or consider an Applicant's request to establish a District until the Township has received a properly completed Application (including all applicable attachments and exhibits) and Fee Deposit.
2. **Site Plan Approval before Considering Establishment of a District.** The Township shall not consider a request to establish a District before the Township Planning Commission or Site Plan Review Committee, grants any required site plan approval for the project.
3. **Establishment and Boundary of a District.** Under the provisions of Public Act 198, a District must be established prior to the Application for an IFT Certificate. The District must be a legal description of the parcel of land on which the abatement is to take place. If a District currently exists on the property, the applicant may proceed directly to the Application of an IFT Certificate.
4. **Limit on Term of District.** There will be no limit on the term of a District. However, the Township reserves the right to revoke a District at any time. IFT Certificates approved by the State Tax Commission for facilities located in the District shall continue in full force and effect for the approved term of the IFT Certificate. In the event an applicant applies for an IFT Certificate for additional real and/or personal property on the site of a District whose term of existence has terminated, the consideration of the Application for the new IFT Certificate is subject to the establishment of a new District in accordance with Act 198.
5. **Maximum Term of Tax Abatement.** The maximum term of an IFT Certificate to be approved by the Township shall be twelve (12) years for real property and six (6) years for personal property. The actual term of an IFT Certificate will be based on the following table:

As adopted on 4/13/98
Amended 6/12/00
Amended 7/14/08

Investment Amount	Real Property Term	Personal Property Term
\$100,000 - \$249,999	4 years	2 years
\$250,000 - \$499,999	6 years	3 years
\$500,000 - \$749,999	8 years	4 years
\$750,000 - \$999,999	10 years	5 years
\$1,000,000 +	12 years	6 years

6. **Minimum Amount of Investment.** The Township will not create an industrial development or plant rehabilitation district, nor approve an application for tax abatement, unless the minimum amount of investment for which abatement is requested is \$100,000.
7. **No Extension of Term.** The Township will not approve an Application filed with the Township pursuant to PA Act 198 for the extension, renewal or reissuance of an IFT Certificate previously approved by the Township Board.
8. **No Speculative Buildings.** The Township will not establish a District for a speculative building (as defined in Act 198).
9. **Transfer of Certificates.** An IFT Certificate may be transferred and assigned by the holder of the IFT Certificate to a new owner or lessee of the facility but only with the approval of the Township and the State Tax Commission after application by the new owner or lessee, and notice and hearing in the same manner as provided in this policy and Act 198.

An IFT Certificate may be transferred from another jurisdiction into the Township, subject to approval by the legislative body of that jurisdiction and with the approval of the Township and the State Tax Commission after application by the new owner or lessee, and notice and hearing in the same manner as provided in this policy and Act 198.

The Township Board reserves the right to decrease or increase the existing term length involved in the transfer of an IFT Certificate.

10. **Application Fee.** The Township shall charge an applicant an application fee to process an Application. The application fee shall not exceed the **lesser** of (a) the actual cost incurred by the Township to process the Application (including, for example, legal, publication, mailing and similar costs), (b) two percent (2%) of the total property taxes abated under Act 198 for the term of years that the IFT Certificate is in effect or (c) \$2,000. The Township will not file the Application with the State Tax Commission until full payment of the application fee, as billed, is received. If an Application is subsequently denied or withdrawn, the Township shall be entitled to payment of its actual costs incurred up to such denial or withdrawal, subject to the above stated limits.
11. **Fee Affidavit.** There shall be attached to each Application, approved by the Township and filed with the State Tax Commission, an affidavit, signed by the Township Assessor and by the applicant, which states that no payment of any kind in excess of the fee allowed by Section 5(3)

of Act 198 has been made or promised in exchange for favorable consideration of the Application.

12. **Agreement.** In accordance with Section 22 of Act 198, the approval of an Application shall be subject to the execution of a Tax Abatement Agreement between the Township and the operator of the facility outlining conditions/recourse to be upheld during the term of the IFT Certificate. A sample Tax Abatement Agreement is attached hereto as Attachment I.
13. **Revocation of Certificate.** The Township reserves the right to revoke an IFT Certificate in accordance with Section 15 of Act 198, the terms and conditions of the Tax Abatement Agreement or upon the failure of the Applicant/Owner/Occupant of the facility to pay ad valorem and/or industrial facilities taxes prior to the same becoming delinquent in accordance with applicable law.
14. **Variances.** The Township Board reserves the right to vary from these policies. Such variances shall only be considered by the Township Board on a very limited basis where the nature of the project in the sole judgment of the Township Board (as determined by the Township Board in the exercise of its reasonable discretion) is so significant that it presents a unique opportunity for the Township and its residents.
15. **Checklist of Procedures.** The Township shall develop a checklist of procedures to allocate the responsibilities for filing and processing an Application between the Township and the Applicant. It is intended that a copy of these policies and the checklist will be provided to each potential Applicant at the time the Applicant first contacts the Township to discuss a potential Application.
16. **Inconsistencies.** In the event of an inconsistency between the terms of these policies and Act 198, the provisions of Act 198 shall prevail.
17. **Schedule of Hearings.** The Township Supervisor is hereby authorized to schedule the required public hearings for the creation of the industrial development district and consideration of the application for tax abatement, and to arrange for giving notice of these hearings as required by law. In his discretion, the Township Supervisor may instead request that the Township Board approve the time and date of these public hearings.

ATTACHMENT I

_____[SAMPLE]

TAX ABATEMENT AGREEMENT

As required by Section 22 of Act 198 of the Public Act of Michigan of 1974, as amended ("Act 198"), **ABC Company ("ABC")**, hereby enters into the following agreement with the Charter Township of Gaines ("the Township"), for the purpose of inducing the Township to grant an industrial facilities exemption certificate ("IFEC") for new buildings and equipment described in an application that has been filed with the Township (the "Facility"), pursuant to Act 198:

1. **ABC** hereby represents that it will, with respect to the Facility, subject to allowance for depreciation and decrease in market value during the entire period of the tax abatement approved by the Township:
 - a. invest (or lease) and maintain not less than **\$(Insert Amount of Real Property itemized in Application)** in land improvements and buildings in the Township; provided, however, that such amount shall be increased to an amount equal to the actual value of land improvements and building, if greater than **\$(Insert Amount of Real Property itemized in Application)**; and
 - b. invest (or lease) and maintain not less than **\$(Insert Amount of Personal Property itemized in Application)** in new equipment and furniture at the Facility; provided, however, that such amount shall be increased to an amount equal to the actual value of new equipment and furniture, if greater than **\$(Insert Amount of Personal Property itemized in Application)**. (the land improvements and building in 1(a) and the equipment and furniture in 1(b) shall be referred to as the "Property")
2. **ABC** shall provide the Township with a written appraisal of the Property not later than 180 days following completion of the installation of the Property. **ABC** agrees that said appraisal shall be admissible as evidence, and **ABC** shall not contest such admissibility in any proceeding before the Township Board of Review, the Michigan Tax Tribunal, the State Tax Commission, or in any other proceeding intended to review and/or amend the valuation of the Property for tax purposes.
3. **ABC** further represents that it will, commencing not later than 2 years after the Facility is completed, provide and maintain employment for the equivalent of **[Insert total of existing and proposed employees from Application]** employees working at least an average of 35 hours per week.
4. When hiring, **ABC** shall make a good faith effort to hire employees from the Township and the immediately surrounding area, including advertising in a newspaper of general circulation within the Township and the surrounding area. However, this section shall not require **ABC** to take any action in

violation of applicable employment-related laws and **ABC** retains the right to hire the most qualified employees as permitted under applicable law without regard to geographical residence.

5. **ABC** commits to operate the Facility for which abatement has been requested for the entire period of the tax abatement. If, in the sole judgment of the Township, **ABC** has taken action which constitutes relocation of more than an insubstantial part of its Facility to another jurisdiction, or closes more than an insubstantial part of the Facility, prior to expiration of the tax abatement, then **ABC** shall reimburse all affected taxing units a portion of the difference between the taxes which were paid, and those which would have been paid but for the abatement, in accordance with the following schedule:

[12 year abatement] – REAL PROPERTY

Year of Closing or Relocation	Refund %
0-3	100%
4-5	75%
6-7	50%
8-9	25%
10-12	0%

[6 year abatement] – PERSONAL PROPERTY

Year of Closing or Relocation	Refund %
0-2	100%
3	75%
4	50%
5-6	0%

6. If **ABC** does not repay the Township upon demand, the Township may collect the required abatement in the manner provided by Act 198 for the collection of delinquent industrial facilities taxes or in any other manner permitted by law.

7. If the Facility fails to meet the expectations, or to comply with the agreements set forth in paragraph 1 through 5 above, then the Township may, in its sole discretion, terminate or reduce the term of the industrial facilities exemption certificate granted to **ABC**.

8. The Township shall provide at least 15 days written notice to **ABC** if the Township intends to take action to enforce this Agreement, and shall permit **ABC** an opportunity to be heard concerning the matter at a special or regular meeting of the Township Board. The Township shall not require repayment, or revoke or reduce the term of the certificate, unless investment or employment are less than the commitments made in paragraphs 1, 2 or 3 for a continuous period of more than 180 days.

9. Not later than 90 days following completion of the installation of the Property, **ABC** shall provide to the Township certification of all amounts spent on the Property in the Facility. **ABC** shall also, at that time, certify to the Township the number of full-time (over 35 hours per week) employees presently working at the Facility.

10. On October 15, **[Insert first calendar year IFEC is expected to be in effect]** and annually on each October 15 thereafter as long as the IFEC remains in effect, **ABC** shall certify to the Township the number of full-time (over 35 hours per week) employees then employed in the Facility. In addition, **ABC** shall provide such other information as is reasonably requested by the Township to verify continued compliance with this Agreement.

11. The remedies in this Agreement are in addition to the remedies provided by Act 198. This Agreement contains the entire agreement between the parties with regard to its subject matter and may be amended only in writing signed on behalf of **ABC** and approved by resolution of the Township Board.

12. **ABC** acknowledges receipt of and agrees to be bound by the terms of the Township's P.A. 198 Property Tax Abatement Policies

13. In addition to the preceding statements, **ABC** and the Township do swear and affirm by the signatures below that "no payment of any kind in excess of the fee allowed by PA Act 198 of 1974, as amended by Public Act 323 of 1996, has been made or promised in exchange for favorable consideration of an exemption certificate application."

ABC COMPANY

Dated: _____, 2____

by (print name): _____

Its _____

Signature: _____

CHARTER TOWNSHIP OF GAINES

Dated: _____, 2____

by (print name): _____

Its _____

Signature: _____

CHARTER TOWNSHIP OF GAINES

KENT COUNTY, MICHIGAN

RESOLUTION NO. 2021-XX-XX

**A RESOLUTION TO APPROVE THE ESTABLISHMENT OF AN INDUSTRIAL DEVELOPMENT DISTRICT FOR
THE PROPERTY LOCATED AT**

6155 EAST PARIS AVENUE SE, GAINES CHARTER TOWNSHIP, MICHIGAN (41-22-02-200-018)

Minutes of a regular meeting of the Township Board of the Charter Township of Gaines, Kent County, Michigan, held in the Township Offices on the 10th day of May, 2021 at 7:00PM, local time.

PRESENT:

ABSENT:

Township Board Member _____, supported by Township Board Member _____, moved adoption of the following resolution:

WHEREAS, pursuant to PA 198 of 1974, as amended, Gaines Charter Township (the "Township") has the authority to establish "Industrial Development Districts" within Gaines Charter Township; and

WHEREAS, MD II Holdings, LLC (Mobile Defenders) has petitioned the Township to establish an Industrial Development District on its property located at 6155 East Paris Ave SE, Caledonia, MI 49316 (41-22-02-200-018), hereinafter described; and

WHEREAS, construction, acquisition, alteration, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and

WHEREAS, written notice has been given by mail to all owners of real property located within the district and to the public by public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on May 10, 2021 a public hearing was held at which all owners of real property within the proposed Industrial Development District and all residents and taxpayers of the Township were afforded an opportunity to be heard thereon; and

WHEREAS, the Board of Trustees of the Charter Township of Gaines deems it to be in the public interest of the Township to establish the Industrial Development District as proposed; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Trustees of Gaines Charter Township that the following described parcel of land situated in Gaines Charter Township, Kent County, and State of Michigan, to wit:

S 100 FT OF N 750 FT OF E 1/2 NE 1/4 EX W 666 FT ALSO S 240 FT OF N 990 FT OF E
1/2 NE 1/4 * SEC 2 T5N R11W 7.61 A.

is established as an Industrial Development District pursuant to the provisions of PA 198 of 1974, as amended, to be known as Mobile Defender Industrial Development District.

All resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

YEAS:

NAYS:

RESOLUTION DECLARED ADOPTED

I, Michael Brew, Clerk of the Charter Township of Gaines, Kent County, Michigan (the "Township") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Charter Township of Gaines at a regular meeting held the 10th day of May, 2021, the original of which is on file in my office.

N WITNESS WHEREOF, I have hereto affixed my official signature this 10th day of May, 2021.

Michael Brew, Township Clerk
Charter Township of Gaines

Gaines Charter Township

Board of Trustees Memo

Meeting Date: May 10, 2021

PROPOSED REQUEST: Major PUD Amendment

ADDRESS: 1439 and 1469 Eastport Drive

PARCEL NUMBERS: 41-22-05-276-001 & 41-22-05-276-005

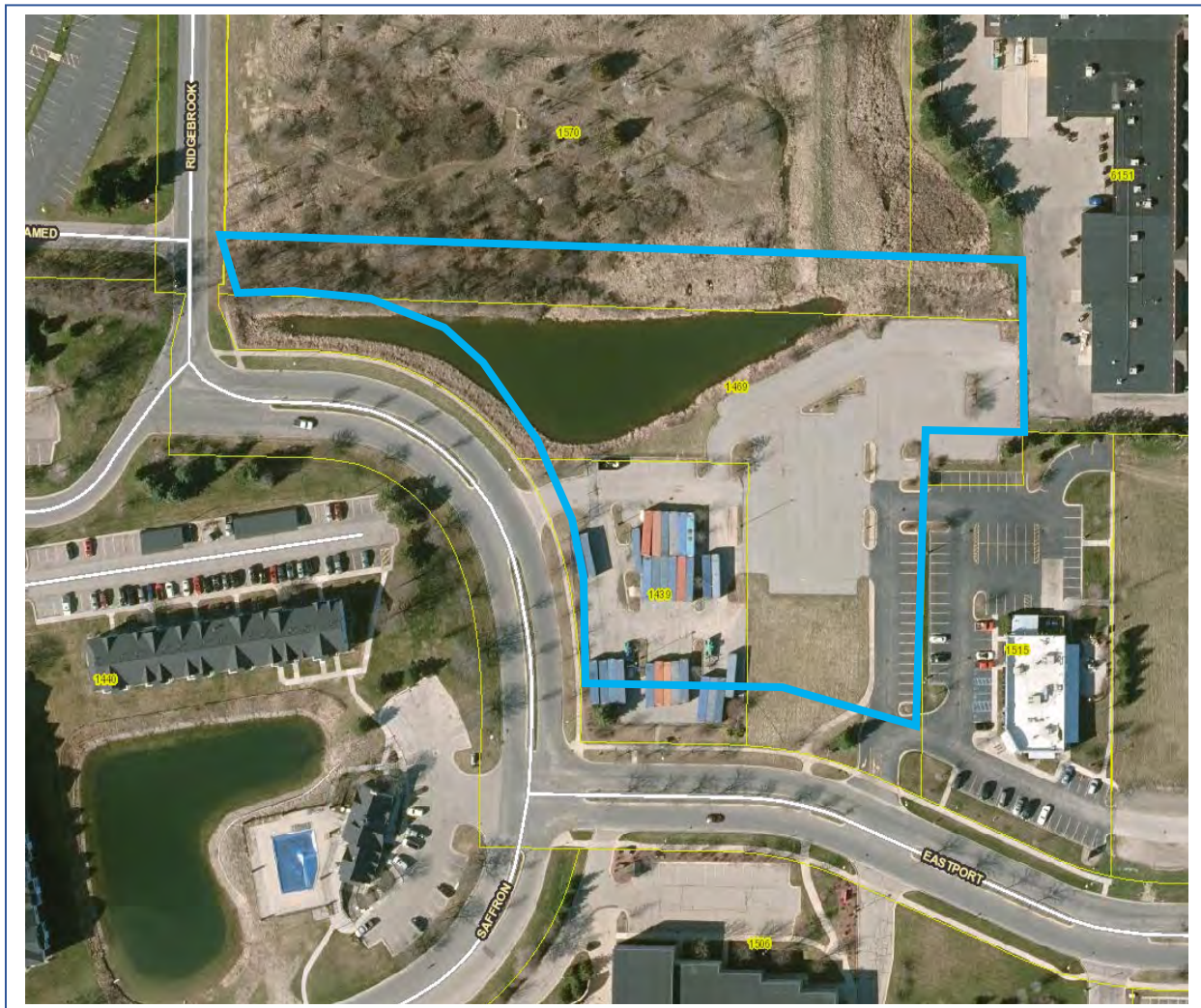
APPLICANT: Bosch Architecture

FILE NUMBER: 210318SB

PROPERTY ZONING DISTRICT: The Crossings PUD

PROPERTY SIZE: 4.25 Acres

REPORT BY: Dan Wells, Community Development Director; David Jirousek, AICP, Planning Consultant



OVERVIEW

The applicant requests site plan approval and a major amendment to the Crossings PUD to allow for the construction of a 26,650 square foot, four-story Staybridge Suites hotel. The amendment is required in part to accommodate the fact that the properties had been approved as overflow parking for the Celebration Cinema. The plan includes a 124-room hotel facility with a 90-person meeting room. The site plan includes 155 parking spaces. The following PUD modifications are proposed:

- The proposed building will be set back approximately 31 feet from the right-of-way for Eastport Drive (50 feet required in General Commercial).
- The proposed building is four stories and 52 feet in height (two and a half stories and 35 feet required in General Commercial).

Originally, the Planning Commission approved the site plan and recommended approval of the major PUD amendment on October 24, 2019. However, the approval expired as the project did not proceed along with the anticipated schedule. Since 2019, the building is proposed to be six feet taller, however, nine feet further away from the right-of-way to the south. The Planning Commission held a public hearing on the revised proposal on April 22, 2021.

Surrounding zoning:

	NORTH: O-S, Clocktower PUD	
WEST: Crossings PUD	SUBJECT PARCEL	EAST: Crossings PUD
	SOUTH: Crossings PUD	

PUD STANDARDS OF REVIEW

The major PUD amendment request has been reviewed using the applicable review standards of Section 11.1, Planned Unit Development - General Review Standards. Findings concerning the standards of approval are included in the approval resolution.

RECOMMENDATION

Staff and the Planning Commission recommend approval of the major PUD amendment. The Planning Commission conditionally approved the final site plan on April 22nd, 2021; however, the Township Board is only required to act on the major PUD amendment (setback reduction and height increase). A resolution and ordinance have been prepared for consideration at first reading.

It is recommended that a public hearing is set.



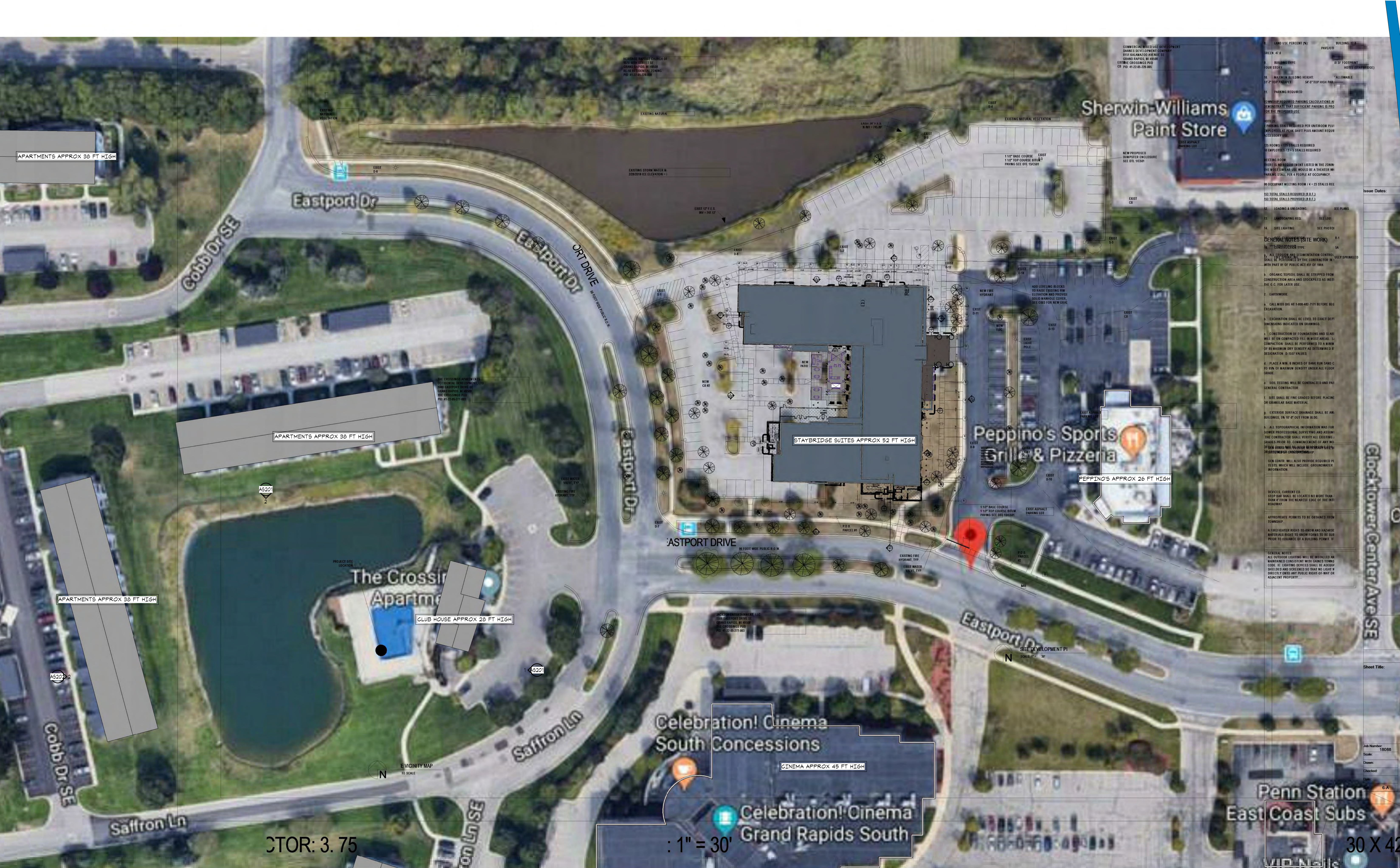
3D View 1
SCALE:



3D View 2
SCALE:



3D View 4
SCALE:



AS001 DESIGN SITE PLAN
SCALE: 1" = 40'-0"

CHARTER TOWNSHIP OF GAINES COUNTY OF KENT, MICHIGAN

ORDINANCE NO.

The following Ordinance was offered and adopted by the Gaines Charter Township Board of Trustees at a regular meeting held on _____, 2021.

Members Present:

Member Absent:

The following ordinance was offered for adoption by member _____ and supported by member _____ to document the findings and approval of the Gaines Charter Township Board of Trustees regarding a request made by M-6 Hotel Group to amend the Crossings PUD to allow a four-story, 52-foot tall Staybridge Suites extended stay hotel with a greater height and lesser setback as PUD modifications.

AN ORDINANCE TO AMEND THE CROSSINGS PUD FOR M-6 HOTEL GROUP FOR 1439 AND 1469 EASTPORT DRIVE

THE CHARTER TOWNSHIP OF GAINES (the "Township") ORDAINS:

Section 1. Amendment. The Gaines Charter Township Board of Trustees approves a major amendment to the Crossing PUD to allow for a 52-foot, four-story building with a 31-foot southern setback from Eastpoint Drive. The subject plans are titled "M-6 Hotel Group- Staybridge Suites" and were prepared by Bosch Architecture last revised April 13, 2021.

The property subject to the major PUD amendment is located at 1439 & 1469 Eastport Drive SE (#41-22-05-276-001 & 41-22-05-276-005) and is described as:

PART NEFRL 1/4 COM AT A PR ON N LINE OF EASTPORT DR /110 FT WIDE/ SD PT BEING 1710.61 FT S 00D 29M 47S E ALONG E SEC LINE & 421.57 FT 90D 00M 00S W & 95.69 FT N 79D 03M 20S W & 199.66 FT N 68D 06M 40S W & 125.93 FT N 78D 32M 07S W FROM NE COR OF SEC TH WLY 6.32 FT ALONG A 348 FT RAD CURVE LT / LONG CHORD BEARS N 89D 28M 47S W 6.32 FT/ TH 90D 00M 00S W 153.68 FT TH NLY 164.99 FT ALONG A 548 FT RAD CURVE LT / LONG CHORD BEARS N 06D 04M 57S W 164.37 FT/ TH NWLY 100.62 FT ALONG A 248 FT RAD CURVE LT / LONG CHORD BEARS N 26D 19M 51S W 99.93 FT/ TH 90D 00M 00S E 221.74 FT TH S OD 00M 00S 253.06 FT TO BEG * SEC 5 T5N R11W 1.11 A
AND

PART OF NEFRL 1/4 COM AT E 1/4 COR TH N OD 29M 47S W ALONG E SEC LINE 621.51 FT TO NLY LINE OF EASTPORT DR /96 FT WIDE/ TH 90D 00M 00S W ALONG SD NLY LINE 421.57 FT TH NWLY 96.27 FT ALONG 252 FT RAD CURVE TO RT /LONG CHORD BEARS N 79D 03M 20S W 95.69 FT/ TH N 68D 06M 40S W 147.69 FT TO BEG OF THIS DESC - TH N 68D 06M 40S W 51.97 FT TH NWLY 126.63 FT ALONG A

348 FT RAD CURVE TO LT /LONG CHORD BEARS N 78D 32M 07S W 125.93 FT/ TH N 0D 00M 00S 253.06 FT TH 90D 00M 00S W 221.74 FT TO NELY LINE OF SD DR TH NWLY ALONG SD DR 222.41 FT ON A 248 FT RAD CURVE TO LT /LONG CHORD BEARS N 63D 38M 43S W 215.03 FT/ TH N 89D 20M 16S W 79.77 FT TH N 16D 25M 56S W 52.96 FT TH S 89D 20M 10S E 0.86 FT TO A PT 1328.22 FT N 89D 20M 16S W FROM E SEC LINE OF NE 1/4 TH N 0D 06M 29S W 8.57 FT TO N LINE OF S 1134 FT OF NE 1/4 & S LINE OF N 1198.06 FT OF NE 1/4 TH S 89D 24M 04S E 772.14 FT TH S 0D 29M 47S E 147.67 FT TH 90D 00M 00S W 95.99 FT TH S 0D 29M 47S E 297.46 FT TO BEG * SEC 5 T5N R11W

Section 2. Findings. For the relevant findings of fact and details, please see Resolution No. 2021-____.

Section 3. Effective Date. This Ordinance shall become effective seven (7) days after a summary is published in a newspaper of general circulation within the Township.

The vote in favor of this Ordinance was as follows:

YEAS: _____

NAYS: _____
ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by the Township Board for Gaines Charter Township at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

By _____

Michael Brew

Gaines Charter Township Clerk

CHARTER TOWNSHIP OF GAINES COUNTY OF KENT, MICHIGAN

RESOLUTION NO. 2021-_____

The following Resolution was offered and adopted by the Gaines Charter Township Board of Trustees at a regular meeting held on _____, 2021, at the Gaines Charter Township Offices, 8555 Kalamazoo Avenue, Caledonia, Michigan.

Members Present:

Member Absent:

The following Resolution was offered for adoption by Member _____ and supported by Member _____ to document the findings and decision by the Gaines Charter Township Board of Trustees regarding a request made by M-6 Hotel Group to amend the Crossings PUD to allow a four-story Staybridge Suites extended stay hotel with a greater height and lesser setback as PUD modifications.

THE CROSSINGS PUD MAJOR AMENDMENT FOR M-6 HOTEL GROUP FOR 1439 AND 1469 EASTPORT DRIVE

Section I General Background:

1. The applicant proposes a major amendment to the Crossing PUD to allow for a 52-foot, four-story hotel building with a 31-foot southern setback from Eastpoint Drive. The subject plans are titled "M-6 Hotel Group- Staybridge Suites" and were prepared by Bosch Architecture last revised April 13, 2021.
2. The property subject to the major PUD amendment is located at 1439 & 1469 Eastport Drive SE (#41-22-05-276-001 & 41-22-05-276-005). The Gaines Charter Township Board adopted Ordinance number AP-02-88 on April 15, 1988, which authorized and created the Crossings Planned Unit Development Zoning District and subsequent development plans within which the following described land area was a part:

PART NEFRL 1/4 COM AT A PR ON N LINE OF EASTPORT DR /110 FT WIDE/ SD PT BEING 1710.61 FT S 00D 29M 47S E ALONG E SEC LINE & 421.57 FT 90D 00M 00S W & 95.69 FT N 79D 03M 20S W & 199.66 FT N 68D 06M 40S W & 125.93 FT N 78D 32M 07S W FROM NE COR OF SEC TH WLY 6.32 FT ALONG A 348 FT RAD CURVE LT / LONG CHORD BEARS N 89D 28M 47S W 6.32 FT/ TH 90D 00M 00S W 153.68 FT TH NLY 164.99 FT ALONG A 548 FT RAD CURVE LT / LONG CHORD BEARS N 06D 04M 57S W 164.37 FT/ TH NWLY 100.62 FT ALONG A 248 FT RAD CURVE LT / LONG CHORD BEARS N 26D 19M 51S W 99.93 FT/ TH 90D 00M 00S E 221.74 FT TH S OD 00M 00S 253.06 FT TO BEG * SEC 5 T5N R11W 1.11 A

Resolution No. 21-__-__
Crossings PUD- Staybridge
May 10, 2021

AND

PART OF NEFRL 1/4 COM AT E 1/4 COR TH N 0D 29M 47S W ALONG E SEC LINE 621.51 FT TO NLY LINE OF EASTPORT DR /96 FT WIDE/ TH 90D 00M 00S W ALONG SD NLY LINE 421.57 FT TH NWLY 96.27 FT ALONG 252 FT RAD CURVE TO RT /LONG CHORD BEARS N 79D 03M 20S W 95.69 FT/ TH N 68D 06M 40S W 147.69 FT TO BEG OF THIS DESC - TH N 68D 06M 40S W 51.97 FT TH NWLY 126.63 FT ALONG A 348 FT RAD CURVE TO LT /LONG CHORD BEARS N 78D 32M 07S W 125.93 FT/ TH N 0D 00M 00S 253.06 FT TH 90D 00M 00S W 221.74 FT TO NELY LINE OF SD DR TH NWLY ALONG SD DR 222.41 FT ON A 248 FT RAD CURVE TO LT /LONG CHORD BEARS N 63D 38M 43S W 215.03 FT/ TH N 89D 20M 16S W 79.77 FT TH N 16D 25M 56S W 52.96 FT TH S 89D 20M 10S E 0.86 FT TO A PT 1328.22 FT N 89D 20M 16S W FROM E SEC LINE OF NE 1/4 TH N 0D 06M 29S W 8.57 FT TO N LINE OF S 1134 FT OF NE 1/4 & S LINE OF N 1198.06 FT OF NE 1/4 TH S 89D 24M 04S E 772.14 FT TH S 0D 29M 47S E 147.67 FT TH 90D 00M 00S W 95.99 FT TH S 0D 29M 47S E 297.46 FT TO BEG * SEC 5 T5N R11W

3. The Planning Commission held a public hearing on the PUD amendment on April 22, 2021, and recommended approval of the major PUD amendment.

Section II Findings:

Based on the material and plans submitted, a review of the relevant portions of the Gaines Charter Township Zoning Ordinance ("the Zoning Ordinance"), the applicant's presentation at the public hearing, and Township Staff's recommendation, and other factors, the Township Board of Trustees hereby adopts the following findings against Section 11.1 Planned Unit Development General Review Standards.

- A. Consistency with Master Plan and Zoning Ordinance: The Planned Unit Development must further the goals and objectives of the Township Master Plan and must be consistent with it. It must also be consistent with the intent and purpose of this Zoning Ordinance.

Meets standard. The properties are master planned for general commercial uses. The properties are part of the Crossings Planned Unit development, which is a mixed residential-commercial PUD that encompasses both sides of the M-6 freeway. The proposed development can be said to be consistent with the master plan and zoning ordinance.

- B. Aesthetics: The Planned Unit Development must be aesthetically pleasing and be an integrated development with respect to building facades, building materials, landscape and berming, noise and visual screening mechanisms, and signs. It should contribute to creating a distinctive attractive community with a strong sense of place.

Meets standard. The hotel has an attractive stone façade around the base of the structure. The building will complement other buildings along Eastport Drive and in the adjacent Clocktower Shopping Plaza.

- C. Compatibility with Adjacent Uses: The Planned Unit Development must be compatible with surrounding uses. Efforts must be made to reduce any adverse effects on surrounding uses.

Meets standard. The proposed hotel will be located on the excess parking area for Celebration Cinema. The parking area has seen only moderate use since the opening of the movie theatre. The conversion of the lot into a hotel is not anticipated to impact Celebration Cinema's ability to operate. The rest of the uses on Eastport drive are restaurants, apartments, and personal service businesses, all of which are compatible with a hotel/meeting facility.

- D. Density: The density requirements of the proposed Planned Unit Development shall be based on the underlying land use district in the Master Plan. The Township Board, upon recommendation of the Planning Commission, may vary the density requirements if doing so would result in a development that better achieves the intent of the Master Plan.

Meets standard. The master plan does not have density calculations pertaining to hotels.

- E. Traffic: The Planned Unit Development shall be designed to minimize the effect of traffic generated by the proposed development on surrounding uses. Consideration should be given to: 1. The amount and type of traffic generated by the proposed project and capacity of existing and proposed streets to safely absorb that additional traffic. Whether the streets and pedestrian walkways within each project are designed to facilitate safe pedestrian and vehicular traffic flow patterns. 3. All points of ingress and egress to the project shall be located and designed to maximize safety.

Meets standard. Access is limited to existing driveways, and the hotel is not anticipated to have the traffic impact associated with other commercial uses of comparable square footage.

- F. Protection of Natural Environment: Each project shall be designed to minimize adverse effects on the environment. Special emphasis shall be placed on maintaining the quality of air, soils, groundwater, streams, wetlands, and rivers.

Meets standard. The hotel will be built over an existing parking area featuring a retention pond. Construction of the hotel is not expected to negatively impact the natural environment provided the engineer's stormwater management requirements are followed.

- G. Schools: Whether a project can be served by existing schools and school related facilities and the impact upon schools if the property is developed in accordance with the Planned Unit Development plans or in accordance with the conventional zoning district requirements shall both be considered. In addition, streets and pedestrian walkways shall be designed and located in any project to facilitate the ability of students to make the best and safest use of existing schools and school related facilities.

Meets standard. The proposed hotel will not feature permanent residences and will therefore not impact local school districts.

- H. Public Facilities: The Planning Commission shall consider the impact a project will have on: 1. Public safety and protection services. 2. Water and sewer facilities. 3. The costs for such services. Each project shall be designed and located so as to facilitate use of, access to, or the logical expansion or

extension of existing facilities in order to minimize any adverse financial or other impact upon the Township and to promote public health and safety.

Meets standard. The plans were reviewed by the Township Engineer and Fire Department.

- I. Water, Sewer, and Drainage Systems: A Planned Unit Development shall be served by a public or private water and sanitary sewer systems. The Kent County Health Department and/or the Township Engineer must approve the systems. A PUD shall also have a drainage system for surface water run-off which the Kent County Drain Commission and / or the Township Engineer must approve.

Meets standard. Engineering requirements are required to be met as a condition of final PUD approval by the Planning Commission.

- J. Open Space: The Planning Commission and Township Board should consider whether the PUD permanently preserves significant amounts of open space or significant natural features. The Township Board may require, upon recommendation of the Planning Commission, that natural amenities such as, but not limited to, ravines, rock outcrops, wooded areas, tree or shrub specimens, unique wildlife habitat, ponds, streams, and wetlands be preserved as part of the open space system.

Meets standard. The proposed hotel does not contain an open space preservation component. The hotel will be placed on an existing parking area, and therefore there will not result in a loss of any existing open space.

- K. Non-Motorized Transportation Network: Projects within an identified trail network corridor may be required to construct a portion of the trail.

Meets standard. There are no Township/County trails or parklands associated with this property. The existing sidewalks along the west and south frontages on Eastport Drive will remain.

TOWNSHIP BOARD DECISION

The Township Board of Trustees has determined that the preceding findings support the major amendment to the Crossings PUD to allow for a 52-foot, four-story building with a 31-foot southern setback from Eastpoint Drive. The Township Board of Trustees approves the major PUD amendment

A motion was made to adopt this resolution by Township Board Member _____ and supported by Township Board Member _____, the roll call vote being as follows:

AYES: _____
NAYS: _____
ABSENT: _____

RESOLUTION DECLARED ADOPTED

CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Gaines Charter Township Board at a regular meeting held on _____, 2021.

Respectfully submitted,

Michael Brew, Clerk
Gaines Charter Township

Dated: _____, 2021

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is made and entered into as of July __, 2021.

BETWEEN: **GAINES CHARTER TOWNSHIP** (the “Township”), a governmental organization existing under the laws of the State of Michigan, with its primary office located at:

8555 Kalamazoo Avenue SE, Caledonia, MI 49316

AND: **AMERICAN KENDALL PROPERTIES, LLC** or its affiliated entity (“AKP”), a limited liability corporation organized and existing under the laws of the State of Indiana, with its primary office located at:

3600 Woodview Trace, Suite 130, Indianapolis, IN 46268

1. PURPOSE AND SCOPE

The purpose of this MOU is to preliminarily identify and clarify the roles and responsibilities associated with extending and installing water and sanitary sewer infrastructure necessary for the Gaines Towne Center, as herein defined below, to come to fruition.. This MOU will assist in the identification of the infrastructure that will be necessary to implement, as well as both the Township’s and AKP’s responsibilities going forward.

2. BACKGROUND

Gaines Towne Center is a proposed 85-acre, mixed-use development project which will include a variety of housing including residential over retail, apartments, townhomes, patio homes, age restricted and single-family homes, along with a variety of commercial and office space. The project is located at the SE Corner of 84th Street and Kalamazoo Ave SE in Gaines Charter Township (“Gaines Towne Center”). For this project to be realized, there is sewer and water utility infrastructure that must be constructed to service the development.

Attached to this MOU are Exhibits A, B & C. **Exhibit A** is the “Engineering Estimate Gaines Township Cost”. This exhibit describes and estimates the Township’s cost of materials and other associated costs to extend a 16” water main approximately 10,680 feet to Gaines Towne Center’s southernmost frontage on Kalamazoo Ave SE. Together these costs and work may be defined as the “Water Main Extension.”

Exhibit B is the “Engineering Estimate Developer Cost”. This exhibit describes and estimates AKP’s costs to install approximately 2,500 lineal feet of force main and lift station in sufficient size and capacity to serve Gaines Towne Center’s sanitary sewer needs

including a lift station having a minimum flow rate of 370 gpm. The lift station is anticipated to be installed at location approved by the Township along the eastern third of the frontage on 84th Street SE. Together, these costs and work may be defined as the “Lift Station”.

Exhibit B also describes and estimates AKP’s net costs of materials and other associated costs to extend a 16” water main approximately 2,636 feet along Gaines Towne Center’s frontage on both Kalamazoo Avenue SE and 84th Street SE. AKP is financially responsible for the costs associated with an eight-inch main, while the Township pays back AKP for the costs associated with making this a 16” water main at the completion of the project. There may be a 10-year payback arrangement as well. Together, these costs and work may be defined as the “Frontage Water Main Extension”.

Exhibit C is a rough depiction of the location of the Water Main Extension, Lift Station and Frontage Water Main Extension. This exhibit may be defined as the “Offsite Utility Map” showing the understanding of the location of the proposed offsite utilities.

3. UNDERSTANDINGS

A. CONSTRUCTION: AKP agrees to manage the construction of the agreed upon Water Main Extension in the right of way of Eastern Ave SE, 92nd Street SE, Kalamazoo Ave SE, for a customary construction management fee (“CM Fee”) to be established at a point when the scope of work can be determined through a set of comprehensive plans and specifications. AKP will build to a specified budget as outlined in the attached **Exhibit A** entitled “Engineering Estimate Gaines Township Cost but ultimately derived from the plans and specifications developed and approved by both parties. The cost of the project will include hard cost, contingency, and CM Fee. Township will be responsible for all costs inclusive of, but not limited to, easement securing, financing, permits, hard construction cost, design fees and insurance.

B. PROJECT START: Under this MOU, the planning process will commence at signing of a Construction/Development Agreement. The latter is estimated to be completed August or September, 2021. Timing. Enter into a Development Agreement, August or September, 2021. The design process would begin October to November, 2021. The bid process is anticipated to be December to January, 2021/2022. The anticipated construction start would be April 1, 2022.

C. PROJECT COMPLETION: The Water Main Extension and Lift Station will be completed within approximately nine months from the time construction commences as defined by the initial site development activities.

D. TOWNSHIP RESPONSIBILITIES FOR WATER MAIN EXTENSION:

The Township will assume the following roles and responsibilities:

1. Mutually develop the plans and specs with AKP. Consistent with the capabilities, resources and materials used by the Township and the Byron-Gaines Utility Authority.
2. Provide list of approved subcontractor's and vendors or otherwise timely approve AKP's selection.
3. Cooperating with AKP in getting plans timely approved and costs timely paid. Responding in a timely fashion to AKP's requests for clarifications and mutually agreed change orders.
4. Provide any financing if required or otherwise pay timely invoices for hard costs, professional fees, permits and other project costs as generally laid out in Exhibit A.

E. AKP RESPONSIBILITIES FOR WATER MAIN EXTENSION: AKP will assume the following roles and responsibilities:

PLANNING PROCESS

1. Site review (includes time with Township, co-developer & surveyor);
2. Survey;
3. Site plan development;
4. Plan review;
5. Plan development (includes time with Township and Township Engineer);
6. Specification development (includes time with Township, vendors, subcontractors & creating the subcontractor documentation);
7. Estimating / Value engineering;
8. Bid process – selection of subcontractor at AKP's discretion from list approved by the Township;
9. Budget development (includes time with Township, Township Engineer, vendors, subcontractors & creating the spreadsheet);
10. Contract development (including all exhibits);

11. Contract documents;

Deliverable: working drawings, comprehensive specifications;

PRODUCTION PROCESS

12. Complete all pre-production requirements;

13. Obtain all development and regulatory approvals;

14. Provide complete management of the suppliers and subcontractors.

Coordinate and direct construction workers and subcontractors;

15. Complete site management: Oversee and direct construction from conception to completion. Prepare internal and external reports pertaining to job status;

16. Quality control: make sure quality construction standards are in place and the use of proper construction techniques;

17. Process payables including processing subcontractor and vendor reimbursement requests from Township;

18. Maintain and report job cost status on a periodic basis; and

Deliverable: Comprehensive construction management services, all development approvals, county permits;

F. TERM: The term of this MOU will be for a six (6) months period from the Effective Date or until the Construction/Development Agreement is executed.

G. LIFT STATION/FRONTAGE WATER MAIN EXTENSION:

Concurrent with AKP's role as a construction manager for the Water Main Extension, AKP will design, entitle, permit, bid, generally contract and construct the Lift Station and be responsible for all costs there related. At the point, the Water Main Extension is completed to the southern point of the Gaines Towne Center's frontage on Kalamazoo Avenue SE, AKP will continue its Frontage Water Main Extension.

Exhibit A

NEOERVELO

**Engineering Estimate
Gaines Township Cost**

Revised March 16, 2021

Gaines Town Center

CONSTRUCTION ADMINISTRATION ITEMS	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1. Certified stormwater operator for NPDES construction site stormwater inspection, monitoring, and recordkeeping	1	Each	Lump Sum	\$5,000.00
2. Material testing and compaction testing services	1	Each	Lump Sum	\$25,000.00
3. Insurance certificates per specifications	1	Each	Lump Sum	\$1,000.00
Subj. Total for Construction Administration Items				\$31,000.00

WATERMAIN ITEMS	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1. 16" Ductile Iron (Class 53) Watermain (Cement Lined) including pressure testing, chlorination and sampling as required by BGUA	10,600	L.F.	\$110.00	\$1,166,000.00
2. 16" Ductile Iron (Class 53) Watermain (Cement Lined) Flex ring/TR Flex including pressure testing, chlorination and sampling as required by BGUA	80	L.F.	\$160.00	\$12,800.00
3. 8" Ductile Iron (Class 53) Watermain (Cement Lined) including pressure testing, chlorination and sampling as required by BGUA	1	L.F.	\$65.00	\$65.00
4. 16" Valve and Box	13	Each	\$6,000.00	\$78,000.00
5. 8" Valve and Box	3	Each	\$1,450.00	\$4,350.00
6. 16" x 16" x 8" Tee	3	Each	\$1,500.00	\$4,500.00
7. 16" x 16" x 16" x 16" cross	3	Each	\$2,500.00	\$7,500.00
8. 16" linings	20	L.F.	\$1,000.00	\$20,000.00
9. 8" fittings	1	Each	\$650.00	\$650.00
10. 5" Hydrant on 16" main (Tee, V&8, Hyd)	2	Each	\$6,000.00	\$126,000.00
11. PRV Valve	1	Each	Lump Sum	\$8,000.00
12. Bore and Jack Kzoo & 84th	160	L.F.	\$500.00	\$80,000.00
13. Remove trees, brush, strip topsoil, etc	10,680	L.F.	\$5.00	\$53,400.00
14. Restore all disturbed areas with min 4" topsoil seed, mulch and NAG(50%)	10,680	L.F.	\$5.00	\$53,400.00
15. Restore Kzoo & Eastern, Gaines Twp South drive	160	L.F.	\$10.00	\$1,600.00

16. Restore private driveways	150	L.F.	\$50.00	\$7,500.00
17. Erosion Control measures	10,680	L.F.	\$3.00	\$32,040.00
18. Traffic Control	1	Lsum	Lump Sum	\$15,000.00

Sub-Total for Watermain Items				\$1,718,845.00
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Estimated Construction cost total	\$1,749,845.00
10% contingency	\$174,984.50
10 % 4 Design Engineering	\$174,984.50
10% Construction Staking and BGUA inspection	\$174,984.50

IGRAND TOTAL TOWNSHIP COST	\$2,214,798.50
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Exhibit B

Engineering Estimate Developer Cost

Revised March 16, 2021

Gaines Town Center

CONSTRUCTION ADMINISTRATION ITEMS	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1. Certified stonnwater operator for NPDES consl!Uctioo site stomlwater inspection, monitoring, and recordkeeping	1	Each	Lump Sum	\$1,000.00
2. Mateiial testing and compaction testing services	1	Each	Lump Sum	\$3,000.00
3. Insurance certificates per specifications	1	Each	Lump Sum	\$1,000.00
Sub-Total for Construction Administration Items				\$5,000.00

WATERMAIN ITEMS	QUANTITY	UNIT	UNIT PRJCE	AMOUNT
1. 16" Ductile Iron (Class 53) Watermain (Cement Lined) including pressure testing, chlorination and sampling as required by BOUA	2,635	L.F.	\$110.00	\$289,850.00
2. 8" Ductile Iron (Class 53) Watermain (Cement Lined) including pressure testing, chlorination and sampling as required by BOUA	180	L.F.	\$65.00	SI 1,700.00
3. 16" Valve and Box	2	Each	\$6,000.00	SI 2,000.00
4. 8" Valve and Box	3	Each	SI,450.00	\$4,350.00
5 16" x 16" x S" Tcc	2	Each	\$1,500.00	\$3,000.00
6. 16" fittings	6	L.F.	\$1,000.00	\$6,000.00
7. 8" fillings	6	Each	\$650.00	\$3,900.00
8. 5" Hydrant on 16" main (Tee, V&B. Hyd)	6	Each	\$6,000.00	\$36,000.00
9. Bore and Jack Kzoo & 84th	180	L.F.	\$450.00	\$81,000.00
10. Remove trees, bnosh, strip topsoil, etc	2,635	L.F.	\$5.00	\$13,175.00
11. Restore all distubed areas with min 4" topsoil, seed, mulch and NAO(50%)	2,635	L.F.	SS.00	\$21,080.00
12. Restore Gaines Twp North drive and Cornerstone Church Dr	185	L.F.	\$110.00	\$20,350.00
13. Erosion Control measures	2,635	L.F.	\$3.00	\$7,905.00

14. Traffic Control	1	Lump Sum	\$3,500.00
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Sub-Total for Watermain Items	\$13,810.00
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SANITARY SEWER ITEMS

	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1. Lift Station - 370 GPM	1	Lump Sum	\$325,000.00	\$325,000.00
2. 6" DI sanitary force main	2,500	L.F.	\$50.00	\$125,000.00
3. Core and boot existing manhole including rework bench/flow channel as required	1	Each	Lump Sum	\$2,500.00
4. Bore and Jack Kzoo	50	L.F.	\$450.00	\$22,500.00
5. Restore all disturbed areas with min 4" topsoil, seed, mulch on TWP	700	L.F.	\$8.00	\$5,600.00

Sub-Total for Sanitary Sewer Items	\$480,600.00
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Estimated Construction cost total	\$999,410.00
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10% Contingency	\$99,941.00
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10% Design Engineering	\$99,941.00
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10% Construction Staking and BGUA inspection	\$99,941.00
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GRAND TOTAL DEVELOPER COST	\$1,299,233.00
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GAINES TOWNSHIP OVERSIZING PAYBACK ITEMS

WATERMAIN OVERSIZING ITEMS

	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1. 16" Ductile Iron - 8' cost difference	2,635	L.F.	\$50.00	\$131,750.00
2. 8" Ductile Iron (Class 53) Watermain (Cement Lined)	NA	NA		
3. 16" Valve and Box - 8' V&B cost difference	2	Each	\$4,550.00	\$9,100.00
4. 8" Valve and Box	NA	NA	NA	NA
5. 16" x 16" x 8" Tee - 8' x 8" x 8' tee cost difference	2	Each	\$1,000.00	\$2,000.00
6. 16" fittings - 8" fittings cost difference	6	L.F.	\$350.00	\$2,100.00
7. 8" fittings	NA	NA	NA	NA
8. 5" Hydrant on 16" main (Tee, V&B, Hyd) cost diff	6	Each	\$1,000.00	\$6,000.00
9. Bore and Jack Kzoo & 84th	NA	NA	NA	NA
10. Remove trees, brush, strip topsoil, etc	NA	NA	NA	NA
11. Restore all disturbed areas with min 4" topsoil, seed, mulch and NAG(50%)	NA	NA	NA	NA
12. Restore Gaines Twp North drive and Cornerstone Church Dr	NA	NA	NA	NA
13. Erosion Control measures	NA	NA	NA	NA

14. Traffic Control

NA

NA _ _ _ NA

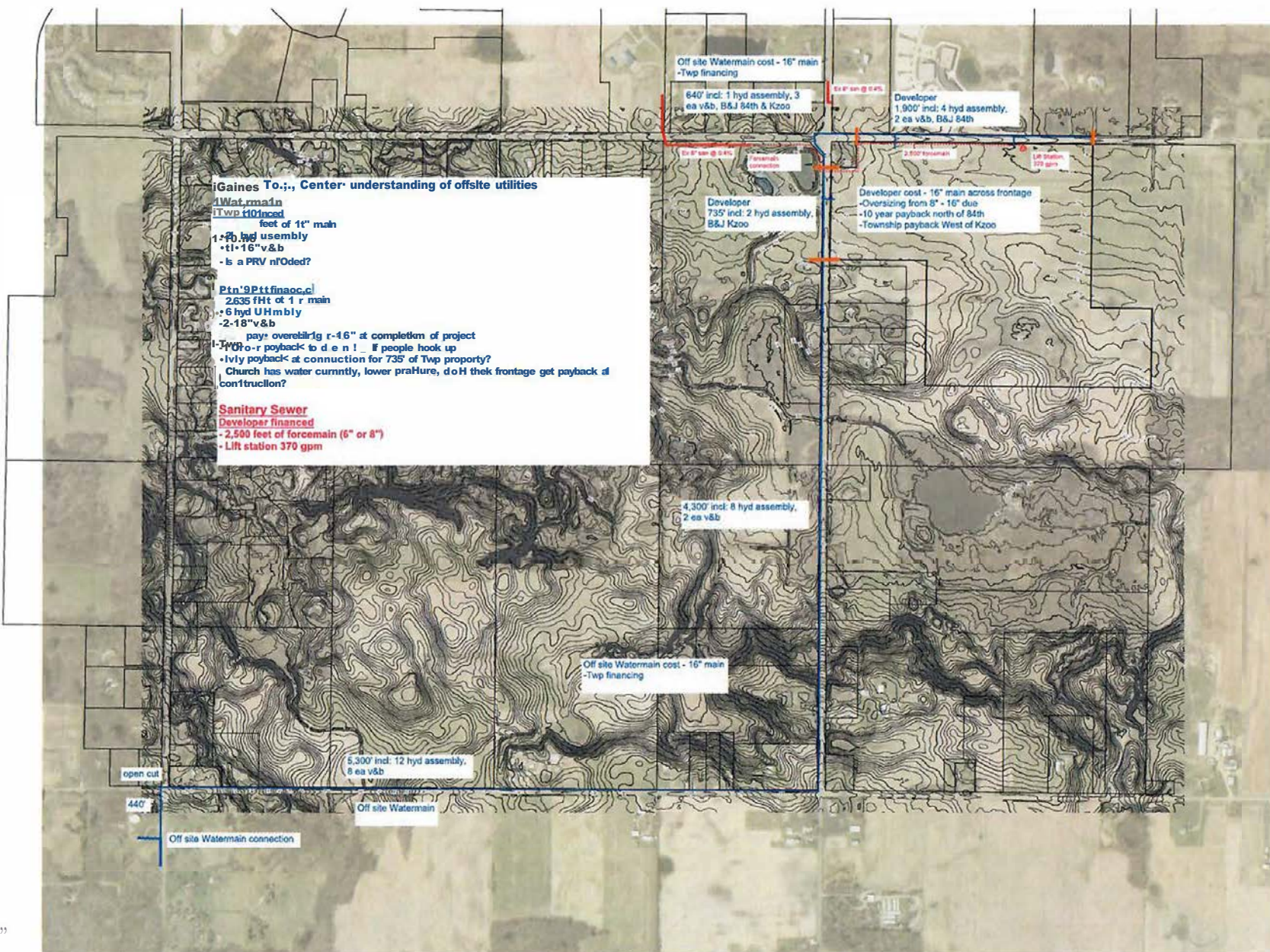
NA

☐	Sub-Total for Watermain Oversizin Items	\$150,950.00
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10% contingency

\$15,095.00

GRAND TOTAL OVERSIZING PAYBACK		\$166,045.00
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Gaines Charter Township

Treasurer's Office

ACTION ITEM – MEMORANDUM

TO: Gaines Township Board of Trustees

FROM: Laurie J. Lemke, MiCPT, CPFA
Township Treasurer

RE: Action Item to Accept and File the 1stth Quarter 2021 Financial Report
Required by Act 20 PA1943

DATE May 4, 2021

Please review the following financial report of the township funds.

These accounts include the Checking, Savings, Money Market, CD investments and Pooled accounts for all township held funds.

At any time I welcome fellow board members to review with me the status and activity of our township's accounts or address any concerns or questions you may have.

These accounts are balanced each month with the clerk's office and are subject to our annual audit.

GAINES CHARTER TOWNSHIP

LAURIE J LEMKE, TREASURER

CASH, INVESTMENTS; CD'S, MM AND POOL ACCOUNTS

MARCH of 2021

Bank	Type	Amount	APR	Term	Maturity Date
101 GENERAL FUND					
TCF GF Checking	Ckg	\$ 1,699,830.17	0.10		
<i>Cap ital Funds</i>					
CFD - Truck Fund	Assigned	\$ 400,000.00			
DFD - Truck Fund	Assigned	\$ 450,000.00			
Library	Assigned	\$ 15,000.00			
Cemetery	Assigned	\$ 10,000.00			
Township Hall & Grounds	Assigned	\$ 65,000.00			
Division Ave. CIA	Assigned	\$ 40,000.00			
Sidewalk & Trails	Assigned	\$ 103,639.39			
Total TCF Checking		\$ 2,783,469.56			
Building Department	Committed	\$ 1,022,073.00			
Right Of Way	Committed	\$ 16,350.00			
Payment in lieu of Sidewalks	Committed	\$ 126,041.00			
Streetlights		\$ -			
Interest to date		\$ 23,140.22			
TCF Savings	MN Save	\$ 1,187,604.22	0.10		
<i>Investments</i>					
Kent Co. Pool	Pooled	\$ 373,261.10	1.98		
Michigan Class	Pooled	\$ 573,552.10	0.05		
Lake MI Credit Union	Save	\$ 10.30	0.00		
CIBC	CD	\$ 250,000.00	0.60	12 Mos.	6.03.2021
Grand River Bank	CD	\$ 250,000.00	0.35	12 Mos.	1.26.2022
TOTAL OF GENERAL FUND		\$ 5,417,897.28			
DMSION AVE CORRIDOR		\$ 4,473.92			
TRUST & AGENCY		\$ 285,440.16			
TAX FUND		\$ 1,608.12			
PETTY CASH		\$ 294.59			

WATER & SEWER					
Bank		Amount	APR	Term	Maturity Date
TCF Checking	Ckg	\$ 3,326,725.94	0.10		
Kent Co. Pool	Pooled	\$ 7,646,049.09	0.08		
Michigan Class	Pooled	\$ 1,548,253.06	0.05		
Consumers Credit Union	Share	\$ 25.27			
Consumers Credit Union	MMM	\$ 359,859.54	1.25		
Horizon	MM	\$ 250,014.39	0.20		
Union Bank	CD	\$ 302,429.17	1.65	365 Days	4.4.2021
Choice One Bank	CD	\$ 250,000.00	0.75	12 Mos	4.9.2021
West MI Community Bank	CDARS	\$ 301,871.16	0.85	52 Weeks	4.8.2021
Mercantile Bank of MI	CD	\$ 250,000.00	0.90	12 Mos	4.11.2021
Horizon Bank	CD	\$ 300,000.00	1.80	18 Mos.	4.30.2021
Flagstar Bank	CD	\$ 300,000.00	0.30	270 Days	5.7.2021
Comerica Bank	CD	\$ 250,000.00	0.15	6Mos	5.19.2021
Lake Michigan Credit Union	CD	\$ 252,600.23	1.25	12 Mos	5.21.2021
Choice One Bank	CD	\$ 300,000.00	1.66	18 MOS	5.28.2021
First National Bank of A	CD	\$ 251,970.89	1.05	12 Months	6.14.2020
TCF Bank	CD	\$ 250,702.12	0.37	12 Months	6.30.2021
West MI Community Bank	CD	\$ 250,157.73	0.10	270 Days	8.21.2021
First National Bank of MI	RRCD	\$ 300,000.00	1.76	18 Months	7.21.2021
First Community Bank	CD	\$ 250,000.00	0.20	12 Mos	9.28.2021
Flagstar Bank	CD	\$ 250,000.00	0.27	12 Months	9.30.2021
Union Bank	CD	\$ 305,152.56	0.50	12 Mos	10.5.2021
Macatawa Bank	CD	\$ 250,000.00	0.10	12 Mos	11.19.2021
First National Bank of A	CD	\$ 251,970.29	1.05	18 Months	12.17.2021
Flagstar Bank	CD	\$ 250,000.00	0.25	12 Months	1.5.2022
OBC	CD	\$ 250,000.00	0.27	365 Dys	1.19.2022
United Bank of MI	CD	\$ 300,000.00	0.25	12 Months	1.29.2022
TCF Bank	CD	\$ 300,000.00	0.12	12 Months	2.4.2022
Macatawa Bank	CD	\$ 250,062.86	0.10	12 Months	3.23.2021
Grand River Bank	CD	\$ 300,000.00	0.30	365 Days	3.26.2022
Level One Bank	CD	\$ 300,000.00	0.20	367 Days	3.28.2022
Restricted W&S Fees	Committed	\$ 19,947,844.30			

G Charter ,OW

202 1 1st Quarter DIVERSIFICATION REPORT

Lourie J. Lemke, Treasurer

Bank	FDIC- 21%	NON-INS - 39%	Low-Risk - 40%	Total	Bauer Ratings	Texas Ratio
TCF Bank Checking	\$ 250,000.00	\$ 5,860,195.50		\$ 6,110,195.50	4	B+
TCF MM Savings	\$ 250,000.00	\$ 937,604.22		\$ 1,187,604.22		
TCF Bank Investments	\$ 250,000.00	\$ 300,702.12		\$ 550,702.12		
Choice One Bank	\$ 250,000.00	\$ 300,000.00		\$ 550,000.00	5	A+
CBIC	\$ 250,000.00	\$ 250,000.00		\$ 500,000.00	5	A+
Comerica	\$ 250,000.00			\$ 250,000.00	5	A
Community Choice CU				\$-	5	A
Consumers Credit Union	\$ 250,000.00	\$ 109,884.81		\$ 359,884.81	4	A
Kent Co. Pool			\$ 8,019,310.19	\$ 8,019,310.19	AAA	AAA
First Community Bank	\$ 250,000.00			\$ 250,000.00	5	A
First Notional Bank of A	\$ 250,000.00	\$ 253,941.18		\$ 503,941.18	3.5	B+
First Notional Bank of MI	\$ 250,000.00	\$ 50,000.00		\$ 300,000.00	5	A
Flogstor/CDARS	\$ 500,000.00	\$ 300,000.00		\$ 800,000.00	4	A
Grand River Bank	\$ 250,000.00	\$ 300,000.00		\$ 550,000.00	5	A
Huntington				\$-	5	A
Horizon	\$ 250,000.00	\$ 300,014.39		\$ 550,014.39	5	A+
Lake MI Credit Union	\$ 250,000.00	\$ 2,610.53		\$ 252,610.53	5	A+
Level One Bank	\$ 250,000.00	\$ 50,000.00		\$ 300,000.00	4	A
Mocotowo Bank	\$ 250,000.00	\$ 250,062.86		\$ 500,062.86	5	A
Mercantile Bank of MI	\$ 250,000.00			\$ 250,000.00	5	A+
Michigan Closs			\$ 2,121,805.16	\$ 2,121,805.16	AAA	AAA
Old Notional Bank				\$-	5	A+
Union Bank	\$ 250,000.00	\$ 357,581.73		\$ 607,581.73	4	B+
United Bank of MI	\$ 250,000.00	\$ 50,000.00		\$ 300,000.00	5	A+
West Michigan Community	\$ 250,000.00	\$ 302,028.89		\$ 552,028.89	5	A
	\$ 5,250,000.00	\$ 9,974,626.23	\$ 10,141,115.35	\$ 25,365,741.58		



COUNTY OF KENT, MICHIGAN
STREET LIGHTING SPECIAL ASSESSMENT DISTRICT
PRESERVATION LAKES #3
RESOLUTION NO. 2021-____

DECLARATION OF INTENT TO MAKE PUBLIC IMPROVEMENTS; TENTATIVE DESIGNATION OF SPECIAL ASSESSMENT DISTRICT; FILING OF SPECIAL ASSESSMENT ROLL; NOTICE OF PUBLIC HEARINGS

Minutes of a regular meeting of the Township board of the Charter Township of Gaines, Kent County, Michigan, held at the Township Offices in said Township on the _____, 2021, at 7:00PM, local time where there were:

PRESENT:

ABSENT:

The following resolution was offered by Member _____ and supported by Member _____:

WHEREAS, Section 3 of Act 188 of the Public Acts of Michigan of 1954, as amended ("Act 188") provides that the Township Board may proceed and exercise the powers granted by Act 188 upon the filing with the Township Clerk of petitions signed by record owners of land constituting more than 50% of the land area in a special assessment district as finally hereafter established by the Township Board; and

WHEREAS, the Clerk has received petitions to make certain public improvements consisting of installing, operating, and maintaining street lighting (the "improvements") in the Preservations Lakes Phase III development, and has verified that the petitions have been signed by the record owners of land constituting more than 50% of the land area in the proposed special assessment district; and

WHEREAS, there exists a need for the improvements in the Township; and

WHEREAS, THE TOWNSHIP Supervisors has tentatively made a special assessment roll for the parcels benefited by said improvements and contained in the special assessment district determined for said improvements, and, in addition, the Township supervisor has reported said roll to the Township Board.

NOW THEREOFRE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. That the Township Board intends to proceed on the petitions filed pursuant to Act 188 to make the improvements.
2. That the Township Supervisor has caused preliminary plans to be prepared showing the improvements and an estimate of the cost thereof.
3. That said plans and estimate have been filed with the Township Clerk.
4. That the Township Board hereby tentatively designates a special assessment district known as Preservation Lakes Phase III Special Assessment District consisting of certain parcels of land, the descriptions of which are set forth in the Notice of hearing attached as Exhibit A hereto, which descriptions are incorporated herein by reference for the District, and against which parcels all of a portion of the cost of said improvements shall be assessed.
5. That the tentative special assessment roll for the District attached as Exhibit B hereto (the "Special Assessment Roll"), as reported to the Township Board by the Township Supervisor, shall be filed in the office of the Township Clerk and shall be available for public inspection during the normal working hours of the Township office.
6. That the Township Board shall hold a public hearing on the ____ day of _____, 2021, at 7:00PM local time, at the Township offices, in said Township, to hear and consider objections to the petitions, the proposed improvements, the special assessment district tentatively designated herein, and to all other matters relating to the improvements.
7. That the township Board shall hold a public hearing on the ____ day of _____, 2021, at 7:00PM, local time, at the Township offices immediately after the public hearing provided for the Paragraph 6, at 7:00PM, local time, to hear and consider comments and objections to the Special Assessment Roll.
8. That the Township Clerk shall cause to be published one notice of the hearings in a newspaper(s) of general circulation within the Township, totaling at least two publication times prior to the hearing. The first publication shall be at least ten days prior to the hearing and proof of publication of such notice shall be filed with the Township Board.
9. That the Township Clerk, at least ten days prior to the date of the hearing, shall send a notice of the hearing by first class mail addressed to each record owner of or party in interest in each parcel of land to be assessed, at the address shown for such record owner or party in interest upon the last Township tax assessment roll for ad valorem tax purposes which was reviewed by the Township Board of Review, as supplemented by any subsequent changes in the names or addresses of the owners or parties listed thereon (except in the case of railroad companies, which shall be mailed a notice of the hearing by registered mail within five days after the first publication of the notice in Paragraph 8, above); provided, that if a record owner's name does not appear on the Township tax assessment records, then the notice required by this paragraph shall be given to the record owner at the address shown by the records of the County Register of Deeds.
10. That the form of the notice of the hearing to be mailed and published as set forth herein shall be substantially as set forth in Exhibit A hereto.

11. That all actions heretofore taken by the Township officials; employees, and agents with respect to the improvements and proceedings under Act 188 are hereby ratified and confirmed.
12. That all resolutions or parts of resolutions in conflict herewith are hereby rescinded.

YEAS:

NAYS:

ABSTAIN:

RESOLUTION DECLARED ADOPTED.

Michael A. Brew, Clerk
Gaines Charter Township

STATE OF MICHIGAN)
) ss.
COUNTY OF KENT)

I, Michael A. Brew, the duly qualified and acting Clerk of the Charter Township of Gaines, Kent County, Michigan (the "Township") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Township at a regular meeting thereof held on the ____ day of _____, 2021 the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267 of the Public Acts of Michigan of 1976, as amended, including in the case of a special or rescheduled meeting, notice by publication or posting at least eighteen (18) hours prior to the time set for the meeting.

EXHIBIT A

NOTICE OF PUBLIC HEARING

**CHARTER TOWNSHIP OF GAINES
COUNTY OF KENT, MICHIGAN**

**STREET LIGHTING SPECIAL ASSESSMENT DISTRICT
PRESERVATION LAKES PHASE III**

NOTICE IS HEREBY GIVEN that the Township Board of the Charter Township of Gaines, Kent County, Michigan, having received petitions to make certain public improvements consisting installation, operation, and maintenance of street lighting within the development of Preservation Lakes #3, from record owners of land constituting more than 50% of the land area in the special assessment district described below, has resolved its intention to proceed on the petitions and, pursuant to Act 188 of the Public Acts of Michigan of 1954, as amended, to make said improvements in the Township.

The Township Board has tentatively determined that the cost of said improvements shall be specially assessed against each of the following described lots and parcels of land which are benefited by the improvements and which together comprise the following proposed special assessment district:

The Preservation Lakes #3 Plated Subdivision (Lots 63 through 91), in Part of the SW ¼ of Section 29, T5N, R11W, Gaines Township, Kent County Michigan

Hearings on Petition, Improvements, District and Special Assessment Roll

TAKE NOTICE, THAT THE Township Board of the Charter Township of Gaines will hold a public hearing on May 10, 2021 at 7:00 PM at the Township Offices, 8555 Kalamazoo Avenue, SE, within the Township to hear and consider any objections to the petitions filed, the proposed improvements, the proposed special assessment district, and all other matters relating to said improvements. If it is mandated that public meetings be held electronically, the Township will hold the meeting via ZOOM. Login information will be available by sending a request to info@gainestownship.org.

TAKE FURTHER NOTICE that the Township Board shall hold a second public hearing on the May 10, 2021, immediately after closure of the public hearing provided for NOTED ABOVE. The purpose of the hearing being to hear and consider comments and objections to the Special Assessment Roll.

Persons with disabilities needing special accommodations should contact Kim Triplett at 616-504-4332 one week prior to the meeting to request mobility, visual, or any other assistance.

EXHIBIT B

PRESERVATION LAKES #3

SPECIAL ASSESSMENT DISTRICT

ROLL NO. 1

PPN	ADDRESS	OWNER	ASSESSMENT
41229303013	0 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303014	981 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303015	989 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303016	993 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303017	999 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303018	1007 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303019	1015 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303020	1027 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303021	1045 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303022	966 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303023	954 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303024	946 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229303025	940 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333002	978 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.

Preservation Lakes Phase III Street Lighting Resolution 1
Street Lighting Special Assessment District

41229333003	984 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333004	990 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333005	996 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333006	1002 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333007	1008 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333008	1014 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333009	1020 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333010	1026 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333011	1032 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333012	1048 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333013	965 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333014	959 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333015	957 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333016	9953 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.
41229333017	947 WATERSCAPE DR SE BYRON CENTER, MI 49315	SIGNATURE LAND DEVELOPMENT COMPANY	0.400 mill per \$1,000 A.V.

EXHIBIT C

SUPERVISORS CERTIFICATE

I, Robert DeWard, Supervisor of the Charter Township of Gaines, hereby state that the attached Special Assessment Roll of Preservation Lakes Phase III, Street Lighting Special Assessment District was made pursuant to a resolution of the Township Board adopted on April 12, 23021, and in making such special Assessment Roll, I have according to my best judgment, conformed in all respects to the directions contained in such resolution and the statutes of the State of Michigan.

Date: _____

Robert DeWard, Supervisor
Charter Township of Gaines

CERTIFICATE OF CONFIRMATION

I hereby certify that the above Special Assessment Roll was confirmed on April 12, 2021, by resolution of the Township Board of the Charter Township of Gaines.

Date: _____

Michael A. Brew, Clerk
Charter Township of Gaines

**GAINES CHARTER TOWNSHIP
KENT COUNTY, MICHIGAN**

Ordinance No. 2021-__

At a regular meeting of the Township Board for Gaines Charter Township held at the Township offices within the Township on May 10, 2021 at 7:00 p.m., the following Ordinance/amending ordinance was offered for adoption by Township Board Member _____ and was seconded by Township Board Member _____:

AMENDMENTS TO THE GAINES CHARTER TOWNSHIP CODE OF ORDINANCES REGARDING THE LICENSING AND CONTROL OF ESTABLISHMENTS SERVING LIQUOR IN GAINES CHARTER TOWNSHIP.

Article 1. Chapter 4 Alcoholic Liquors, Article II Licensing and Control, is hereby amended to include provisions enabling and pertaining to the regulation and licensure of "Movie Theater Complex". More Specifically; Sec. 4-19 Definitions is amended by the insertion of definitions terms not defined in the article; Section 4-22 "Movie Theater Complex means a motion-picture complex comprised of not less than (10) screens, total seating for not less than 1,000 patrons and a minimum of 50,000 square feet of indoor space. Section 4-23 – License criteria and restrictions paragraphs (b) (3), (4) to establish liquor license requirements pertaining to "Movie Theatre Complex", and paragraph(c) (2) Movie Theater Complex licensees compliance requirements, and amendments to existing sections for clarification.

As hereby amended, Chapter 4 of the Gaines charter Township Code shall read in its entirety as follows:

Chapter 4 - ALCOHOLIC LIQUORS

FOOTNOTE(S): -- (1) ---

Editor's note— Ord. No. 14-04, § 1, adopted April 14, 2014, amended former Ch. 4, Arts. I— III, in its entirety to read as herein set out. Former Ch. 14 pertained to similar subject matter and derived from the following: Ord. No. 93-00-01-LQ, §§ 1—4, 10-25-1993; Ord. No. 05-FEB-14-SUP1, §§ 2—16, 3-14-2005; Ord. No. 10-04, § 1, 6-14-2010.

State Law reference— Michigan liquor control code of 1998, MCL 436.1101 et seq.

ARTICLE I. - IN GENERAL

Secs. 4-1—4-18. - Reserved.

ARTICLE II. - LICENSING AND CONTROL

Sec. 4-19. - Definitions.

- (a) Terms not defined in this Article will be defined pursuant to the Michigan Liquor Control Code, PA 58 of 1998 (MCL 436.1101 et seq.), as amended.
- (b) Terms not defined in this Article or in the Michigan Liquor Control Code will be defined pursuant to the administrative rules promulgated by the state of Michigan

Commented [DE1]: In addition to reviewing the added language I rearranged some parts of the ordinance to make it flow better. I tried to keep the changes minimal as the Township did not request a broad revision.

Department of Licensing and Regulatory Affairs Michigan Liquor Control Commission or its successor agency.

Commented [DE2]: Added to provide clarification re terms not defined in the article

(c) For the purpose of this Article, the following definitions will apply unless the context clearly indicates or requires otherwise:

- (1) *Alcohol* means the product of distillation of fermented liquid, whether or not rectified or diluted with water, but the term "alcohol does not mean ethyl or industrial alcohol, diluted or not, that has been denatured or otherwise rendered unfit for beverage purposes.
- (2) *Alcoholic liquor* means any spirituous, vinous, malt or fermented liquor, liquid or compound, whether or not medicated, proprietary, patented, and by whatever name called, containing one-half of one percent (0.005) or more of alcohol by volume which is fit for use for beverage purposes.
- (3) *Alcohol service area* means the portion of an establishment which is licensed to sell alcoholic liquor for on premises consumption and where persons are permitted to consume such alcoholic liquor.
- (4) *Applicant* means any person who seeks approval from the Township Board to sell alcoholic liquor.
- (5) *Beer* means any beverage obtained by alcoholic fermentation of an infusion or decoction of barley, malt, hops, or other cereal in potable water.
- (6) *Banquet/event facility* means a building or any portion of a building used for functions such as meetings, conferences, lectures, seminars, live speaking engagements, weddings, receptions and banquets, which as determined by the Township Board may be eligible for a Banquet/event facility license as provided herein.
- (7) *Banquet/event facility license* means a license issued to an on-premise licensee for use in a Banquet/event facility.
- (8) *Bona Fide restaurant* shall mean a restaurant meeting the following standards:
 - a. The restaurant serves complete meals selected by a patron from a menu that includes a choice of appetizer, salad, entrée (entrées shall include a variety of meat, poultry and/or fish dishes), vegetable, bread, dessert and beverages served by a wait staff and prepared on-premises;
 - b. Seventy-five percent of the gross receipts of the restaurant inclusive of receipts for alcoholic liquors are derived from the sale of food and beverages other than alcoholic liquors;
 - c. The restaurant provides separate restrooms on-premises for both men and women for the exclusive use of restaurant patrons;

- d. Except as provided below for a tavern license, if the restaurant provides counter space (i.e. a bar) for the purpose of dispensing alcoholic liquors, the counter space shall be separated from the dining area by a suitable partition, the size of the counter space shall be limited to provide seating space for a total number of patrons equal to or less than 20 percent of the restaurant's dining room capacity, and such counter space seating capacity shall be included in the calculation of 15 square feet per patron. However, in the case of a restaurant holding a Tavern License, the term "bona fide restaurant" shall not include any restaurant providing additional counter space (i.e., bar) for the dispensing of alcoholic liquor;
 - e. The restaurant has no standing room at a counter space except for the use of wait staff in serving food and beverages;
 - f. The term "bona fide restaurant" shall not include any restaurant serving food and beverages with a "drive up" window or a "drive through" to provide service to a patron in a motor vehicle or any restaurant serving food and beverages in or on disposable plates or disposable baskets or disposable cups or with disposable utensils; and
 - g. The term "bona fide restaurant" shall include a restaurant providing for the sale of food on a "take out" basis if the restaurant meets all other standards above for a "bona fide restaurant".
- (9) *Brandy manufacturer* means the term "brandy manufacturer" as defined in the Liquor Code and the administrative rules of the MLCC.
 - (10) *Brewer* means the term "brewer" as defined in the Liquor Code and the administrative rules of the MLCC.
 - (11) *Brewpub* means the term "brewpub" as defined in the Liquor Code and the administrative rules of the MLCC.
 - (12) *Class A license* means a license for a hotel or motel authorizing the retail sale of beer and wine for consumption on the premises.
 - (13) *Class B license* means a license for a hotel or motel authorizing the retail sale of beer, wine and spirits for consumption on the premises.
 - (14) *Class C license* means a license for any place, other than a hotel or motel, authorizing the retail sale of beer, wine and spirits for consumption on the premises.
 - (15) *Dining area* means the room or section of a premises intended for the sole purpose of seating patrons to consume food and/or drink. The dining area does not include hallways, restrooms or entry ways.
 - (16) *Distiller* means the term "distiller" as defined in the Liquor Code and the administrative rules of the MLCC.
 - (17) *Liquor Code* means Michigan Liquor Control Code, PA 58 of 1998 (MCL 436.1101 et seq.), as amended.

- (18) *Manufacturer* means the term "manufacturer" as defined in the Liquor Code and the administrative rules of the MLCC.
- (19) *Manufacturer license* means any license issued by the MLCC to a manufacturer that requires approval by the local legislative body under the Liquor Code or the administrative rules of the MLCC. The term "manufacturer license" includes, but is not limited to, a brandy manufacturer, brewer, distiller, microbrewer, small distiller, small wine maker, and wine maker.
- (20) *Microbrewer* means the term "microbrewer" as defined in the Liquor Code and the administrative rules of the MLCC.
- (21) *MLCC* means the Michigan Liquor Control Commission or successor agency.
- (22) *Movie Theater Complex* means a motion-picture complex comprised of not less than ten (10) screens, total seating for not less than 1,000 patrons and a minimum of 50,000 square feet of indoor space.
- (23) *Movie Theater License* means a license issued to an on-premises licensee for use in a Movie Theater Complex.
- (24) *Person* means any legal entity, including an individual, firm, partnership, association, corporation, limited liability company, trust, business trust, club, or lodge.
- (25) *Sacramental wine* means wine containing not more than 24 percent of alcohol by volume which is used for sacramental purposes.
- (26) *Sale* includes exchange, barter, traffic or furnishing or giving away any alcoholic liquor.
- (27) *Small distiller* means the term "small distiller" as defined in the Liquor Code and the administrative rules of the MLCC or successor agency.
- (28) *Small wine maker* means the term "small wine maker" as defined in the Liquor Code and the administrative rules of the MLCC.
- (29) *Spirits* means any beverage which contains alcohol obtained by distillation, mixed with potable water or other substances, or both, in solution, and includes wine containing an alcohol content of more than 21 percent by volume, except sacramental wine.
- (30) *Suitable partition* means a physical separation of a counter space from table seating areas. The suitable partition shall provide a separation designed to provide a buffer between counter space and table seating areas and to provide privacy for diners seated in table seating areas. The partition may consist of any physical separation which is determined by the Township Board in its reasonable discretion to meet this definition, and may consist, for example, of a wall or a partial wall completed to the ceiling with frosted or stained glass, lattice work, wine cabinets, decorative hangings, or a combination thereof.
- (31) *Tavern License* means a license for any place, other than a hotel or motel, authorizing the retail sale of beer and wine for consumption on the premises.

Commented [DE3]: This was the definition provided to us. It excludes smaller theaters, but that is a policy issue. (I didn't see any other theaters in the township when I googled...)

(32) *Wine* means the product made by the normal alcoholic fermentation of the juice of sound, ripe grapes, or any other fruit with the usual cellar treatment, and containing not more than 21 percent of alcohol by volume, including fermented fruit juices other than grapes, and mixed wine drinks.

(33) *Wine maker* means the term "wine maker" as defined in the Liquor Code and the administrative rules of the MLCC.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-20. - Approval required

Commented [DE4]: Revised section to make clear that license was needed

- (a) Unless specifically authorized under this Article, the sale of alcoholic liquor within the Township for on-premise consumption is prohibited.
- (b) Unless specifically authorized under this Article the manufacturing of alcoholic liquor within the Township is prohibited
- (c) No person shall sell alcoholic liquor for on-premise consumption without Township Board approval and a valid liquor license issued by the Michigan Liquor Control Commission or its successor agency.
- (d) No person shall manufacture alcoholic liquor without Township Board approval and a valid liquor license issued by the Michigan Liquor Control Commission or its successor agency

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-21. - Application times and procedures.

- (a) *Application form and submission.* A person seeking any license under this Article shall make application for approval by the Township. Two copies of such application for approval shall be filed, one with the Township Clerk for processing as described in this section, and one with the Township supervisor for the purpose of monitoring competing applications that have been filed. Applications shall be made upon forms to be provided by the Township Clerk or, if no such forms shall be available from the Township Clerk, duplicate copies of the application to be made to the MLCC may be used along with a letter directed to the Township requesting approval.

The Township Board shall not consider or act upon any request and/or any application or any matter related to a request and/or an application until a completed application and the application fee have been received by the Township.

- (b) *Application fee.* A fee as prescribed by resolution of the Township Board shall accompany all applications for a new license and all applications for license renewals made pursuant to this article.

- (c) *Preliminary review.* Upon receipt of a completed application and the application fee the Township Clerk shall transmit the application to the Township Treasurer who shall endorse thereon a statement as to whether the applicant is in default to the Township in connection with the payment of any taxes or other obligations. Following endorsement by the Township Treasurer, the Township Clerk shall transmit the application to the Township Board for consideration at the next scheduled Township Board meeting.
- (d) *License hearings.* The Township Board shall grant a public hearing on applications submitted in compliance with the requirements of this article, provided that such applications are complete, the application fee required by this article has been paid, and all preliminary review required by this article has been completed. Following the public hearing, the Township Board shall adopt a resolution setting forth its findings and determinations and approving or denying the application, or taking other action consistent with this article. In no event shall an application be approved without satisfactory compliance with all applicable restrictions set forth in this Article.
- (e) *Reservation of authority.* No applicant for a liquor license has the right to the issuance of such license to them, and the Township Board reserves the right to exercise reasonable discretion to determine who, if anyone shall be entitled to the issuance of such license.
- (f) *Term of license.* Approval of a license shall be for a period of one year subject to annual renewal by the Township Board upon continued compliance with the regulations of this article. Approval of a license shall be with the understanding that any necessary remodeling or new construction for the use of the license shall be commenced within six months of the action of the Township Board and of the MLCC approving such license, whichever last occurs. Any unusual delay in the completion of such remodeling or construction shall subject the license to revocation.
- (g) *Renewals.* On or before February 1 after the first full year of licensure, and on or before February 1 of each year thereafter, each licensee licensed under this article shall prepare and submit an application for renewal of his license on the same forms and containing the same information as required for the issuance of a new license, along with the applicable fee. Such applications shall be considered by the Township Board within 60 days thereafter to determine whether the license should be renewed.
- (h) *On-premises license quota.* For licenses subject to the quota under Section 31 of the Liquor Code (MCL 436.1531), only one on-premises license for each 2,873 persons of population within the Township (as determined according to the latest decennial census) shall be issued or considered for issuance pursuant to the provisions of this article.
- (i) *Compliance.* The applicant bears the burden of establishing compliance with all requirements of this article.

- (j) Privilege. A license issued under this Article is a revocable privilege granted by the Township and is not a property right. The application for or granting of a Township license under this Article does not create or vest any right, title, franchise, or other property interest.

(Ord. No. 14-04, § 1, 4-14-2014)

Commented [DE5]: This is more applicable to real property rights. A license is a personal property right which entitles the holder to some level of due process.

Sec. 4-22. - Application contents for licenses.

- (a) *Information to be submitted.* Applications for any license under this Article shall be in writing, signed by the applicant, if an individual, or by a duly authorized agent thereof, if a partnership or corporation, verified by oath or affidavit, and shall contain all of the following statements and information:
- (1) The name, age and address of the applicant in the case of an individual; or, in the case of a co- partnership, the persons entitled to share in the profits thereof in the case of a corporation, the objects for which organized, the names and addresses of the officers and directors, and, if a majority interest in the stock of such corporation is owned by one person or his nominee, the name and address of such person.
 - (2) In the case of an individual, the citizenship and place of birth of the applicant and, if a naturalized citizen, the time and place of his naturalization.
 - (3) The character of business of the applicant, and in the case of a corporation, the object for which it was formed.
 - (4) The length of time said applicant has been in business of that character, or in the case of a corporation, the date when its charter was issued.
 - (5) The location and description of the premises or place of business which is to be operated under such license.
 - (6) A statement whether applicant has made application for a similar or other license on premises other than described in this application, and the disposition of such application.
 - (7) A statement that applicant has never been convicted of a felony and is not disqualified to receive a license by reason of any matter or thing contained in this Article or the laws of the state.
 - (8) A statement that the applicant will not violate any of the laws of the state or of the United States or any ordinances of the Township in the conduct of its business.
 - (9) The application shall be accompanied by building and site plans showing the entire structure and premises and, in particular, the specific areas where the license is to be utilized. The plans shall demonstrate adequate off-street parking, lighting, refuse disposal facilities and where appropriate, adequate plans for screening and noise control.

(10) For premises pending or under construction, evidence of the financial capability of the applicant to satisfactorily complete the development and construction of the premises.

(b) *Additional information.* The applicant shall also provide such other information as requested by the Township Board in connection with its review of an application.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-23. – License criteria and restrictions.

(a) *Prohibited Licensees.* Except to the extent that the Township Board issues a variance as permitted in subsection (g) of this Section, no license (including, but not limited to, class A, class B, class C, tavern, brewpub, or manufacturer licenses) may be issued or transferred to:

- (1) A person whose license, under this Article, has been revoked for cause.
- (2) A person who, at the time of application or renewal of any license issued hereunder, would not be eligible for such license upon a first application.
- (3) A co-partnership, unless all of the members of such co-partnership shall qualify to obtain a license.
- (4) A corporation, if any officer, manager or director thereof or a stock owner or stockholders owning in the aggregate more than five percent of the stock of such corporation, would not be eligible to receive a license hereunder for any reason.
- (5) A person whose place of business is conducted by a manager or agent unless such manager or agent possesses the same character qualifications required of the licensee.
- (6) A person who has been convicted of a violation of any federal or state law concerning the manufacture, possession or sale of alcoholic liquor or a controlled substance.
- (7) A person who does not own the premises for which a license is sought or does not have a lease therefore for the full period for which the license is issued.
- (8) A person who has knowingly made any false statement in his application, or who has failed to fully complete the application.
- (9) Any law enforcing public official covered by MCL 436.1523.
- (10) Any premises where there exists a violation of the applicable building, electrical, mechanical, plumbing, or fire codes, applicable zoning regulations, applicable public health regulations, or any other applicable Township ordinance.

Commented [DE6]: This section was revised. Substantively the changes were minimal. The intent was to make it more reader friendly (get rid of some of the double negatives etc.)

- (11) Any premises where it is determined by a majority of the Township Board that the premises do not or will not reasonably soon after commencement of operations, have adequate off-street parking, lighting, refuse disposal facilities, screening, noise, or nuisance control or where a nuisance does or will exist.
 - (12) Any premises which the Township Board determines, by majority vote, to be inappropriate considering the desirability of establishing a location in developed, commercial areas, in preference to isolated, undeveloped areas; the attitude of adjacent residents and property owners; traffic safety; accessibility to the site from abutting roads, capability of abutting roads to accommodate the commercial activity; distance from public or private schools for minors; effect on adjacent properties; and accessibility from primary roads or state highways.
 - (13) Any premises where the proposed use for the licensed premises would not fully comply with the applicable zoning ordinance provisions (including the proper zoning district) or other Township ordinances.
 - (14) Any person who has not demonstrated sufficient financial assets:
 - a. To carry on or maintain the licensed business;
 - b. If the specific areas where the license is to be utilized are part of a new premises, to complete construction of the new premises according to the site plan and building plans filed with the Township; and
 - c. To otherwise comply with the requirements of this article.
 - (15) Any premises which shares a common wall, hallway, or restroom with another premises, excluding an establishment holding a tavern license, manufacturer license or Banquet/event facility license which meets the following criteria:
 - a. The establishment shall provide separate on-premises private restroom facilities for men and for women. Restrooms located in common areas of a premises are not acceptable to meet this requirement unless the entire facility is under the control of the licensee.
 - b. No more than two establishments with a liquor license permitting on-premises consumption of alcohol shall be located within the same multi-tenant building or strip mall unless the multi-tenant building or "strip mall" has less than 6,500 square feet of total space in which case only one establishment with a liquor license for on-premises consumption may be located in the multi-tenant building or "strip mall."
- (b) *On-premise Licenses.* Except to the extent that the Township Board issues a variance as permitted in subsection (g) of this Section, a license for on-premise consumption (including, but not limited to, class A, class B, class C, and tavern) will only be issued or transferred as follows:
- (1) Class A license (including a brewpub with a Class A license): The licensed premises must contain at least 40 guestrooms and a bona fide restaurant and utilizes the license only in conjunction with the operation of the hotel/motel

and bona fide restaurant and, in addition, unless the bona fide restaurant has a total area of not less than 4,290 square feet, and dining capacity of at least 150 patrons at a ratio of not less than 15 square feet of dining area for each patron.

- (2) Class B license (including a brewpub with a class B license): The licensed premises must contain at least 50 guestrooms and a bona fide restaurant and utilizes the license only in conjunction with the operation of the hotel/motel and bona fide restaurant and, in addition, unless the bona fide restaurant has a total area of not less than 5,000 square feet, and dining capacity of at least 175 patrons at a ratio of not less than 15 square feet of dining area for each patron.

- (3) Class C license (including a brewpub with a class C license):

- a. The licensed premises must contain a bona fide restaurant and utilizes the license only in conjunction with the operation of the bona fide restaurant and, in addition, unless the bona fide restaurant has a total area of not less than 5,000 square feet, and dining capacity of at least 175 patrons at a ratio of not less than 15 square feet of dining area for each patron;
- b. The licensed premise is a Banquet/event facility; or
- c. The licensed premise is a Movie Theatre Complex.

Commented [DE7]: added

- (4) Tavern License (including a brewpub with a tavern license):

- a. The licensed premises must contain a bona fide restaurant and utilizes the license only in conjunction with the operation of the bona fide restaurant and, in addition, unless the bona fide restaurant has a total area of not less than 1,000 square feet, and dining capacity of at least 65 patrons at a ratio of not less than 15 square feet of dining area for each patron;
- b. The licensed premise is a Banquet/event facility; or
- c. The licensed premise is a Movie Theatre Complex.

Commented [DE8]: added

- (c) *Additional On-Premise Criteria:* Except to the extent that the Township Board issues a variance as permitted in subsection (g) of this section, the following criteria must be met for the below listed license types:

- (1) Banquet/event facility: All Banquet/ event facility licensees must comply with the following:
- a. The licensed premises must be a physically defined building or portion of a building but the entire facility must be controlled by the licensee.
 - b. The facility shall provide separate on-premises private restroom facilities for men and for women. Restrooms located in unlicensed areas of a premises are not acceptable to meet this requirement unless the entire facility is controlled by the licensee.

- c. The event facility shall provide food service for the patrons of the banquet/event facility during all times that alcoholic beverages are available to patrons, whether the food is provided free of charge or made available for purchase. Food service may be prepared on-premises or may be provided through a vendor or vendors that prepare the food off-premises but deliver it to the premises for on-premises consumption.
- d. Specially designated licensed premises areas, as such areas may be modified from time to time by the licensee within the licensed premises, shall be used for specially scheduled functions and events such as meetings, conferences, lectures, seminars, live speaking engagements, weddings, receptions and banquets when alcoholic beverages are served,
- e. Less than 50 percent of the gross receipts of the event facility must be derived from sales of alcoholic liquor;
- f. If a bar or counter space is provided in the facility for the dispensing and sale of alcoholic liquor, such bar or counter space may occupy not more than ten percent of the area of the licensed premises;
- g. The seating and/or table configuration at the licensed premises must be transitory; and
- h. The defined event facility premises shall provide a minimum approved occupancy of at least 100 persons.

(2) **Movie Theater Complex:** All Movie Theater Complex licensees must comply with the following:

Commented [DE9]: added

- a. The licensed premises must be a physically defined building or portion of a building, but the entire facility must be controlled by the licensee.
- b. The facility shall provide separate on-premises private restroom facilities for men and for women. Restrooms located in unlicensed areas of a premises are not acceptable to meet this requirement unless the entire facility is controlled by the licensee.
- c. The movie theater facility shall provide food service for the patrons of the Movie Theater Complex during all times that alcoholic beverages are available to patrons. Food service may be prepared on-premises or may be provided through a vendor or vendors that prepare the food off-premises but deliver it to the premises for on-premises consumption.
- d. Less than twenty percent of the gross receipts of the Movie Theater Complex may be derived from sales of alcoholic liquor.
- e. If a bar or counter space is provided in the facility for the dispensing and sale of alcoholic liquor, such bar or counter space may occupy not more than five percent of the area of the licensed premises.

(d) **Manufacturer licenses.** Manufacturer licenses are issued by the MLCC upon local legislative body approval. A person applying for or holding a manufacturer license, as applicable, shall comply with the following requirements:

Commented [DE10]: moved to this section to help with flow of the ordinance.

- (1) An applicant for a Manufacturer license shall submit to the Township Clerk the MLCC resolution along with a detailed description of their request.
 - (2) An applicant for a manufacturer license shall submit the location where they intend to manufacture alcohol and demonstrate that all Township zoning ordinance requirements are met by the applicant.
 - (3) A person holding a manufacturer license shall provide separate restrooms on-premises for both men and women for the exclusive use of the patrons being served.
 - (4) A person holding a manufacturer license shall provide food service for the patrons of the manufacturer for consumption on the premises during all hours of operation, whether the food is provided free of charge or made available for purchase. Food service may be provided on- premises or may be provided through a vendor or vendors that prepare the food off- premises but deliver it to the premises for on-premises consumption. For purposes of this section only, "food service" means the availability of any food including deli-style food or pre-packaged snack foods.
 - (5) A person holding a manufacturer license shall have a dining area or tap room or tasting room that is a minimum of 750 square feet and shall have seating capacity for a minimum of 50 patrons with 15 square feet of area for each patron in the dining area, tap room, or tasting room.
 - (6) If a counter space (i.e., a bar) is provided for dispensing and selling alcoholic liquors, the size of the counter space on the premises of a person holding a manufacturing license shall be limited to provide seating space for a total number of patrons equal to or less than 20 percent of the total seating capacity of the dining area/tap room/tasting room.
 - (7) A person holding a manufacturer license shall comply with all other applicable requirements of this Article.
- (e) *All licensed persons*: All persons licensed under this Article must comply the terms of this Article, applicable Township ordinances, and all state and federal laws, standards, rules, and regulations. In addition to the other requirements imposed under this Article, all licensed persons must comply with all other conditions or requirements imposed by the Township Board as a condition of approval and licensure. Such conditions or requirements may be imposed as a term of licensure and/ or through a separate agreement between the Township and the licensed person.
- (f) *Continued compliance*. Following the issuance of a license under this Article, the Township Board may suspend or revoke its approval pursuant to section 4-26 should any licensee or licensed premises at any time cease to meet the requirements of this section or other provisions of this Article, or violate the requirements of the Liquor Code, administrative rules of the MLCC, or other applicable state and federal laws, statutes, rules, and regulations, and the continued sale of liquor for consumption on the premises shall constitute a violation

Commented [DE11]: Clearly addressing agreements.

of this article. All licensees that are required to operate a bona fide restaurant on the licensed premises shall maintain accurate records of receipts and disbursements in such a manner that receipts from food and beverages other than alcoholic liquors can be readily distinguished from receipts for alcoholic liquors. Such records shall be available for inspection by the Township or its agent from time to time during normal business hours.

(g) Variances.

- (1) In connection with the issuance, transfer or renewal of a license, the Township Board, in its sole discretion, may allow a variance from the strict requirements of this article where it is shown by the applicant that it would be impossible or very difficult for the applicant to comply with the strict requirements of this article (financial hardship alone shall not satisfy this requirement);
 - a. The variance provides for adequate alternate means of ensuring that the spirit and intent of this article is maintained;
 - b. The variance sought is sufficient to protect the health, safety and general welfare of the Township and its residents;
 - c. The variance sought will not contradict other applicable laws, rules or regulations.
- (2) In connection with the grant of a variance, the Township Board may impose other requirements to ensure that the spirit and intent of this Article is maintained and that the health, safety and general welfare of the Township and its residents is protected.
- (3) A variance granted pursuant to this section is not transferable to another licensee or location.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-24. - Reserved

Sec. 4-25. - Competing applications.

Where there are competing applications for an available liquor license, the Township Board shall use criteria including but not limited to the following in determining which application, if any, should be granted:

- (1) Zoning and use of the parcel and adjacent parcels.
- (2) Availability of utilities.
- (3) What uses will be conducted with the license.
- (4) Traffic on adjacent streets and the existence of any traffic hazards in the area or produced by the applicant's proposed use.
- (5) Economic backing of the applicant sufficient to conduct such a use.
- (6) The design and layout of improvements of the applicant for his proposed use.

- (7) Effect upon existing adjacent uses and uses in the vicinity.
- (8) The location of any licensed establishments as relates to potential traffic effects or hazards.
- (9) Any information contained in the application or requirements of this Article.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-26. - Objections to renewal and request for revocation.

(a) Procedure.

- (1) Before filing an objection to renewal or request for revocation of any license with the MLCC, the Township Board shall hold a hearing and shall serve the license holder, by first class mail, mailed not less than ten days prior to the hearing with notice of the hearing, which notice shall contain the following:
 - a. Notice of proposed action.
 - b. Reasons for the proposed action.
 - c. Date, time and place of the hearing.
 - d. A statement that the license holder may present evidence and testimony and confront adverse witnesses.
- (2) Following the hearing, the Township Board shall submit to the license holder and the MLCC, a written statement of its findings and determination.

(b) Criteria for nonrenewal or revocation. The Township Board shall recommend nonrenewal or revocation of a license upon a determination by it that, based upon a preponderance of the evidence presented at the hearing, any of the following exist:

- (1) Violation of any provision of this Article.
- (2) Maintenance of a nuisance (defined as any violation of this article, or any other Township ordinance, or any state or federal law, rule or regulation, or the maintenance of any common law nuisance) upon the premises.
- (3) Fraudulent information provided upon original application or application for renewal.
- (4) The consumption of spirits on the premises, if it is licensed to sell only beer or wine, or both beer and wine.
- (5) Dancing or live entertainment open to the public, with or without an admission charge, unless holding a valid dance or dancing entertainment permit.
- (6) Any disorderly conduct or action which disturbs the peace and good order of the neighborhood.
- (7) Any incidents of prostitution, solicitation for prostitution, or larceny.
- (8) Any gambling activity or the placing or using of any gambling apparatus or paraphernalia therein.

- (9) Any unlawful possession, sale or use of any controlled substance.
 - (10) Use of interior lighting which is insufficient to enable a person with average vision to clearly see all persons within the premises.
 - (11) Any violation of any other provision of any Township ordinance, or any violation of any law, rule, regulation or lawful order or directive which is designed to protect the public health, safety or welfare.
 - (12) Any violation of the Liquor Code or any administrative rule or regulation promulgated by the MLCC.
 - (13) Nonpayment of any federal, state or local tax or special assessment.
 - (14) Nonpayment or repeated delinquency payment of utility or other bills outstanding and owing to the Township.
 - (15) Any failure by the licensee, or the licensee's agent or employee to fully cooperate with any federal, state, county or Township official.
 - (16) Any failure by the licensee, or the licensee's agent or employee to fully cooperate with any law enforcement officer.
 - (17) Any license that has been placed into escrow for 180 days or more.
- (c) *Existing license renewals.* Existing licenses shall be subject to annual renewal by the Township Board. (Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-27. - Nudity prohibited.

- (a) *Definitions.* The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:
- (1) *Licensee* means a person or entity having a license to sell alcohol (including, but not limited to, class A, class B, class C, tavern, brewpub, and manufacturer licenses), and the owners, officers, agents, and employees of such person or entity.
 - (2) *Nudity* means a state of undress so as to expose to the view of another person the following body parts without any covering or with less than a fully opaque covering:
 - a. The whole or part of the pubic region;
 - b. The whole or part of the anus;
 - c. The whole or part of the buttocks;
 - d. The whole or part of the genitals; or
 - e. Any portion of the female breast below the top of the areola.

A woman's breast feeding of a baby does not constitute nudity irrespective of whether or not the nipple is covered during or incidental to the feeding.

- (b) *Licensee responsibilities.*

- (1) *Nudity on premises.* A licensee shall not allow in or upon the licensed premises any person in a state of nudity.
 - (2) *Hiring.* A licensee shall not hire, employ, or procure a person to appear in or upon the licensed premises in a state of nudity.
 - (3) *Films, slides, etc., depicting nudity; exception.* A licensee shall not allow in or upon the licensed premises the showing of films, television, slides, or other electronic reproductions which depict scenes wherein any person appears in a state of nudity. This prohibition does not apply to any public broadcast television transmission from a federally licensed station or movies unless the Motion Picture Association of America, or the equivalent, assign an X rating or higher, or another equivalent rating to the film.
- (c) *Persons appearing on premises.* No person shall appear in or upon premises licensed for the sale of alcoholic liquor in a state of nudity.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-28. - Christmas, Sundays; prohibited sales.

Pursuant to Section 1113 of the Liquor Code:

- (1) No person shall sell alcoholic liquor on any premises within the Township between 11:59 p.m. on December 24 and 11:59 p.m. on December 25 (Christmas).
- (2) No person shall sell spirits or mixed spirit drink (as defined in the Liquor Code) for off-premises consumption on Sundays between the hours of 2:00 a.m. and 12:00 noon.
- (3) No person shall sell alcoholic liquor for on-premises consumption on Sundays between the hours of 2:00 a.m. and 12:00 noon.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-29. - Issuance or renewal not required.

Nothing in this article shall be construed to require the Township or the Township Board to renew a license or to issue or approve the issuance of a license that may be available due to the population. Whether a license should be issued or renewed shall be determined in the sole discretion of the Township Board.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-30. - Enforcement.

For the purpose of the enforcement of the Liquor Code within the Township, there is hereby established a Liquor Control Enforcement Department with full power, authority, and duty to see that the provisions of the Liquor Code and the administrative rules and regulations of the MLCC are enforced within said Township. Such department shall consist of not less than one constable or deputy sheriff appointed by the Township Board and such other personnel as the Township Board may, in its discretion, appoint. The personnel of such department shall be entitled to such compensation as the Township

Board may determine. Such department or a member thereof shall be reasonably available to investigate complaints received under this article and enforce the provisions hereof.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-31. - Inspection.

- (a) The Township liquor control enforcement department shall periodically inspect all liquor establishments in the Township licensed under the Liquor Code and report the results of all inspections promptly to the Township Board. The Township liquor control enforcement department shall further promptly investigate all complaints received by it concerning violations of the Liquor Code or improper operations and practices concerning alcoholic liquor traffic within the Township and report the same to the Township Board and, where appropriate under the Liquor Code, to the MLCC for appropriate proceedings against the violator.
- (b) All inspectors shall carry appropriate cards issued by the Township Clerk clearly identifying them as Township liquor control inspectors and shall present said cards to the owner or manager of every place inspected by them when making an inspection upon demand for identification by such owner or manager.
- (c) Inspectors shall have the right to inspect any place in the Township where alcoholic liquor is manufactured, sold, offered for sale, kept for sale, possessed or transported, or where the inspector suspects the same is being thus manufactured, sold, offered for sale, kept for sale, possessed or transported. Whenever possible, all inspection reports shall be made on liquor law enforcement forms furnished by the MLCC or on similar forms otherwise obtained by the Township liquor control enforcement department.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-32. - Appropriations.

For the purpose of carrying out the provisions of this article and establishing the liquor control enforcement department herein provided for, the Township Board may appropriate reasonable monies for such use, and is hereby authorized and directed to annually appropriate such an amount as will, in its discretion, be sufficient to maintain and operate such liquor control enforcement department for the ensuing fiscal year of the Township.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-33. - Violation a misdemeanor.

- (a) Any person violating this article shall be guilty of a misdemeanor, punishable as provided in Section 1-11 entitled "General penalty; continuing violations," of Chapter 1 entitled "General Provisions", of the Gaines Charter Township Code of Ordinances.
- (b) It is the intent of the Township Board that the court, in imposing punishment under the provisions of this article, should discriminate between causal or slight violations

and habitual sales of alcoholic liquor or attempts to commercialize violations of this article or any of the administrative rules or regulations of the MLCC promulgated under the Liquor Code.

(Ord. No. 14-04, § 1, 4-14-2014)

Sec. 4-34. - Existing licenses.

As of the effective date of the ordinance from which this article is derived, there exists one licensee within the Township subject to local approval under this article (Briarwood Golf Course), the premises of which would not qualify for the issuance of a new or renewal license under the terms of this article. In recognition of the property interest of that existing licensee in its licensed premises, the Township Board acknowledges that such licensed premises shall be grandfathered with regard to, and exempt from, the zoning and bona fide restaurant requirements set forth in this article such that the continued use of the premises as currently configured and operated shall be permitted.

(Ord. No. 14-04, § 1, 4-14-2014)

Article 2. *The remainder of the Gaines Charter Township Code of Ordinances is Unaffected. Except as expressly amended by this Ordinance/ordinance amendment, the rest of the Gaines Charter Township Code of Ordinances remains unchanged and in full force and effect.*

Article 3. *Severability. Should a court of competent jurisdiction determine that any portion of this Ordinance/ordinance amendment is invalid or unconstitutional, that shall not affect the balance of this Ordinance/Ordinance amendment, which shall remain in full force and effect.*

Article 4. *Effective Date. This Ordinance/ordinance amendment shall become effective upon the expiration of seven (7) days after this Ordinance/ordinance amendment or a summary thereof appears in the newspaper as provided by law.*

The vote to adopt this ordinance/ordinance amendment was as follows:

YEAS:

NAYS:

ABSENT/ABSTAIN:

THIS ORDINANCE/ORDINANCE AMENDMENT IS DECLARED DULY ADOPTED.

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance/Ordinance amendment adopted by the Township Board for Gaines Charter Township at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

By: _____

Michael Alex Brew

Gaines Charter Township Clerk

Memo

To: Gaines Charter Township Board
From: Robert DeWard
Date: April 20, 2021
Re: Replacement of AC Unit at Library

While conducting the “spring preventative maintenance” of the AC units at the library, Lamphear discovered one of the units had totally failed.

The Library has three units. The unit that failed is the oldest unit, installed in 1997, and controls the meeting room and restrooms.

Because the compressor has failed, the total unit needs to be replaced, at a cost of \$5,365.00. Lamphear has been given the OK to go ahead and get the new unit ordered so it can be installed before summer weather hits.

I’ve attached a copy of the signed proposal.

LR

PROPOSAL

commercial and residential
Heating • Air Conditioning • Refrigeration

PAGE: 1 OF 1

3933 56th Street SW, Grandville, MI 49418
(616) 538-9360 • Fax (616) 538-1747

To:

Kim Triplett
Gaines Charter Township
8555 Kalamazoo Ave SE
Caledonia, MI 49316

PHONE:

616-698-6640

DATE:

4-19-2021

JOB NAME/ LOCATION:

LIBRARY

Joa NUMBER:

210419-4

¹ We hereby submit specifications and estimates for:

RE: Air Conditioning Replacement

Reference SO #116073 Dated 4/7/2021, Tech Paul Jurcak

PROPOSAL INCLUDES:

1. Install Trane 4TTA3036 3 Ton 208/230 3PH, Single Stage Condensing Unit.
2. Trane Cased Coll.
3. Recover refrigerant and return to manufacturer for recycle.
4. Line set and line hide.
5. Core drill.
6. Pad.
7. Vacuum.
8. Permit.
9. Start and test.

\$5,365.00 - Price

Thank you!

WE PROPOSE hereby to furnish materials and labor complete in accordance with the above specifications for the sum of:
Five Thousand Three Hundred and Sixty Five Dollars and 00/100 (\$ **5,365.00**)

Payment to be made as follows:

Upon Completion

All material is guaranteed to be unapplied. All work to be completed in a professional manner according to standard practice. Any alteration or deviation from above specifications involving extra cost will be executed *only* upon written orders and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Own or to carry fire, tornado and other necessary insurance. Our workers are *fully* covered by Worker's Compensation Insurance.

ACCEPTANCE OF PROPOSAL-The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance:

April 20, 2021

Signature:

L

Note:

This proposal may be withdrawn by us if not accepted within 30 days.

Authorized Signature:

Print:

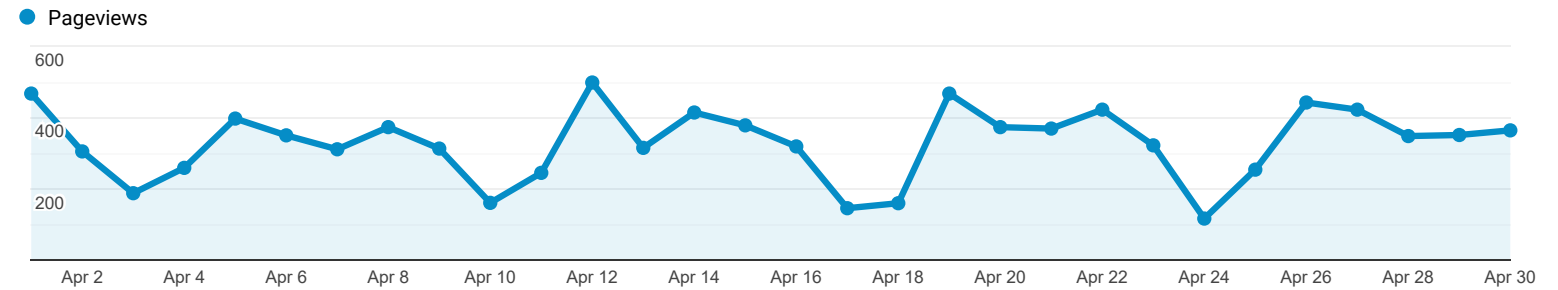
Kurt St. L. D. (J. A.)

Pages

 All Users
100.00% Pageviews

Apr 1, 2021 - Apr 30, 2021

Explorer



Page	Pageviews	Unique Pageviews	Avg. Time on Page	Entrances	Bounce Rate	% Exit	Page Value
	9,850 % of Total: 100.00% (9,850)	7,684 % of Total: 100.00% (7,684)	00:01:21 Avg for View: 00:01:21 (0.00%)	4,068 % of Total: 100.00% (4,068)	48.11% Avg for View: 48.11% (0.00%)	41.30% Avg for View: 41.30% (0.00%)	\$0.00 % of Total: 0.00% (\$0.00)
1. /	2,232 (22.66%)	1,765 (22.97%)	00:00:52	1,623 (39.90%)	31.30%	35.71%	\$0.00 (0.00%)
2. /document_center/index.php	655 (6.65%)	515 (6.70%)	00:04:32	128 (3.15%)	82.81%	65.19%	\$0.00 (0.00%)
3. /residents/index.php	613 (6.22%)	369 (4.80%)	00:01:29	44 (1.08%)	56.82%	28.87%	\$0.00 (0.00%)
4. /how_do_i_(faq)/contact/office.php	580 (5.89%)	477 (6.21%)	00:00:57	166 (4.08%)	59.64%	48.28%	\$0.00 (0.00%)
5. /revize/gaines/	351 (3.56%)	251 (3.27%)	00:00:46	238 (5.85%)	39.50%	37.04%	\$0.00 (0.00%)
6. /parks_and_recreation/prairie_wolf_park.php	301 (3.06%)	184 (2.39%)	00:01:23	178 (4.38%)	42.13%	45.51%	\$0.00 (0.00%)
7. /departments/water_sewer.php	264 (2.68%)	188 (2.45%)	00:02:21	140 (3.44%)	47.86%	43.18%	\$0.00 (0.00%)
8. /online_services/index.php	245 (2.49%)	233 (3.03%)	00:03:16	87 (2.14%)	56.32%	51.02%	\$0.00 (0.00%)
9. /departments/treasurer_.php	174 (1.77%)	137 (1.78%)	00:01:46	98 (2.41%)	59.18%	51.72%	\$0.00 (0.00%)
10. /departments/planning_zoning.php	166 (1.69%)	132 (1.72%)	00:01:08	90 (2.21%)	28.89%	22.89%	\$0.00 (0.00%)

Rows 1 - 10 of 443



APRIL 2021 GAINES TOWNSHIP CP REPORT

Michelle LaJoye-Young
SHERIFF

COMPLETED

- Started out the month of April with a week of vacation down south
- Handled a landlord / tenant parking issue at Woodfield Apartments
- Working with animal control and a neighbor in reference to the K9 issue in the 7400 blk of Eastern
- Followed up on a zoning / ordinance issue for Dan Wells in the 7200 blk of Eastern
- Met with the manager and new owners of Green Meadow and Kentwood MHP's about their calls for service in the past
- 6800 blk of Brooklyn SE, I followed up on an ordinance parking issue for Dan Wells
- Gave a short impromptu talk at Friendship Church (thanks Kathy 😊)
- Continued patrol of Rapids Dr
- Investigated a neighbor dispute in Woodfield
- Handled a walk in VIN inspection at the South Precinct
- Met with a S Division Ave business in reference to some nearby apartments issue
- Speed enforcement along 79th St due to 84th St being closed
- Speed enforcement in Dutton on 68th St
- Followed up on an ordinance parking issue in the 3100 blk of 84th St for Dan Wells
- Speed enforcement 68th near Eastern
- Assisted Cutlerville Fire and MI Prevention with setting up a smoke alarm blitz in Kentwood and Green Meadow MHP's
- Met with Love Inc South Kent County about a new role they want to play in the community offering assistance with services such as food, counseling, housing, etc
- Attended a weeklong Crisis Intervention Training on dealing with people having a crisis due to mental health and / or substance abuse

ONGOING / UPCOMING

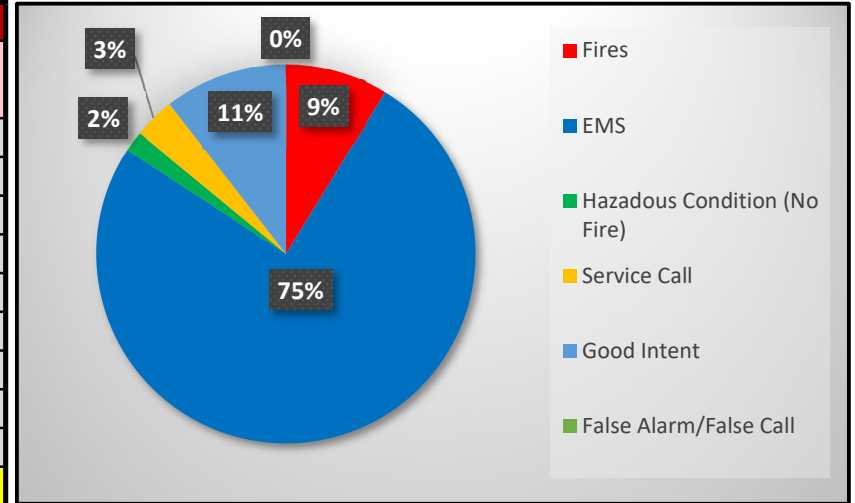
- Teaching a CPR class for new KCSO employees
- Preparing for an upcoming event involving some South Christian High School staff
- speed enforcement in Dutton
- speed enforcement along 79th St
- working on an eviction in Southwood MHP with management
- continued work with the Kent county Health Department on condemning a residence in Dutton Mills

DUTTON FIRE DEPARTMENT

APRIL 2021 REPORT

APRIL RESPONSE SUMMARY

NFIRS INCIDENT TYPE SERIES	APR 2021	2021 YTD	2020 YTD	YTD CHANGE
Fires	5	17	8	112.5%
Explosion/Excessive Heat	0	0	0	0.0%
EMS	43	156	148	5.4%
Hazadous Condition (No Fire)	1	5	7	-28.6%
Service Call	2	10	6	66.7%
Good Intent	6	34	21	61.9%
False Alarm/False Call	0	19	9	111.1%
Severe Weather/Natural Disaster	1	1	0	0.0%
Special Incident Type	0	0	0	
TOTAL	58	242	199	21.6%



RESPONSE BY SHIFT SUMMARY

SHIFT	APR 2021	2021 YTD	2020 YTD	YTD CHANGE
FT/PT Day Shift	12	56	46	21.7%
FT/PT Day/POC & POC	46	186	153	21.6%
TOTAL	58	242	199	

RESPONSES BY ZONE SUMMARY

ZONE	APR 2021	2021 YTD	2020 YTD	YTD (+/-)
Dutton - Dutton Fire District (All Zones)	51	211	166	27.1%
CFD-Byron - Cutlerville Fire District Byron Township	1	2	2	0.0%
CFD-Gaines - Cutlerville Fire District Gaines Township	4	18	17	5.9%
Byron - Byron Twp Fire District	0	0	1	0.0%
Caledonia- Caledonia Fire Rescue	1	5	4	25.0%
Kentwood - Kentwood Fire District	0	4	7	-42.9%
Leighton - Leighton Twp Fire District	0	1	1	0.0%
Thornapple - Thornapple FD	1	1	0	0.0%
Wyoming - Wyoming FD	0	0	1	0.0%
TOTAL	58	242	199	

AID TYPE	APR 2021	2021 YTD	2020 YTD	YTD CHANGE
Mutual aid received	0	3	1	200.0%
Automatic aid rec	1	3	0	0.0%
Mutual aid given	5	13	10	30.0%
Automatic aid given	2	10	7	42.9%
Other aid given	1	5	5	0.0%
None	49	208	176	18.2%
TOTAL	58	242	199	

TRAINING HOURS SUMMARY

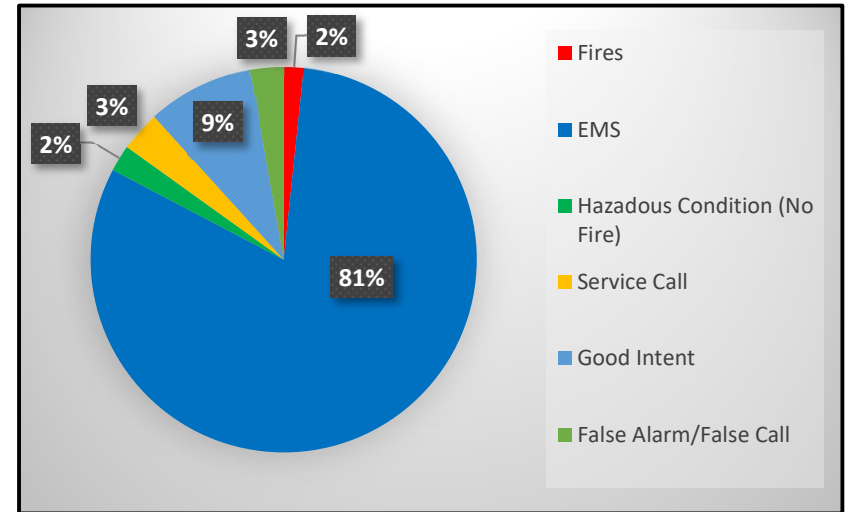
APR 2021	2021 YTD	2020 YTD	YTD CHANGE
231	968	609	58.95%

CUTLERVILLE FIRE DEPARTMENT

APRIL 2021 REPORT

APRIL 2021 RESPONSE SUMMARY

NFIRS INCIDENT TYPE SERIES	APR 2021	2021 YTD	2020 YTD	YTD CHANGE
Fires	3	29	16	81.3%
Explosion/Excessive Heat	0	0	1	0.0%
EMS	145	490	475	3.2%
Hazadous Condition (No Fire)	4	21	19	10.5%
Service Call	6	15	29	-48.3%
Good Intent	16	52	45	15.6%
False Alarm/False Call	5	44	34	29.4%
Severe Weather/Natural Disaster	2	2	0	#DIV/0!
Special Incident Type	0	0	0	0.0%
TOTAL	181	653	619	5.5%



RESPONSE BY SHIFT SUMMARY

SHIFT	APR 2021	2021 YTD	2020 YTD	YTD CHANGE
Full-Time	129	434	442	-1.8%
Full-Time/POC	52	219	177	23.7%
TOTAL	181	653	619	

RESPONSES BY ZONE SUMMARY

ZONE	APR 2021	2021 YTD	2020 YTD	YTD CHANGE
CFD-Byron - Cutlerville Fire District Byron Township	68	265	271	-2.2%
CFD-Gaines - Cutlerville Fire District Gaines Township	103	359	320	12.2%
Byron - Byron Twp Fire District	3	7	11	-36.4%
Dutton - Dutton Fire District	3	7	3	133.3%
Kentwood - Kentwood Fire District	3	10	9	11.1%
Leighton - Leighton Twp Fire District	0	0	2	-100.0%
Wyoming - Wyoming Fire District	1	5	3	66.7%
TOTAL	181	653	619	

AID TYPE	APR 2021	2021 YTD	2020 YTD	YTD CHANGE
Mutual aid received	4	15	11	36.4%
Automatic aid rec	1	7	9	-22.2%
Mutual aid given	0	3	6	-50.0%
Automatic aid given	4	15	8	87.5%
Other aid given	2	2	0	0.0%
None	170	611	429	42.4%
TOTAL	181	653	463	

TRAINING HOURS SUMMARY

APR 2021	2021 YTD	2020 YTD	YTD CHANGE
307	782	944	-17.16%

PRELIMINARY * AGENDA
GAINES CHARTER TOWNSHIP BOARD OF TRUSTEES
MEETING

May 24, 2021

Opening Prayer 5:30 PM ~ Rob DeWard

Pledge of Allegiance

This meeting will be held live in the Township Board Room

MASKS REQUIRED AND SOCIAL DISTANCING WILL BE OBSERVED

Items Highlighted are Action Items

Meeting called by Supervisor Rob DeWard

Attendees: Supervisor Rob DeWard, Clerk Michael Brew, Treasurer Laurie Lemke, Trustees Tim Haagsma, Bob Terpstra, Dan Fryling, Kathy Vander Stel,

Others: Jonathan Seyferth, Township Manager, Dan Wells, Planner, Jeff Gritter, Engineer

CALL TO ORDER AND ATTENDANCE AT 5:30 PM –

Declaration of any Conflict of Interest

Approval of Agenda

I. CUSTOMARY ITEMS

- 1) Recognition of Individuals and/or Delegations - *3-minute time limit for unscheduled speakers

II. DEPARTMENT/OFFICE REPORTS

- 1) Clerk's Office - NONE
- 2) Planning

NON-ACTION ITEM

a) 8460 Kalamazoo Ave – general discussion regarding proposed plans/water & sewer requirements/etc.

- 3) Treasurer's Department - NONE
- 4) Assessing Department - NONE
- 5) Water & Sewer Department - NONE

6) Building Department – NONE

III. Recognition of Individuals and/or Delegations *Limit 3 Minutes*

IV. **SUPERVISOR'S OFFICE**

1) Action Items:

- a) Celebration Banquet, LLC Operation Agreement
- b) Special Assessment public hearing date
- c) Dutton Fire - Staffing Request
- d) Dutton Fire - reimbursement request

V. COMMENTS & DISCUSSION

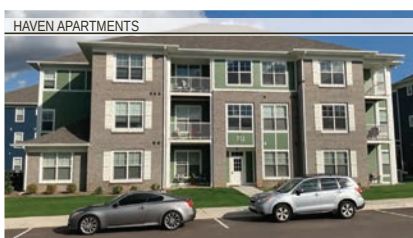
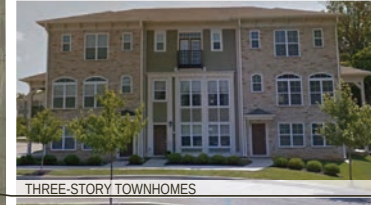
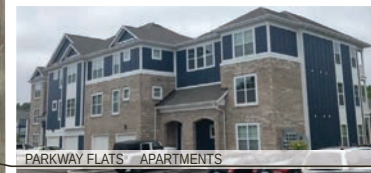
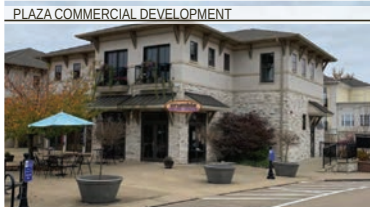
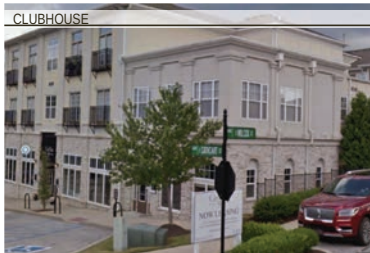
- 1) Township Board
- 2) Supervisor
- 3) Miscellaneous

VI. ADJOURNMENT

- 1) *The June 2021 meeting will be held June 14th*

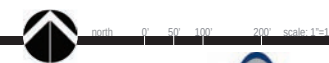
Any interested persons are invited to attend and participate. Persons with disabilities needing any special accommodations should contact the Township offices one week prior to the meeting to request mobility, visual or any other assistance.

Preliminary Agenda – Subject to Change



GAINES TOWNE CENTER

ILLUSTRATIVE SITE RENDERING
project number: 20400701



February 19, 2021



MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is made and entered into as of July __, 2021.

BETWEEN: **GAINES CHARTER TOWNSHIP** (the “Township”), a governmental organization existing under the laws of the State of Michigan, with its primary office located at:

8555 Kalamazoo Avenue SE, Caledonia, MI 49316

AND: **AMERICAN KENDALL PROPERTIES, LLC** or its affiliated entity (“AKP”), a limited liability corporation organized and existing under the laws of the State of Indiana, with its primary office located at:

3600 Woodview Trace, Suite 130, Indianapolis, IN 46268

1. PURPOSE AND SCOPE

The purpose of this MOU is to preliminarily identify and clarify the roles and responsibilities associated with extending and installing water and sanitary sewer infrastructure necessary for the Gaines Towne Center, as herein defined below, to come to fruition.. This MOU will assist in the identification of the infrastructure that will be necessary to implement, as well as both the Township’s and AKP’s responsibilities going forward.

2. BACKGROUND

Gaines Towne Center is a proposed 85-acre, mixed-use development project which will include a variety of housing including residential over retail, apartments, townhomes, patio homes, age restricted and single-family homes, along with a variety of commercial and office space. The project is located at the SE Corner of 84th Street and Kalamazoo Ave SE in Gaines Charter Township (“Gaines Towne Center”). For this project to be realized, there is sewer and water utility infrastructure that must be constructed to service the development.

Attached to this MOU are Exhibits A, B & C. **Exhibit A** is the “Engineering Estimate Gaines Township Cost”. This exhibit describes and estimates the Township’s cost of materials and other associated costs to extend a 16” water main approximately 10,680 feet to Gaines Towne Center’s southernmost frontage on Kalamazoo Ave SE. Together these costs and work may be defined as the “Water Main Extension.”

Exhibit B is the “Engineering Estimate Developer Cost”. This exhibit describes and estimates AKP’s costs to install approximately 2,500 lineal feet of force main and lift station in sufficient size and capacity to serve Gaines Towne Center’s sanitary sewer needs

including a lift station having a minimum flow rate of 370 gpm. The lift station is anticipated to be installed at location approved by the Township along the eastern third of the frontage on 84th Street SE. Together, these costs and work may be defined as the “Lift Station”.

Exhibit B also describes and estimates AKP’s net costs of materials and other associated costs to extend a 16” water main approximately 2,636 feet along Gaines Towne Center’s frontage on both Kalamazoo Avenue SE and 84th Street SE. AKP is financially responsible for the costs associated with an eight-inch main, while the Township pays back AKP for the costs associated with making this a 16” water main at the completion of the project. There may be a 10-year payback arrangement as well. Together, these costs and work may be defined as the “Frontage Water Main Extension”.

Exhibit C is a rough depiction of the location of the Water Main Extension, Lift Station and Frontage Water Main Extension. This exhibit may be defined as the “Offsite Utility Map” showing the understanding of the location of the proposed offsite utilities.

3. UNDERSTANDINGS

A. CONSTRUCTION: AKP agrees to manage the construction of the agreed upon Water Main Extension in the right of way of Eastern Ave SE, 92nd Street SE, Kalamazoo Ave SE, for a customary construction management fee (“CM Fee”) to be established at a point when the scope of work can be determined through a set of comprehensive plans and specifications. AKP will build to a specified budget as outlined in the attached **Exhibit A** entitled “Engineering Estimate Gaines Township Cost but ultimately derived from the plans and specifications developed and approved by both parties. The cost of the project will include hard cost, contingency, and CM Fee. Township will be responsible for all costs inclusive of, but not limited to, easement securing, financing, permits, hard construction cost, design fees and insurance.

B. PROJECT START: Under this MOU, the planning process will commence at signing of a Construction/Development Agreement. The latter is estimated to be completed August or September, 2021. Timing. Enter into a Development Agreement, August or September, 2021. The design process would begin October to November, 2021. The bid process is anticipated to be December to January, 2021/2022. The anticipated construction start would be April 1, 2022.

C. PROJECT COMPLETION: The Water Main Extension and Lift Station will be completed within approximately nine months from the time construction commences as defined by the initial site development activities.

D. TOWNSHIP RESPONSIBILITIES FOR WATER MAIN EXTENSION:

The Township will assume the following roles and responsibilities:

1. Mutually develop the plans and specs with AKP. Consistent with the capabilities, resources and materials used by the Township and the Byron-Gaines Utility Authority.
2. Provide list of approved subcontractor's and vendors or otherwise timely approve AKP's selection.
3. Cooperating with AKP in getting plans timely approved and costs timely paid. Responding in a timely fashion to AKP's requests for clarifications and mutually agreed change orders.
4. Provide any financing if required or otherwise pay timely invoices for hard costs, professional fees, permits and other project costs as generally laid out in Exhibit A.

E. AKP RESPONSIBILITIES FOR WATER MAIN EXTENSION: AKP will assume the following roles and responsibilities:

PLANNING PROCESS

1. Site review (includes time with Township, co-developer & surveyor);
2. Survey;
3. Site plan development;
4. Plan review;
5. Plan development (includes time with Township and Township Engineer);
6. Specification development (includes time with Township, vendors, subcontractors & creating the subcontractor documentation);
7. Estimating / Value engineering;
8. Bid process – selection of subcontractor at AKP's discretion from list approved by the Township;
9. Budget development (includes time with Township, Township Engineer, vendors, subcontractors & creating the spreadsheet);
10. Contract development (including all exhibits);

11. Contract documents;

Deliverable: working drawings, comprehensive specifications;

PRODUCTION PROCESS

12. Complete all pre-production requirements;

13. Obtain all development and regulatory approvals;

14. Provide complete management of the suppliers and subcontractors.

Coordinate and direct construction workers and subcontractors;

15. Complete site management: Oversee and direct construction from conception to completion. Prepare internal and external reports pertaining to job status;

16. Quality control: make sure quality construction standards are in place and the use of proper construction techniques;

17. Process payables including processing subcontractor and vendor reimbursement requests from Township;

18. Maintain and report job cost status on a periodic basis; and

Deliverable: Comprehensive construction management services, all development approvals, county permits;

F. TERM: The term of this MOU will be for a six (6) months period from the Effective Date or until the Construction/Development Agreement is executed.

G. LIFT STATION/FRONTAGE WATER MAIN EXTENSION:

Concurrent with AKP's role as a construction manager for the Water Main Extension, AKP will design, entitle, permit, bid, generally contract and construct the Lift Station and be responsible for all costs there related. At the point, the Water Main Extension is completed to the southern point of the Gaines Towne Center's frontage on Kalamazoo Avenue SE, AKP will continue its Frontage Water Main Extension.

Exhibit A



**Engineering Estimate
Gaines Township Cost**

Revised March 16, 2021

Gaines Town Center

CONSTRUCTION ADMINISTRATION ITEMS	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1. Certified stormwater operator for NPDES construction site stormwater inspection, monitoring, and recordkeeping	1	Each	Lump Sum	\$5,000.00
2. Material testing and compaction testing services	1	Each	Lump Sum	\$25,000.00
3. Insurance certificates per specifications	1	Each	Lump Sum	\$1,000.00
Sub-Total for Construction Administration Items				\$31,000.00

WATERMAIN ITEMS	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1. 16" Ductile Iron (Class 53) Watermain (Cement Lined) including pressure testing, chlorination and sampling as required by BGUA	10,600	L.F.	\$110.00	\$1,166,000.00
2. 16" Ductile Iron (Class 53) Watermain (Cement Lined) Flex ring/TR Flex including pressure testing, chlorination and sampling as required by BGUA	80	L.F.	\$160.00	\$12,800.00
3. 8" Ductile Iron (Class 53) Watermain (Cement Lined) including pressure testing, chlorination and sampling as required by BGUA	1	L.F.	\$65.00	\$65.00
4. 16" Valve and Box	13	Each	\$6,000.00	\$78,000.00
5. 8" Valve and Box	3	Each	\$1,450.00	\$4,350.00
6. 16" x 16" x 8" Tee	3	Each	\$1,500.00	\$4,500.00
7. 16" x 16" x 16" x 16" cross	3	Each	\$2,500.00	\$7,500.00
8. 16" fittings	20	L.F.	\$1,000.00	\$20,000.00
9. 8" fittings	1	Each	\$650.00	\$650.00
10. 5" Hydrant on 16" main (Tee, V&B, Hyd)	21	Each	\$6,000.00	\$126,000.00
11. PRV Valve	1	Each	Lump Sum	\$8,000.00
12. Bore and Jack Kzoo & 84th	160	L.F.	\$500.00	\$80,000.00
13. Remove trees, brush, strip topsoil, etc	10,680	L.F.	\$5.00	\$53,400.00
14. Restore all disturbed areas with min 4" topsoil, seed, mulch and NAG(50%)	10,680	L.F.	\$8.00	\$85,440.00
15. Restore Kzoo & Eastern, Gaines Twp South drive	160	L.F.	\$110.00	\$17,600.00

16. Restore private driveways	150	L.F.	\$50.00	\$7,500.00
17. Erosion Control measures	10,680	L.F.	\$3.00	\$32,040.00
18. Traffic Control	1	Lsum	Lump Sum	\$15,000.00
Sub-Total for Watermain Items				\$1,718,845.00

Estimated Construction cost total	\$1,749,845.00
10% contingency	\$174,984.50
10% Design Engineering	\$174,984.50
10% Construction Staking and BGUA inspection	\$174,984.50

GRAND TOTAL TOWNSHIP COST	\$2,274,798.50
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Exhibit B



**Engineering Estimate
Developer Cost**

Revised March 16, 2021

Gaines Town Center

CONSTRUCTION ADMINISTRATION ITEMS

	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1. Certified stormwater operator for NPDES construction site stormwater inspection, monitoring, and recordkeeping	1	Each	Lump Sum	\$1,000.00
2. Material testing and compaction testing services	1	Each	Lump Sum	\$3,000.00
3. Insurance certificates per specifications	1	Each	Lump Sum	\$1,000.00

Sub-Total for Construction Administration Items				\$5,000.00
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WATERMAIN ITEMS

	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1. 16" Ductile Iron (Class 53) Watermain (Cement Lined) including pressure testing, chlorination and sampling as required by BGUA	2,635	L.F.	\$110.00	\$289,850.00
2. 8" Ductile Iron (Class 53) Watermain (Cement Lined) including pressure testing, chlorination and sampling as required by BGUA	180	L.F.	\$65.00	\$11,700.00
3. 16" Valve and Box	2	Each	\$6,000.00	\$12,000.00
4. 8" Valve and Box	3	Each	\$1,450.00	\$4,350.00
5. 16" x 16" x 8" Tee	2	Each	\$1,500.00	\$3,000.00
6. 16" fittings	6	L.F.	\$1,000.00	\$6,000.00
7. 8" fittings	6	Each	\$650.00	\$3,900.00
8. 5" Hydrant on 16" main (Tee, V&B, Hyd)	6	Each	\$6,000.00	\$36,000.00
9. Bore and Jack Kzoo & 84th	180	L.F.	\$450.00	\$81,000.00
10. Remove trees, brush, strip topsoil, etc	2,635	L.F.	\$5.00	\$13,175.00
11. Restore all disturbed areas with min 4" topsoil, seed, mulch and NAG(50%)	2,635	L.F.	\$8.00	\$21,080.00
12. Restore Gaines Twp North drive and Cornerstone Church Dr	185	L.F.	\$110.00	\$20,350.00
13. Erosion Control measures	2,635	L.F.	\$3.00	\$7,905.00

14. Traffic Control

1 Lsum Lump Sum \$3,500.00

Sub-Total for Watermain Items

\$513,810.00

SANITARY SEWER ITEMS

	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1. Lift Station - 370 GPM	1	Lsum	\$325,000.00	\$325,000.00
2. 6" DI sanitary forcemain	2,500	L.F.	\$50.00	\$125,000.00
3. Core and boot existing manhole including rework bench/flow channel as required	1	Each	Lump Sum	\$2,500.00
4. Bore and Jack Kzoo	50	L.F.	\$450.00	\$22,500.00
5. Restore all disturbed areas with min 4" topsoil, seed, mulch on TWP	700	L.F.	\$8.00	\$5,600.00

Sub-Total for Sanitary Sewer Items

\$480,600.00

Estimated Construction cost total

\$999,410.00

10% Contingency

\$99,941.00

10% Design Engineering

\$99,941.00

10% Construction Staking and BGUA inspection

\$99,941.00

GRAND TOTAL DEVELOPER COST

\$1,299,233.00

GAINES TOWNSHIP OVERIZING PAYBACK ITEMS

WATERMAIN OVERSIZING ITEMS

	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1. 16" Ductile Iron - 8" cost difference	2,635	L.F.	\$50.00	\$131,750.00
2. 8" Ductile Iron (Class 53) Watermain (Cement Lined)	NA	NA		
3. 16" Valve and Box - 8" V&B cost difference	2	Each	\$4,550.00	\$9,100.00
4. 8" Valve and Box	NA	NA	NA	NA
5. 16" x 16" x 8" Tee - 8" x 8" x 8" tee cost difference	2	Each	\$1,000.00	\$2,000.00
6. 16" fittings - 8" fittings cost difference	6	L.F.	\$350.00	\$2,100.00
7. 8" fittings	NA	NA	NA	NA
8. 5" Hydrant on 16" main (Tee, V&B, Hyd) cost diff	6	Each	\$1,000.00	\$6,000.00
9. Bore and Jack Kzoo & 84th	NA	NA	NA	NA
10. Remove trees, brush, strip topsoil, etc	NA	NA	NA	NA
11. Restore all disturbed areas with min 4" topsoil, seed, mulch and NAG(50%)	NA	NA	NA	NA
12. Restore Gaines Twp North drive and Cornerstone Church Dr	NA	NA	NA	NA
13. Erosion Control measures	NA	NA	NA	NA

14. Traffic Control

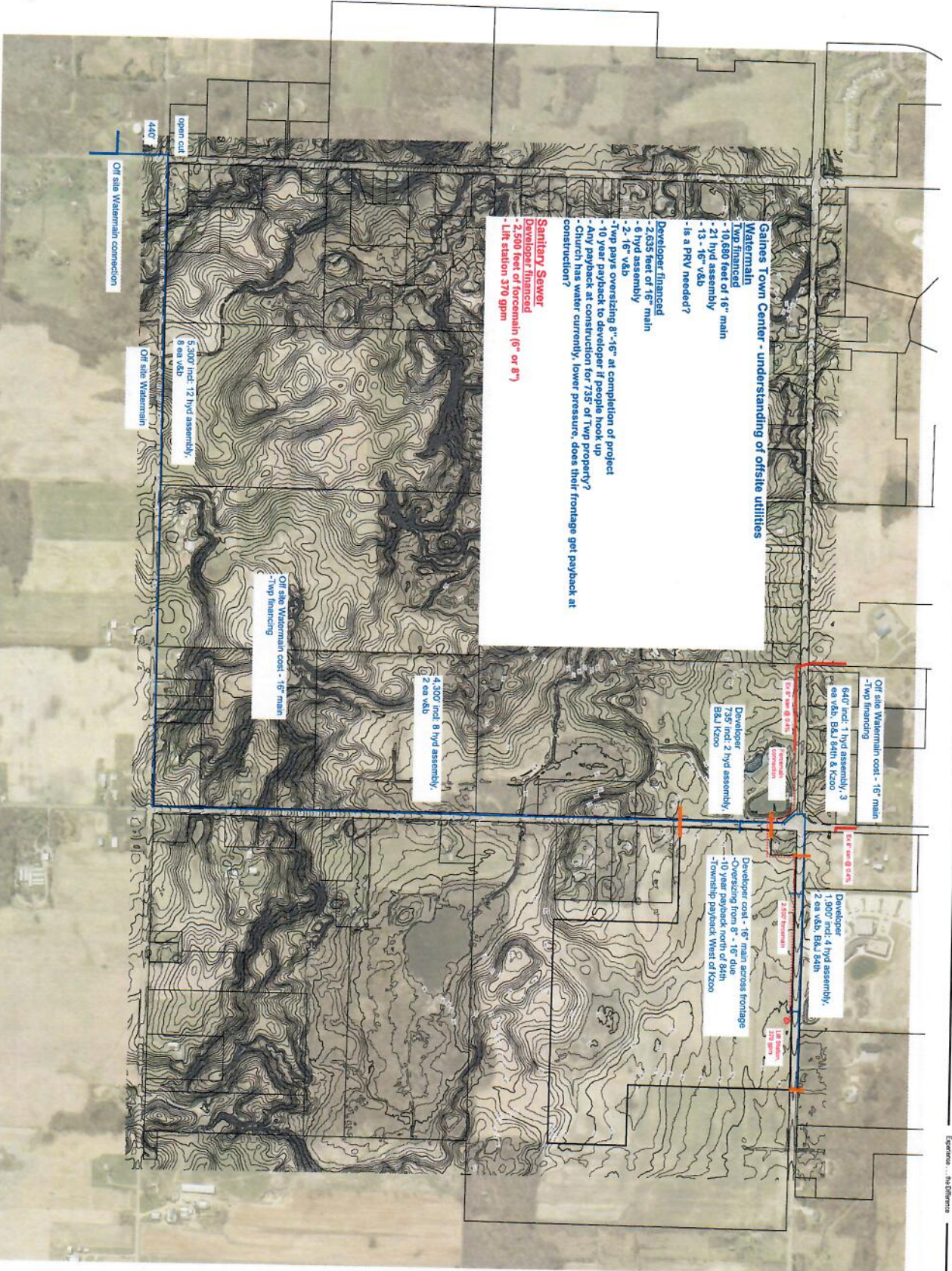
NA NA NA NA

	Sub-Total for Watermain Oversizing Items	\$150,950.00
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10% contingency	\$15,095.00
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GRAND TOTAL OVERSIZING PAYBACK	\$166,045.00
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Exhibit C



Land Planning — Landscape Architecture — Civil Engineering — Land Surveying — High Definition Surveying — Forensic Engineering — Fine Engineering



GRAND PROJECTS
 10000 100th Ave SE, Suite 100
 Kent, WA 98032
 (206) 835-1111
 www.811calineer.com

PREPARED FOR:
 American Kendall
 Property Group, LLC
 1000 100th Ave SE
 Kent, WA 98032
 Phone: 313.887.8800

REVISIONS:

Rev	By	Date	Description
1	CH	10/1/10	Initial

8460 Kalamazoo Avenue

GIS Mapping of:

8460 Kalamazoo Avenue, SE
 PART OF THE NORTHWEST 1/4 OF SECTION 21, T19N, R17W,
 GAINES TOWNSHIP, KENT COUNTY, MICHIGAN

STAMP:

PROJECT NO.:
 2460781

SHEET NO.:
 1

GIS-2

Memo

To: Gaines Charter Township Board
From: Rob DeWard, Supervisor/Jonathan Seyferth, Township Manager
Date: May 21, 2021
Re: Operation Agreement – Celebration Banquets, LLC

With the approval (and publishing) of our amended Liquor Control Ordinance (#2021-07), there is still one step that must be taken before Celebration Banquets, LLC (“the theatre”) can legally serve alcohol to its patrons.

The original Operation Agreement with the theatre was specifically written to limit the serving of alcohol to the banquet/event area located within the Celebration Cinema facility.

The existing agreement had to be amended to allow for the serving of alcohol throughout the entire facility.

The service will be limited to the interior of the facility, with any outdoor service requiring prior approval by the Township.

The Township recognizes the benefits of the theatre’s presence in our Township, and we have worked diligently to put together an agreement which is mutually beneficial, while maintaining a desired level of control and legal protection for the Township.

OPERATION AGREEMENT
GAINES CHARTER TOWNSHIP AND CELEBRATION BANQUETS L.L.C.

This Operation Agreement (the “Agreement”) is executed on this ____ of May, 2021, by and between Gaines Charter Township, a Michigan charter township, whose address is 8555 Kalamazoo Ave, Caledonia, MI 49316 (the “Township”) and Celebration Banquets L.L.C., a Michigan limited liability company, whose address is 2121 Celebration Drive NE, Grand Rapids, MI 49525 (the “Licensee”).

RECITALS

A. Venue and Location.

- (1) The Licensee subleases a movie theater complex that is located at 1506 Eastport Drive SE, Grand Rapids, MI 49508, (PPN 41-22-05-277-003), which includes the building diagramed on the attached Exhibit A (the “Venue”).
- (2) The property Licensee subleases is and more specifically described in the attached Exhibit B (the “Property”).

B. Liquor License.

- (1) The Licensee possesses a State of Michigan Class-C liquor license (the “License”) which permits the sale of alcoholic beverages for on-premises consumption throughout the Venue (the “Licensed Area”).
- (2) The Licensee exercises control over the entire Licensed Area.

AGREEMENT

For good and valuable consideration including, but not limited to, the covenants and pledges contained herein, the sufficiency and receipt of which is acknowledged, the parties agree as follows:

1. Compliance with Laws, Ordinances, Permits. Licensee agrees that it will only use the License at the Property in accordance and compliance with all of the terms of licensure and approvals received from the governmental entities with applicable jurisdiction, including, but not limited to, the Michigan Liquor Control Commission and the Township. The Licensee will comply with all state and local laws, ordinances, and regulations as well as the terms of this Agreement. This paragraph 1 will survive the termination of this Agreement.
2. Compliance with Township Approvals. Without limiting the provisions of the above paragraph 1, the Licensee will operate the License and the Licensed Area in accordance and compliance with all of the restrictions imposed by the Township, including, without limitation, the terms and conditions of this Agreement and the Township conditions of approval granted on _____, 2021. The Licensee may not sell alcoholic beverages at the Venue if this Agreement is terminated pursuant to paragraph 15. This paragraph 2 will survive the termination of this Agreement.

3. Conditions. The Licensee will comply with Michigan Law, this Agreement, and the following conditions:
 - (a) Portable bars may be utilized within the Venue.
 - (b) Personal identification will be checked for all guests appearing under the age of 40.
 - (c) All managers will be TIPS trained and all staff selling alcohol will follow the guidelines and policies established by the MLCC.
 - (d) All alcohol drinks will be served in cups that are distinct in appearance from all other beverage containers used by the general public at the Venue. They will be easily identifiable from non-alcoholic beverage containers.
 - (e) Guests will be served only one (1) beverage at a time.
 - (f) Unless granted prior approval by the Township Supervisor (or designee), no alcoholic beverages will be possessed, sold, or consumed outdoors or outside the current Licensed Area.
4. Licensed Area. The Licensed Area may be expanded or modified upon the agreement of the parties from time to time.
5. Duration. This Agreement will continue until it is terminated in writing.
6. Non-Assignability. The nature of this Agreement is personal to the Licensee. The Licensee may not assign its duties, responsibilities, obligations, or rights under this Agreement. Unless otherwise expressly agreed to by the Township in writing, the Licensee may not transfer the License to another entity within the Township.
7. Amendment. This Agreement may only be amended in a writing signed by both parties.
8. Waiver. A valid waiver of any terms and conditions of this Agreement must be in a writing signed by the party that is not requesting the waiver. The waiver of any of the terms and conditions of this Agreement will not be construed as a waiver of any subsequent action.
9. Governmental Immunity. Nothing in this Agreement is intended to limit the Township's immunity afforded under the Governmental Liability for Negligence Act, Act No. 170 of Public Acts of 1964 or otherwise.
10. Recitals. The above recitals are incorporated as if fully restated herein.
11. Headings and Interpretation. The headings and subheadings contained in this Agreement are included for convenience only. The language of this Agreement shall be construed as a whole according to its fair meaning and not construed strictly for or against any party.

12. Severability. If a court of competent jurisdiction finds any provision of this Agreement invalid or unenforceable, then that provision shall be deemed severed from this Agreement. The remainder of the Agreement shall remain in full force and effect.

13. Notice.

(a) Any and all notices permitted or required to be given must be in writing and sent either by mail or personal delivery to the address first written above or by email to the email address specified by the receiving party. Either party may modify its notice address by providing the other party written notice of such modification.

(b) Notice is effective upon mailing or receipt (whichever is earlier).

14. Enforcement. The Township may pursue all legal and equitable remedies to ensure the Licensee's compliance with the terms of this Agreement and the License. Should the Township prevail in any lawsuit or administrative action, in whole or in part, then the Licensee will reimburse the Township for all costs associated with the prevailing action, including but not limited to attorney's fees and court costs. Such reimbursement shall include any and all attorney fees and costs incurred by the Township leading up to any litigation, through litigation and any trial or trials, and through any appeals.

15. Suspension or Termination.

(a) After a hearing before the Township Board, the Township may suspend the Licensee's rights regarding the sale and consumption of alcoholic beverages at the Venue pursuant to this Agreement if the Licensee, after having been provided notice of non-compliance and a reasonable amount of time in which to correct the deficiency, fails to correct the deficiency or violation.

(b) After a hearing before the Township Board, the Township may suspend the Licensee's rights regarding the sale and consumption of alcoholic beverages under the License and this Agreement if the Licensee engages in a consistent pattern of noncompliance with the terms of this Agreement or any Township ordinance or code.

(c) Suspension under this Section 14 may be for any period of time as determined by the Township at the Township's sole discretion.

(d) After a hearing before the Township Board, the Township may terminate this Agreement if the Licensee, after having been provided notice of non-compliance and a reasonable amount of time in which to correct the deficiency, fails to correct the deficiency or violation.

(e) After a hearing before the Township Board, the Township may terminate this Agreement if the Licensee engages in a consistent pattern of noncompliance with the terms of this Agreement or any Township ordinance or code.

(f) Nothing in this Section 14 or this Agreement shall limit, negate or lessen the authority of the Township to terminate the Licensee's rights under this

Agreement to the extent that the Township is allowed to do so by law or ordinance.

16. Reservation of Rights. Nothing in this Agreement will be interpreted to restrict the ability of the Township to amend and enforce its ordinances and policies regarding the sale and consumption of alcoholic beverages.
17. Governing Law. This Agreement is being executed and is intended to be performed in the State of Michigan, and it shall be construed and enforced in accordance with, and the rights of the parties shall be governed by, the laws thereof. Venue is in Kent County, Michigan.
18. Counterparts. This Agreement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.
19. Authorization. The parties affirm that their representatives executing this Agreement on their behalf are authorized to do so and that all resolutions or similar actions necessary to approve this Agreement have been adopted and approved.
20. Reimbursement. The Licensee will reimburse the Township for the Township's attorney fees incurred during the drafting and negotiating this Agreement, Township Board proceedings related to this Agreement and the amending of Township ordinances to allow or facilitate the Licensee to engage in the uses and activities authorized by this Agreement, and other similar action related to this Agreement. However, such reimbursement amount will not exceed \$5,000.

(Intentionally left blank)

IN WITNESS WHEREOF, the parties execute this Agreement as of the date first set forth above:

TOWNSHIP
Gaines Charter Township

By: _____

Its: _____

By: _____

Its: _____

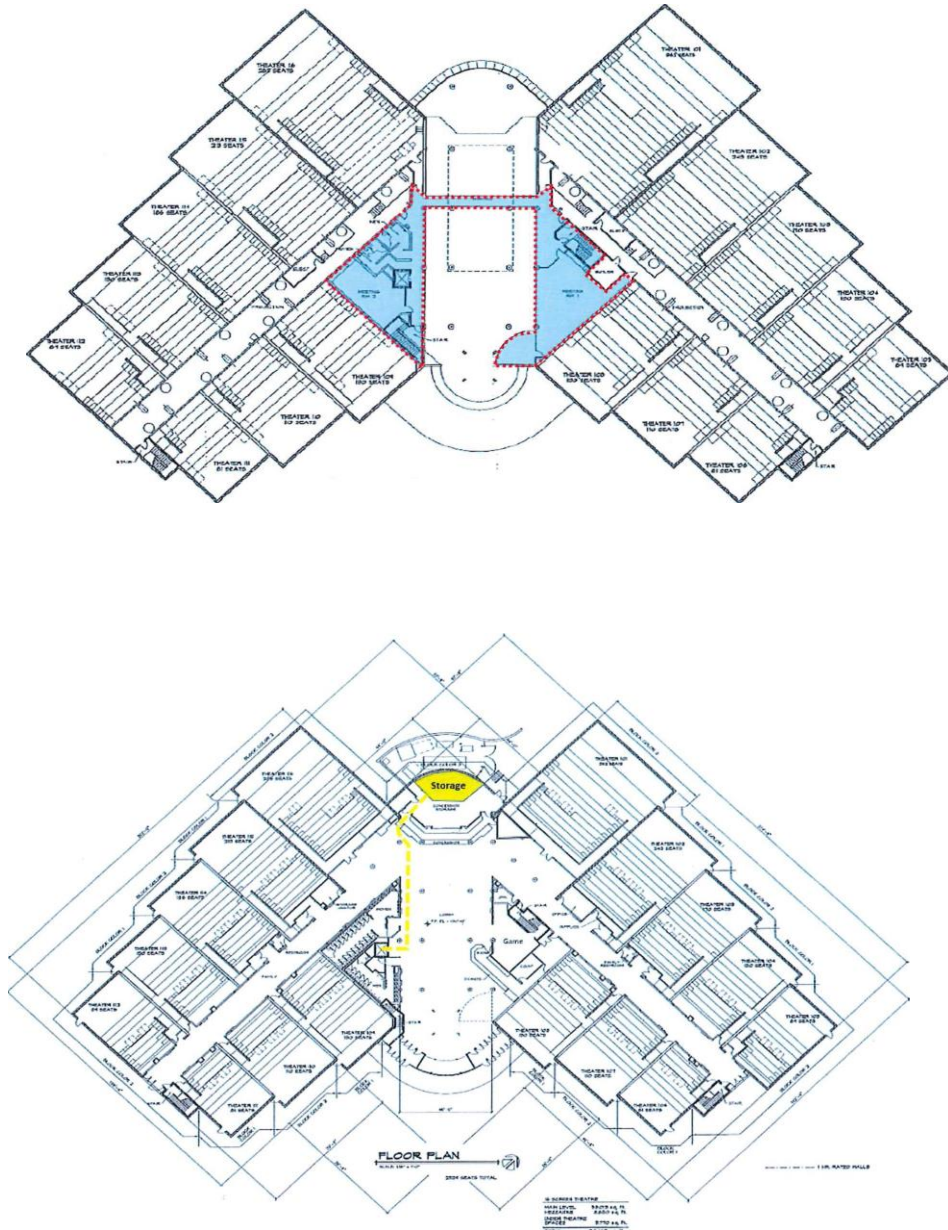
LICENSEE
Celebration Banquets L.L.C.

By: _____
John D. Loeks Jr., Manager

(Exhibits to follow)

EXHIBIT A

The Venue

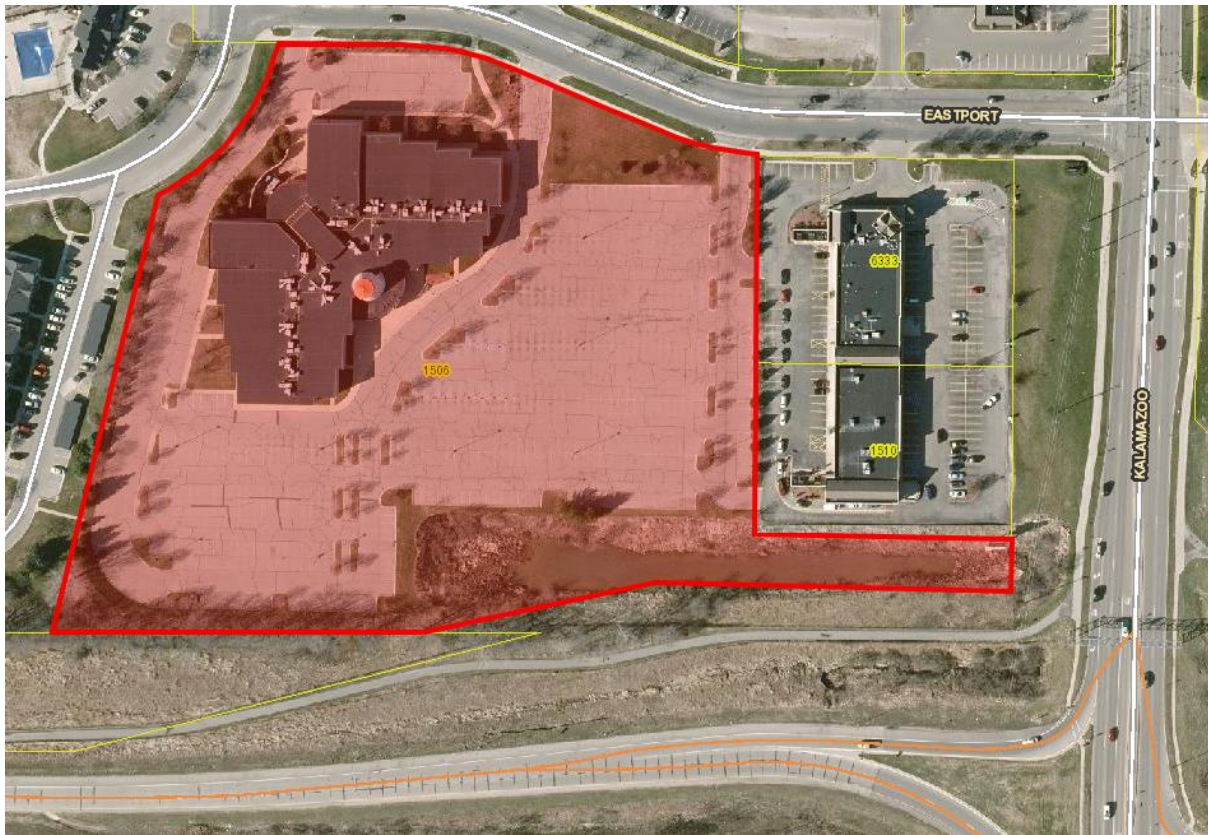


* Graphics are for illustrative purposes only. The Venue encompasses the entire movie theater complex regardless of any shading or coloring above.

EXHIBIT B

The Property

State of Michigan, County of Kent, Gaines Township: PART OF NEFRL 1/4 COM 815.13 FT S 89D 05M 06S W ALONG E&W 1/4 LINE FROM E 1/4 COR TH S 89D 05M 06S W ALONG E&W 1/4 LINE 414.87 FT TH N 13D 09M 13S E 501.90 FT TH NELY 216.44 FT ALONG A 247.54 FT RAD CURVE TO LT /LONG CHORD BEARS N 33D 50M 54S E 209.61 FT/ TO SLY LINE OF EASTPORT DR /96.0 FT WIDE/ TH 90D 00M 00S E ALONG SLY LINE OF SD DR 162.97 FT TH SELY 96.27 FT ALONG SLY LINE OF SD DR ON A 252.0 FT RAD CURVE TO RT /LONG CHORD BEARS S 79D 03M 20S E 95.69 FT/ TH S 68D 06M 40S E ALONG SLY LINE OF SD DR 199.66 FT TH SELY 132.95 FT ALONG SLY LINE OF SD DR ON A 348.0 FT RAD CURVE TO LT /LONG CHORD BEARS S 79D 03M 20S E 132.14 FT/ TH 90D 00M 00S E ALONG SLY LINE OF SD DR 262.69 FT TH S 0D 26M 06S E 490.35 FT TH S 89D 33M 55S W 397.89 FT TH S 80D 01M 23S W 260.44 FT TO BEG EX COM 525.51 FT N 0D 29M 47S W ALONG E SEC LINE & 159.71 FT 90D 00M 00S W ALONG S LINE OF EASTPORT DR /96 FT WIDE/ FROM E 1/4 COR TH S 0D 25M 23S E 423.0 FT 90D 00M 00S W 287.0 FT 423.83 FT TO S LINE OF EASTPORT DR TH ELY 24.335 FT ALONG A 348.0 FT RAD CURVE TO LT /LONG CHORD BEARS S 88D 02M 49S E 24.33 FT/ TH 90D 00M 00S E ALONG SD S LINE 262.69 FT TO BEG * SEC 5 T5N R11W 10.08 A.



* Diagram is for illustrate purposes only, the legal description is controlling.

Memo

To: Gaines Charter Township Board
From: Rob DeWard, supervisor
Date: May 18, 2021
Re: Public Hearing – Special Assessment for Public Safety

At our April Township Board meeting, this Board agreed to move forward with the necessary steps for implementing a special assessment for public safety expenses.

A resolution was passed setting the public hearing date as June 14, 2021. After that resolution was passed, several trustees made statements which left me with the impression that they would like to hold off with any further action until Jonathan Seyferth had an opportunity to review the steps we have taken and offered his input.

At this time, we need to either official change the date of the public hearing or mail the meeting notifications out immediately. The notices are ready to go, and KCI has agreed to handle the mailings for us.

NOTES: There has been discussion as to why it was decided to go with a special assessment rather than a millage. An assessment vs. a millage was researched, and discussed at length. Some of the core reasons we opted for a special assessment are:

- A special assessment does not have to be placed on a ballot. However, the Board did agree that transparency was essential, we want our residents to be fully informed.
- A special assessment does not expire and does not have to be renewed periodically.
- The Township has the flexibility of changing the amount of the assessment. Although we cannot raise it higher than the initial approved millage (i.e., 1.5 mills), we can lower it from year to year, up to and including eliminating it for a year. How many mills we are to collect can be determined year to year, based on our financial obligations.
- Proceeding with the Special Assessment (holding public hearings, approve it, etc.) does not obligate us to implement it immediately. We can have it in place and opt not to levy it at this time.

Memo

To: Gaines Charter Township Board
From: Robert DeWard, Supervisor/Jonathan Seyferth, Township Manager
Date: May 20, 2021
Re: Dutton Fire Department - Staffing

The Dutton Fire Committee met on Thursday, May 20, 2021, to discuss staffing issues at the Dutton Fire Department.

Chief Sheely reported the recent resignation of a POC firefighter, and the announcement that another firefighter will be leaving soon. The department operates with "duty crews". This practice puts the POC firefighters on standby for a set time frame (Sun.-Thur. from 11PM to 6am). The duty crew members are paid \$100 weekly to compensate them for remaining in the area on standby. Note this rate has not been increased in many years (approximately 20 years).

With the loss of trained responders and increased weekend activities, availability of individuals to respond has significantly decreased and the department runs the risk of having no one responding.

Chief Sheely is proposing the creation of a two-man duty crew for Sat. and Sun. (6am-6pm), to respond to medical calls. He is proposing this "new" duty crew be available Memorial Day thru Labor Day.

If approved, each member of the weekend day duty crew would be paid \$75 per day to be on alert (committing to not leaving the area). The coverage would be determined by voluntary sign up.

It is also proposed that the weekly duty crew compensation be increased to \$150.00/week.

Willingness to participate in the weekend two-man duty crew is not known. However, running under this program would allow time to evaluate the new shift to see if it meets

the Department's needs. Chief Sheely noted three additional firefighters will be trained one by the end of 2021.

With the decrease in the weekly duty crew staffing (from three firefighters down to two), raising their compensation by \$50 per individual, per week, and the addition of the day weekend duty crew, there should not be any impact on the 2021 budget (should be a wash).

- ***The Dutton Fire Committee is recommending the formation of the weekend two-man day duty crew (Sat.-Sun. 6am-6pm), with a compensation rate of \$75 per individual per day.***

It was agreed the requested increase in the weekly duty crew compensation rate from \$100.00 to \$150.00 per individual, per week would be revisited when working on the Department's 2022 budget projections.

Memo

To: Gaines Charter Township Board
From: Robert DeWard, Supervisor/Jonathan Seyferth, Township Manager
Date: May 20, 2021
Re: Reimbursement of Deductible

A Dutton Firefighter, while responding to a call, collided with a deer on 68th Street. The incident was reported to, and fully documented by, local law enforcement.

The firefighter's insurance carrier was notified, and the repair of the damage was covered, with the exception of the policies \$500 deductible.

Because the incident occurred while responding to a call, Chief Sheely is requesting the firefighter be reimbursed for the \$500 deductible. (Full documentation has been filed with the Clerk)

While looking into this, it was discovered the Township does not have a policy as to what the Township will or will not cover, if an incident occurs while a firefighter is responding to a call in his/her personal vehicle. Township Manager, Jonathan Seyferth will be putting a policy together for the Board to review at a future meeting.

- ***The Dutton Fire Committee is recommending the firefighter be reimbursed for the \$500 out-of-pocket deductible***

PRELIMINARY * AGENDA
GAINES CHARTER TOWNSHIP BOARD OF TRUSTEES
MEETING

June 14, 2021

Opening Prayer 7 PM ~ Kathy Vander Stel

Pledge of Allegiance

This meeting will be held live in the Township Board Room

MASKS AND SOCIAL DISTANCING REQUIRED FOR THOSE NOT FULLY VACCINATED

Items Highlighted are Action Items

Meeting called by Supervisor Rob DeWard

Attendees: Supervisor Rob DeWard, Clerk Michael Brew, Treasurer Laurie Lemke, Trustees Tim Haagsma, Bob Terpstra, Dan Fryling, Kathy Vander Stel, Township Manager Jonathan Seyferth, Planner Department – David Jirousek,

CALL TO ORDER AND ATTENDANCE AT 7 PM –

Declaration of any Conflict of Interest

Approval of Agenda

I. CUSTOMARY ITEMS

1) Recognition of Individuals and/or Delegations - *3-minute time limit for unscheduled speakers

- a. Deputy Chief Deric Gress, Breckenridge, Colorado
- b. Dan Veldhuizen – Siegfried Crandall – 2020 Audit Results
- c. Public Hearing – 1171 & 1175 68TH Street – amendment to Crystal Manor PUD
- d. Public Hearing – 1439 & 1469 Eastport – amendment to The Crossings PUD

Consent agenda items are listed under item II, including payment of the bills. All items are considered to be routine by the Board. *There will not be separate discussion of these items.* If discussion is desired, that item will be removed from the Consent Agenda upon request of any Board Member. If you would like any item removed from the consent agenda so that it may be considered separately; please contact Kim by 10:00 a.m., the day of the meeting.

II. CONSENT AGENDA

1) Board Meeting Minutes

- A. Meeting Minutes from May 10 & 24, 2021

2) Building Department

- A. Building Department May 2021 Revenue Reports– Summary for Mechanical & Plumbing Permits, Electrical Revenue Report - *(In an effort to condense the size of meeting packets, we will be providing a Summary Report each month. A copy of the full report is on file and can be obtained by contacting Kim Triplett at kim.triplett@gainestownship.org.*

3) Clerk's Office

- A. Check Register for May 7, 2021 thru May 29, 2021
- B. Payments of the bills from in the amount of \$254,653.57

Motion to Approve Consent Agenda - ACTION ITEM

III. DEPARTMENT/OFFICE REPORTS

1) Clerk's Office - NONE

2) Planning

a) 2nd Read 1171 & 1175 68th Street SE – major PUD Amendment

b) The Crossings PUD Major Amendment for M-6 Hotel Group 1439 & 1469 Eastport Drive – 2nd Read

c) Final Preliminary Plat and Final Plat Approval – 2307 68th Street Kentwood Public Schools

3) Treasurer's Department

a) Professional Development Request

4) Assessing Department –

a) Professional Development Request

5) Water & Sewer Department

a) 8412 S Division Connection Fee Payment Plan Request

b) 84 – 84th Street Water Connection Fee Payment Plan Request

6) Building Department - NONE

Recognition of Individuals and/or Delegations *Limit 3 Minutes*

IV. SUPERVISOR'S OFFICE

1) Action Items:

a) *Updated definition of essential workers*

b) *Speed Awareness Monitor*

2) NON-ACTION

a) Minimum Assessing Requirements – Audit results accepted

b) Special Assessment Public Hearing notice (mailing)

c) Draft Minutes from the 05_19_2021 CFB meeting

d) Website stats for May 2021 11,417 Visits

e) Community Policing Officer's Report

V. COMMENTS & DISCUSSION

- 1) Township Board
- 2) Township Manager
- 2) Supervisor
- 3) Miscellaneous

VI. ADJOURNMENT

- 1) *A second meeting date (June 28th) is on the calendar – Will be held if Determined necessary*
- 2) *The July 2021 meeting will be held July 12th*
- 3) *The August 2021 meeting will be held August 9th*

Any interested persons are invited to attend and participate. Persons with disabilities needing any special accommodations should contact the Township offices one week prior to the meeting to request mobility, visual or any other assistance.

Preliminary Agenda – Subject to Change

Charter Township of Gaines
Kent County, Michigan

FINANCIAL STATEMENTS

Year ended December 31, 2020

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INDEPENDENT AUDITOR'S REPORT

Board of Trustees
Charter Township of Gaines, Michigan

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Charter Township of Gaines, Michigan, as of and for the year ended December 31, 2020, and the related notes to the financial statements, which collectively comprise the Township's basic financial statements, as listed in the contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Charter Township of Gaines, Michigan, as of December 31, 2020, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required supplementary information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and budgetary comparison information, as listed in the contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Siegfried Crandall P.C.

April 1, 2021

MANAGEMENT'S DISCUSSION AND ANALYSIS

Our discussion and analysis of the Charter Township of Gaines' (the Township) financial performance provides a narrative overview of the Township's financial activities for the fiscal year ended December 31, 2020. Please read it in conjunction with the Township's financial statements.

FINANCIAL HIGHLIGHTS

- The Township's total net position increased by \$3,441,439 as a result of this year's activities. The net position of the governmental activities increased by \$420,296, and the net position of the business-type activities increased by \$3,021,143.
- Of the \$90,644,484 total net position reported, \$26,128,111 (29 percent) is available to be used at the Board's discretion, without constraints established by debt covenants, enabling legislation, or other legal requirements.
- The General Fund's unassigned fund balance at the end of the fiscal year was \$3,850,657, which represents 96 percent of the actual total General Fund expenditures for the current fiscal year.

Overview of the financial statements

The Township's annual report is comprised of three parts: management's discussion and analysis, the basic financial statements, and required supplementary information. The basic financial statements include two kinds of statements that present different views of the Township:

- The first two statements are government-wide financial statements that provide both long-term and short-term information about the Township's overall financial status.
- The remaining statements are fund financial statements that focus on individual parts of the Township government, reporting the Township's operations in more detail than the government-wide financial statements.
 - Governmental funds statements explain how government services, like general government and public safety, were financed in the short-term, as well as what remains for future spending.
 - Proprietary funds statements offer short-term and long-term financial information about the activities the government operates like a business, such as the sewer and water systems.
 - Fiduciary funds statements provide information about the financial relationships in which the Township acts solely as a custodian for the benefit of others to whom the resources in question belong.

The financial statements also include notes that explain some of the information in the financial statements and provide more detailed data. The financial statements are followed by a section of required supplementary information that further explains and supports the information in the financial statements.

A comparative analysis of the government-wide financial statements for 2020 and 2019 is also presented.

Government-wide financial statements

The government-wide financial statements report information about the Township as a whole using accounting methods similar to those used by private-sector companies. The Statement of Net Position includes all of the Township's assets, liabilities, and deferred inflows of resources. All of the current year's revenues and expenses are accounted for in the Statement of Activities, regardless of when cash is received or paid.

The two government-wide statements report the Township's net position and how it has changed. Net position (the difference between the Township's assets, and liabilities and deferred inflows of resources) is one way to measure the Township's financial health, or position.

- Over time, increases or decreases in the Township's net position are an indicator of whether its financial health is improving or deteriorating, respectively.
- To assess the overall health of the Township, you need to consider additional nonfinancial factors, such as changes in the Township's property tax base and the condition of the Township's capital assets.

The government-wide financial statements are divided into two categories:

- *Governmental activities* - Most of the Township's basic services are included here, such as fire and police protection and general government. State shared revenue and property taxes finance most of these activities.
- *Business-type activities* - The Township charges fees to customers to help it cover the costs of certain services it provides. The Township's sewer and water systems are reported here, as well as its construction code inspection services.

Fund financial statements

The fund financial statements provide more detailed information about the Township's most significant funds - not the Township as a whole. Funds are accounting devices that the Township uses to keep track of specific sources of funding and spending for particular purposes.

- Some funds are required by state law.
- The Township Board establishes other funds to control and manage money for particular purposes or to show that it is properly using certain taxes and other revenues.

The Township has three types of funds:

- *Governmental funds.* Most of the Township's basic services are included in governmental funds, which focus on (1) how cash, and other financial assets that can be readily converted to cash, flows in and out, and (2) the balances left at year end that are available for spending. Consequently, the governmental funds statements provide a detailed short-term view that helps determine whether there are more or fewer financial resources that can be spent in the near future to finance the Township's programs. Because this information does not encompass the additional long-term focus of the government-wide statements, we provide additional information that explains the relationship between them.
- *Proprietary funds.* Services for which the Township charges customers a fee are generally reported in proprietary funds. Proprietary funds statements, like the government-wide statements, provide both long-term and short-term financial information. In fact, the Township's enterprise funds are the same as its business-type activities but provide more detail and additional information, such as cash flows.
- *Fiduciary funds.* These funds are used to account for the collection and disbursement of resources, primarily taxes, for the benefit of parties outside the Township. The Township is responsible for ensuring that the assets reported in the fiduciary funds are used for their intended purposes. The Township's fiduciary balances and activities are reported in the Statement of Fiduciary Net Position and Statement of Changes in Fiduciary Net Position. We exclude these activities from the Township's government-wide financial statements because the Township cannot use these assets to finance its operations.

FINANCIAL ANALYSIS OF THE TOWNSHIP AS A WHOLE

Net position

Total net position at the end of the fiscal year was \$90,644,484 compared to \$87,203,045 at the end of the prior year. Of this total, \$64,377,933 represents an investment in capital assets and \$138,440 is restricted. Consequently, unrestricted net position was \$26,128,111, or 29 percent of the total.

Condensed financial information

Net position

	<i>Governmental activities</i>		<i>Business-type activities</i>		<i>Totals</i>	
	<u>2020</u>	<u>2019</u>	<u>2020</u>	<u>2019</u>	<u>2020</u>	<u>2019</u>
Current and other assets	\$ 5,915,351	\$ 5,127,359	\$ 22,350,077	\$ 19,553,086	\$ 28,265,428	\$ 24,680,445
Capital assets	<u>8,079,720</u>	<u>8,303,257</u>	<u>56,298,213</u>	<u>55,807,940</u>	<u>64,377,933</u>	<u>64,111,197</u>
Total assets	<u>13,995,071</u>	<u>13,430,616</u>	<u>78,648,290</u>	<u>75,361,026</u>	<u>92,643,361</u>	<u>88,791,642</u>
Current and other liabilities	<u>720,887</u>	<u>638,867</u>	<u>434,694</u>	<u>168,573</u>	<u>1,155,581</u>	<u>807,440</u>
Deferred inflows of resources	<u>843,296</u>	<u>781,157</u>	<u>-</u>	<u>-</u>	<u>843,296</u>	<u>781,157</u>
Net position:						
Investment in capital assets	<u>8,079,720</u>	<u>8,303,257</u>	<u>56,298,213</u>	<u>55,807,940</u>	<u>64,377,933</u>	<u>64,111,197</u>
Restricted	<u>138,440</u>	<u>118,326</u>	<u>-</u>	<u>-</u>	<u>138,440</u>	<u>118,326</u>
Unrestricted	<u>4,212,728</u>	<u>3,589,009</u>	<u>21,915,383</u>	<u>19,384,513</u>	<u>26,128,111</u>	<u>22,973,522</u>
Total net position	<u>\$ 12,430,888</u>	<u>\$ 12,010,592</u>	<u>\$ 78,213,596</u>	<u>\$ 75,192,453</u>	<u>\$ 90,644,484</u>	<u>\$ 87,203,045</u>

Changes in net position

The Township's total revenues were \$13,316,584 in the current year compared to \$10,535,567 in the prior year. Nearly 49 percent of the revenues comes from charges for services, primarily from sewer and water user fees. Approximately 17 percent of the total revenues comes from state shared revenue, while only 6 percent comes from property taxes. In the current year, capital grants represented 19 percent of total revenues, which represents a substantial increase as infrastructure contributions from developers amounted to \$2,236,629 in the current year compared to \$190,000 in the prior year.

The total cost of the Township's programs, covering a wide range of services, totaled \$9,875,145 compared to \$10,342,199 in the prior year. Approximately 53 percent of the Township's costs relates to the provision of utility services. The public safety and general government functions account for approximately 22 percent and 15 percent of the Township's total expenses, respectively.

MANAGEMENT'S DISCUSSION AND ANALYSIS (Continued)

*Condensed financial information
Changes in net position*

	<i>Governmental activities</i>		<i>Business-type activities</i>		<i>Totals</i>	
	2020	2019	2020	2019	2020	2019
Program revenues:						
Charges for services	\$ 699,381	\$ 605,875	\$ 5,813,049	\$ 5,304,865	\$ 6,512,430	\$ 5,910,740
Operating grants and contributions	548,247	68,710	-	-	548,247	68,710
Capital grants and contributions	2,715	142,916	2,530,125	592,630	2,532,840	735,546
General revenues:						
State shared revenue	2,295,405	2,319,489	-	-	2,295,405	2,319,489
Property taxes	790,416	723,389	-	-	790,416	723,389
Cable franchise fees	341,388	344,013	-	-	341,388	344,013
Interest	31,536	89,278	207,927	344,402	239,463	433,680
Local community stabilization revenue	56,395	-	-	-	56,395	-
Total revenues	4,765,483	4,293,670	8,551,101	6,241,897	13,316,584	10,535,567
Expenses:						
General government	1,467,253	1,341,971	-	-	1,467,253	1,341,971
Public safety	2,145,709	2,021,668	-	-	2,145,709	2,021,668
Public works	395,239	378,562	-	-	395,239	378,562
Community and economic development	206,594	113,954	-	-	206,594	113,954
Health and welfare	46,257	45,378	-	-	46,257	45,378
Recreation and culture	84,135	224,692	-	-	84,135	224,692
Sewer	-	-	2,721,737	2,931,856	2,721,737	2,931,856
Water	-	-	2,527,523	2,749,075	2,527,523	2,749,075
Inspections	-	-	280,698	535,043	280,698	535,043
Total expenses	4,345,187	4,126,225	5,529,958	6,215,974	9,875,145	10,342,199
Changes in net position	\$ 420,296	\$ 167,445	\$ 3,021,143	\$ 25,923	\$ 3,441,439	\$ 193,368
Net position, end of year	\$ 12,430,888	\$ 12,010,592	\$ 78,213,596	\$ 75,192,453	\$ 90,644,484	\$ 87,203,045

Governmental activities

Governmental activities increased the Township's net position by \$420,296 in the current year compared to a \$167,445 increase in the prior year. Though expenses rose by \$218,962, revenues were augmented by \$471,813, which caused the larger increase in net position. The increase in revenues was primarily due to a \$479,537 increase in operating grants, related to federal COVID-related grants that were received in 2020. The increase in expenses can be attributed to higher general government and public safety expenses, which rose by \$125,282 and \$124,041, respectively. Cost increases in both functions were primarily due to higher personnel costs.

The total cost of governmental activities this year was \$4,345,187. After subtracting the direct charges to those who directly benefited from the programs (699,381), operating grants (604,642), and capital grants (2,715), the "public benefit" portion covered by state shared revenue, property taxes, and other general revenues was \$3,038,449.

Business-type activities

Business-type activities increased the Township's net position by \$3,021,143 in the current year compared to an increase of \$25,923 in the prior year. The increase was much higher in the current year as capital grants increased by \$1,937,495 due to a \$2,236,629 increase in contributions from developers. Utility rates are not set to cover the full cost of operations, including depreciation, which amounted to \$1,834,926 in the current year. However, nonoperating revenues and capital contributions have created increases in net position over the past two years.

FINANCIAL ANALYSIS OF THE TOWNSHIP'S FUNDS**Governmental funds**

As of December 31, 2020, the Township's governmental funds reported combined ending fund balances of \$4,326,597, an increase of \$637,012 in comparison with the prior year. A portion of the fund balances, amounting to \$138,440, is restricted to indicate that it is not available for new spending because it is externally restricted for various purposes. Another portion of fund balance, in the amount of \$337,500, has been committed for capital acquisitions. The remaining fund balance, in the amount of \$3,850,657, constitutes unassigned fund balance, which is available for spending at the Board's discretion.

The General Fund is the primary operating fund of the Township. At the end of the fiscal year, its fund balance amounted to \$3,882,743 which represents an increase of \$193,158 for the fiscal year, as revenues of \$4,777,468 were sufficient to cover expenditures of \$4,016,810 and transfers out of \$567,500.

The Capital Projects Fund, which is new in 2020, accounts for the accumulation of resources to pay for a variety of capital costs in the future. At the end of the fiscal year, its fund balance amounted to \$443,854, as transfers from the General Fund, in the amount of \$567,500, exceeded current year capital expenditures of \$126,361.

Proprietary funds

The Sewer Fund experienced an operating loss of \$180,017, though the net position increased by \$914,587, as net nonoperating revenues and capital contributions, totaling \$1,094,604, were sufficient to cover the operating loss. Net position was \$43,781,016 at year end, of which \$13,823,890 was unrestricted.

The Water Fund generated operating income of \$269,051, and net position increased by \$1,880,530, as net nonoperating revenues and capital contributions, totaling \$1,611,479, caused the increase in net position. Net position was \$33,184,481 at year end, of which \$6,846,987 was unrestricted.

The Building Inspections Fund generated an operating income of \$226,026 because permit revenue was more than sufficient to cover operating costs in the current fiscal year due to an increase in permit activity compared to the prior year. Net position was \$1,248,099 at year end.

General Fund budgetary highlights

The Township Board did not amend the budget during the current fiscal year.

Total revenues were \$589,910 more than anticipated, primarily because federal grant revenue was \$528,508 more than expected, as federal COVID-related grants were not anticipated in the original budget. Total expenditures were \$341,189 less than the amounts appropriated, due to the following circumstances:

- General government expenditures were \$77,120 less than anticipated, primarily due to lower than anticipated building and grounds costs.
- Public safety expenditures were \$125,869 less than anticipated, primarily because police protection costs were \$132,586 less than budgeted.
- Public works expenditures were \$79,626 less than anticipated, as road and drain project costs were lower expected.

Other financing uses were \$567,500 more than budgeted since the budget was not amended to reflect the transfers to the new Capital Project Fund. These variances resulted in a positive budget variance of \$363,599, due to a \$193,158 increase in fund balance compared to a budget that anticipated a \$170,441 decrease in fund balance.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital assets

The Township's investment in capital assets for its governmental and business-type activities as of December 31, 2020, amounts to \$64,377,933, net of accumulated depreciation. Governmental capital assets amount to \$8,079,720 and business-type capital assets totaled \$56,298,213. This investment includes a broad range of assets, including land, buildings, fire equipment, and sewer and water infrastructure.

Major capital asset events during the current fiscal year included the following:

- Water and sewer improvements, with a value of \$2,357,168, were made during the year. Developers contributed \$2,236,629 of this amount and the Township paid \$120,539 for improvements.
- Land was purchased at a cost of \$94,000 for future trail improvements.

More detailed information about the Township's capital assets is presented in Note 5 of the notes to the basic financial statements.

Debt

The Township reported no debt at the beginning or end of the fiscal year.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES

The Township expects to be able to use current revenues to provide essential services that will allow the current fund balance of the General Fund to be maintained. The Township plans to maintain all ongoing programs in 2021 at levels similar to 2020. The ongoing costs of providing essential services for the citizens of the Township will need to be closely monitored in order to maintain the financial condition and operational capabilities of the Township.

CONTACTING THE TOWNSHIP'S FINANCIAL MANAGEMENT

This financial report is designed to provide our citizens, taxpayers, customers, investors, and creditors with a general overview of the Township's finances and to demonstrate the Township's accountability for the resources it receives. Questions regarding any information provided in this report or requests for additional financial information should be addressed to:

Robert DeWard, Township Supervisor
Charter Township of Gaines
8555 Kalamazoo Avenue, S.E.
Caledonia, MI 49316

Phone: (616) 698-6640

BASIC FINANCIAL STATEMENTS

STATEMENT OF NET POSITION

December 31, 2020

	<i>Governmental activities</i>	<i>Business-type activities</i>	<i>Totals</i>
ASSETS			
Current assets:			
Cash	\$ 3,460,972	\$ 11,796,259	\$ 15,257,231
Investments	946,147	9,182,187	10,128,334
Receivables	1,348,456	1,402,004	2,750,460
Prepaid expenses	24,571	-	24,571
Internal balances	135,205	(135,205)	-
Total current assets	<u>5,915,351</u>	<u>22,245,245</u>	<u>28,160,596</u>
Noncurrent assets:			
Receivables	-	104,832	104,832
Capital assets not being depreciated	1,837,491	210,071	2,047,562
Capital assets, net of accumulated depreciation	<u>6,242,229</u>	<u>56,088,142</u>	<u>62,330,371</u>
Total noncurrent assets	<u>8,079,720</u>	<u>56,403,045</u>	<u>64,482,765</u>
Total assets	<u>13,995,071</u>	<u>78,648,290</u>	<u>92,643,361</u>
LIABILITIES			
Payables	259,409	434,694	694,103
Escrow deposits	257,554	-	257,554
Unearned operating assessment revenue	<u>203,924</u>	<u>-</u>	<u>203,924</u>
Total current liabilities	<u>720,887</u>	<u>434,694</u>	<u>1,155,581</u>
DEFERRED INFLOWS OF RESOURCES			
Property tax revenues levied for the subsequent year	<u>843,296</u>	<u>-</u>	<u>843,296</u>
NET POSITION			
Investment in capital assets	8,079,720	56,298,213	64,377,933
Restricted for public works	138,440	-	138,440
Unrestricted	<u>4,212,728</u>	<u>21,915,383</u>	<u>26,128,111</u>
Total net position	<u>\$ 12,430,888</u>	<u>\$ 78,213,596</u>	<u>\$ 90,644,484</u>

See notes to financial statements

STATEMENT OF ACTIVITIES

Year ended December 31, 2020

		Program revenues			Net (expenses) revenues and changes in net position	
		Charges for	Operating	Capital	Governmental	Business-type
	Expenses	services	grants and	grants and	activities	activities
			contributions	contributions		Totals
Functions/Programs						
Governmental activities:						
General government	\$ 1,467,253	\$ 474,742	\$ -	\$ -	\$ (992,511)	\$ (992,511)
Public safety	2,145,709	-	531,208	-	(1,614,501)	(1,614,501)
Public works	395,239	194,574	17,039	-	(183,626)	(183,626)
Community and economic development	206,594	16,175	-	-	(190,419)	(190,419)
Health and welfare	46,257	-	-	-	(46,257)	(46,257)
Recreation and culture	84,135	13,890	-	2,715	(67,530)	(67,530)
Total governmental activities	4,345,187	699,381	548,247	2,715	(3,094,844)	(3,094,844)
Business-type activities:						
Sewer	2,721,737	2,509,751	-	993,277	\$ 781,291	781,291
Water	2,527,523	2,796,574	-	1,536,848	1,805,899	1,805,899
Inspections	280,698	506,724	-	-	226,026	226,026
Total business-type activities	5,529,958	5,813,049	-	2,530,125	2,813,216	2,813,216
Totals	\$ 9,875,145	\$ 6,512,430	\$ 548,247	\$ 2,532,840	(3,094,844)	2,813,216
General revenues:						
					2,295,405	-
					790,416	-
					341,388	-
					31,536	207,927
					56,395	-
Total general revenues					3,515,140	207,927
Changes in net position					420,296	3,021,143
Net position - beginning					12,010,592	75,192,453
Net position - ending					\$ 12,430,888	\$ 78,213,596

See notes to financial statements

BALANCE SHEET - governmental funds

December 31, 2020

	<i>General</i>	<i>Nonmajor fund</i>	<i>Total governmental funds</i>
ASSETS			
Cash	\$ 3,017,118	\$ 443,854	\$ 3,460,972
Investments	946,147	-	946,147
Receivables	1,348,456	-	1,348,456
Due from other funds	135,205	-	135,205
Total assets	<u>\$ 5,446,926</u>	<u>\$ 443,854</u>	<u>\$ 5,890,780</u>
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES			
Liabilities:			
Payables	\$ 259,409	\$ -	\$ 259,409
Escrow deposits	257,554	-	257,554
Unearned operating assessment revenue	203,924	-	203,924
Total liabilities	<u>720,887</u>	<u>-</u>	<u>720,887</u>
Deferred inflows of resources:			
Property tax revenues levied for the subsequent year	843,296	-	843,296
Fund balance:			
Restricted for:			
Public works (street lighting)	32,086	-	32,086
Public works (sidewalks)	-	106,354	106,354
Committed for capital acquisitions	-	337,500	337,500
Unassigned	3,850,657	-	3,850,657
Total fund balance	<u>3,882,743</u>	<u>443,854</u>	<u>4,326,597</u>
Total liabilities, deferred inflows of resources, and fund balances	<u>\$ 5,446,926</u>	<u>\$ 443,854</u>	<u>\$ 5,890,780</u>
Reconciliation of the balance sheet to the statement of net position:			
Total fund balance			\$ 4,326,597
Amounts reported for <i>governmental activities</i> in the statement of net position (page 11) are different because:			
Capital assets used in <i>governmental activities</i> are not financial resources and, therefore, are not reported in the funds.			
			8,079,720
Prepaid expenses are not reported in the funds.			
			<u>24,571</u>
Net position of <i>governmental activities</i>			<u>\$ 12,430,888</u>

See notes to financial statements

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGE IN FUND BALANCE - governmental funds

Year ended December 31, 2020

	<u>General</u>	<u>Nonmajor fund</u>	<u>Total governmental funds</u>
REVENUES			
Property taxes	\$ 1,113,117	\$ -	\$ 1,113,117
Federal grants	528,508	-	528,508
State grants	2,371,539	-	2,371,539
Charges for services	457,371	-	457,371
Interest and rentals	93,270	-	93,270
Other:			
Special assessment	191,184	-	191,184
Miscellaneous	<u>22,479</u>	<u>2,715</u>	<u>25,194</u>
Total revenues	<u>4,777,468</u>	<u>2,715</u>	<u>4,780,183</u>
EXPENDITURES			
Current:			
General government	1,330,367	-	1,330,367
Public safety	1,958,749	-	1,958,749
Public works	394,374	-	394,374
Community and economic development	206,594	-	206,594
Health and welfare	46,257	-	46,257
Recreation and culture	47,838	-	47,838
Capital outlay	<u>32,631</u>	<u>126,361</u>	<u>158,992</u>
Total expenditures	<u>4,016,810</u>	<u>126,361</u>	<u>4,143,171</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	<u>760,658</u>	<u>(123,646)</u>	<u>637,012</u>
OTHER FINANCING SOURCES (USES)			
Transfers in	-	567,500	567,500
Transfers out	<u>(567,500)</u>	<u>-</u>	<u>(567,500)</u>
Total other financing sources (uses)	<u>(567,500)</u>	<u>567,500</u>	<u>-</u>
CHANGE IN FUND BALANCE	193,158	443,854	637,012
FUND BALANCE - BEGINNING	<u>3,689,585</u>	<u>-</u>	<u>3,689,585</u>
FUND BALANCE - ENDING	<u>\$ 3,882,743</u>	<u>\$ 443,854</u>	<u>\$ 4,326,597</u>
Reconciliation of the statement of revenues, expenditures, and change in fund balance to the statement of activities:			
Change in fund balance			\$ 637,012
Amounts reported for <i>governmental activities</i> in the statement of activities (page 12) are different because:			
Capital assets:			
Capital asset acquisitions			147,189
Provision for depreciation			(370,726)
Changes in other assets, liabilities, and deferred inflows:			
Increase in prepaid expenses			21,521
Decrease in deferred inflows of resources - unavailable interest revenue			<u>(14,700)</u>
Change in net position of <i>governmental activities</i>			<u>\$ 420,296</u>

See notes to financial statements

STATEMENT OF NET POSITION - proprietary funds

December 31, 2020

	<u>Sewer</u>	<u>Water</u>	<u>Inspections</u>	<u>Total proprietary funds</u>
ASSETS				
Current assets:				
Cash	\$ 6,458,832	\$ 4,092,921	\$ 1,244,506	\$ 11,796,259
Investments	6,875,166	2,307,021	-	9,182,187
Receivables	<u>688,033</u>	<u>713,971</u>	<u>-</u>	<u>1,402,004</u>
Total current assets	<u>14,022,031</u>	<u>7,113,913</u>	<u>1,244,506</u>	<u>22,380,450</u>
Noncurrent assets:				
Receivables	20,382	84,450	-	104,832
Capital assets not being depreciated	-	210,071	-	210,071
Capital assets, net of accumulated depreciation	<u>29,957,126</u>	<u>26,127,423</u>	<u>3,593</u>	<u>56,088,142</u>
Total noncurrent assets	<u>29,977,508</u>	<u>26,421,944</u>	<u>3,593</u>	<u>56,403,045</u>
Total assets	<u>43,999,539</u>	<u>33,535,857</u>	<u>1,248,099</u>	<u>78,783,495</u>
LIABILITIES				
Current liabilities:				
Payables	150,920	283,774	-	434,694
Due to other funds	<u>67,603</u>	<u>67,602</u>	<u>-</u>	<u>135,205</u>
Total current liabilities	<u>218,523</u>	<u>351,376</u>	<u>-</u>	<u>569,899</u>
NET POSITION				
Investment in capital assets	29,957,126	26,337,494	3,593	56,298,213
Unrestricted	<u>13,823,890</u>	<u>6,846,987</u>	<u>1,244,506</u>	<u>21,915,383</u>
Total net position	<u>\$ 43,781,016</u>	<u>\$ 33,184,481</u>	<u>\$ 1,248,099</u>	<u>\$ 78,213,596</u>

See notes to financial statements

Charter Township of Gaines

STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION - *proprietary funds*

Year ended December 31, 2020

	<i>Sewer</i>	<i>Water</i>	<i>Inspections</i>	<i>Total proprietary funds</i>
OPERATING REVENUES				
Service charges	\$ 2,446,394	\$ 2,634,040	\$ 506,724	\$ 5,587,158
Other charges	63,357	162,534	-	225,891
Total operating revenues	2,509,751	2,796,574	506,724	5,813,049
OPERATING EXPENSES				
Personnel costs	43,679	43,679	134,478	221,836
Sewage treatment charges	1,228,720	-	-	1,228,720
Water charges	-	1,064,535	-	1,064,535
System operation and maintenance	296,473	552,855	-	849,328
Professional services	30,886	25,972	105,642	162,500
Miscellaneous	46,549	50,390	39,204	136,143
Depreciation	1,043,461	790,092	1,374	1,834,927
Total operating expenses	2,689,768	2,527,523	280,698	5,497,989
OPERATING INCOME (LOSS)	(180,017)	269,051	226,026	315,060
NONOPERATING REVENUE (EXPENSE)				
Interest revenue	133,296	74,631	-	207,927
Loss on abandonment	(31,969)	-	-	(31,969)
Total nonoperating revenues	101,327	74,631	-	175,958
INCOME (LOSS) BEFORE CAPITAL CONTRIBUTIONS	(78,690)	343,682	226,026	491,018
CAPITAL CONTRIBUTIONS				
Developer contributions	870,000	1,366,629	-	2,236,629
Trunkage and availability fees	120,678	155,327	-	276,005
Special assessments	-	10,384	-	10,384
Special assessment interest	2,599	4,508	-	7,107
Total capital contributions	993,277	1,536,848	-	2,530,125
CHANGES IN NET POSITION	914,587	1,880,530	226,026	3,021,143
NET POSITION - BEGINNING	42,866,429	31,303,951	1,022,073	75,192,453
NET POSITION - ENDING	\$ 43,781,016	\$ 33,184,481	\$ 1,248,099	\$ 78,213,596

See notes to financial statements

STATEMENT OF CASH FLOWS - proprietary funds

Year ended December 31, 2020

	<u>Sewer</u>	<u>Water</u>	<u>Inspections</u>	<u>Total proprietary funds</u>
CASH FLOWS FROM OPERATING ACTIVITIES				
Receipts from customers	\$ 2,495,117	\$ 2,781,517	\$ 506,724	\$ 5,783,358
Payments to vendors and suppliers	(1,512,919)	(1,626,585)	(174,986)	(3,314,490)
Payments to employees	(32,102)	(32,102)	(104,338)	(168,542)
Net cash provided by (used in) operating activities	<u>950,096</u>	<u>1,122,830</u>	<u>227,400</u>	<u>2,300,326</u>
CASH FLOWS FROM NONCAPITAL AND RELATED FINANCING ACTIVITIES				
Increase (decrease) in amount due to other funds	23,461	23,461	-	46,922
Increase in amount due from other government	(61,250)	(61,250)	-	(122,500)
Net cash provided by (used in) noncapital and related financing activities	<u>(37,789)</u>	<u>(37,789)</u>	<u>-</u>	<u>(75,578)</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES				
Trunkage and availability fees	120,678	155,327	-	276,005
Collections of assessments receivable	25,024	32,800	-	57,824
Developer contribution	-	26,629	-	26,629
Special assessment interest	2,599	4,508	-	7,107
Acquisition of capital assets	(39,260)	(21,818)	-	(61,078)
Net cash provided by (used in) capital and related financing activities	<u>109,041</u>	<u>197,446</u>	<u>-</u>	<u>306,487</u>
CASH FLOWS FROM INVESTING ACTIVITIES				
Purchase of investments	(1,067,263)	(23,346)	-	(1,090,609)
Interest received	164,696	91,531	-	256,227
Net cash provided by (used in) investing activities	<u>(902,567)</u>	<u>68,185</u>	<u>-</u>	<u>(834,382)</u>
NET CHANGE IN CASH	<u>118,781</u>	<u>1,350,672</u>	<u>227,400</u>	<u>1,696,853</u>
CASH - BEGINNING	<u>6,340,051</u>	<u>2,742,249</u>	<u>1,017,106</u>	<u>10,099,406</u>
CASH - ENDING	<u>\$ 6,458,832</u>	<u>\$ 4,092,921</u>	<u>\$ 1,244,506</u>	<u>\$ 11,796,259</u>

STATEMENT OF CASH FLOWS - *proprietary funds* (Continued)

Year ended December 31, 2020

	<u>Sewer</u>	<u>Water</u>	<u>Nonmajor fund</u>	<u>Total proprietary funds</u>
Reconciliation of operating income (loss) to net cash provided by (used in) operating activities				
Operating income (loss)	\$ (180,017)	\$ 269,051	\$ 226,026	\$ 315,060
Adjustments to reconcile operating income (loss) to net cash provided by (used in) operating activities:				
Depreciation	1,043,461	790,092	1,374	1,834,927
(Increase) decrease in receivables	(14,634)	(15,057)	-	(29,691)
Increase (decrease) in payables	101,286	78,744	-	180,030
Net cash provided by (used in) operating activities	<u>\$ 950,096</u>	<u>\$ 1,122,830</u>	<u>\$ 227,400</u>	<u>\$ 2,300,326</u>
Noncash capital and related financing activities				
Acquisition of capital assets	\$ (909,260)	\$ (1,447,909)	\$ -	\$ (2,357,169)
Less increase in accounts payable	-	86,091	-	86,091
Less capital assets contributed by developers	870,000	1,340,000	-	2,210,000
Net cash used	<u>\$ (39,260)</u>	<u>\$ (21,818)</u>	<u>\$ -</u>	<u>\$ (61,078)</u>

See notes to financial statements

Charter Township of Gaines

STATEMENT OF FIDUCIARY NET POSITION - *custodial funds*

December 31, 2020

	<u><i>Tax</i></u>	<u><i>Custodial</i></u>
ASSETS		
Cash	\$ 2,545,907	\$ 93,405
LIABILITIES		
Due to other governments	<u>2,545,907</u>	<u>93,405</u>
NET POSITION		
Restricted for individuals and other governments	<u>\$ -</u>	<u>\$ -</u>

See notes to financial statements

STATEMENT OF CHANGES IN FIDUCIARY NET POSTION - *custodial funds*

Year ended December 31, 2020

	<u><i>Tax</i></u>	<u><i>Custodial</i></u>
ADDITIONS		
Property taxes collected for other governments	<u>\$ 31,680,910</u>	<u>\$ 135,270</u>
DEDUCTIONS		
Property taxes distributed to other governments	<u>31,680,910</u>	<u>135,270</u>
NET CHANGE IN FIDUCIARY NET POSITION	-	-
NET POSITION - BEGINNING	<u>-</u>	<u>-</u>
NET POSTION - ENDING	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>

See notes to financial statements

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The accounting policies of the Charter Township of Gaines, Michigan (the Township), conform to accounting principles generally accepted in the United States of America (hereinafter referred to as generally accepted accounting principles) as applicable to governmental units. The following is a summary of the more significant accounting policies.

Reporting entity:

As required by generally accepted accounting principles, these financial statements present the Township (the primary government), located in Kent County, and its component unit described below, for which the Township is financially accountable.

Division Avenue Corridor Improvement Authority:

The Authority was created in 2007 under the provisions of Act 280, Public Acts of 2005 of the State of Michigan. The purpose of the Authority is to redevelop and promote economic growth within the Division Avenue corridor. The Authority's revenues will be primarily derived through tax increment financing. The Authority's governing body is appointed by the Township Board and its budget must be approved by the Township Board. Although the Authority is a legally separate entity, it is in substance, part of the Township's operations and reported as a blended component unit.

Government-wide and fund financial statements:

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all of the nonfiduciary activities of the Township. The effect of interfund activity has been removed from these statements. Governmental activities, normally supported by taxes and intergovernmental revenues, are reported separately from business-type activities, which rely to a significant extent on fees and charges for support.

The statement of activities demonstrates the degree to which the direct expenses of a given function are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function. Program revenues include: (1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function; and (2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for the governmental fund, proprietary funds, and fiduciary funds, even though the latter are excluded from government-wide financial statements. The major individual governmental fund and major individual enterprise funds are reported as separate columns in the fund financial statements.

Measurement focus, basis of accounting, and financial statement presentation:

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the proprietary funds financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenues as soon as all eligibility requirements imposed by the provider have been met.

Governmental funds financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available if they are collected within the current period, or soon enough thereafter, to pay liabilities of the current period. For this purpose, the Township generally considers revenues to be available if they are expected to be collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, expenditures relating to compensated absences, and claims and judgments are recorded only when payment is due.

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Measurement focus, basis of accounting, and financial statement presentation (continued):

State grants, licenses and permits, charges for services, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable only when cash is received by the Township.

The Township reports the following major governmental funds:

The General Fund is the Township's primary operating fund. It accounts for all financial resources of the Township, except those required to be accounted for in another fund. Revenues are primarily derived from state shared revenue and property taxes.

The Capital Projects Fund, a capital projects fund, accounts for financial resources that are being accumulated to purchase capital assets in the future.

The Township reports the following major proprietary funds:

The Sewer Fund accounts for activities of the Township's sewage collection system.

The Water Fund accounts for activities of the Township's water distribution system.

The Inspections Fund accounts for activities of the Township's code inspection enforcement.

The Township also reports custodial funds, which account for assets held by the Township in a fiduciary capacity for other governments and individuals. The Township currently reports two custodial funds (Tax Collection and the General Custodial funds).

Amounts reported as program revenues include: (1) charges to customers or applicants for goods, services, or privileges provided; (2) operating grants and contributions; and (3) capital grants and contributions, including special assessments. Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the proprietary funds relate to charges to customers for sales and services. Operating expenses for proprietary funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

Assets, liabilities, deferred inflows of resources, and equity:

Cash - Cash is considered to be cash on hand, demand deposits, time deposits, and short-term investments with original maturities of three months or less from the date of acquisition.

Investments - Investments are reported at fair value, with changes in value recognized in the operating statement of the fund holding the investment. Realized and unrealized gains and losses are included in investment income. Pooled investment income is allocated proportionately to all funds.

Receivables - Activity between funds that is representative of lending/borrowing arrangements outstanding at the end of the fiscal year is referred to as "due to/from other funds." Any residual balances outstanding between the governmental activities and the business-type activities are reported in the government-wide financial statements as "internal balances." No allowance for uncollectible accounts has been recorded, as the Township considers all receivables to be fully collectible.

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, liabilities, deferred inflows of resources, and equity (continued):

Prepays - Certain payments to vendors reflect costs applicable to future fiscal years and are recorded as prepaids in the government-wide financial statements. In the governmental funds, these costs are accounted for using the purchase method, whereby such costs are presented as expenditures when paid, rather than when consumed.

Capital assets - Capital assets, which include land, buildings, equipment, and infrastructure assets (e.g., utility infrastructure and similar items), are reported in the applicable governmental or business-type activities column in the government-wide financial statements. Capital assets are defined by the Township as assets with an initial, individual cost of more than \$1,000 (\$10,000 for infrastructure improvements) and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value as of the date received. Governments can elect to account for infrastructure assets either retroactively to June 15, 1980, or prospectively. The Township has elected to account for infrastructure assets prospectively, beginning January 1, 2004.

Capital assets are depreciated using the straight-line method over the following useful lives:

Buildings and improvements	15 - 60 years
Equipment	3 - 5 years
Vehicles	3 - 5 years
Sewer and water systems	50 years

Unearned revenue - Unearned revenue represents resources related to operating assessments, which have not yet been earned.

Deferred inflows of resources - The statement of net position and the governmental funds balance sheet include a separate section for deferred inflows of resources. This separate financial statement element reflects an increase in net position that applies to a future period. The related revenue will not be recognized until a future event occurs. The Township has one item, property tax revenue, which is included in this category. Property tax revenue, which is levied to finance the following period's budget, is deferred and recognized as an inflow of resources in the period that it was intended to finance.

Net position - Net position represents the difference between assets, and liabilities and deferred inflows of resources. The Township reports three categories of net position, as follows: (1) *Investment in capital assets* consists of net capital assets reduced by outstanding balances of any related debt obligations and deferred inflows of resources attributable to the acquisition, construction, or improvement of those assets; (2) *Restricted net position* is considered restricted if its use is constrained to a particular purpose. Restrictions are imposed by external organizations, such as federal or state laws or buyers of the Township's debt. Restricted net position is reduced by liabilities and deferred inflows of resources related to the restricted assets; (3) *Unrestricted net position* consists of all other net position that does not meet the definition of the above components and is available for general use by the Township.

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

Assets, liabilities, deferred inflows of resources, and equity (continued):

Net position flow assumption - Sometimes, the Township will fund outlays for a particular purpose from both restricted (e.g., restricted bond or grant proceeds) and unrestricted resources. In order to calculate the amounts to report as restricted - net position and unrestricted - net position in the government-wide and proprietary funds financial statements, a flow assumption must be made about the order in which the resources are considered to be applied. It is the Township's policy to consider restricted - net position to have been depleted before unrestricted - net position is applied.

Fund equity - Governmental funds report restricted fund balance when externally imposed constraints are placed on the use of resources by grantors, contributors, or laws and regulations of other governments. Committed fund balance is reported for amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the Township Board (the Township's highest level of decision-making authority). A formal resolution of the Township Board is required to establish, modify, or rescind a fund balance commitment. The Township reports assigned fund balance for amounts that are constrained by the Township's intent to be used for specific purposes but are neither restricted nor committed. The Township Board of Trustees retains the authority to assign fund balance. Unassigned fund balance is the residual classification for the General Fund. When the Township incurs an expenditure for purposes for which various fund balance classifications can be used, it is the Township's policy to use restricted fund balance first, followed by committed fund balance, then assigned fund balance, and, finally, unassigned fund balance.

Property tax revenue recognition - Property taxes are levied each December 1 (lien date) on the taxable valuation of property as of the preceding December 31. Property taxes are considered delinquent on March 1 of the following year, at which time interest and penalties are assessed. Although the Township's 2019 ad valorem tax was levied and collectible on December 1, 2019, it is the Township's policy to recognize revenue from that tax levy in the current year, when the proceeds are budgeted and made available for the financing of operations.

Use of estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the period. Accordingly, actual results could differ from those estimates.

NOTE 2 - STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY

Budgetary information - Annual budgets are adopted on a basis consistent with generally accepted accounting principles for governmental funds. The budget document presents information by fund, function, department, and line-item. The legal level of budgetary control adopted by the governing body is the function level. All annual appropriations lapse at the end of the fiscal year. Budget appropriations are considered to be spent once the goods are delivered or the services rendered.

Excess of expenditures over appropriations - The following schedule sets forth the reportable budget variances:

<u>Fund</u>	<u>Function</u>	<u>Final budget</u>	<u>Actual</u>	<u>Variance</u>
General	Capital outlay	\$ 22,050	\$ 32,631	\$ 10,581
	Other financing uses	-	567,500	567,500

NOTE 3 - CASH AND INVESTMENTS

The Township's deposits and investments are classified in the accompanying financial statements as follows:

	<i>Governmental activities</i>	<i>Business-type activities</i>	<i>Fiduciary activities</i>	<i>Totals</i>
Cash	\$ 3,460,972	\$ 11,796,259	\$ 2,639,312	\$ 17,896,543
Investments	946,147	9,182,187	-	10,128,334
	<u>\$ 4,407,119</u>	<u>\$ 20,978,446</u>	<u>\$ 2,639,312</u>	<u>\$ 28,024,877</u>

Deposits - Deposits are maintained at various financial institutions in the name of the Township. Michigan Compiled Laws, Section 129.91 (Public Act 20 of 1943, as amended) and the Township's investment policy authorize the Township to make deposits in the accounts of federally-insured banks, credit unions, and savings and loan associations that have an office in Michigan. The Township's deposits are in accordance with statutory authority.

Custodial credit risk is the risk that, in the event of the failure of a financial institution, the Township will not be able to recover its deposits. The Township's investment policy does not specifically address custodial credit risk for deposits. At December 31, 2020, \$13,666,185 of the Township's bank balances of \$18,166,185 was exposed to custodial credit risk because it was uninsured and uncollateralized.

Investments - State statutes and the Township's investment policy authorize the Township to invest in a) obligations of the U.S. Treasury, agencies, and instrumentalities; b) commercial paper rated within the two highest rate classifications, which mature not more than 270 days after the date of purchase; c) repurchase agreements, collateralized by U.S. governmental securities; d) bankers' acceptances; e) mutual funds composed of otherwise legal investments; and f) investment pools organized under the local government investment pool act. The Township's investment policy does not address credit risk or interest rate risk for investments.

Investments in entities that calculate net asset value per share - The Township holds shares in investment pools where the fair value of the investments are measured on a recurring basis using net asset value per share of the investment pool as a practical expedient. At December 31, 2020, the fair value, unfunded commitments, and redemption rules of those investments is as follows:

	<i>Michigan CLASS Pool</i>	<i>Kent County Pool</i>	<i>Total</i>
Fair value at December 31, 2020	\$ 8,006,849	\$ 2,121,485	\$ 10,128,334
Unfunded commitments	none	none	
Redemption frequency	n/a	n/a	
Notice period	none	none	

The Michigan CLASS investment pool and the Kent County investment pool invest in U.S. Treasury obligations, federal agency obligations of the U.S. government, high-grade commercial paper (rated 'A-1' or better), collateralized bank deposits, repurchase agreements (collateralized at 102% by treasury agencies), and approved money-market funds. The programs are designed to meet the needs of Michigan public sector investors. The pools purchase securities that are legally permissible under state statutes and are available for investment by Michigan counties, cities, townships, school districts, authorities, and other public agencies.

NOTES TO FINANCIAL STATEMENTS (Continued)

NOTE 4 - RECEIVABLES

Receivables as of December 31, 2020, for the Township's funds, which were all considered collectible, were as follows:

<i>Fund</i>	<i>Accounts</i>	<i>Property taxes</i>	<i>Inter- governmental</i>	<i>Interest</i>	<i>Special assessments</i>	<i>Totals</i>
Governmental - General	<u>\$ 93,207</u>	<u>\$ 534,467</u>	<u>\$ 608,607</u>	<u>\$ 1,400</u>	<u>\$ 110,775</u>	<u>\$1,348,456</u>
Proprietary:						
Sewer	\$ 586,683	\$ -	\$ 61,250	\$ 28,600	\$ 31,882	\$ 708,415
Water	<u>617,721</u>	<u>-</u>	<u>61,250</u>	<u>14,300</u>	<u>105,150</u>	<u>798,421</u>
Total proprietary	<u>\$1,204,404</u>	<u>\$ -</u>	<u>\$ 122,500</u>	<u>\$ 42,900</u>	<u>\$ 137,032</u>	<u>\$1,506,836</u>
Noncurrent portion	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 104,832</u>	<u>\$ 104,832</u>

NOTE 5 - CAPITAL ASSETS

Capital asset activity for the year ended December 31, 2020, was as follows:

	<i>Beginning balance</i>	<i>Increases</i>	<i>Decreases</i>	<i>Ending balance</i>
Governmental activities:				
Capital assets not being depreciated - land	<u>\$ 1,743,491</u>	<u>\$ 94,000</u>	<u>\$ -</u>	<u>\$ 1,837,491</u>
Capital assets being depreciated:				
Buildings and improvements	8,368,901	21,361	-	8,390,262
Equipment and vehicles	<u>2,923,418</u>	<u>31,828</u>	<u>(9,386)</u>	<u>2,945,860</u>
Subtotal	<u>11,292,319</u>	<u>53,189</u>	<u>(9,386)</u>	<u>11,336,122</u>
Less accumulated depreciation:				
Buildings and improvements	(2,755,978)	(230,804)	-	(2,986,782)
Equipment and vehicles	<u>(1,976,575)</u>	<u>(139,922)</u>	<u>9,386</u>	<u>(2,107,111)</u>
Subtotal	<u>(4,732,553)</u>	<u>(370,726)</u>	<u>9,386</u>	<u>(5,093,893)</u>
Total capital assets being depreciated, net	<u>6,559,766</u>	<u>(317,537)</u>	<u>-</u>	<u>6,242,229</u>
Governmental activities capital assets, net	<u>\$ 8,303,257</u>	<u>\$ (223,537)</u>	<u>\$ -</u>	<u>\$ 8,079,720</u>

NOTE 5 - CAPITAL ASSETS (Continued)

Depreciation expense was charged to functions of the Township's governmental activities, as follows:

Governmental activities:

General government	\$ 136,688
Public safety	196,042
Public works	1,699
Recreation and culture	<u>36,297</u>

Total governmental activities \$ 370,726

	<i>Beginning balance</i>	<i>Increases</i>	<i>Decreases</i>	<i>Ending balance</i>
Business-type activities:				
Capital assets not being depreciated - land	<u>\$ 210,071</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 210,071</u>
Capital assets being depreciated:				
Sewer system	52,602,099	909,260	(53,282)	53,458,077
Water system	38,838,341	1,447,909	-	40,286,250
Office equipment	<u>100,232</u>	<u>-</u>	<u>-</u>	<u>100,232</u>
Subtotal	<u>91,540,672</u>	<u>2,357,169</u>	<u>(53,282)</u>	<u>93,844,559</u>
Less accumulated depreciation:				
Sewer system	(22,478,803)	(1,043,461)	21,313	(23,500,951)
Water system	(13,368,735)	(790,092)	-	(14,158,827)
Office equipment	<u>(95,265)</u>	<u>(1,374)</u>	<u>-</u>	<u>(96,639)</u>
Subtotal	<u>(35,942,803)</u>	<u>(1,834,927)</u>	<u>21,313</u>	<u>(37,756,417)</u>
Total capital assets being depreciated, net	<u>55,597,869</u>	<u>522,242</u>	<u>(31,969)</u>	<u>56,088,142</u>
Business-type activities capital assets, net	<u>\$ 55,807,940</u>	<u>\$ 522,242</u>	<u>\$ (31,969)</u>	<u>\$ 56,298,213</u>

NOTE 6 - PAYABLES

Payables as of December 31, 2020, for the Township's funds were as follows:

<u>Fund</u>	<u>Accounts</u>	<u>Inter- governmental</u>	<u>Totals</u>
Governmental - General	\$ 80,362	\$ 179,047	\$ 259,409
Proprietary:			
Sewer	\$ 121,913	\$ 29,007	\$ 150,920
Water	155,833	127,941	283,774
Total proprietary	\$ 277,746	\$ 156,948	\$ 434,694

NOTE 7 - INTERFUND RECEIVABLES, PAYABLES, AND TRANSFERS

At December 31, 2020, the Sewer Fund and Water Fund owe the General Fund \$67,603 and \$67,602, respectively, for costs not reimbursed by year end. These balances represent personnel costs incurred in 2020 that were reimbursed early in 2021.

During the year ended December 31, 2020, the General Fund transferred \$567,500 to the Capital Projects Fund, a new nonmajor governmental fund, to set aside funds for various capital improvements.

NOTE 8 - PROPERTY TAXES

The 2019 taxable valuation of the Township approximated \$902,572,000, on which ad valorem taxes levied consisted of 0.8452 mills for operating purposes, raising approximately \$763,000. This amount is recognized in the General Fund financial statements as property tax revenue.

The 2020 taxable valuation of the Township approximated \$936,560,000, on which ad valorem taxes levied consisted of 0.8364 mills for operating purposes, raising approximately \$783,000. This amount is recognized in the General Fund financial statements as deferred inflows of resources, based upon the period for which the proceeds are budgeted and will be made available for the financing of operations.

NOTE 9 - DEFINED CONTRIBUTION PENSION PLAN

The Township and its employees contribute to the Gaines Charter Township Group Pension Plan, a defined contribution pension plan, which is administered by a third-party administrator. The plan covers two classes of employees, as allowed under Internal Revenue Code Section 401(a). The first class of employees includes all full-time employees (over 20 hours per week) and Township trustees. The second class of employees includes paid on-call firefighters, Planning Commission members, Zoning Board of Appeals members, and Board of Review members.

Benefit terms, including contribution requirements, for the Plan are established, and may be amended, by the Township Board. In a defined contribution plan, benefits depend solely on amounts contributed to the plan, plus investment earnings. Employees are eligible to participate as described above. The Township contributes 10% of covered payroll to the first class of qualifying employees. The Township contributes 3.75% of covered payroll to the second class of qualifying employees, with an equal percentage contributed by all covered employees in the second class. Employees are permitted to make contributions to the Plan, up to applicable Internal Revenue Code limits. For the year ended December 31, 2020, the Township and eligible employees made contributions of \$121,030 and \$24,812, respectively. At December 31, 2020, the Township reported no accrued liability as part of the contributions to the plan.

NOTE 9 - DEFINED CONTRIBUTION PENSION PLAN (Continued)

The Township's contributions for each employee (and investment earnings allocated to the employee's account) are fully vested on the day the employee is eligible to participate in the plan, which occurs after one month of service.

The Township is not a trustee of the defined contribution pension plan, nor is the Township responsible for investment management of the pension plan assets. Accordingly, plan assets, and changes therein, are not reported in these financial statements.

NOTE 10 - DEFERRED COMPENSATION PLAN

The Township offers its employees a deferred compensation plan, created in accordance with Internal Revenue Code, Section 457. The assets of the plans were held in trust (custodial account or annuity contract), as described in IRC Section 457(g) for the exclusive benefit of the participants (employees) and their beneficiaries. The custodian thereof for the exclusive benefit of the participants holds the custodial account for the beneficiaries of this Section 457 plan, and the assets may not be diverted to any other use. The administrators are agents of the employer for purposes of providing direction to the custodian of the custodial account from time to time for the investment of the funds held in the account, transfer of assets to or from the account, and all other matters. In accordance with the provisions of GASB Statement No. 32, plan balances and activities are not reflected in the Township's financial statements.

NOTE 11 - JOINT VENTURE

Byron-Gaines Utility Authority:

The Township is a member of the Byron-Gaines Utility Authority, a joint venture of the Township of Byron and the Charter Township of Gaines. The administrative board of the Authority consists of members appointed by each participating unit. The Authority was formed to jointly provide sewer and water services within the combined service area, which encompasses the participating municipalities. During the year ended December 31, 2020, the Township contributed \$849,238 as its proportionate share of the Authority's operating expenses and capital costs. The Sewer and Water funds owed the Authority \$29,007 and \$127,941, respectively, as of December 31, 2020. There is no equity interest held by any participating unit in the Authority. The Township is unaware of any indication that the Authority is accumulating significant financial resources or is experiencing fiscal stress that may cause an additional financial benefit or burden on the Township in the near future. Complete financial statements can be obtained from the Authority at 1381 84th Street, S.E., Byron Center, MI 49315.

NOTE 12 - RISK MANAGEMENT

The Township is exposed to various risks of loss related to property loss, torts, errors and omissions, and employee injuries (workers' compensation). The Township has purchased commercial insurance for each of these claims and is neither self-insured, nor participates in a shared-risk pool. Settled claims relating to commercial insurance have not exceeded the amount of insurance coverage in any of the past three fiscal years.

NOTE 13 - PENDING ACCOUNTING PRONOUNCEMENT

Governmental Accounting Standards Board (GASB) Statement No. 87, *Leases*, was issued by the GASB in June 2017 and will be effective for periods beginning after June 15, 2021. The objective of this Statement is to increase the usefulness of governments' financial statements by requiring recognition of certain lease assets and liabilities for leases that previously were classified as operating leases and recognized as inflows of resources or outflows of resources based on the payment provisions of the contract. It establishes a single model for lease accounting based on the foundational principle that leases are financings of the right to use the underlying asset. Under this Statement, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources, thereby enhancing the relevance and consistency of information about governments' leasing activities.

REQUIRED SUPPLEMENTARY INFORMATION

BUDGETARY COMPARISON SCHEDULE - General Fund

Year ended December 31, 2020

	<i>Original budget</i>	<i>Final budget</i>	<i>Actual</i>	<i>Variance with final budget positive (negative)</i>
REVENUES				
Property taxes	\$ 1,107,250	\$ 1,107,250	\$ 1,113,117	\$ 5,867
Federal grants	-	-	528,508	528,508
State grants	2,331,730	2,331,730	2,371,539	39,809
Charges for services	446,900	446,900	457,371	10,471
Interest and rentals	120,763	120,763	93,270	(27,493)
Other:				
Special assessment - street lighting	160,000	160,000	191,184	31,184
Miscellaneous	20,915	20,915	22,479	1,564
Total revenues	<u>4,187,558</u>	<u>4,187,558</u>	<u>4,777,468</u>	<u>589,910</u>
EXPENDITURES				
General government:				
Legislative	15,092	15,092	12,649	2,443
Supervisor	159,774	159,774	174,488	(14,714)
Superintendent	119,842	119,842	26,949	92,893
Elections	46,539	46,539	94,988	(48,449)
Assessor	243,744	243,744	262,288	(18,544)
Clerk	157,517	157,517	162,204	(4,687)
Board of review	4,170	4,170	1,438	2,732
Treasurer	184,725	184,725	170,232	14,493
Building and grounds	212,125	212,125	161,842	50,283
Cemetery	59,259	59,259	57,552	1,707
General administration	204,700	204,700	205,737	(1,037)
Total general government	<u>1,407,487</u>	<u>1,407,487</u>	<u>1,330,367</u>	<u>77,120</u>
Public safety:				
Police protection	950,000	950,000	817,414	132,586
Cutlerville Fire Department	606,649	606,649	659,772	(53,123)
Dutton Fire Department	527,969	527,969	481,563	46,406
Total public safety	<u>2,084,618</u>	<u>2,084,618</u>	<u>1,958,749</u>	<u>125,869</u>

BUDGETARY COMPARISON SCHEDULE - General Fund (Continued)

Year ended December 31, 2020

	<i>Original budget</i>	<i>Final budget</i>	<i>Actual</i>	<i>Variance with final budget positive (negative)</i>
EXPENDITURES (Continued)				
Public works:				
Road improvements and maintenance	\$ 255,000	\$ 255,000	\$ 195,342	\$ 59,658
Street lighting	166,000	166,000	159,097	6,903
Drains	40,000	40,000	26,855	13,145
Hydrant rental	13,000	13,000	13,080	(80)
Total public works	<u>474,000</u>	<u>474,000</u>	<u>394,374</u>	<u>79,626</u>
Community and economic development - planning and zoning	<u>234,939</u>	<u>234,939</u>	<u>206,594</u>	<u>28,345</u>
Health and welfare - public transportation	<u>48,650</u>	<u>48,650</u>	<u>46,257</u>	<u>2,393</u>
Recreation and culture:				
Parks	29,855	29,855	13,023	16,832
Library	56,400	56,400	34,815	21,585
Total recreation and culture	<u>86,255</u>	<u>86,255</u>	<u>47,838</u>	<u>38,417</u>
Capital outlay	<u>22,050</u>	<u>22,050</u>	<u>32,631</u>	<u>(10,581)</u>
Total expenditures	<u>4,357,999</u>	<u>4,357,999</u>	<u>4,016,810</u>	<u>341,189</u>
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES	(170,441)	(170,441)	760,658	931,099
OTHER FINANCING USES				
Transfers out	<u>-</u>	<u>-</u>	<u>(567,500)</u>	<u>(567,500)</u>
NET CHANGES IN FUND BALANCES	(170,441)	(170,441)	193,158	363,599
FUND BALANCES - BEGINNING	<u>3,689,585</u>	<u>3,689,585</u>	<u>3,689,585</u>	<u>-</u>
FUND BALANCES - ENDING	<u>\$ 3,519,144</u>	<u>\$ 3,519,144</u>	<u>\$ 3,882,743</u>	<u>\$ 363,599</u>

Charter Township of Gaines
SCHEDULE OF CHANGES IN WORKING CAPITAL
Year ended December 31, 2020

	General Fund				Capital	Enterprise funds		
	General	Trails	TIRF	Total	Projects	Inspections	Sewer	Water
Sources (revenues)	\$4,777,468	\$ -	\$ -	\$4,777,468	\$ 2,715	\$ 506,724	\$ 2,766,324	\$3,068,053
Uses (expenditures)	<u>4,016,810</u>	<u>-</u>	<u>-</u>	<u>4,016,810</u>	<u>126,361</u>	<u>279,324</u>	<u>1,685,567</u>	<u>1,845,340</u>
Net changes in working capital	760,658	-	-	760,658	(123,646)	227,400	1,080,757	1,222,713
Transfers	<u>(189,683)</u>	<u>(236,211)</u>	<u>(141,606)</u>	<u>(567,500)</u>	<u>567,500</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net changes in working capital after transfers	570,975	(236,211)	(141,606)	193,158	443,854	227,400	1,080,757	1,222,713
Working capital - beginning	<u>3,311,768</u>	<u>236,211</u>	<u>141,606</u>	<u>3,689,585</u>	<u>-</u>	<u>1,017,106</u>	<u>12,743,133</u>	<u>5,624,274</u>
Working capital - ending	<u>\$3,882,743</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$3,882,743</u>	<u>\$ 443,854</u>	<u>\$1,244,506</u>	<u>\$13,823,890</u>	<u>\$6,846,987</u>
				(A)				
Restricted for street lighting	32,086	-	-	32,086				
Assigned for:								
Sidewalks	-	-	-	-	106,354			
Capital acquisitions	-	-	-	-	337,500			
Unassigned	<u>3,850,657</u>	<u>-</u>	<u>-</u>	<u>3,850,657</u>	96% <u>-</u>			
	<u>\$3,882,743</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$3,882,743</u>	<u>\$ 443,854</u>			
				(A)				

**MINUTES OF GAINES CHARTER TOWNSHIP BOARD
FOR THE REGULAR MEETING
May 10, 2021**

Present: DeWard, Brew, Lemke, Haagsma, Terpstra, Vander Stel
Absent with notice: Fryling
Community Development Director Dan Wells was also present
Opening prayer was given by Lemke and the Pledge of Allegiance was recited

1. The meeting was called to order at 7:04 p.m. by Supervisor DeWard

2. Question of Conflict of Interest

None

3. Proposed Agenda

Motioned by Lemke and supported by Haagsma to approve the agenda.

VOICE VOTE: All Ayes. Motion Carried.

4. Recognition of Individuals and/or Delegations.

Eric Baum, Mobile Defender's Vice President of Operations, and Jon Andersh, Miller Johnson law firm, spoke in support of Mobile Defender's IDD request.

Ralph Shepardy spoke of the speed of vehicles on 68th Street going through Dutton. He spoke specifically of cement trucks that have difficulty stopping at the 68th and Hanna Lake traffic light because of excessive speed. He also noted Amazon now using 68th street as a trucking route. Community Policing Officer VanderMolen noted 20 traffic stops in Dutton. He suggested to the Township Board the purchase of a speed trailer that could be used all over the township to remind of the posted speed. Trustee Haagsma noted that a speed study may work against reducing the speed limit based upon average speed numbers.

5. Public Hearing – Mobile Defenders – Industrial Development District (IDD)

Motioned by Haagsma and supported by VanderStel to open the public hearing on Mobile Defenders Industrial Development District (IDD) request.

VOICE VOTE: All Ayes. Motion Carried.

Motioned by VanderStel and supported by Haagsma to close the public hearing on Mobile Defenders Industrial Development District (IDD) request.

VOICE VOTE: All Ayes. Motion Carried.

6. Public Hearing – Amendment to Liquor Control Ordinance

Motioned by VanderStel and supported by Haagsma to open the public hearing on the proposed Amendment to Liquor Control Ordinance.

VOICE VOTE: All Ayes. Motion Carried.

Gaines Township Board Minutes
May 10, 2020

Motioned by Haagsma and supported by VanderStel to close the public hearing on the proposed Amendment to Liquor Control Ordinance.

VOICE VOTE: All Ayes. Motion Carried.

7. Public Hearing – Preservation Lakes III Special Assessment – to hear and consider objections to the petitions, proposed improvements, and all other matters related to the improvements

Motioned by Haagsma and supported by VanderStel to open the public hearing on Preservation Lakes III Special Assessment.

VOICE VOTE: All Ayes. Motion Carried.

Motioned by Haagsma and supported by VanderStel to close the public hearing on Preservation Lakes III Special Assessment.

VOICE VOTE: All Ayes. Motion Carried.

8. Public Hearing – Preservation Lakes III Special Assessment – to hear and consider comments and objections to the Special Assessment Tax Roll

Motioned by Haagsma and supported by VanderStel to open the public hearing on Preservation Lakes III Special Assessment Tax Roll.

VOICE VOTE: All Ayes. Motion Carried.

Motioned by Haagsma and supported by VanderStel to close the public hearing on Preservation Lakes III Special Assessment Tax Roll.

VOICE VOTE: All Ayes. Motion Carried.

9. Consent Agenda

Motioned by VanderStel and supported by Haagsma to approve the consent agenda including payment of bills for 04/01/2021 through 04/30/2021 in the amount of \$278,681.79.

VOICE VOTE: All Ayes. Motion carried.

10. Department/Office Reports

A. Clerk's Office

1) Correction of 01/11/2021 Board of Trustees meeting minutes correcting the Assessing Technician's wage from \$23.00 / hour to \$20.75 / hour.

Motioned by VanderStel and supported by Haagsma to correct the 01/11/2021 Board of Trustees meeting minutes.

ROLL CALL VOTE: Haagsma – yes, Lemke - yes, Terpstra - yes, VanderStel - yes, Brew - yes, DeWard - yes, Motion carried.

B. Planning Department

1) 1171 & 1175 68th Street SE – Major PUD Amendment

Motion by Haagsma and seconded by VanderStel to accept the 1st read of the amendment and to set the Public Hearing date to June 14, 2021

ROLL CALL VOTE: Lemke - yes, Terpstra - yes, VanderStel - yes, Brew - yes, DeWard - yes, Haagsma - yes
Motion carried.

2) Industrial Development District (IDD) – Mobile Defenders

Motion by Haagsma and seconded by VanderStel to approve Mobile Defender's Industrial Development District (IDD) prior to the Industrial Facilities Tax (IFT) request.

ROLL CALL VOTE: Terpstra- yes, VanderStel - yes, Brew - yes, DeWard - yes, Haagsma - yes, Lemke - yes
Motion carried.

3) The Crossings PUD Major Amendment for M-6 Hotel Group – 1439 & 1469 Eastport Drive – 1st Read

Motion by Haagsma and seconded by VanderStel to accept the language of The Crossings PUD Major Amendment.

ROLL CALL VOTE: VanderStel - yes, Brew - yes, DeWard - yes, Haagsma - yes, Lemke - yes, Terpstra – yes
Motion carried.

Motion by Haagsma and seconded by VanderStel to set the Public Hearing of The Crossings PUD Major Amendment to June 14, 2021.

ROLL CALL VOTE: Brew - yes, DeWard - yes, Haagsma - yes, Lemke - yes, Terpstra – yes, VanderStel — yes
Motion carried.

B. Treasurer's Office

1) 2021 1st Quarter Financial Report

Motioned by Haagsma and supported by VanderStel to approve and file the 2021 1st Quarter Treasurer's report.

VOICE VOTE: All Ayes. Motion Carried.

11. Recognition of individuals and/or delegations

None

12. Supervisor's Office

A. Preservation Lakes PHASE III – Proposed Street Lighting Special Assessment District

Motioned by Lemke and supported by VanderStel to establish a Street Lighting Special Assessment District for Preservation Lakes Phase III.

ROLL CALL VOTE: Haagsma – yes, Lemke - yes, Terpstra - yes, VanderStel - yes, Brew - yes, DeWard - yes, Motion carried.

B. Liquor Control Ordinance change

Motioned by VanderStel and supported by Terpstra to accept the changes to the Liquor Control Ordinance.

ROLL CALL VOTE: Haagsma – yes, Lemke - yes, Terpstra - yes, VanderStel - yes, Brew - yes, DeWard - yes, Motion carried.

13. Comments & Discussion

None

14. Adjournment

Motion by Haagsma and supported by VanderStel to adjourn the meeting at 8:51 p.m.

VOICE VOTE: All Ayes. Meeting adjourned.

Michael Brew, Clerk

Robert DeWard, Supervisor

**MINUTES OF GAINES CHARTER TOWNSHIP BOARD
FOR THE REGULAR MEETING
May 24, 2021**

Present: DeWard, Brew, Lemke, Fryling, Haagsma, Vander Stel

Absent with notice: Terpstra

Community Development Director Dan Wells, Township Engineer Jeff Gritter, and Township Manager Jonathan Seyferth were also present

Opening prayer was given by DeWard and the Pledge of Allegiance was recited

1. The meeting was called to order at 5:34 p.m. by Supervisor DeWard

2. Question of Conflict of Interest

None

3. Proposed Agenda

Motioned by VanderStel and supported by Haagsma to approve the agenda.

VOICE VOTE: All Ayes. Motion Carried.

4. Recognition of Individuals and/or Delegations.

None.

5. 8460 Kalamazoo Avenue – general discussion regarding proposed plans / water & sewer requirements / etc.

Dan Wells, Community Development Director, gave a general overview.

Jeff Gritter, Township Engineer, spoke of water and sewer to the property and other projects to be completed outside of the project.

Mike Speedy, American Kendall Properties, announced partnerships in Michigan to develop the property.

6. Recognition of individuals and/or delegations

None

7. Supervisor's Office

A. Celebration Banquet, LLC Operation Agreement

Motioned by Haagsma and supported by VanderStel to accept the Celebration Banquet LLC Operation Agreement.

VOICE VOTE: All Ayes. Motion Carried.

B. Change Special Assessment Public Hearing to July 12, 2021.

Motioned by Lemke and supported by VanderStel to change the Special Assessment Public Hearing to July 12, 2021.

VOICE VOTE: All Ayes. Motion Carried.

C. Dutton Fire – Staffing Request

Motioned by Lemke and supported by Haagsma to form a weekend two-person day duty crew (Saturday – Sunday 6 am to 6 pm) with a compensation rate of \$75 per individual per day.

ROLL CALL VOTE: Fryling - yes, DeWard - yes, Brew - yes, VanderStel - yes, Lemke - yes, Haagsma – yes
Motion carried.

D. Dutton Fire – reimbursement request.

Motioned by Haagsma and supported by Lemke to reimburse the firefighter the \$500 out-of-pocket deductible.

ROLL CALL VOTE: Haagsma - yes, Fryling - yes, DeWard - yes, Brew - yes, VanderStel - yes, Lemke – yes
Motion carried.

8. Comments & Discussion

Next meeting is June 14, 2021 starting with a reception for Township Manager Jonathan Seyferth at 6:00 pm with regular trustee meeting beginning at 7:00 pm.

14. Adjournment

Motion by Haagsma and supported by VanderStel to adjourn the meeting at 7:19 pm.

VOICE VOTE: All Ayes. Meeting adjourned.

Michael Brew, Clerk

Robert DeWard, Supervisor



Revenue Breakdown Report

Page: 1 of 32

06/01/2021

Filter: All Records, Transaction.DateToPostOn Between 5/1/2021 12:00:00 AM AND 5/31/2021 11:59:59 PM

Unit Totals

Unit Name	Records	Revenue
	212	44,532.35
TOTAL	212	44,532.35

Record Type Totals

Unit:	Records	Revenue
Name	6	130.00
Permit	206	44,402.35
UNIT TOTAL:	212	44,532.35

Record Type Breakdowns

Unit:	Records	Revenue
Record Type: Name	6	130.00
TOTAL:	6	130.00

Record Type: Permit	Records	Revenue
Air Conditioning Replacement	2	220.00
Building	24	14,226.00
Commercial Sign	3	310.00
Deck	10	1,170.00
Electrical	47	9,945.00
Furnace Replacement	1	110.00
Irrigation Meter	3	270.00
Mechanical	55	9,204.35
Mobile Home Building	2	220.00
Plumbing	39	6,627.00
Residential Roofing	8	720.00
Storm Drain	2	170.00
Swimming Pool	8	1,040.00
Water Heater Replacement	2	170.00
TOTAL:	206	44,402.35

06/07/2021 10:12 AM
User: MBREW
DB: Gaines Township

CHECK REGISTER FOR GAINES CHARTER TOWNSHIP
CHECK DATE FROM 05/01/2021 - 05/31/2021

Page: 1/5

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Bank GEN CHEMICAL BANK						
05/07/2021	GEN	29498	123	123.NET	EQUIPMENT CHARGES	251.50
05/07/2021	GEN	29499	ACTIONCHEM	ACTION CHEMICAL INC	WHITE MULTIFOLD TOWELS	46.92
05/07/2021	GEN	29500	ADVANCED I	ADVANCED IMAGING SOLUTIONS INC	COPIER PRINTER STANDARD PAYMENT	729.45
05/07/2021	GEN	29501	ALL STAR	ALL STAR PRINTING COMPANY	500 TRUST AND AGENCY RECEIPTS	130.00
05/07/2021	GEN	29502	AMAZON	AMAZON CAPITAL SERVICES	500 CUSTOM METALIZED ASSET TAGS	69.45
					MAGNETIC TOOL HOLDER, COMMERCIAL GRADE S	125.45
					SWIFFER SWEEPER, ULTIMATE WASH AND WAX	41.34
						236.24
05/07/2021	GEN	29503	ARROW	ARROWASTE INC	BLAIN WASTE	52.36
					CFD WASTE	105.91
					DFD WASTE	44.48
					TWP OFFICE WASTE	66.43
					LIBRARY WASTE	61.72
						330.90
05/07/2021	GEN	29504	AUTOZONE	AUTOZONE	DUALHEAD TRUCK SLIME TIRE GUAGE	13.29
					PRO DIGITAL GAUGE	15.19
						28.48
05/07/2021	GEN	29505	BOUND TREE	BOUND TREE MEDICAL LLC	COMBINATION SEAT BELT CUTTER AND LIFE HA	70.47
					LATEX FREE AIRWAY SUPPLIES, ROLLED GAUZE	41.25
						111.72
05/07/2021	GEN	29506	BUIST	BUIST ELECTRIC INC	EMERGENCY LIGHT POLE REPAIR AND REPLACEM	1,287.00
05/07/2021	GEN	29507	CHARTER CO	CHARTER COMMUNICATIONS	TWP OFFICE TELEPHONE	164.97
05/07/2021	GEN	29508	COMCAST	COMCAST	CFD TELEPHONE	254.23
05/07/2021	GEN	29509	TWP-CONSUM	CONSUMERS ENERGY	DIVISION STREET LIGHTS	283.95
05/07/2021	GEN	29510	TWP-CONSUM	CONSUMERS ENERGY	LED LIGHTS AND STREET LIGHTS, BLAIN CEME	14,196.42
05/07/2021	GEN	29511	TWP-CONSUM	CONSUMERS ENERGY	TWP OFFICE, LIBRARY, CFD, DFD, DUTTON CE	5,888.37
05/07/2021	GEN	29512	DOWNING	DOWNING WELL DRILLING	SUBMERSIBLE PUMP WORK AT LIBRARY	1,911.67
05/07/2021	GEN	29513	EPS	E.P.S.INC.	CFD CELLULAR PROTECTION PLAN	378.00
05/07/2021	GEN	29514	EVERETT'S	EVERETT'S LANDSCAPE MANAGEMENT INC	CUT LAWN BIKE PATH TO BREWER PARK AND TH	39.00
					CUT LAWN PRARIE WOLF PARK	130.00
						169.00
05/07/2021	GEN	29515	FIRST BANK	FIRST BANKCARD CENTER	ACROBAT, ZOOM	651.47
05/07/2021	GEN	29516	FIRST BANK	FIRST BANKCARD CENTER	ACROBAT, MTA CONF, MMTA CONF, FOOD FROM	494.18
05/07/2021	GEN	29517	FIRST BANK	FIRST BANKCARD CENTER	RETURN POSTAGE FROM BALLOTS	3.30
05/07/2021	GEN	29518	FIRST BANK	FIRST BANKCARD CENTER	CEMETARY FUEL	78.05
05/07/2021	GEN	29519	FIRST BANK	FIRST BANKCARD CENTER	LIBRARY WELL PUMP	13.10
05/07/2021	GEN	29520	FIRST BANK	FIRST BANKCARD CENTER	DFD TOASTER, CFD ACTIVE 911 FOR EVANS, S	546.76
05/07/2021	GEN	29521	GAINES W&S	GAINES WATER & SEWER FUND	LIBRARY WATER	74.97
05/07/2021	GEN	29522	GREEN GRAS	GREEN GRASS INC	SOUTH GAINES CEMETERY WEED KILLER AND FE	209.00
					BLAIN CEMETERY WEED KILLER AND FERTILIZE	980.00
					DUTTON CEMETERY WEED KILLER AND FERTILIZ	416.00
						1,605.00
05/07/2021	GEN	29523	BDREFUND	GURUNG PURNI & GARJA	BD Payment Refund	90.00
05/07/2021	GEN	29524	BDREFUND	HULST HEATING & COOLING	BD Payment Refund	430.00 V

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
Void Reason: WRONG ENTRY BY TREASURER						
05/07/2021	GEN	29525	INTEGRITY	INTEGRITY OFFICE	GRIPPER FINDERTIP, AIR DUSTER LABELS BAG, PLATINUM PLUS, 40 - 45 GAL 3 X 10 NAMEPLATE, 2 X 8 NAMEPLATE LTR FILE FOLDERS	21.00 35.95 30.69 39.00 20.37
						147.01
05/07/2021	GEN	29526	IAEI	INTRNL ASSOC OF ELECTRIC INSPECTORS	2021 AND 2022 MEMBERSHIP RENEWAL FOR ROG	240.00
05/07/2021	GEN	29527	JACK'S	JACK'S LAWN & SNOWPLOWING, INC	SHERIFF SUBSTATION SNOW REMOVAL TWP OFFICE SNOW REMOVAL DFD SNOW REMOVAL LIBRARY SNOW REMOVAL	479.32 1,399.87 681.94 716.04
						3,277.17
05/07/2021	GEN	29528	KCAA	KC ASSOC OF ASSESSING OFFICERS	KAREN GEHRLS MEMBERSHIP DUES JIM ZENAS 2021 MEMBERSHIP DUES MEGAN VANHOOSE 2021 MEMBERSHIP DUES	25.00 25.00 25.00
						75.00
05/07/2021	GEN	29529	TRIPLETT	KIM TRIPLETT	CELL PHONE AND MILEAGE EXPENSES	67.02
05/07/2021	GEN	29530	KLEYN	KLEYN MOBILE REPAIR LLC	HEAVY DUTY COURTESY INSPECTION WITH PROC	5,943.93
05/07/2021	GEN	29531	LAURIE L	LAURIE LEMKE	MILEAGE AND COFFEE FOR KITCHEN	188.99
05/07/2021	GEN	29532	MEDMUTUAL	MEDMUTUAL LIFE	LIFE INSURANCE	75.44
05/07/2021	GEN	29533	METRO BLDG	METRO BUILDING INSP ASSOCIATION	JOHN STUYFZAND MEMBERSHIP RENEWAL 2021	65.00
05/07/2021	GEN	29534	MEYERS CLE	MEYERS CLEANING SERVICE INC	TWP OFFICE AND LIBRARY CLEANING	2,235.00
05/07/2021	GEN	29535	MIKA	MIKA, MEYERS, BECKETT & JONES	TODD SZAKACS MATTER	474.00
05/07/2021	GEN	29536	PEOPLE	PEOPLE IT	TECH SERVICE CONTRACT	369.00
05/07/2021	GEN	29537	PHASE III	PHASE 3 GRAPHICS	BUSINESS CARDS - SEYFERTH	59.08
05/07/2021	GEN	29538	PHOENI	PHOENIX SAFETY OUTFITTERS	BOOTS	290.01
05/07/2021	GEN	29539	PIT BO INC	PITNEY BOWES INC	INK PAD REPLACEMENT KIT, TAPE STRIPS	75.08
05/07/2021	GEN	29540	ROGER STER	ROGER STERK	APRIL MILEAGE	177.52
05/07/2021	GEN	29541	TARG SOL	TARGETSOLUTIONS LEARNING LLC	HALLIGAN ENTERPRISE SUBSCRIPTION	1,000.00
05/07/2021	GEN	29542	TEAMLOGIC	TEAMLOGIC IT 62203	BACKUP - NETWORKING	65.00
05/07/2021	GEN	29543	VRIESMAN	VRIESMAN & KORHORN LLC	MISCELLANEOUS ENGINEERING 284 60TH STREET - ROBERT GROOTE HIDEAWAY SITE CONDOS 60TH STREET SIDEWALK	858.00 66.00 200.24 8,943.44
						10,067.68
05/07/2021	GEN	29544	WEST SHORE	WEST SHORE FIRE INC	FACEPIECE WITH KEVLAR HEAD HARNESS, AV3	554.00
05/07/2021	GEN	29545	MARATHON	WEX BANK	DFD FUEL CFD FUEL	633.00 1,003.64
						1,636.64
05/15/2021	GEN	29546	ACTIONCHEM	ACTION CHEMICAL INC	37 X 45 BLACK 44 GAL	86.24
05/15/2021	GEN	29547	AMAZON	AMAZON CAPITAL SERVICES	DFD PAPERTOWEL, TP, LAUNDRY DETERGENT DFD 3 PACK CHAMOIS, WASH AND WAX SOAP, C SCISSORS, STAPLER, 3 RING BINDER, DESK O DFD COFFEE PODS CFD GARDEN HOSE, PISTOL GRIP NOZZLE CANNON INK CARTRIDGE, BANKER BOXES	62.35 135.24 35.24 32.80 74.95 112.90

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
					TWP OFFICE PLASTIC SPOONS, PLASTIC FORK	155.16
						608.64
05/15/2021	GEN	29548	AMPLIFE	AMPLIFIED LIFE NETWORK	CFD STRESS INCIDENT DEBRIEF FOLLOWING WA	450.00
05/15/2021	GEN	29549	AUTOZONE	AUTOZONE	PART	20.88
05/15/2021	GEN	29550	BETHWIL	BETH WILDER	JANITORIAL SERVICES DURING GAINES ELECTI	240.00
05/15/2021	GEN	29551	BLOOM	BLOOM SLUGGETT	CELEBRATION CINEMA, CONTRACT FOR MANAGER	2,554.50
05/15/2021	GEN	29552	BOUND TREE	BOUND TREE MEDICAL LLC	DFD QUIKLOT EMS ROLLED GAUZE, REPLACEME	141.53
					CFD OXYGEN REGULATOR	151.92
						293.45
05/15/2021	GEN	29553	CARLETON	CARLETON EQUIPMENT	BOBCAT PARTS	61.39
05/15/2021	GEN	29554	CLARK	CLARK HILL	FIFTH THIRD BANK MTT MATTER	120.00
					SILICONATURE USA	2,496.00
					MOBILE DEFENDERS	120.00
						2,736.00
05/15/2021	GEN	29555	DELTA DENT	DELTA DENTAL	DENTAL INSURANCE JUNE 2021	1,721.53
05/15/2021	GEN	29556	D.J.S	DJ'S LANDSCAPE MANAGEMENT	CONTRACT MONTHLY INSTALLMENT	1,598.00
					LIBRARY CONTRACT MONTHLY INSTALLMENT	143.38
						1,741.38
05/15/2021	GEN	29557	UNUM	FIRST UNUM LIFE INSURANCE COMPANY	SHORT TERM AND LONG TERM DISABILITY	780.09
05/15/2021	GEN	29558	NAPA	GENUINE PARTS COMPANY-GRAND RAPIDS	CFD OIL DRY	229.25
05/15/2021	GEN	29559	GORDON	GORDON WATER	TWP OFFICE WATER AND COOLER RENTAL	27.85
					DFD COOLER RENTAL	8.00
						35.85
05/15/2021	GEN	29560	ITP	INTERURBAN TRANSIT PARTNERSHIP	RUAL GO BUS SERVICE	767.50
					RUAL LINEHAUL SERVICE	3,776.10
						4,543.60
05/15/2021	GEN	29561	HILTON J	JONAH HILTON	PICK UP ELECTION SUPPLIES AND MILEAGE	154.26
05/15/2021	GEN	29562	KCTREASURE	KENT COUNTY TREASURER	PICTOMETRY PROJECT 2ND BILLING	3,184.94
05/15/2021	GEN	29563	LAMPHEAR	LAMPHEAR SERVICE COMPANY INC	RADIANT PANEL 3 WAY VALVE	208.00
05/15/2021	GEN	29564	MEEKHOF EL	MEEKHOF ELECTRIC INC	FOUNTAIN WAS NOT WORKING. BREAKER STUCK	243.00
05/15/2021	GEN	29565	TWP-SIEGFR	SIEGFRIED CRANDALL VOS & LEWIS	WORK ON TAX RETURNS FOR EMPLOYEES FROM I	962.50
05/15/2021	GEN	29566	BDREFUND	SUNRISE HEATING AND COOLING	SUNRISE HEATING AND COOLING	430.00
05/15/2021	GEN	29567	TDS	TDS METROCOM	TWP OFFICE TELEPHONE	288.75
05/15/2021	GEN	29568	SUN NEWS	THE SUN AND NEWS	PUBLIC HEARING AND OTHER NOTICES	892.53
05/15/2021	GEN	29569	TUFF TURF	TUFF TURF MOLEBUSTERS	ROUND UP	203.00
05/21/2021	GEN	29570	ACCIDENT	ACCIDENT FUND	WORKERS COMP	3,160.67
05/21/2021	GEN	29571	AMAZON	AMAZON CAPITAL SERVICES	LAPTOP BAG	72.89
					MAGNIFYING GLASS	16.98
					LOGITECH WIRELESS KEYBOARD	83.97
					ULTIMATE WASH AND WAX	26.99
					5.5 MIL NITRILE POWDER FREE EXAM GLOVES	427.18
						628.01
05/21/2021	GEN	29572	BLUE CROSS	BLUE CROSS BLUE SHIELD TRADITIONAL	TRADITIONAL HEALTH INSURANCE	4,978.77
05/21/2021	GEN	29573	BLUE HSA	BLUE CROSS HSA	BLUE CROSS HSA PLAN	12,942.41
05/21/2021	GEN	29574	BOUND TREE	BOUND TREE MEDICAL LLC	G3 TIDAL VOLUME, RED, BBP RESISTANT	209.99
05/21/2021	GEN	29575	BS&A SOFTW	BS&A SOFTWARE	REMOTE BS&A ONLINE BUILDING DEPARTMENT S	1,000.00

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
05/21/2021	GEN	29576	CENTEC	CENTEC CAST METAL PRODUCTS	BRONZE MARKER, US VETERAN, MARKER STAKE	774.22
05/21/2021	GEN	29577	CINTAS	CINTAS CORPORATION #301	TWP OFFICE BLACK MATS	76.94
05/21/2021	GEN	29578	HORIZON	HORIZON COMMUNITY PLANNING LLC	CALLS, MASTER PLAN, HOFFMAN MEADOWS, EXP	2,580.00
05/21/2021	GEN	29579	IPM	IPM SERVICES	TWP PEST CONTROL	42.00
05/21/2021	GEN	29580	KC TREAS	KENT COUNTY TREASURER	TOWNSHIP LAW AND CP OFFICER	70,159.98
05/21/2021	GEN	29581	KCTREASASS	KENT COUNTY TREASURER ASSOCIATION	LUNCH ONLY AT THE ANNUAL GOLF OUTING	20.00
05/21/2021	GEN	29582	MTA	MICHIGAN TOWNSHIP ASSOCIATION	ANNUAL DUES AND LEGAL DEFENSE FUND	6,416.90
05/21/2021	GEN	29583	PLUMMERS	PLUMMERS DISPOSAL SERVICE	PT WHEELCHAIR ACCESSIBLE UNIT	140.00
05/21/2021	GEN	29584	PROF CODE	PROFESSIONAL CODE INSPECTIONS INC	MECHANICAL, PLUMBING INSPECTIONS	8,520.00
05/25/2021	GEN	29585	STATE OF M	STATE OF MICHIGAN	TITLE FOR 2020 PIERCE IMPEL TANK	15.00
05/28/2021	GEN	29586	ACTIONCHEM	ACTION CHEMICAL INC	FLOW CONTROL, DISINFECTANT, DEGREASER, G	298.96
05/28/2021	GEN	29587	AMAZON	AMAZON CAPITAL SERVICES	6 CAR RV HOUSEHOLD SOFT DETAILING BRISTL	107.88
					DFD MOUSE	15.98
					WEBCAM AND CAST IRON COAT HOOKS	50.93
						<u>174.79</u>
05/28/2021	GEN	29588	AMY	AMY DENBOER	ELECTION MEAL REIMBURSEMENT	13.64
05/28/2021	GEN	29589	AUTOZONE	AUTOZONE	ALUMINUM WHEEL CLEANER, DIESEL EXHUAUST F	34.85
05/28/2021	GEN	29590	BIO-CARE	BIO-CARE	DFD 16 PHYSICALS	6,755.00
					CFD PHYSICAL EXAMS	7,645.00
						<u>14,400.00</u>
05/28/2021	GEN	29591	COMCAST	COMCAST	DFD TELEPHONE EQUIPMENT	177.23
05/28/2021	GEN	29592	TWP-CONSUM	CONSUMERS ENERGY	STREETLIGHTS	13,652.93
					LED LIGHTS	467.04
					LIBRARY	701.61
					DIVISION AVENUE STREET LIGHTS	94.20
					TWP OFFICE	3,880.57
					DFD ELECTRIC	881.72
					DUTTON CEMETERY	30.01
						<u>19,708.08</u>
05/28/2021	GEN	29593	DTE	DTE ENERGY	TWP HALL, DFD, CFD, LIBRARY GAS	1,590.80
05/28/2021	GEN	29594	FELD FIRE	ED M FELD EQUIPMENT COMPANY INC	RAPID RESCUER FLOATATION DEVICES	776.12
05/28/2021	GEN	29595	KLEYN	KLEYN MOBILE REPAIR LLC	AIR BRAKE AUTO AIR EJECT PART	372.59
05/28/2021	GEN	29596	LAMPHEAR	LAMPHEAR SERVICE COMPANY INC	COMPLETED AIR CONDITIONING REPLACEMENT	5,365.00
					PREVENTATIVE MAINTENANCE	160.00
						<u>5,525.00</u>
05/28/2021	GEN	29597	MENARDS	MENARDS- WYOMING	ROUND UP WEED KILLER	22.46
05/28/2021	GEN	29598	STAPLES 3	STAPLES	3 UNIVERSAL RIBBONS, MINI BINDER CLIPS,	47.81
05/28/2021	GEN	29599	STAR	STAR 2 STAR COMMUNICATIONS	TWP HALL PHONES	804.69
					DFD TELEPHONES	356.24
						<u>1,160.93</u>
05/28/2021	GEN	29600	VANGUARD	VANGUARD FIRE & SECURITY SYSTEMS	FIRE ALARM MONITORING SERVICES MARCH 202	495.00
05/28/2021	GEN	29601	VRIESMAN	VRIESMAN & KORHORN LLC	REVIEW KENT COUNTY DRAINAGE RULES FOR NE	267.00
					454 SWITCH PHASE 2	330.00
					803 60TH STREET SIDEWALK PHASE 2	5,543.92
					6658 EAST PARIS	735.00
					VAN LAAN REBAR BUILDING	132.00
					EVERETT'S LANDSCAPING IMPROVEMENTS REVIE	531.00
					OAK EAST PARIS YARD	939.00

06/07/2021 10:12 AM
User: MBREW
DB: Gaines Township

CHECK REGISTER FOR GAINES CHARTER TOWNSHIP
CHECK DATE FROM 05/01/2021 - 05/31/2021

Page: 5/5

Check Date	Bank	Check	Vendor	Vendor Name	Description	Amount
						8,477.92
05/28/2021	GEN	29602	WAYNE B	WAYNE BOURDO	LANDSCAPE MAINT. TOWNSHIP OFFICE AND LIB	919.57
						135.00
						1,054.57
05/29/2021	GEN	29603	BYRONTREAS	BYRON TOWNSHIP TREASURER	PUBLIC SAFETY AND PUBLIC HEALTH PAYROLL	8,949.93
GEN TOTALS:						
Total of 106 Checks:						255,083.57
Less 1 Void Checks:						430.00
Total of 105 Disbursements:						254,653.57

Gaines Charter Township

Board of Trustees Memo

Meeting Date: June 14th, 2021

PROPOSED REQUEST: Major PUD Amendment

FILE NUMBER: 210203KW

ADDRESS: 1171 & 1175 68th Street SE

PROPERTY ZONING DISTRICT: Crystal Manor PUD

PARCEL NUMBER: 41-22-05-326-015

PROPERTY SIZE: 12.0 acres

APPLICANT: MCAP Grand Rapids Propco, LLC/Kevin Willis

REPORT BY: Dan Wells, Community Development Director



OVERVIEW

The applicant has recently purchased the property and requests a PUD amendment to allow for a 3,000 square foot addition to connect the two existing buildings within the Crystal Manor PUD, which has been renamed Addington Place. The addition will include interior lobby, office, bathroom, and common activity areas for administrative staff and residents. A port cochere will also be built over the main entrance and front driveway to create a welcoming entrance area that is protected from the elements. The property will continue to be used as an assisted living facility specializing in memory care for senior citizens and has been renamed Addington Place.

The Crystal Manor PUD was approved by the Township Board in September 1993, and it was amended in 1995 to allow for a slightly enlarged accessory building.

Although the project is relatively minor with no discernable impact, it exceeds the square footage threshold for an addition to be considered as a minor amendment per the Zoning Ordinance. Specifically, the proposal exceeds a five percent increase in total building square footage (Section 10.11 C.2). Therefore, the project requires a major PUD amendment review.

Surrounding zoning:

	NORTH: Creekside PUD (Storage)	
WEST: Creekside PUD (Condos)	SUBJECT PARCEL	EAST: Cemetery
	SOUTH: 68 th Street then residential	

STANDARDS OF REVIEW

The request has been reviewed using the applicable review standards of Section 11.1, Planned Unit Development - General Review Standards. Additional information is included over the following pages concerning review considerations and standards.

- A. *Consistency with Master Plan and Zoning Ordinance: The Planned Unit Development must further the goals and objectives of the Township Master Plan and must be consistent with it. It must also be consistent with the intent and purpose of this Zoning Ordinance.*

Meets standard. The Crystal Manor PUD was approved by the Planning Commission and Township Board for this same use, and so it has been determined to meet the goals of the Master Plan. The building expansion is not a significant change, and the project is within the spirit of both the original Crystal Manor PUD and intent of the Township Zoning Ordinance.

- B. *Aesthetics: The Planned Unit Development must be aesthetically pleasing and be an integrated development with respect to building facades, building materials, landscape and berming, noise and visual screening mechanisms, and signs. It should contribute to creating a distinctive attractive community with a strong sense of place.*

Meets standard. The architectural design of the addition and building materials are consistent with the existing building and nearby structures.

- C. *Compatibility with Adjacent Uses: The Planned Unit Development must be compatible with surrounding uses. Efforts must be made to reduce any adverse effects on surrounding uses.*

Meets standard. The current adult care facility land use is compatible with the intent of the original PUD approval, and the expansion project will maintain compatibility.

- D. *Density: The density requirements of the proposed Planned Unit Development shall be based on the underlying land use district in the Master Plan. The Township Board, upon recommendation of the Planning Commission, may vary the density requirements if doing so would result in a development that better achieves the intent of the Master Plan.*

Not applicable. The proposed addition will not include residential units and will not increase residential density.

- E. *Traffic: The Planned Unit Development shall be designed to minimize the effect of traffic generated by the proposed development on surrounding uses. Consideration should be given to: 1. The amount and type of traffic generated by the proposed project and capacity of existing and proposed streets to safely absorb that additional traffic. Whether the streets and pedestrian walkways within each project are designed to facilitate safe pedestrian and vehicular traffic flow patterns. 3. All points of ingress and egress to the project shall be located and designed to maximize safety.*

Meets standard. The increase in square footage will have a negligible impact on traffic generation and no impact on traffic flow or access.

- F. *Protection of Natural Environment: Each project shall be designed to minimize adverse effects on the environment. Special emphasis shall be placed on maintaining the quality of air, soils, groundwater, streams, wetlands, and rivers.*

Meets standard. The proposed increase of square footage will have a negligible impact on the natural environment and the protection of open space.

- G. *Schools: Whether a project can be served by existing schools and school related facilities and the impact upon schools if the property is developed in accordance with the Planned Unit Development plans or in accordance with the conventional zoning district requirements shall both be considered. In addition, streets and pedestrian walkways shall be designed and located in any project to facilitate the ability of students to make the best and safest use of existing schools and school related facilities.*

Meets standard. The proposed increase of square footage will have no impact on schools and pedestrian travel as no school age children reside on the property and the buildings are surrounded by sidewalks. The north side of 68th street is served with sidewalks as well.

- H. *Public Facilities: The Planning Commission shall consider the impact a project will have on: 1. Public safety and protection services. 2. Water and sewer facilities. 3. The costs for such services. Each project shall be designed and located so as to facilitate use of, access to, or the logical expansion or extension of existing facilities in order to minimize any adverse financial or other impact upon the Township and to promote public health and safety.*

Undetermined. The proposed project may fill in an area that fire protection would use to access the back of the building. All future development plans are subject to Township Engineering and Fire Department review.

- I. *Water, Sewer, and Drainage Systems: A Planned Unit Development shall be served by a public or private water and sanitary sewer systems. The Kent County Health Department and/or the Township Engineer must approve the systems. A PUD shall also have a drainage system for surface water run-off which the Kent County Drain Commission and / or the Township Engineer must approve.*

Meets standard. The proposed increase of square footage will have no impact on water, sewer, and drainage systems. However, all future development plans are subject to Township Engineering review.

- J. *Open Space: The Planning Commission and Township Board should consider whether the PUD permanently preserves significant amounts of open space or significant natural features. The Township Board may require, upon recommendation of the Planning Commission, that natural amenities such as, but not limited to, ravines, rock outcrops, wooded areas, tree or shrub specimens, unique wildlife habitat, ponds, streams, and wetlands be preserved as part of the open space system.*

Meets standard. The proposed increase of square footage will have no significant impact on open space associated with the approved site plan.

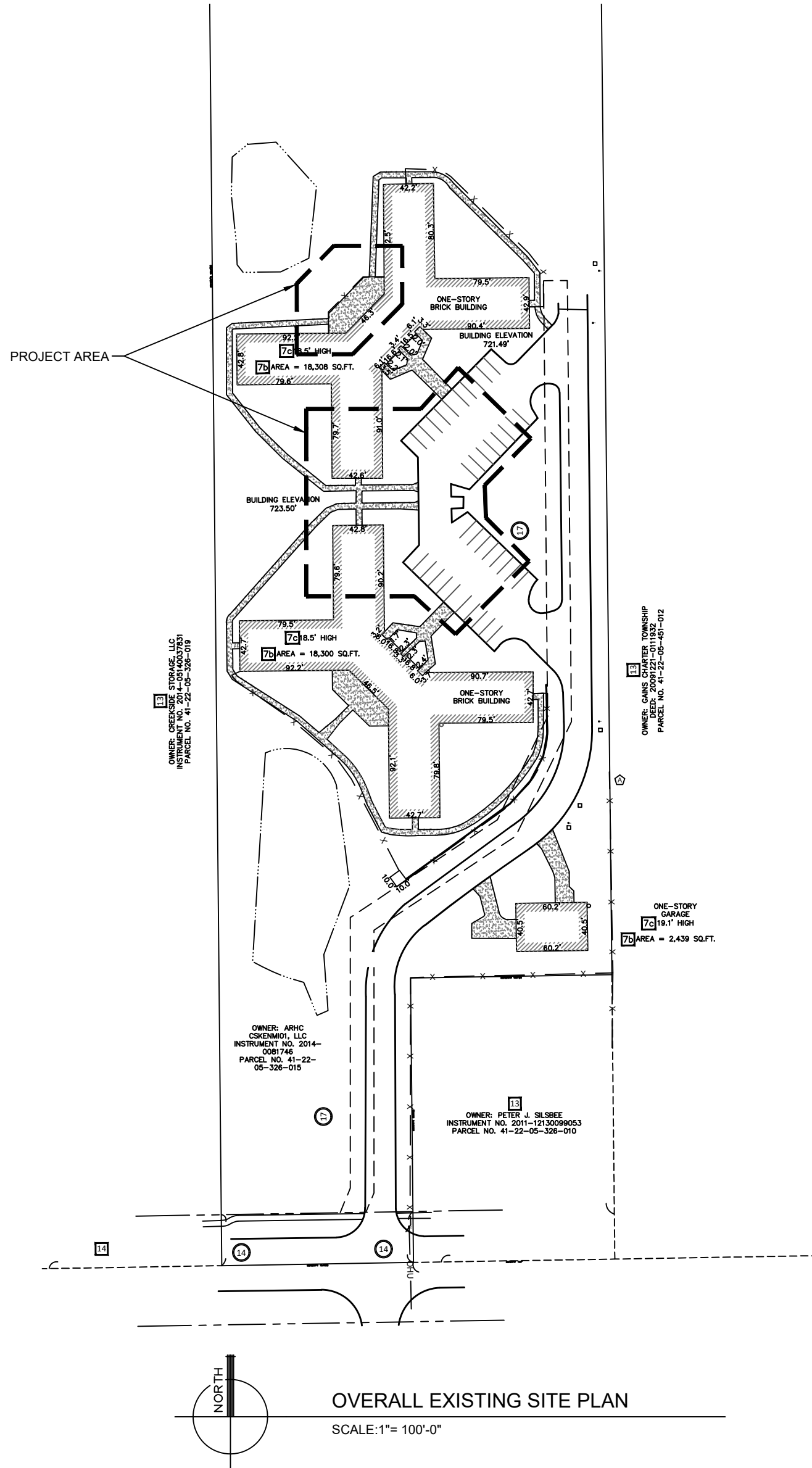
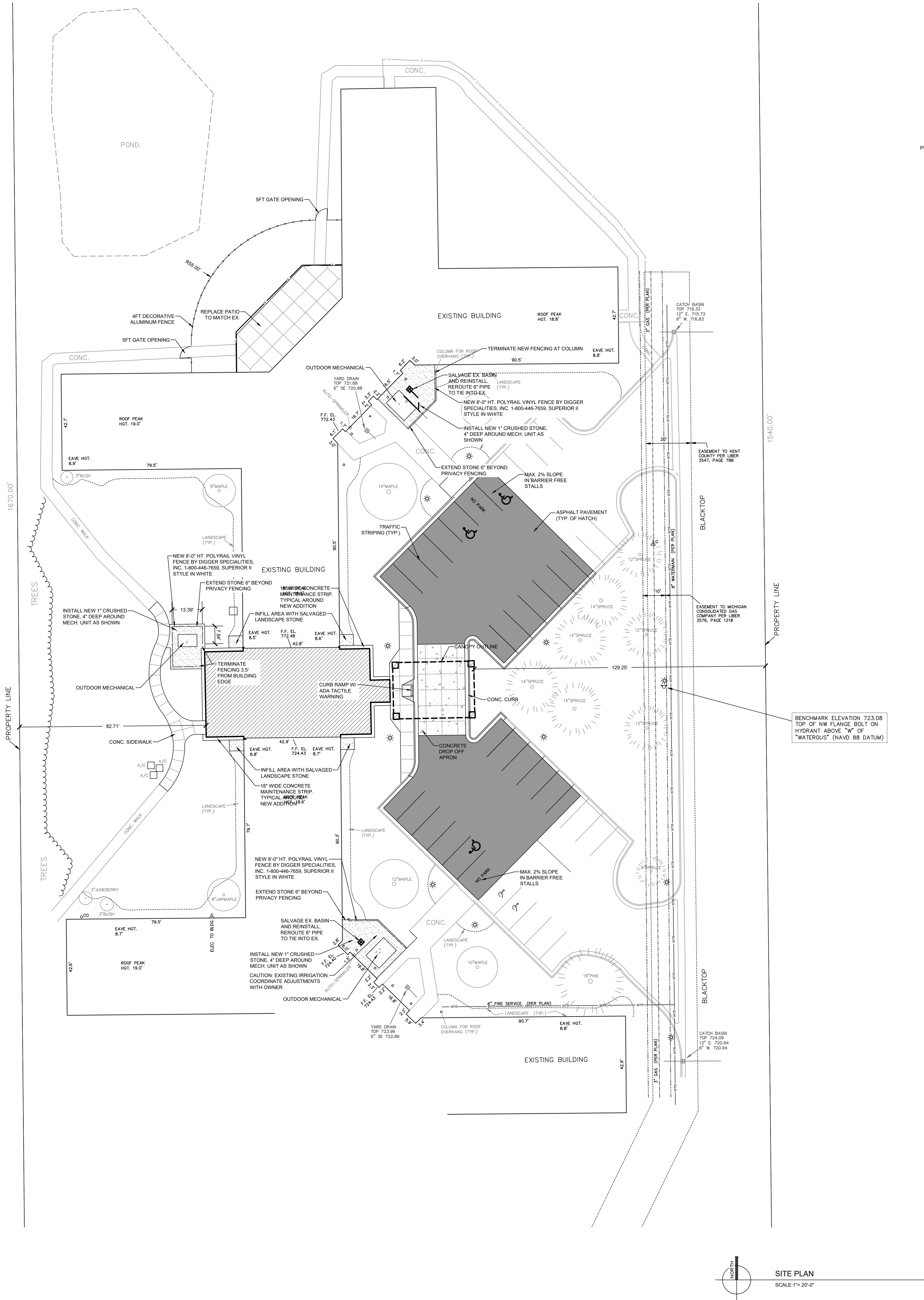
- K. *Non-Motorized Transportation Network: Projects within an identified trail network corridor may be required to construct a portion of the trail.*

Meets standard. The proposed increase of square footage will have no impact on sidewalks or pathways and will not result in the need for network improvements.

RECOMMENDATION

The planning commission reviewed the proposed project and determined the proposed addition meets the standards outlined above and approved Resolution PC-21-03-25-01 recommending that the ordinance amendment for the requested PUD amendment be forwarded to the Township Board of Trustees for consideration. Planning Commission recommended the following condition; The applicant shall be required to secure all applicable department and outside agency approvals prior to site development, including Township Engineering/BGUA, Fire Department, Kent County Road Commission, and Kent County Drain Commission.

This is the second read of the proposed PUD amendment, if the Board of Trustees supports the amendment, the resolution for the PUD amendment and draft ordinance may be approved.



OVERALL EXISTING SITE PLAN
SCALE: 1" = 100'-0"

PROPERTY DESCRIPTION:

(from Commitment No. : 19000071446)
Land situated in the Township of Gaines, County of Kent, Michigan, more particularly described as:
That part of the SW 1/4, Section 5, T5N, R11W, Gaines Township, Kent County, Michigan, described as:
Beginning at a point on the South line of said SW 1/4, which is S 89 degrees 02 minutes 13 seconds W 170.00 feet from the S 1/4 corner of said Section 5; thence S 89 degrees 02 minutes 13 seconds W 161.84 feet along said South line; thence N 00 degrees 32 minutes 51 seconds W 1670.00 feet along the West line of the E 1/8 of said SW 1/4; thence N 70 degrees 38 minutes 20 seconds E 348.56 feet; thence S 00 degrees 38 minutes 31 seconds E 1540.00 feet along the East line of said SW 1/4; thence S 89 degrees 02 minutes 13 seconds W 170.00 feet; thence S 00 degrees 38 minutes 31 seconds E 240.00 feet to the place of beginning.

(For informational purposes only)
Commonly Known As: 1171 68th St SE, Grand Rapids, MI 49519
Tax Parcel ID: 22-05-326-015

PROPERTY COMMITMENTS AND EXCEPTIONS:

- Note regarding Schedule B - Section II Exceptions (see Note 1 for this commitment information). (Numbers correspond to specific exceptions listed)
- Exception 13 Right of Way in favor of American Telephone and Telegraph Company of Michigan recorded in Liber 34M, Page 480. (document not legible, description of right of way not found in furnished document)
- Exception 14 Right of Way in favor of County of Kent recorded in Liber 66M, Page 364. (described right of way is not within surveyed area)
- Exception 15 County of Kent General Easement and Right of Way Grant recorded in Liber 2072, Page 437. (described public easement and right of way is not within surveyed area)
- Exception 16 General Easement and Right of Way in favor of Kent County Drain Commissioner recorded in Liber 2098, Page 703. (described public easement and right of way is not within surveyed area)
- Exception 17 County of Kent General Easement and Right of Way recorded in Liber 3547, Page 788. Assignment of Easements recorded in Liber 4852, Page 450. (shown hereon)
- Exception 18 Distribution Main & Service Line Easement to Michigan Consolidated Gas Company recorded in Liber 3576, Page 1218. (shown hereon)
- Exception 19 Grant of Easement to Comcast of California/Massachusetts/Michigan/Utah, Inc. recorded in Instr: 20070130-012213. (blanket type easement)

ZONING INFORMATION:

11715 68TH ST SE, GRAND RAPIDS, MI 49508

1. PROPERTY ZONING PLANNED UNIT DEVELOPMENT
2. PROPERTY SIZE 523,503sq. ft. (12.02 ac)
3. USE TYPE Housing for the elderly assisted living

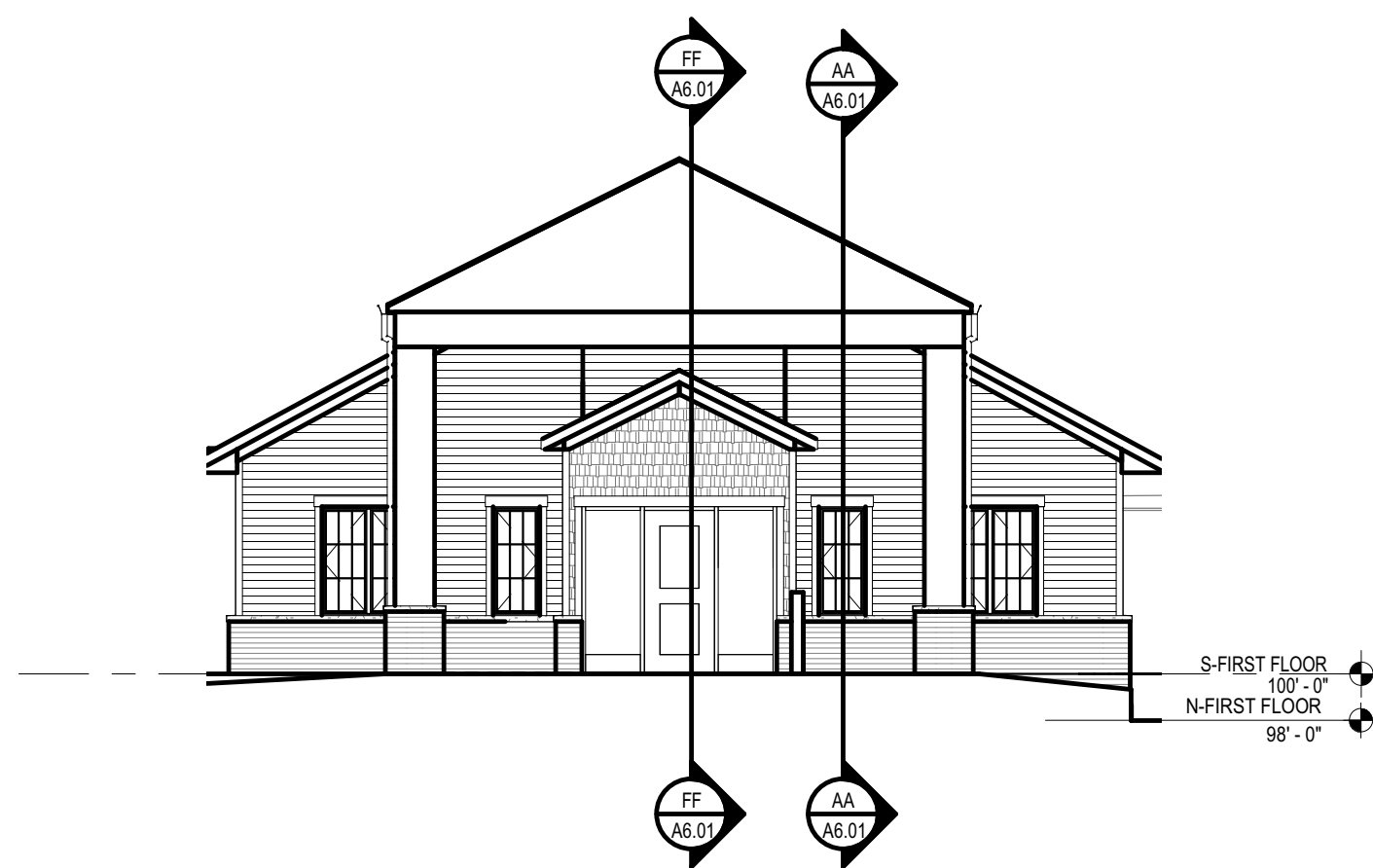
GENERAL NOTES:

1. DO NOT BURY ANY DEBRIS, ROOTS, TOPSOIL OR OTHER MATERIALS.
2. ALL WORK SHALL COMPLY WITH APPLICABLE REQUIREMENTS OR THE LOCAL CODE, ORDINANCES AND ACCIDENT PREVENTION REGULATIONS.
3. PROTECT THE SITE, ADJACENT PROPERTY AND UTILITY SERVICES FROM DAMAGE OR DISRUPTION OF SERVICE/ACCESS. DAMAGE TO EXISTING STRUCTURE, SITE OR UTILITIES SHALL BE REPAIRED AT THE CONTRACTORS EXPENSE.
4. ALL TREES TO REMAIN SHALL BE CAREFULLY PROTECTED. DO NOT DRIVE HEAVY EQUIPMENT WITHIN 12 FT OF TREE TRUNKS, BRANCHES WHICH ARE DAMAGED DURING DEMOLITION OF STRUCTURES AND/OR SURFACES SHALL BE CUT OUT AS DIRECTED BY THE ARCHITECT/ENGINEER. ANY ROOTS OF TREES BEING SAVED WHICH ARE EXPOSED DUE TO DEMOLITION/REMOVAL SHALL BE COVERED WITHIN 6 HOURS WITH SOIL. DAMAGED TREES MAY BE REPLACED AT THE DISCRETION OF THE ARCHITECT/ENGINEER AT THE EXPENSE OF THE CONTRACTOR RESPONSIBLE FOR THE DAMAGE.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS FOR WORK IN ROW AND ON ANY UTILITY CONNECTIONS OR ABANDONMENT PRIOR TO THE START OF CONSTRUCTION.
6. CONTRACTORS TO REVIEW ALL SHEETS FOR RELATED INFORMATION.
7. LIST OF STANDARD ABBREVIATIONS -
- "A.F.F." = ABOVE FINISHED FLOOR
"C.L." = CENTER LINE
"F.F." = FINISH FLOOR ELEVATION
"U.N.O." = UNLESS NOTED OTHERWISE

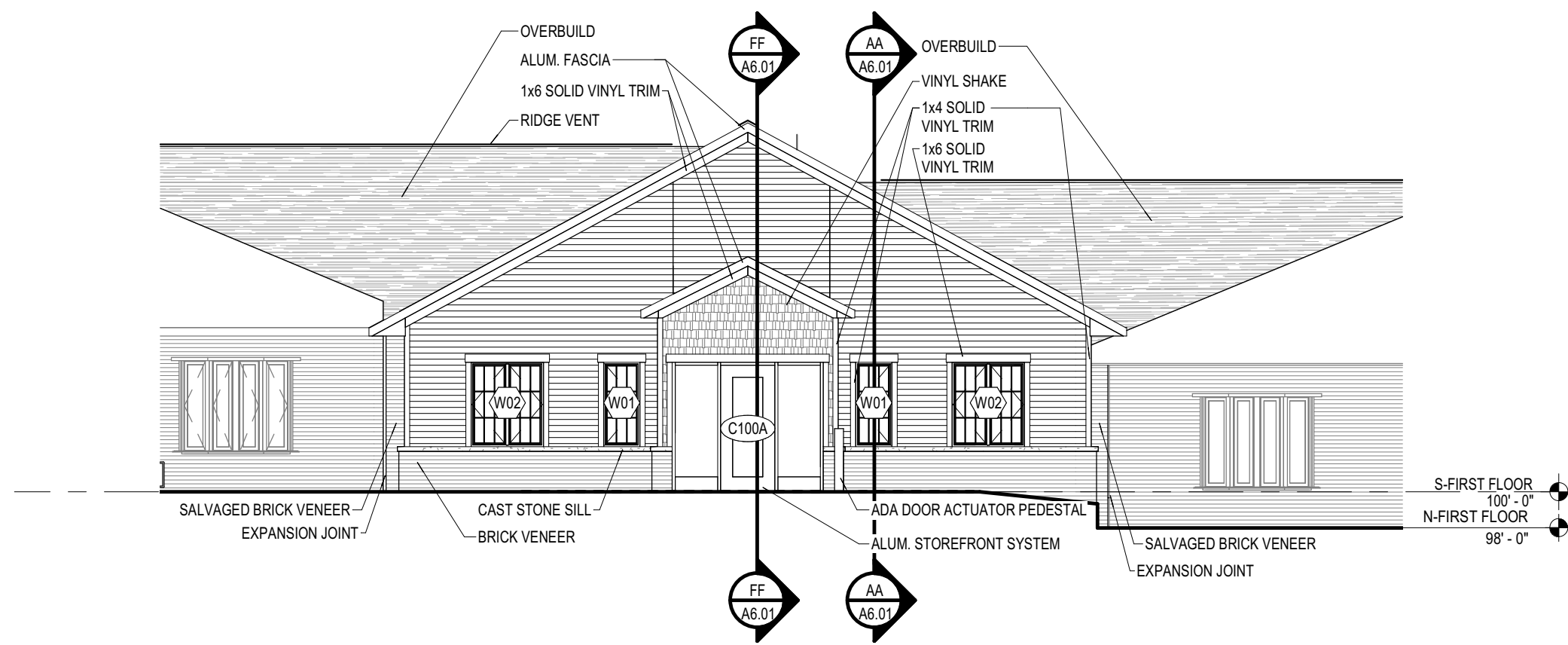
ADDITIONS AND RENOVATIONS
ADDINGTON PLACE OF GRAND RAPIDS
MCAP GRAND RAPIDS PROPCO, LLC
GRAND RAPIDS, MICHIGAN

Submitted
February 2,
2021- DW

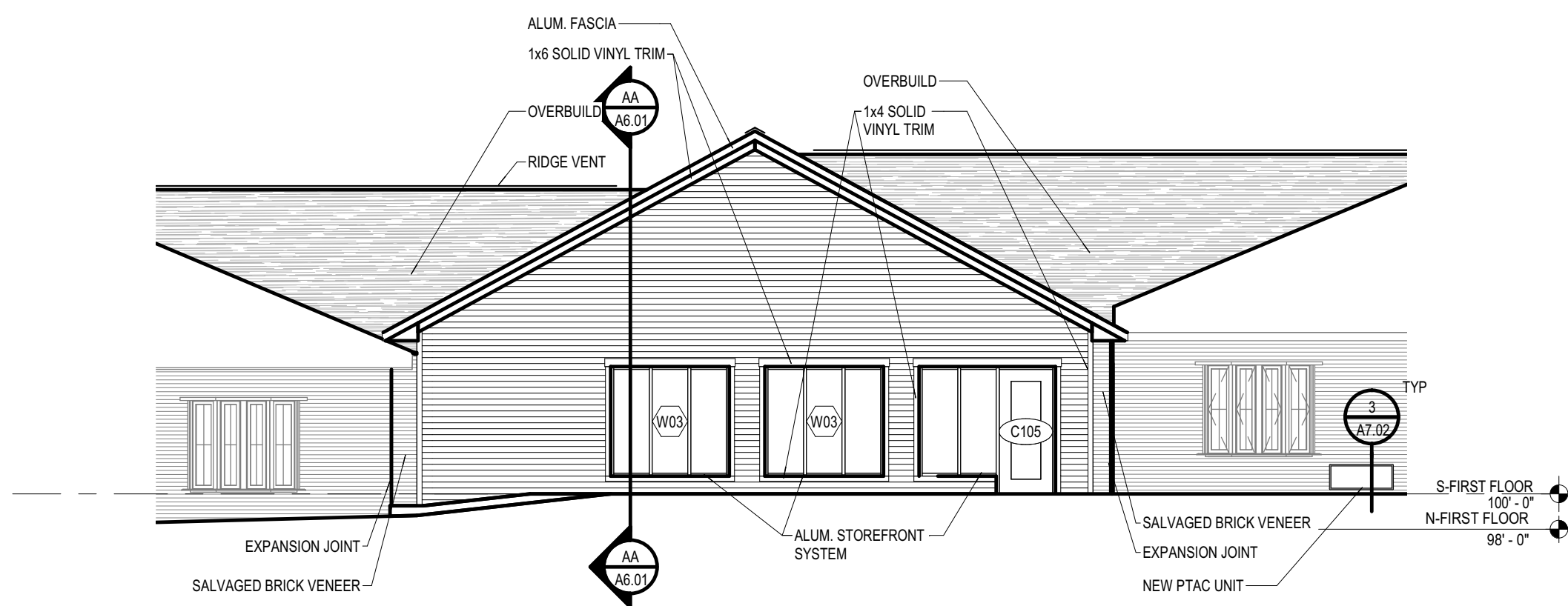
No part of this drawing may be used or reproduced in any form or by any means, or stored in a database or retrieval system, without prior written permission of



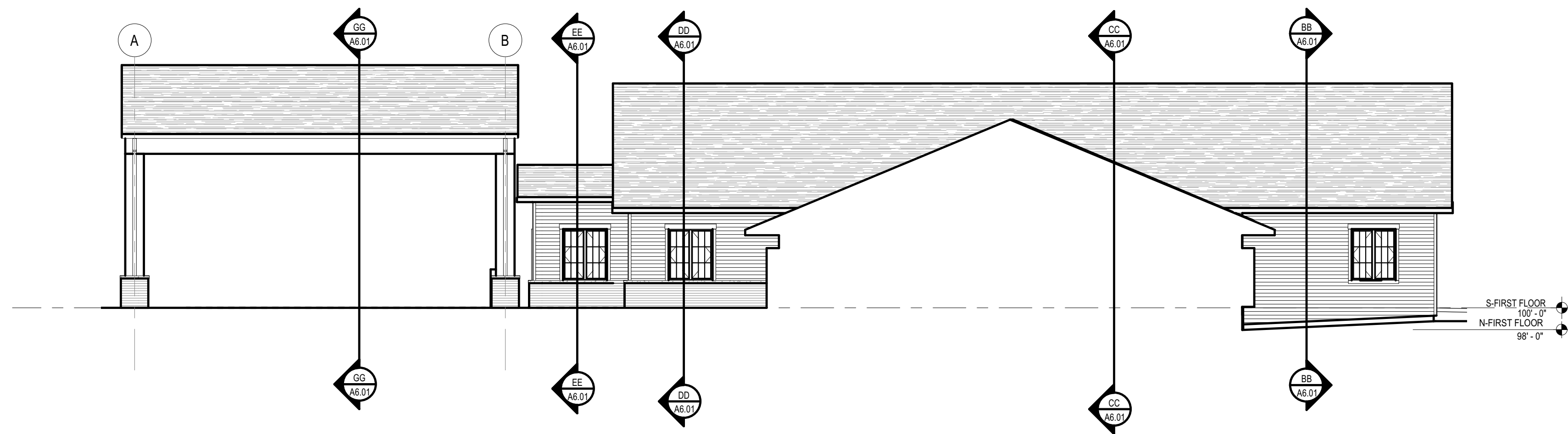
5 EAST CANOPY ELEVATION
1/8" = 1'-0"



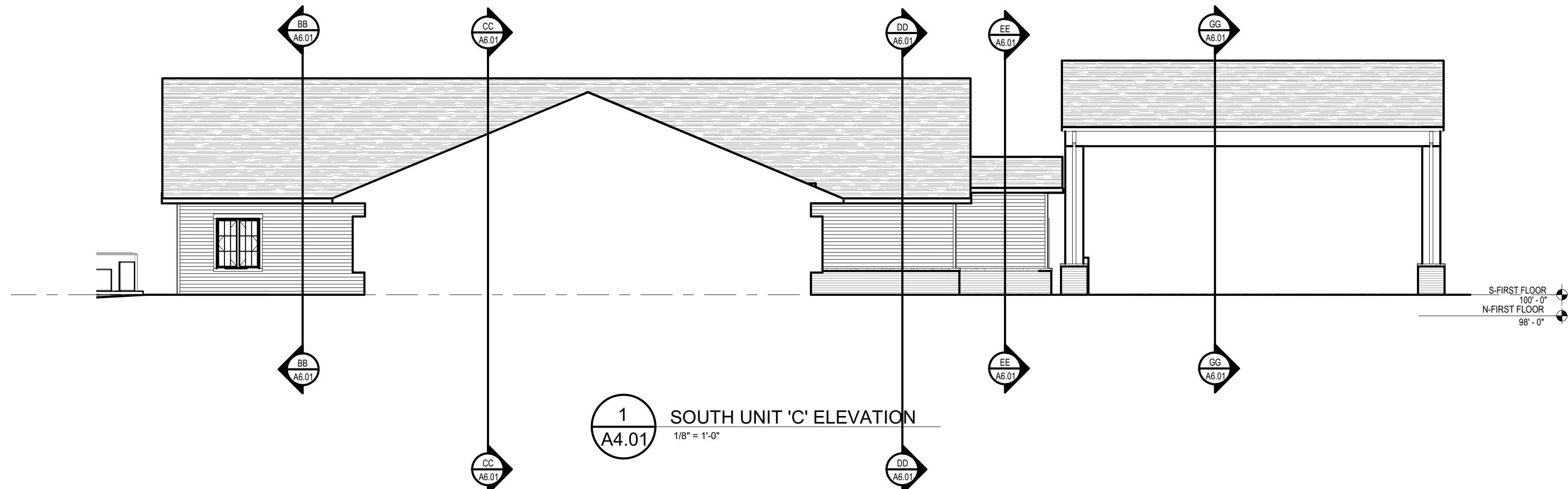
4 EAST UNIT 'C' ELEVATION
1/8" = 1'-0"



2 WEST UNIT 'C' ELEVATION
1/8" = 1'-0"



3 NORTH UNIT 'C' ELEVATION
1/8" = 1'-0"



1 SOUTH UNIT 'C' ELEVATION
1/8" = 1'-0"

**CHARTER TOWNSHIP OF GAINES
COUNTY OF KENT, MICHIGAN**

**RESOLUTION NO. PC 21-03-25-01
CRYSTAL MANOR PUD**

The following Resolution was offered and adopted by the Gaines Charter Township Planning Commission at a video conference meeting held on March 25, 2021.

Members Present: Burns, Giarmo, Haagsma, Rober, Thomas, Waayenberg, Billips
Member Absent: None

The following Resolution was offered for adoption by Planning Commissioner Waayenberg and supported by Planning Commissioner Rober to document the findings and the recommendations of approval by the Gaines Charter Township Planning Commission ("Planning Commission") regarding a request made by MCAP Grand Rapids Propco, LLC to amend the PUD plan for Crystal Manor (AKA Addington Place). The amendment will add a 3,000 square foot addition, connecting the existing residential buildings, and adding an awning over the entrance at 1171 and 1175 68th Street SE.

STATEMENT OF FINDINGS

Section I General Background:

1. The Planning Commission is authorized to review major amendments to Planned Unit Developments and make recommendations to the Township Board.
2. The PUD is legally described as:
PART OF E 1/2 E 1/2 E 1/2 SW 1/4 COM 170.0 FT S 89D 02M 13S W ALONG S SEC LINE FROM S 1/4 COR TH S 89D 02M 13S W ALONG S SEC LINE 161.84 FT TO W LINE OF E 1/2 E 1/2 E 1/2 SW 1/4 TH N 0D 32M 51S W ALONG SD W LINE 1670.0 FT TH N 70D 38M 20S E 348.56 FT TO N&S 1/4 LINE TH S 0D 36M 31S E ALONG N&S 1/4 LINE 1540.0 FT TO N LINE OF S 240.0 FT OF SW 1/4 TH S 89D 02M 13S W ALONG SD N LINE 170.0 FT TO W LINE OF E 170.0 FT OF SW 1/4 TH S 0D 36M 31S E ALONG SD W LINE 240.0 FT TO BEG * SEC 5 T5N R11W 12.17 A.
3. The Planning Commission held a public hearing on the PUD project on March 25, 2021.
4. MCAP Grand Rapids Propco, LLC requested a major amendment to the Crystal Springs PUD to increase the square feet (SF) of the building by 3,000 SF.
5. The Planning Commission conducted a review of the plans submitted February 2, 2021 for the PUD amendment on February 25, 2021. The Planning Commission directed staff to draft a resolution on

February 25, 2021, and to set a public hearing. This Resolution considers the revised PUD plans submitted February 2, 2021.

Section II Findings:

Based on the material and plans submitted, a review of the relevant portions of the Gaines Charter Township Zoning Ordinance ("the Zoning Ordinance"), the applicant's presentation at the public hearing, and Township Staff's recommendation, and other factors, the Planning Commission hereby adopts the following findings:

1. Section 11.1 Planned Unit Development General Review Standards.

(a) Consistency with Master Plan and Zoning Ordinances.

The Crystal Manor PUD was approved by the Planning Commission and Township Board for this same use, and so it has been determined to meet the goals of the Master Plan. The building expansion is not a significant change, and the project is within the spirit of both the original Crystal Manor PUD and intent of the Township Zoning Ordinance.

(b) Aesthetics.

The architectural design of the addition and building materials are consistent with the existing building and nearby structures.

(c) Compatibility with Adjacent Uses.

The current adult care facility land use is compatible with the intent of the original PUD approval, and the expansion project will maintain compatibility.

(d) Density.

The proposed addition will not include residential units and will not increase residential density.

(e) Traffic.

The increase in square footage will have a negligible impact on traffic generation and no impact on traffic flow or access.

(f) Protection of Natural Environment.

The proposed increase of square footage will have a negligible impact on the natural environment and the protection of open space.

(g) Schools.

The proposed increase of square footage will have no impact on schools as no school age children reside on the property.

(h) Public Facilities.

The proposed project may fill in an area that fire protection would use to access the back of the building. All future development plans are subject to Township Engineering and Fire Department review.

(l) Utilities.

The proposed increase of square footage will have no impact on water, sewer, and drainage systems. However, all future development plans are subject to Township Engineering review.

(j) Open Space.

The proposed increase of square footage will have no significant impact on open space associated with the approved site plan.

(k) Non-Motorized Trail Network.

The proposed increase of square footage will have no impact on sidewalks or pathways and will not result in the need for network improvements.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission has determined that the preceding findings support the amendment to the PUD site plan. The Planning Commission hereby recommends that the Township Board approves the proposed amendment to the Crystal Manor PUD plan for the property located at 1171 and 1175 68th Street SE. with the condition that the applicant shall be required to secure all applicable department and outside agency approvals prior to site development, including Township Engineering/BGUA, Fire Department, Kent County Road Commission, and Kent County Drain Commission.

The vote on the motion to adopt this Resolution was as follows:

YES: Burns, Giarmo, Haagsma, Rober, Thomas, Waayenberg, Billips

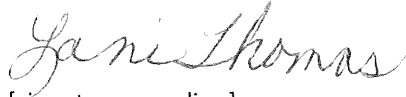
NO: None

RESOLUTION DECLARED ADOPTED

CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Gaines Charter Township Planning Commission at a video conference meeting held on March 25, 2021.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lani Thomas".

[signature pending]

Lani Thomas, Secretary
Gaines Charter Township
Planning Commission

Dated: March 25, 2021

**CHARTER TOWNSHIP OF GAINES
COUNTY OF KENT, MICHIGAN
ORDINANCE NO. 2021-__**

**PROPOSED AMENDMENT TO THE CRYSTAL MANOR PUD TO ADD A 3,000 SQUARE FOOT ADDITION TO
THE RESIDENTIAL BUILDING LOCATED AT 1171 AND 1175 68TH STREET SE.**

THE CHARTER TOWNSHIP OF GAINES ORDAINS:

Section 1. Legal Description

The PUD provisions for the following described property located at 1171 and 1175 68th Street SE are amended to allow 3,000 additional square feet of office, community gathering space, and an awning over the entry:

PART OF E 1/2 E 1/2 E 1/2 SW 1/4 COM 170.0 FT S 89D 02M 13S W ALONG S SEC LINE FROM S 1/4 COR TH S 89D 02M 13S W ALONG S SEC LINE 161.84 FT TO W LINE OF E 1/2 E 1/2 E 1/2 SW 1/4 TH N 0D 32M 51S W ALONG SD W LINE 1670.0 FT TH N 70D 38M 20S E 348.56 FT TO N&S 1/4 LINE TH S 0D 36M 31S E ALONG N&S 1/4 LINE 1540.0 FT TO N LINE OF S 240.0 FT OF SW 1/4 TH S 89D 02M 13S W ALONG SD N LINE 170.0 FT TO W LINE OF E 170.0 FT OF SW 1/4 TH S 0D 36M 31S E ALONG SD W LINE 240.0 FT TO BEG * SEC 5 T5N R11W 12.17 A.

Section 2. Records

All plans, attachments, conditions, and amendments to the PUD as provided under Section 10.11 shall be kept on file and may be inspected at the offices of Gaines Charter Township.

Section 3. Scope of Approval

In no other respects shall any other provisions of the Zoning Ordinance of the Charter Township of Gaines be changed.

FINDINGS. For the relevant findings of fact and details, please see Resolution No. 2021-__.

A motion was made to adopt the foregoing ordinance by Township Board Member _____ and supported by Township Board Member _____, the roll call vote being as follows:

AYES: _____

NAYS: _____

ABSENT: _____

ORDINANCE DECLARED ADOPTED.

Rob DeWard, Supervisor
Charter Township of Gaines

Michael Brew, Clerk
Charter Township of Gaines

CERTIFICATE OF TOWNSHIP CLERK

I hereby certify that the foregoing is a true and complete copy of an Ordinance introduced by the Township Board of the Charter Township of Gaines, County of Kent, State of Michigan at a meeting held on [MONTH, DAY], 2021 and adopted by the Township Board of the Charter Township of Gaines, County of Kent, State of Michigan, at a meeting held on [MONTH, DAY], 2021. I further certify that public notice of said meetings were given pursuant to the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or rescheduled meeting, notice by posting at least eighteen (18) hours prior to the time set for said meeting.

I further certify that said Ordinance has been recorded in the Ordinance Book of the Township and such recording has been authenticated by the signatures of the Supervisor and the Township Clerk.

Michael Brew, Clerk
Charter Township of Gaines

CHARTER TOWNSHIP OF GAINES COUNTY OF KENT, MICHIGAN

RESOLUTION NO. 2021-_____

The following Resolution was offered and adopted by the Gaines Charter Township Board of Trustees at a regular meeting held on _____, 2021, at the Gaines Charter Township Offices, 8555 Kalamazoo Avenue, Caledonia, Michigan.

Members Present:

Member Absent:

The following Resolution was offered for adoption by Member _____ and supported by Member _____ to document the findings and decision by the Gaines Charter Township Board of Trustees regarding a request made by MCAP Grand Rapids Propco, LLC to amend the PUD plan for Crystal Manor (AKA Addington Place).

CRYSTAL MANOR PUD MAJOR AMENDMENT AT 1171 AND 1175 68TH STREET SE

Section I General Background:

1. The applicant, MCAP Grand Rapids Propco, LLC requests to amend the PUD plan for Crystal Manor (AKA Addington Place). The amendment is to construct a 3,000 square foot addition, connecting the existing residential buildings, and adding an awning over the entrance. The subject plans were prepared by GMB and last revised December 17, 2020 and received February 2, 2021.
2. The property subject to the major PUD amendment is located at 1171 and 1175 68th Street SE (parcel number 41-22-05-326-015) and is described as follows:

PART OF E 1/2 E 1/2 E 1/2 SW 1/4 COM 170.0 FT S 89D 02M 13S W ALONG S SEC LINE FROM S 1/4 COR TH S 89D 02M 13S W ALONG S SEC LINE 161.84 FT TO W LINE OF E 1/2 E 1/2 E 1/2 SW 1/4 TH N 0D 32M 51S W ALONG SD W LINE 1670.0 FT TH N 70D 38M 20S E 348.56 FT TO N&S 1/4 LINE TH S 0D 36M 31S E ALONG N&S 1/4 LINE 1540.0 FT TO N LINE OF S 240.0 FT OF SW 1/4 TH S 89D 02M 13S W ALONG SD N LINE 170.0 FT TO W LINE OF E 170.0 FT OF SW 1/4 TH S 0D 36M 31S E ALONG SD W LINE 240.0 FT TO BEG * SEC 5 T5N R11W 12.17 A.

Resolution No. 21-_____
Crystal Manor PUD Amendment
_____, 2021

3. The Planning Commission held a public hearing on the PUD amendment on March 25, 2021. The Planning Commission approved forwarding the major PUD amendment, with conditions, to the Township Board for consideration on March 25, 2021.

Section II Findings:

Based on the material and plans submitted, a review of the relevant portions of the Gaines Charter Township Zoning Ordinance (“the Zoning Ordinance”), the applicant’s presentation at the public hearing, and Township Staff and Planning Commission recommendation, and other factors, the Township Board of Trustees hereby adopts the following findings against Section 11.1 Planned Unit Development General Review Standards.

1. Section 11.1 Planned Unit Development General Review Standards.

(a) Consistency with Master Plan and Zoning Ordinances.

The Crystal Manor PUD was approved by the Planning Commission and Township Board for this same use, and so it has been determined to meet the goals of the Master Plan. The building expansion is not a significant change, and the project is within the spirit of both the original Crystal Manor PUD and intent of the Township Zoning Ordinance.

(b) Aesthetics.

The architectural design of the addition and building materials are consistent with the existing building and nearby structures.

(c) Compatibility with Adjacent Uses.

The current adult care facility land use is compatible with the intent of the original PUD approval, and the expansion project will maintain compatibility.

(d) Density.

The proposed addition will not include residential units and will not increase residential density.

(e) Traffic.

The increase in square footage will have a negligible impact on traffic generation and no impact on traffic flow or access.

(f) Protection of Natural Environment.

The proposed increase of square footage will have a negligible impact on the natural environment and the protection of open space.

(g) Schools.

The proposed increase of square footage will have no impact on schools as no school age children reside on the property.

(h) Public Facilities.

The proposed project may fill in an area that fire protection would use to access the back of the building. All future development plans are subject to Township Engineering and Fire Department review.

(i) Utilities.

The proposed increase of square footage will have no impact on water, sewer, and drainage systems. However, all future development plans are subject to Township Engineering review.

(j) Open Space.

The proposed increase of square footage will have no significant impact on open space associated with the approved site plan.

(k) Non-Motorized Trail Network.

The proposed increase of square footage will have no impact on sidewalks or pathways and will not result in the need for network improvements.

TOWNSHIP BOARD DECISION

The Township Board of Trustees has determined that the preceding findings support the major amendment the Crystal Manor PUD. The Township Board approves the major PUD amendment with the following condition:

Secure all Township department and outside agency approvals, including:

1. Township Engineer/BGUA.
2. Fire Department.
3. Kent County Road Commission.
4. Kent County Drain Commission.

A motion was made to adopt this resolution by Township Board Member _____ and supported by Township Board Member _____, the roll call vote being as follows:

AYES: _____

NAYS: _____

ABSENT: _____

RESOLUTION DECLARED ADOPTED

Resolution No. 21-__
Crystal Manor PUD Amendment
_____, 2021

CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Gaines Charter Township Board at a regular meeting held on _____, 2021.

Respectfully submitted,

Michael Brew, Clerk
Gaines Charter Township

Dated: _____, 2021

Gaines Charter Township

Board of Trustees Memo

Meeting Date: June 14th, 2021

PROPOSED REQUEST: Major PUD Amendment

ADDRESS: 1439 and 1469 Eastport Drive

PARCEL NUMBERS: 41-22-05-276-001 & 41-22-05-276-005

APPLICANT: Bosch Architecture

FILE NUMBER: 210318SB

PROPERTY ZONING DISTRICT: The Crossings PUD

PROPERTY SIZE: 4.25 Acres

REPORT BY: Dan Wells, Community Development Director; David Jirousek, AICP, Planning Consultant



OVERVIEW

The applicant requests site plan approval and a major amendment to the Crossings PUD to allow for the construction of a 26,650 square foot, four-story Staybridge Suites hotel. The amendment is required in part to accommodate the fact that the properties had been approved as overflow parking for the Celebration Cinema. The plan includes a 124-room hotel facility with a 90-person meeting room. The site plan includes 155 parking spaces. The following PUD modifications are proposed:

- The proposed building will be set back approximately 31 feet from the right-of-way for Eastport Drive (50 feet required in General Commercial).
- The proposed building is four stories and 52 feet in height (two and a half stories and 35 feet required in General Commercial).

Originally, the Planning Commission approved the site plan and recommended approval of the major PUD amendment on October 24, 2019. However, the approval expired as the project did not proceed along with the anticipated schedule. Since 2019, the building is proposed to be six feet taller, however, nine feet further away from the right-of-way to the south. The Planning Commission held a public hearing on the revised proposal on April 22, 2021.

Surrounding zoning:

	NORTH: O-S, Clocktower PUD	
WEST: Crossings PUD	SUBJECT PARCEL	EAST: Crossings PUD
	SOUTH: Crossings PUD	

PUD STANDARDS OF REVIEW

The major PUD amendment request has been reviewed using the applicable review standards of Section 11.1, Planned Unit Development - General Review Standards. Findings concerning the standards of approval are included in the approval resolution.

RECOMMENDATION

Staff and the Planning Commission recommend approval of the major PUD amendment. The Planning Commission conditionally approved the final site plan on April 22nd, 2021; however, the Township Board is only required to act on the major PUD amendment (setback reduction and height increase). A resolution and ordinance have been prepared for consideration.

This is the second read of the proposed PUD amendment, if the Board of Trustees supports the amendment, the resolution for the PUD amendment and draft ordinance may be approved.



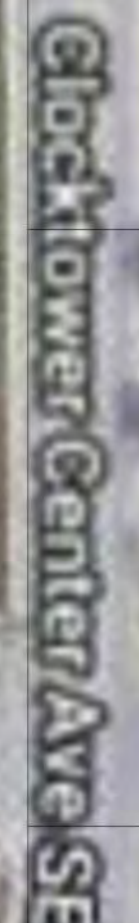
3D View 1
SCALE:



3D View 2
SCALE:



3D View 4
SCALE:



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CHARTER TOWNSHIP OF GAINES COUNTY OF KENT, MICHIGAN

ORDINANCE NO.

The following Ordinance was offered and adopted by the Gaines Charter Township Board of Trustees at a regular meeting held on _____, 2021.

Members Present:

Member Absent:

The following ordinance was offered for adoption by member _____ and supported by member _____ to document the findings and approval of the Gaines Charter Township Board of Trustees regarding a request made by M-6 Hotel Group to amend the Crossings PUD to allow a four-story, 52-foot tall Staybridge Suites extended stay hotel with a greater height and lesser setback as PUD modifications.

AN ORDINANCE TO AMEND THE CROSSINGS PUD FOR M-6 HOTEL GROUP FOR 1439 AND 1469 EASTPORT DRIVE

THE CHARTER TOWNSHIP OF GAINES (the "Township") ORDAINS:

Section 1. Amendment. The Gaines Charter Township Board of Trustees approves a major amendment to the Crossing PUD to allow for a 52-foot, four-story building with a 31-foot southern setback from Eastpoint Drive. The subject plans are titled "M-6 Hotel Group- Staybridge Suites" and were prepared by Bosch Architecture last revised April 13, 2021.

The property subject to the major PUD amendment is located at 1439 & 1469 Eastport Drive SE (#41-22-05-276-001 & 41-22-05-276-005) and is described as:

PART NEFRL 1/4 COM AT A PR ON N LINE OF EASTPORT DR /110 FT WIDE/ SD PT BEING 1710.61 FT S 00D 29M 47S E ALONG E SEC LINE & 421.57 FT 90D 00M 00S W & 95.69 FT N 79D 03M 20S W & 199.66 FT N 68D 06M 40S W & 125.93 FT N 78D 32M 07S W FROM NE COR OF SEC TH WLY 6.32 FT ALONG A 348 FT RAD CURVE LT / LONG CHORD BEARS N 89D 28M 47S W 6.32 FT/ TH 90D 00M 00S W 153.68 FT TH NLY 164.99 FT ALONG A 548 FT RAD CURVE LT / LONG CHORD BEARS N 06D 04M 57S W 164.37 FT/ TH NWLY 100.62 FT ALONG A 248 FT RAD CURVE LT / LONG CHORD BEARS N 26D 19M 51S W 99.93 FT/ TH 90D 00M 00S E 221.74 FT TH S OD 00M 00S 253.06 FT TO BEG * SEC 5 T5N R11W 1.11 A
AND

PART OF NEFRL 1/4 COM AT E 1/4 COR TH N OD 29M 47S W ALONG E SEC LINE 621.51 FT TO NLY LINE OF EASTPORT DR /96 FT WIDE/ TH 90D 00M 00S W ALONG SD NLY LINE 421.57 FT TH NWLY 96.27 FT ALONG 252 FT RAD CURVE TO RT /LONG CHORD BEARS N 79D 03M 20S W 95.69 FT/ TH N 68D 06M 40S W 147.69 FT TO BEG OF THIS DESC - TH N 68D 06M 40S W 51.97 FT TH NWLY 126.63 FT ALONG A

348 FT RAD CURVE TO LT /LONG CHORD BEARS N 78D 32M 07S W 125.93 FT/ TH N 0D 00M 00S 253.06 FT TH 90D 00M 00S W 221.74 FT TO NELY LINE OF SD DR TH NWLY ALONG SD DR 222.41 FT ON A 248 FT RAD CURVE TO LT /LONG CHORD BEARS N 63D 38M 43S W 215.03 FT/ TH N 89D 20M 16S W 79.77 FT TH N 16D 25M 56S W 52.96 FT TH S 89D 20M 10S E 0.86 FT TO A PT 1328.22 FT N 89D 20M 16S W FROM E SEC LINE OF NE 1/4 TH N 0D 06M 29S W 8.57 FT TO N LINE OF S 1134 FT OF NE 1/4 & S LINE OF N 1198.06 FT OF NE 1/4 TH S 89D 24M 04S E 772.14 FT TH S 0D 29M 47S E 147.67 FT TH 90D 00M 00S W 95.99 FT TH S 0D 29M 47S E 297.46 FT TO BEG * SEC 5 T5N R11W

Section 2. Findings. For the relevant findings of fact and details, please see Resolution No. 2021-____.

Section 3. Effective Date. This Ordinance shall become effective seven (7) days after a summary is published in a newspaper of general circulation within the Township.

The vote in favor of this Ordinance was as follows:

YEAS: _____

NAYS: _____
ABSENT/ABSTAIN: _____

ORDINANCE DECLARED ADOPTED

CERTIFICATION

I hereby certify that the above is a true copy of an Ordinance adopted by the Township Board for Gaines Charter Township at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

By _____

Michael Brew

Gaines Charter Township Clerk

CHARTER TOWNSHIP OF GAINES COUNTY OF KENT, MICHIGAN

RESOLUTION NO. 2021-_____

The following Resolution was offered and adopted by the Gaines Charter Township Board of Trustees at a regular meeting held on _____, 2021, at the Gaines Charter Township Offices, 8555 Kalamazoo Avenue, Caledonia, Michigan.

Members Present:

Member Absent:

The following Resolution was offered for adoption by Member _____ and supported by Member _____ to document the findings and decision by the Gaines Charter Township Board of Trustees regarding a request made by M-6 Hotel Group to amend the Crossings PUD to allow a four-story Staybridge Suites extended stay hotel with a greater height and lesser setback as PUD modifications.

THE CROSSINGS PUD MAJOR AMENDMENT FOR M-6 HOTEL GROUP FOR 1439 AND 1469 EASTPORT DRIVE

Section I General Background:

1. The applicant proposes a major amendment to the Crossing PUD to allow for a 52-foot, four-story hotel building with a 31-foot southern setback from Eastpoint Drive. The subject plans are titled "M-6 Hotel Group- Staybridge Suites" and were prepared by Bosch Architecture last revised April 13, 2021.
2. The property subject to the major PUD amendment is located at 1439 & 1469 Eastport Drive SE (#41-22-05-276-001 & 41-22-05-276-005). The Gaines Charter Township Board adopted Ordinance number AP-02-88 on April 15, 1988, which authorized and created the Crossings Planned Unit Development Zoning District and subsequent development plans within which the following described land area was a part:

PART NEFRL 1/4 COM AT A PR ON N LINE OF EASTPORT DR /110 FT WIDE/ SD PT BEING 1710.61 FT S 00D 29M 47S E ALONG E SEC LINE & 421.57 FT 90D 00M 00S W & 95.69 FT N 79D 03M 20S W & 199.66 FT N 68D 06M 40S W & 125.93 FT N 78D 32M 07S W FROM NE COR OF SEC TH WLY 6.32 FT ALONG A 348 FT RAD CURVE LT / LONG CHORD BEARS N 89D 28M 47S W 6.32 FT/ TH 90D 00M 00S W 153.68 FT TH NLY 164.99 FT ALONG A 548 FT RAD CURVE LT / LONG CHORD BEARS N 06D 04M 57S W 164.37 FT/ TH NWLY 100.62 FT ALONG A 248 FT RAD CURVE LT / LONG CHORD BEARS N 26D 19M 51S W 99.93 FT/ TH 90D 00M 00S E 221.74 FT TH S OD 00M 00S 253.06 FT TO BEG * SEC 5 T5N R11W 1.11 A

Resolution No. 21-__-__
Crossings PUD- Staybridge
May 10, 2021

AND

PART OF NEFRL 1/4 COM AT E 1/4 COR TH N 0D 29M 47S W ALONG E SEC LINE 621.51 FT TO NLY LINE OF EASTPORT DR /96 FT WIDE/ TH 90D 00M 00S W ALONG SD NLY LINE 421.57 FT TH NWLY 96.27 FT ALONG 252 FT RAD CURVE TO RT /LONG CHORD BEARS N 79D 03M 20S W 95.69 FT/ TH N 68D 06M 40S W 147.69 FT TO BEG OF THIS DESC - TH N 68D 06M 40S W 51.97 FT TH NWLY 126.63 FT ALONG A 348 FT RAD CURVE TO LT /LONG CHORD BEARS N 78D 32M 07S W 125.93 FT/ TH N 0D 00M 00S 253.06 FT TH 90D 00M 00S W 221.74 FT TO NELY LINE OF SD DR TH NWLY ALONG SD DR 222.41 FT ON A 248 FT RAD CURVE TO LT /LONG CHORD BEARS N 63D 38M 43S W 215.03 FT/ TH N 89D 20M 16S W 79.77 FT TH N 16D 25M 56S W 52.96 FT TH S 89D 20M 10S E 0.86 FT TO A PT 1328.22 FT N 89D 20M 16S W FROM E SEC LINE OF NE 1/4 TH N 0D 06M 29S W 8.57 FT TO N LINE OF S 1134 FT OF NE 1/4 & S LINE OF N 1198.06 FT OF NE 1/4 TH S 89D 24M 04S E 772.14 FT TH S 0D 29M 47S E 147.67 FT TH 90D 00M 00S W 95.99 FT TH S 0D 29M 47S E 297.46 FT TO BEG * SEC 5 T5N R11W

3. The Planning Commission held a public hearing on the PUD amendment on April 22, 2021, and recommended approval of the major PUD amendment.

Section II Findings:

Based on the material and plans submitted, a review of the relevant portions of the Gaines Charter Township Zoning Ordinance ("the Zoning Ordinance"), the applicant's presentation at the public hearing, and Township Staff's recommendation, and other factors, the Township Board of Trustees hereby adopts the following findings against Section 11.1 Planned Unit Development General Review Standards.

- A. Consistency with Master Plan and Zoning Ordinance: The Planned Unit Development must further the goals and objectives of the Township Master Plan and must be consistent with it. It must also be consistent with the intent and purpose of this Zoning Ordinance.

Meets standard. The properties are master planned for general commercial uses. The properties are part of the Crossings Planned Unit development, which is a mixed residential-commercial PUD that encompasses both sides of the M-6 freeway. The proposed development can be said to be consistent with the master plan and zoning ordinance.

- B. Aesthetics: The Planned Unit Development must be aesthetically pleasing and be an integrated development with respect to building facades, building materials, landscape and berming, noise and visual screening mechanisms, and signs. It should contribute to creating a distinctive attractive community with a strong sense of place.

Meets standard. The hotel has an attractive stone façade around the base of the structure. The building will complement other buildings along Eastport Drive and in the adjacent Clocktower Shopping Plaza.

- C. Compatibility with Adjacent Uses: The Planned Unit Development must be compatible with surrounding uses. Efforts must be made to reduce any adverse effects on surrounding uses.

Meets standard. The proposed hotel will be located on the excess parking area for Celebration Cinema. The parking area has seen only moderate use since the opening of the movie theatre. The conversion of the lot into a hotel is not anticipated to impact Celebration Cinema's ability to operate. The rest of the uses on Eastport drive are restaurants, apartments, and personal service businesses, all of which are compatible with a hotel/meeting facility.

- D. Density: The density requirements of the proposed Planned Unit Development shall be based on the underlying land use district in the Master Plan. The Township Board, upon recommendation of the Planning Commission, may vary the density requirements if doing so would result in a development that better achieves the intent of the Master Plan.

Meets standard. The master plan does not have density calculations pertaining to hotels.

- E. Traffic: The Planned Unit Development shall be designed to minimize the effect of traffic generated by the proposed development on surrounding uses. Consideration should be given to: 1. The amount and type of traffic generated by the proposed project and capacity of existing and proposed streets to safely absorb that additional traffic. Whether the streets and pedestrian walkways within each project are designed to facilitate safe pedestrian and vehicular traffic flow patterns. 3. All points of ingress and egress to the project shall be located and designed to maximize safety.

Meets standard. Access is limited to existing driveways, and the hotel is not anticipated to have the traffic impact associated with other commercial uses of comparable square footage.

- F. Protection of Natural Environment: Each project shall be designed to minimize adverse effects on the environment. Special emphasis shall be placed on maintaining the quality of air, soils, groundwater, streams, wetlands, and rivers.

Meets standard. The hotel will be built over an existing parking area featuring a retention pond. Construction of the hotel is not expected to negatively impact the natural environment provided the engineer's stormwater management requirements are followed.

- G. Schools: Whether a project can be served by existing schools and school related facilities and the impact upon schools if the property is developed in accordance with the Planned Unit Development plans or in accordance with the conventional zoning district requirements shall both be considered. In addition, streets and pedestrian walkways shall be designed and located in any project to facilitate the ability of students to make the best and safest use of existing schools and school related facilities.

Meets standard. The proposed hotel will not feature permanent residences and will therefore not impact local school districts.

- H. Public Facilities: The Planning Commission shall consider the impact a project will have on: 1. Public safety and protection services. 2. Water and sewer facilities. 3. The costs for such services. Each project shall be designed and located so as to facilitate use of, access to, or the logical expansion or

extension of existing facilities in order to minimize any adverse financial or other impact upon the Township and to promote public health and safety.

Meets standard. The plans were reviewed by the Township Engineer and Fire Department.

- I. Water, Sewer, and Drainage Systems: A Planned Unit Development shall be served by a public or private water and sanitary sewer systems. The Kent County Health Department and/or the Township Engineer must approve the systems. A PUD shall also have a drainage system for surface water run-off which the Kent County Drain Commission and / or the Township Engineer must approve.

Meets standard. Engineering requirements are required to be met as a condition of final PUD approval by the Planning Commission.

- J. Open Space: The Planning Commission and Township Board should consider whether the PUD permanently preserves significant amounts of open space or significant natural features. The Township Board may require, upon recommendation of the Planning Commission, that natural amenities such as, but not limited to, ravines, rock outcrops, wooded areas, tree or shrub specimens, unique wildlife habitat, ponds, streams, and wetlands be preserved as part of the open space system.

Meets standard. The proposed hotel does not contain an open space preservation component. The hotel will be placed on an existing parking area, and therefore there will not result in a loss of any existing open space.

- K. Non-Motorized Transportation Network: Projects within an identified trail network corridor may be required to construct a portion of the trail.

Meets standard. There are no Township/County trails or parklands associated with this property. The existing sidewalks along the west and south frontages on Eastport Drive will remain.

TOWNSHIP BOARD DECISION

The Township Board of Trustees has determined that the preceding findings support the major amendment to the Crossings PUD to allow for a 52-foot, four-story building with a 31-foot southern setback from Eastpoint Drive. The Township Board of Trustees approves the major PUD amendment

A motion was made to adopt this resolution by Township Board Member _____ and supported by Township Board Member _____, the roll call vote being as follows:

AYES: _____
NAYS: _____
ABSENT: _____

RESOLUTION DECLARED ADOPTED

CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Gaines Charter Township Board at a regular meeting held on _____, 2021.

Respectfully submitted,

Michael Brew, Clerk
Gaines Charter Township

Dated: _____, 2021

Gaines Charter Township

Board of Trustees Memo

Meeting Date: June 14, 2021

AGENDA ITEM: XXXXXXXX

PROPOSED REQUEST: Final Preliminary Plat
and Final Plat Approval

ADDRESS: 2307 68th Street

PARCEL NUMBER: 41-22-04-477-051

APPLICANT: Kentwood Public Schools

FILE NUMBER: 210317TB

PROPERTY ZONING DISTRICT: RL-10

PROPERTY SIZE: 1.02 Acres

REPORT BY: Dan Wells, Community
Development Director; David Jirousek, AICP,
Planning Consultant



OVERVIEW

The applicant requests approval of a final preliminary plat and final plat for three proposed lots along Peerpoint Drive. The subject area is approximately one acre and is zoned RL-10. Since infrastructure is already completed and approvals were received from the Drain Commission and Road Commission, the review can occur concurrently.

Surrounding zoning:

	NORTH: RL-10	
WEST: RL-10	SUBJECT PARCEL	EAST: PUD
	SOUTH: RL-10	

STANDARDS OF REVIEW

This project is subject to review against the following requirements and standards:

- GCTZO Section 6.3 Development Standards and GCT Code of Ordinances Section 22-62 Compliance with Zoning Regulations
- GCTZO Section 6.4 Additional Requirements for Plats & Site Condominium Developments
- GCTZO Section 16.13 Residential Landscaping
- GCT Code of Ordinances, Section 22-63 Sidewalks
- GCT Code of Ordinances, Section 22-64 Street Lighting
- GCT Code of Ordinances Section 22- 65 Public Utilities

1. GCTZO Section 6.3 Development Standards and GCT Code of Ordinances Section 22-62 Compliance with Zoning Regulations

Single-family lots in RL-10 must be a minimum of 10,000 square feet in area and 80 feet in width. All proposed lots comply with size and width requirements.

Setbacks for single-family and two-family lots in RL-10 are 35 feet for the front and rear and eight feet for the sides. Conforming building envelopes are shown on the plat, which will allow for compliant single-family building footprints.

2. GCTZO Section 6.4 Additional Requirements for Plats & Site Condominium Developments

Section 6.4 A requires that a platted development incorporate a variety of house models. Since the development only includes three lots, only two models are required. Each house model must have multiple characteristics that clearly distinguish it from the other house models, such as different exterior materials, rooflines, garage placement, architectural style, number of stories, and/or building face. Staff recommends that the review of house models and future variations be an administrative responsibility during the zoning and building permitting process.

3. GCTZO Section 16.13 Residential Landscaping

Section 16.13 A requires that all platted subdivisions include one canopy tree for every 80 feet of road frontage. Street trees must be placed in accordance with Section 16.13 and the requirements of the Kent County Road Commission. Staff recommends that the graphic representation requirement on the preliminary plat is unnecessary at this time and notes that the requirement will be enforced when individual homes are constructed.

4. GCT Code of Ordinances, Section 22-63 Sidewalks

In accordance with Section 22-63, sidewalks shall be installed by the proprietor as specified by Township ordinance or as otherwise required by the Township Board or its designated Township official or body. A sidewalk already exists along the Peerpoint Drive right-of-way.

5. GCT Code of Ordinances, Section 22-64 Street Lighting

In accordance with Section 22-64, street lighting shall be installed by the proprietor as specified by Township ordinance or as otherwise required by the Township Board or its designated Township official or body. Consistent with past developments, the developer should request that the Township create a Street Light Assessment District before a residential building permit is issued by the Township.

- The number and location of street lights are to be determined by Consumers Energy for each phase of development.
- The developer must provide the necessary funds for installation within 30 days of Gaines Charter Township issuing an invoice for the installation costs.

The applicant shall ensure that street lights are installed at the same distance interval as other fixtures along Peerpoint Drive.

6. GCT Code of Ordinances Section 22- 65 Public Utilities

The development will be served by connections to existing municipal water and sanitary sewer lines. Stormwater will be treated by an existing detention pond to the south of the project area on the school site.

Provisions for the installation of buried power, telephone, gas distribution, and cable TV lines are also to be included. The applicant shall be required to comply with all utility and stormwater recommendations of the Township Engineer.

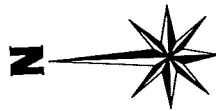
RECOMMENDATION

The final plat is consistent with the preliminary plat that was previously approved by the Township Board. The conditions in the provided resolution remain the same. Final preliminary plat and final plat approval are recommended to be approved.

EXPLORER ESTATES

PART OF THE SE 1/4, SECTION 4, T5N, R11W,
GAINES TOWNSHIP, KENT COUNTY, MICHIGAN

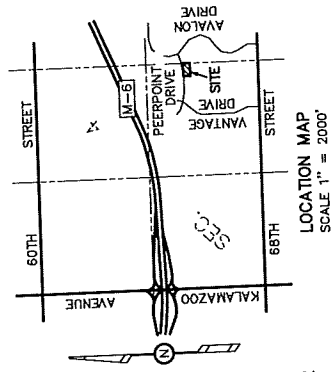
SHEET 1 OF 2



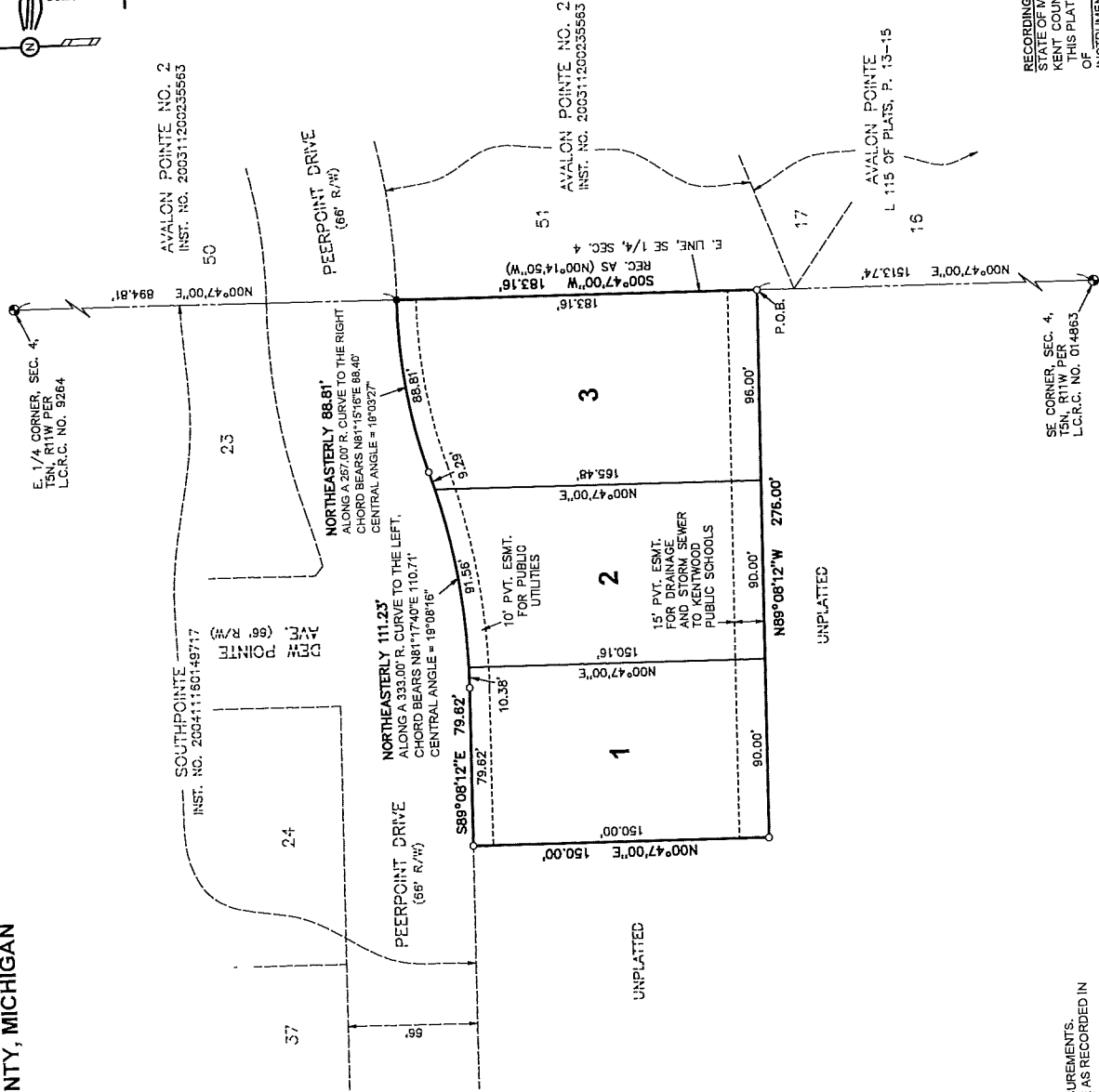
0' 20' 40'
SCALE: 1" = 40'



LEGEND
ALL DIMENSIONS ARE IN FEET.
ALL CURVILINEAR MEASUREMENTS ARE ARC MEASUREMENTS.
CURVILINEAR MEASUREMENTS ARE BASED ON SOUTH-POINT AS RECORDED IN
PLAT BEARING NO. 200411160148717.
O = SECTION MONUMENT WITH A 1/2" DIAMETER STEEL BAR, 36" LONG,
ENCASED IN 4" DIAMETER CONCRETE.
● = FOUND MONUMENT WITH A 1/2" DIAMETER STEEL BAR, 36" LONG,
ENCASED IN 4" DIAMETER CONCRETE.
ALL LOT CORNERS ARE MARKED BY 1/2" DIAMETER STEEL BARS,
18" IN LENGTH WITH SURVEY CAP MARKED EXCEL 50453.
R = RADIAL LINES NOT MARKED ARE NON-RADIAL
INST. = INSTRUMENT



LOCATION MAP
SCALE 1" = 2000'



RECORDING CERTIFICATE
STATE OF MICHIGAN)
KENT COUNTY)
THIS PLAT WAS RECEIVED FOR RECORD ON THE _____ DAY
OF _____, 2020, AT _____ M. AND RECORDED IN
INSTRUMENT NO. _____

LISA POSTHUMUS LYONS, REGISTER OF DEEDS

EXPLORER ESTATES
PART OF THE SE 1/4, SECTION 4, T5N, R11W,
GAINES TOWNSHIP, KENT COUNTY, MICHIGAN
SHEET 2 OF 2

SURVEYOR'S CERTIFICATE

I, KENNETH J. VIERZEN, SURVEYOR, CERTIFY: THAT I HAVE SURVEYED, DIVIDED AND MAPPED THE LAND SHOWN ON THIS PLAT DESCRIBED AS FOLLOWS: EXPLORER ESTATES, PART OF THE SE 1/4, SECTION 4, T5N, R11W, GAINES TOWNSHIP, KENT COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SE CORNER OF SAID SECTION 4; THENCE N00°47'00"E 1513.74 FEET ALONG THE EAST LINE OF SAID SECTION 4; THENCE N00°47'00"E 1513.74 FEET ALONG THE EAST LINE OF SAID SE 1/4 PLAT ALONG THE WEST LINE OF AVALON POINTE (AS RECORDED IN DEED 115 OF PLATS LARGES 13 THROUGH 15) AND ALONG THE WEST LINE OF AVALON POINTE NO. 2 (AS RECORDED IN INSTRUMENT NUMBER 20031200235593), TO THE POINT OF BEGINNING; THENCE N89°08'12"W 276.00 FEET; THENCE N07°47'00"E 150.00 FEET TO THE SOUTH LINE OF SOUTHPOINTE (AS RECORDED IN INSTRUMENT NUMBER 2004118074017); THENCE S89°08'12"E 78.62 FEET ALONG SAID SOUTH LINE; THENCE N04°11'00"E 111.23 FEET ALONG SAID SOUTH LINE ON A 333.00 FOOT RADIUS CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 19°08'16" AND A CHORD OF WHICH BEARS N81°17'00"E 110.71 FEET; THENCE N04°11'00"E 110.71 FEET ALONG SAID SOUTH LINE ON A 267.00 FOOT RADIUS CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 19°08'16" AND A CHORD OF WHICH BEARS N81°15'16"E 88.40 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHPOINTE; THENCE S00°47'00"W 183.16 FEET ALONG THE EAST LINE OF SAID SE 1/4 AND THE WEST LINE OF SAID AVALON POINTE NO. 2 TO THE POINT OF BEGINNING.

CONTAINS 3 LOTS AND 1.02 ACRES.

THAT I HAVE MADE SUCH SURVEY, LAND DIVISION AND PLAT BY THE DIRECTION OF THE OWNERS OF SUCH LAND, THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL THE EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE SUBDIVISION OF IT, THAT THE REQUIRED MONUMENTS AND LOT MARKERS HAVE BEEN LOCATED IN THE GROUND OR THAT SURETY HAS BEEN DEPOSITED WITH THE MUNICIPALITY AS REQUIRED BY THE ACT, THAT THE ACCURACY OF SURVEY IS WITHIN THE LIMITS AS REQUIRED BY THE ACT AND AS EXPLAINED IN THE LEGEND.

EXXEL ENGINEERING, INC.
5252 CLYDE PARK, S.W.
GRAND RAPIDS, MI 49509-9724



KENNETH J. VIERZEN, VICE PRESIDENT
PROFESSIONAL SURVEYOR NO. 51491

PROPRIETOR'S CERTIFICATE

KENTWOOD PUBLIC SCHOOLS, 5820 EASTERN AVE. SE, KENTWOOD, MICHIGAN 49508, A MUNICIPAL CORPORATION DULY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF MICHIGAN BY TODD BELL, EXECUTIVE DIRECTOR, AS PROPRIETOR, HAS CAUSED THE LAND DESCRIBED IN THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED ON THIS PLAT; THAT THE PUBLIC UTILITY EASEMENTS ARE PRIVATE EASEMENTS AND THAT ALL OTHER EASEMENTS ARE FOR THE USES SHOWN ON THE PLAT; AND THAT THE PRIVATE WALKWAY IS FOR THE USE OF KENTWOOD PUBLIC SCHOOLS.

KENTWOOD PUBLIC SCHOOLS
5820 EASTERN AVE. SE
KENTWOOD, MICHIGAN 49508

BY: TODD BELL, EXECUTIVE DIRECTOR

ACKNOWLEDGMENT
STATE OF MICHIGAN
COUNTY OF KENT

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY TODD BELL, EXECUTIVE DIRECTOR OF KENTWOOD PUBLIC SCHOOLS, A MICHIGAN MUNICIPAL CORPORATION, ON BEHALF OF THE MUNICIPAL CORPORATION.

JAMES A. SWANSON
NOTARY PUBLIC, KENT COUNTY, MICHIGAN
MY COMMISSION EXPIRES: 01/09/2027

TREASURER'S CERTIFICATE
THE RECORDS IN MY OFFICE SHOW NO UNPAID TAXES OR SPECIAL ASSESSMENTS FOR THE 5 YEARS PRECEDING _____, 2021, INVOLVING THE LANDS INCLUDED IN THIS PLAT.

KENNETH D. PARRISH, KENT COUNTY TREASURER

COUNTY DRAIN COMMISSIONER'S CERTIFICATE

APPROVED ON _____, 2021, AS COMPLYING WITH 1967 PA 288, MCL 580.192 AND THE APPLICABLE RULES AND REGULATIONS PUBLISHED BY MY OFFICE IN THE COUNTY OF KENT.

KENNETH YONKER, DRAIN COMMISSIONER
DATE: _____

COUNTY ROAD COMMISSION CERTIFICATE

APPROVED ON _____, 2021, AS COMPLYING WITH 1967 PA 288, MCL 580.183 AND THE APPLICABLE PUBLISHED RULES AND REGULATIONS OF THE BOARD OF COUNTY ROAD COMMISSIONERS OF KENT COUNTY.

MARK E. RAMBO, CHAIRMAN
DATE: _____

MUNICIPAL CERTIFICATE

I CERTIFY THAT THIS PLAT WAS APPROVED BY THE TOWNSHIP BOARD OF THE TOWNSHIP OF GAINES AT A MEETING HELD _____, 2021, AND WAS REVIEWED AND FOUND TO BE IN COMPLIANCE WITH 1967 PA 288, MCL 580.101 TO 580.281. PUBLIC SEWER SERVICES AND PUBLIC WATER SERVICES HAVE BEEN INSTALLED AND ARE READY FOR CONNECTION.

MICHAEL BREW, CLERK
DATE: _____

COUNTY PLAT BOARD CERTIFICATE

THIS PLAT HAS BEEN REVIEWED AND IS APPROVED BY THE KENT COUNTY PLAT BOARD ON _____, 2021, AS BEING IN COMPLIANCE WITH ALL OF THE PROVISIONS OF 1967 PA 288, MCL 580.101 TO 580.283, AND THE PLAT BOARD'S APPLICABLE RULES AND REGULATIONS.

MANDY BOLTER, BOARD CHAIRMAN
BOARD OF COMMISSIONERS

LISA POSTHULMUS LYONS, COUNTY CLERK
REGISTER OF DEEDS

KENNETH D. PARRISH
KENT COUNTY TREASURER

**CHARTER TOWNSHIP OF GAINES
COUNTY OF KENT, MICHIGAN**

RESOLUTION NO. 2021-_____

The following Resolution was offered and adopted by the Gaines Charter Township Board of Trustees at a regular meeting held on _____, 2021, at the Gaines Charter Township Offices, 8555 Kalamazoo Avenue, Caledonia, Michigan.

Members Present:

Member Absent:

The following Resolution was offered for adoption by Member _____ and supported by Member _____ to document the findings and decision by the Gaines Charter Township Board of Trustees regarding a request made by Kentwood Public Schools for Final Preliminary Plat and Final Plat approval for a three-lot residential development.

**APPROVAL OF THE FINAL PRELIMINARY PLAT AND FINAL PLAT FOR
KENTWOOD PUBLIC SCHOOLS**

WHEREAS, Kentwood Public Schools, the "Applicant," has submitted the Final Preliminary Plat and Final Plat for a three-lot residential development (the "Plat") located at 2307 68th Street SE (41-22-04-477-051);

WHEREAS, the proposed plat consists of three single-family lots located within the 1.02-acre area of land; and

WHEREAS, the Township Board provided tentative approval of the subject preliminary plat.

IT IS, THEREFORE, RESOLVED AS FOLLOWS:

1. Final Preliminary Plat and Final Plat.

The Gaines Charter Township Board of Trustees hereby grants approval of the final preliminary plat and final plat as shown on the plat dated June 7, 2021, upon the terms and subject to the conditions stated in this Resolution.

2. Lots.

The plat shall consist of three (3) residential lots, for one single-family detached dwelling each, numbered from lot 1 through lot 3, inclusive. Residential construction shall comply with the Township Zoning Ordinance and subdivision requirements.

3. Land Division Act and Chapter 22 Land Divisions, Subdivisions and Land Development.

The plat shall comply in all respects with applicable provisions of the Michigan Land Division Act and Chapter 22 of the Gaines Charter Township Code, Land Divisions, Subdivisions and Land Development.

4. Other Required Approvals.

Signatures from other agencies having jurisdiction over the plat shall be obtained in accordance with the Land Division Act.

5. Conditions of Approval.

- a. Staff shall confirm that no less than two house models that meet the requirements of the GCTZO Section 6.4 A are built within the plat.
- b. Staff shall enforce the street tree requirement of the GCTZO Section 16.13 A at the time of building permitting.
- c. The applicant shall request the creation of a Street Light Assessment District before applying for residential building permits. The applicant shall ensure that street lights are installed at the same distance interval as other fixtures along Peerpoint Drive.
- d. The applicant shall adhere to all review comments provided by the Township Engineer.
- e. Signatures from other agencies having jurisdiction over the plat shall be obtained in accordance with the Land Division Act prior to recording the final plat and prior to granting building permits.

TOWNSHIP BOARD DECISION

Based on the above, the Gaines Charter Township Board of Trustees hereby adopts Resolution No. 2021-___ and approves the subject final preliminary plat and final plat, subject to conditions documented herein.

A motion was made to adopt this resolution by Township Board Member _____ and supported by Township Board Member _____, the roll call vote being as follows:

AYES: _____
NAYS: _____
ABSENT: _____

RESOLUTION DECLARED ADOPTED

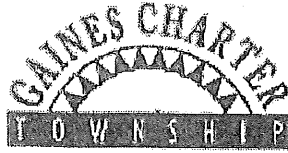
CERTIFICATION

I hereby certify that the above is a true copy of a resolution adopted by the Gaines Charter Township Board at a regular meeting held on _____, 2021.

Respectfully submitted,

Michael Brew, Clerk
Gaines Charter Township

Dated: _____, 2021



Professional Development
Seminar/Accreditation/Workshop/Conference
Attendance Request Form

Employee Name: Laurie Lemke Job Title: Treasurer
Supervisor: — Date: 5/17/21

Check One:

☐ Seminar ☐ Accreditation Course ☐ Workshop ☒ Conference ☐ Other

Title of Activity: —

Organization Name: Assoy. of Public Treasures US + Canada

Location: On-Line

Dates of Attendance: 7-18 to 7-21 Number of training hours: 20

Registration Cost: \$ 299 Cost of Housing: —

Estimated Mileage: — Estimated Cost of Meals: —

List specific knowledge or skill will you learn: Investment Strategies ;
Fraud ; Economic Updates ; Communication -

How will the acquired knowledge/skill help improve your performance and/or prepare you for more advanced responsibilities? Continuing Treasurers office
education for today's challenges

Employee Signature: Laurie Lemke Date: 5-17-21

Attach a description of the training with a completed registration form and forward to the Supervisor for approval.



CLEAR FORM

Professional Development
Seminar/Accreditation/Workshop/Conference
Attendance Request Form

Employee Name: Megan VanHoose Job Title: Assessor
Supervisor: Rob DeWard Date: April 5, 2021

Check One:

____ Seminar ____ Accreditation Course ____ Workshop X Conference ____ Other

Title of Activity: IAAO - Annual Conference

Organization Name: IAAO - International Association of Assessing Officers

Location: Chicago, Illinois

Dates of Attendance: Aug 29 - Sept 1 Number of training hours: 25-30

Registration Cost: \$485 Cost of Housing: \$934.42

Estimated Mileage: N/A Estimated Cost of Meals: N/A

List specific knowledge or skill will you learn: Technology, pandemic valuation techniques,
assessment administration, management & leadership skills, GIS, etc.

How will the acquired knowledge/skill help improve your performance and/or prepare you for more advanced responsibilities? At IAAO Conference I will be able to discover new technologies,
pandemic valuation techniques and mapping tools that can be implemented to improve
efficiency & accuracy. I will also attend courses on leadership and managing an assessing office.

I will receive a \$200 registration discount for presenting at conference with Kent County and Pivot Point.

Employee Signature: Megan VanHoose Date: 4/5/21

Attach a description of the training with a completed registration form and forward to the Supervisor for approval.

Approval/Denial

(To be completed by Supervisor's office)

Approved: _____ Denied: _____ by Board of Trustees at meeting held: _____

If approved with exceptions, provide exceptions: _____

If denied, provide an explanation: _____

Supervisor's signature: _____ Date: _____

[Home](#) » [Events](#) » Annual Conference

2021 Conference



2021 IAAO Annual Conference

The 2021 IAAO Annual Conference is scheduled for August 29 to September 1 in Chicago at the Hyatt Regency Chicago. Full registration, including registration for events and hotel room reservations, will start in April.

The IAAO Annual Conference is the premier platform to share successes, discover best practices, and learn from expert colleagues the latest research in the field of property appraisal. Educational sessions, networking opportunities and events, and a varied exposition equip assessment professionals with the tools needed to succeed.

Conference attendees will have the opportunity to interact with peers from across the country as well as from around the globe.

\$200 discount for presenting

Registration for members will be \$645 until July 16, and then \$770 until Aug. 13, and \$895 on



Enter Details & Payment



Hyatt Regency Chicago

Sun, Aug 29, 2021 - Thu, Sep 2, 2021

2 Queen Beds

1 Room, 1 Guest laao 24425786...



VIEW PHOTOS

Total Cash Per Room

\$934.42 USD

Subtotal

\$796.00 USD

Taxes & Fees

\$138.42 USD

Show stay breakdown

Complete Your Reservation

Sign-In (Optional)

WORLD OF HYATT®

World of Hyatt # or Username

☐ Remember Me

Last Name

Password

Show

[Forgot Password](#) | [Help Signing In](#)



Thank you for choosing to stay with Hyatt Hotels & Resorts

Confirmation: 20400911

Hyatt Regency Chicago

151 East Wacker Drive Chicago, Illinois, 60601 United States

Tel: +1 312 565 1234

Reservation Summary

Check-in	Sun, Aug 29, 2021 03:00 PM	Rate	- G-HIAD
Checkout	Thu, Sep 2, 2021 12:00 PM	Total Cash Per Room*	\$934.42 USD
		Sun, Aug 29	\$199.00 USD
Room	1 2 Queen Beds	Mon, Aug 30	\$199.00 USD
Guest	1 Adult	Tue, Aug 31	\$199.00 USD
		Wed, Sep 1	\$199.00 USD
Guest Details	MEGAN VANHOOSE MVH79@OUTLOOK.COM 820 S Baldwin St Greenville, MI 48838 US 6087993805	Subtotal	\$796.00 USD
		OCCUPANCY TAX	\$138.42 USD
		Taxes & Fees	\$138.42 USD
*Changes in taxes or fees will affect the total price.			
World of Hyatt #	538377915W		
Payment Details	Visa xxxx8899 7/2022		

Special Requests

GAINES CHARTER TOWNSHIP



Water & Sewer Department

8555 Kalamazoo SE, Caledonia MI 49316

Phone 616-431-4660

MEMO

To: Gaines Charter Township Board of Trustees

From: Tracy Lawrence, Water & Sewer Administrator

Date: June 8, 2021

Re: 8412 S. Division Ave Water & Sewer Connection Fee Payment Plan Request

The Water & Sewer Department received a request from the owner of 8412 S. Division Ave., to be placed on a payment plan for the connection fees for water & sewer. The 2021 Water Connection Fees for this property, based on the Township Water & Sewer Ordinance, are \$27,896.46 (Availability of \$25,357.46 based on corner lot frontage of 688.44 ft, \$682 for one unit of Trunkage and \$1,857 for a 1.5" Water Service). The Permit and Meter Fee are required to be paid when the connection permit is issued and therefore are not included.

The 2021 Sewer Connection Fees for this property, based on the Township Water & Sewer Ordinance, are \$44,787.05 (Availability of \$41,777.05, \$1,014 for one unit of Trunkage and \$1,996 for the Sewer Lateral). The Permit Fee is required to be paid when the connection permit is issued and therefore is not included.

The Water & Sewer Committee recommends that the Township Board approve the request for a payment plan for water and sewer with a term of 10 years at an interest rate of 2.5%, as established by the Township's Water and Sewer attorney.

GAINES CHARTER TOWNSHIP

Water  Sewer Department
8555 Kalamazoo SE, Caledonia MI 49316
Phone 616-431-4660

MEMO

To: Gaines Charter Township Board of Trustees

From: Tracy Lawrence, Water & Sewer Administrator

Date: June 8, 2021

Re: 84 - 84th St Water Connection Fee Payment Plan Request

The Water & Sewer Department received a request from the owner of 84 - 84th St., to be placed on a payment plan for the connection fees for water. The 2021 Water Connection Fees for this property, based on the Township Water & Sewer Ordinance, are \$15,050.40 (Availability of \$12,986.40 based on 234 ft of frontage, \$682 for one unit of Trunkage and \$1,400 for a 1" Water Service). The Permit and Meter Fee is required to be paid when the connection permit is issued and therefore is not included.

The Water & Sewer Committee recommends that the Township Board approve the request for a payment plan with a term of 10 years at an interest rate of 2.5%, as established by the Township's Water and Sewer attorney.

Memo

To: Township Board of Trustees
From: Rob DeWard, Supervisor/Jonathan Seyferth, Township Manager
Date: June 7, 2021
Re: Essential Operations/Workers

During the COVID-19 pandemic, state and federal laws/regulations made references to various “essential workers” and “essential operations.” The purpose of this memo is to update Gaines Charter Township’s Essential Worker/Operations listing. This formal updated list will be integrated into the Township’s next Employee Handbook. This is meant as an interim step to ensure the board has reviewed and approved this list of essential operations and workers.

---- policy verbiage follows ---

The Township will maintain essential functions during periods of emergency as directed by the State of Michigan and/or Kent County and will strive that such operations will be carried out to the greatest extent possible while employees are working in a fashion to minimize health and safety risks to employees.

Essential operations consist of the following:

- Answering phone calls/voicemails/emails;
- Collection of mail/payments;
- Payroll administration;
- Accounts Payable/Receivable processing;
- Assessment and collection of taxes;
- Utility billing;
- Emergency response for any Township matter;
- Maintaining and Securing Township facilities;
- Posting required notices;
- Code enforcement of ordinances related to public health and safety;
- Other functions designated by the Township Manager.

Essential Worker: any Township employee which has regular in person interaction with the general public and/or regularly handles items (mail, payments, applications, etc.) that are submitted by the general public.

Positions within the Township which meet this qualification include the following:

- Assessor & Assessing Staff
- Building Inspector & Building Department Staff
- Community Development Staff (Planning/Zoning)
- Fire Fighters (including administrative staff)
- Township Clerk & Administrative Staff
- Township Supervisor/Manager & Administrative Staff
- Township Treasurer & Administrative Staff
- Water Sewer Administrator & Administrative Staff

Staff recommends updating the Township's definitions of Essential Operations and Essential Workers to better align with state and federal definitions.



Stalker SAM | Speed Awareness Monitor

Stalker's SAM trailers are powered by Precision Solar Controls and feature Stalker speed measurement accuracy in a rugged, dependable trailer platform.



■ Optional Solar Panels

■ 18" Amber LED characters - legible at up to 1000 ft.

■ 4D Deep-cycle battery - provides over 18 days of operation and longer time between charges

■ Stalker K-Band Doppler Radar

■ New Optional Programmable LED Violator Alert

■ Optional Integrated Statistics Package

■ Hand-held controller



STALKER®

Power to Enforce.

stalkerRadar.com

LED Lamp Matrix and Pulse Modulation

At the heart of the Stalker SAM is Precision Solar Control's LED Lamp Matrix and LED Pulse Width Modulation. The LED Lamp Matrix concentrates and focuses the LEDs' light, allowing the motorist to see the sign at a greater distance and, thus, act on the speed warning quicker.



LED Pulse Width Modulation significantly increases the time between battery charges and powers the LEDs so that they remain at a consistent brightness throughout the battery's discharge cycle.

Stalker K-Band Radar

The speed measurement component is pure Stalker - accurate and durable. Stalker's Stationary Speed Sensor II radar has greater range, sensitivity, and tracking when compared to competitive signs' radar.



4D Deep-cycle 12-volt battery Provides over 18 days of continuous operation yielding longer operational time between battery charges.

Graffiti-resistant paint

The finish keeps the trailer looking clean and neat for a professional department image, while its all steel construction provides a sturdy platform and reduces damage sustained in the field.

Dedicated hand-held controller

Complete programming and diagnostic functions in the palm of your hand.



Four stabilizing/leveling jacks

aid in proper placement and stability while allowing one officer to position the SAM on nearly any type of terrain.

Retractable/Removable tongue

Options:

Top-mounted solar panel

The panels recharges a day's worth of battery use with only 2.5 hours of sunlight allowing for "infinite" field operation.



New Programmable LED Violator Alert

High powered LED Violator Alert flashes to warn motorists when they have exceeded a pre-set speed. Three (3) different user-programmable settings and choice of blue/red or white/white.



Integrated statistical package

gathers valuable traffic data for improved grant writing support and verification of the sign's impact on traffic speeds.

STALKER SAM

Specifications:

TRAILER

Width	64" (1.63m)
Length	116" (2.95m) tongue in travel position 57 1/2" (1.5m) tongue in display position
Height	91" (2.31m)
Weight	700 lbs. (317.5kg)
Main Frame	2" x 4" x .120" Steel Tubing

DISPLAY CABINET

Material Thickness	.156" ABS Plastic
Width	36" (.91m)
Height	25 1/2" (.65m)
Depth	5 1/4" (.13m)
Lexan Window Thickness	.125"
Cabinet Temperature Delta	± 20°

ENERGY SOURCE

Battery Bank	4D Deep-Cycle Battery 18 days @ 78°F (25°C)
--------------	--

RADAR - STALKER STATIONARY SPEED SENSOR II - 24.125 GHz

Detection Distance	Up to 1,200' (365 m)
Beam Width	30° x 32°

Accessories:



Coupler Lock

Wheel Lock

Wheel Jack

STALKER®

Power to Enforce.

applied concepts, inc.

855 East Collins Blvd. ■ Richardson, Texas 75081
972.398.3780 ■ Fax 972.398.3781

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006-0455-00 Rev F

800-STALKER



applied concepts, inc.

855 E. Collins Blvd
Richardson, TX 75081
Phone: 972-398-3780
Fax: 972-398-3781

National Toll Free: 1-800- STALKER

Inside Sales Partner: Pam Schneidewind
+1-972-801-4890
pams@stalkerradar.com

QUOTE
2050892

Page 1 of 1

Date: 05/18/21

Reg Sales Mgr: Greg Chambers
+1-214-551-2807
chambers@stalkerradar.com

Effective From : 05/18/2021

Valid Through: 07/25/2021

Lead Time: 32 working days

Bill To: Gaines Charter Township Police 8557 Kalamazoo Ave SE Caledonia, MI 49316-8270	Customer ID: P50749 Accounts Payable	Ship To: Gaines Charter Township Police 8557 Kalamazoo Ave SE Caledonia, MI 49316-8270	Deliver Deputy Jason VanderMolen
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Grp	Qty	Package	Description	Wrnty/Mo	Price	Ext Price
1	1	821-1000-00	Stalker SAM Trailer	24	\$8,087.00	\$8,087.00

Ln	Qty	Part Number	Description	Price	Ext Price
1	1	015-2532-59	[253259] SAM Trailer with Top Display		\$0.00
2	1	200-1229-00	[412466] Traffic Stats Sensor, 2-Comm Ports, USB, Open		\$0.00
3	1	015-5345-00	[274714] SAM Trailer Solar Panel		\$0.00
4	1	015-2328-62	[232862] Red LED Light Bar-SAM/SAM-R		\$0.00
5	1	015-2354-40	[235440] Blue LED Light Bar-SAM/SAM-R		\$0.00
7	1	200-1173-00	Traffic Analyst App, Thumb Drive, Manual		\$0.00
8	1	200-1448-00	Trailer User Manual Kit w/USB Cable, SAM/SAM-R		\$0.00
9	1	006-0569-00	Certificate of Accuracy, Speed Sensor II		\$0.00
10	1	060-1000-24	24-Month Warranty		\$0.00

Group Total \$8,087.00

Product	\$8,087.00	Sub-Total:	\$7,587.00
Discount 500.00	\$500.00	Sales Tax 0%	\$0.00
Payment Terms: Net 30 days		Shipping & Handling:	\$307.00
		Total: USD	\$7,894.00

delivery includes set-up and training
promo discount expires 7/25/2021

001

This Quote or Purchase Order is subject in all respects to the Terms and Conditions detailed at the back of this document. These Terms and Conditions contain limitations of liability, waivers of liability even for our own negligence, and indemnification provisions, all of which may affect your rights. Please review these Terms and Conditions carefully before proceeding.



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

RACHAEL EUBANKS
STATE TREASURER

May 26, 2021

Robert De Ward, Supervisor
Gaines Township, Kent County
8555 Kalamazoo Avenue S.E.
Caledonia, MI 49316

Dear Robert De Ward,

As you are aware, Tax Management Associates recently conducted an Audit of Minimum Assessing Requirements (AMAR) on behalf of the State Tax Commission. The audit indicated that Gaines Township met all of the minimum requirements. We wish to congratulate the unit on receiving a perfect score on the review and thank you for your cooperation throughout this process.

An electronic version of your AMAR review with detailed comments regarding each item is available through your local MiSuite portal at <https://amar.migov.net>.

Sincerely,

A handwritten signature in black ink, appearing to read "William Gast".

William Gast
Michigan Department of Treasury

**GAINES CHARTER TOWNSHIP
8555 KALAMAZOO AVE, SE
CALEDONIA, MI 49316**

**PUBLIC
HEARING
FOR**



SPECIAL ASSESSMENT

GAINES CHARTER TOWNSHIP NOTICE OF PUBLIC HEARING

The Gaines Charter Township Board of Trustees will hold a public hearing to consider the following:

Summary of Request:	The Township is proposing imposing a Township wide, 1.5 mil Special Assessment for the purpose of providing Public Safety.
Property Address:	All real properties in the Charter Township of Gaines
Date and Time of Hearing:	July 12, 2021 at 7:00 PM
Location of Hearing:	Township Hall, 8555 Kalamazoo Ave., SE, Caledonia, MI 49316. Current MIOSHA COVID guidelines will be followed

Any interested party may appear and be heard on said proposal. Information related to this request may be inspected at the Gaines Township Hall, 8555 Kalamazoo Ave SE, Caledonia, MI 49316, or contact the Supervisor's office at 616-504-4332.

In order to be entered into the public record, signed written comments must be received by 5 PM on July 12, 2021.

Persons with disabilities needing special accommodations should contact Kim Triplett at 616-504-4332 one week prior to the meeting to request mobility, visual or any other assistance.

Cutlerville Fire Committee
Meeting minutes
May 19, 2021

Hooker opened with prayer

Meeting called to order by DeWard at 4:05

Members present: DeWard, Tillema, Hooker, Haagsma
Member absent: Holbrook (with notice)

Other present: Jonathan Seyferth, Chief Sheely

DeWard introduced Jonathan Seyferth the new Gaines Township Manager

Conflict of interest – none

Business

- Chief Sheely gave an update on personnel matters
 - o The chief introduced the other firefighters in attendance including the new firefighter Geoff Evans
 - o Mark Grooters and Carl Gunderson have both marked 20 years of service
 - o Applications for part-time and paid-on call are being evaluated.
 - o He is beginning to work on the Captain promotion process

Training

- Chief Sheely gave an update on training.
 - o The training calendar has been completed
 - o A committee was formed to implement training

Apparatus

- P37 is still out of service at Spartan – Chief Sheely and Jonathan Seyferth with work together to contact B&B regarding repairs that were not done correctly.
- P37 placard decals – Motion by Haagsma support by Tillema to approve the expenditure of \$760 for decals.
 - o Vote: Yes – all present
- E35 Exhaust filtration – Motion by Haagsma support by Hooker to approve the purchase of the Ward system for E35 for a cost of \$7000.
 - o Vote: Yes – all present

Purchase requests

- Binder lift system - Motion by Haagsma support by Hooker to approve the purchase of the binder lift system for a cost of \$1400.
 - o Vote: Yes – all present
- Hose, fittings and nozzles – Motion by Haagsma support by Tillema to approve the purchase of hose, fittings and nozzles for \$14,000 which is within the budget.
 - o Vote: Yes – all present

- First Arriving Station system - Motion by Hooker support by Haagsma to approve the purchase of the First Arriving Station system for \$4858 including wiring by Meekhof.
 - o Vote: Yes – all present

Chief Sheely reported that the Safer Grant has been submitted there will likely be no information until August 2021.

Union Negotiations will start soon

Adjournment

Motion by Haagsma support by Hooker to adjourn at 5:30

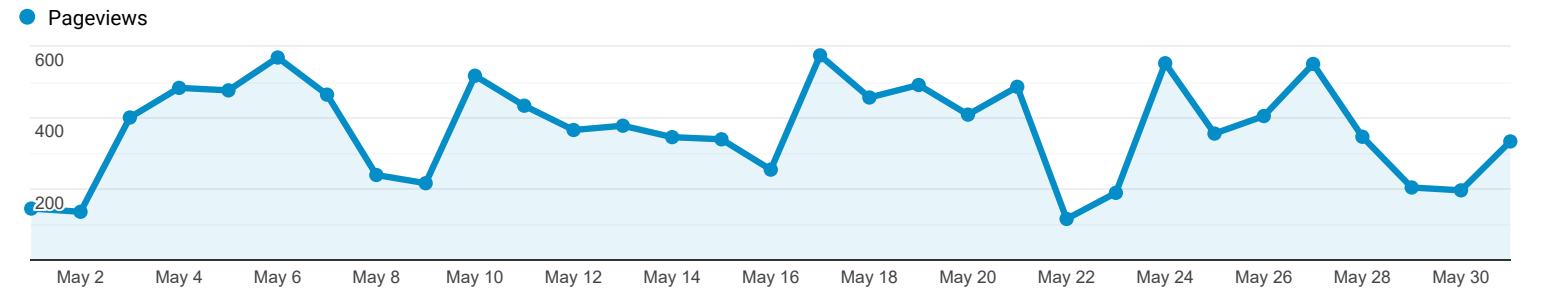
Vote: Yes – all present

Pages

 All Users
100.00% Pageviews

May 1, 2021 - May 31, 2021

Explorer



Page	Pageviews	Unique Pageviews	Avg. Time on Page	Entrances	Bounce Rate	% Exit	Page Value
	11,417 % of Total: 100.00% (11,417)	8,958 % of Total: 100.00% (8,958)	00:01:15 Avg for View: 00:01:15 (0.00%)	4,997 % of Total: 100.00% (4,997)	51.43% Avg for View: 51.43% (0.00%)	43.77% Avg for View: 43.77% (0.00%)	\$0.00 % of Total: 0.00% (\$0.00)
1. /	2,849 (24.95%)	2,196 (24.51%)	00:00:55	2,015 (40.32%)	32.95%	37.91%	\$0.00 (0.00%)
2. /residents/index.php	739 (6.47%)	445 (4.97%)	00:01:03	55 (1.10%)	65.45%	30.04%	\$0.00 (0.00%)
3. /document_center/index.php	627 (5.49%)	500 (5.58%)	00:03:12	128 (2.56%)	82.03%	61.72%	\$0.00 (0.00%)
4. /how_do_i_(faq)/contact/office.php	592 (5.19%)	479 (5.35%)	00:00:54	153 (3.06%)	62.75%	43.75%	\$0.00 (0.00%)
5. /revize/gaines/	365 (3.20%)	285 (3.18%)	00:00:41	278 (5.56%)	44.96%	44.11%	\$0.00 (0.00%)
6. /parks_and_recreation/prairie_wolf_park.php	362 (3.17%)	229 (2.56%)	00:00:58	212 (4.24%)	50.94%	53.59%	\$0.00 (0.00%)
7. /gaines_charter_township/history_of_gaines_twnshp.php	349 (3.06%)	322 (3.59%)	00:03:15	292 (5.84%)	86.64%	83.09%	\$0.00 (0.00%)
8. /online_services/index.php	279 (2.44%)	252 (2.81%)	00:03:29	100 (2.00%)	54.00%	50.18%	\$0.00 (0.00%)
9. /departments/water_sewer.php	275 (2.41%)	220 (2.46%)	00:02:38	175 (3.50%)	42.29%	42.55%	\$0.00 (0.00%)
10. /gaines_charter_township/bid_ops.php	224 (1.96%)	182 (2.03%)	00:00:11	169 (3.38%)	78.70%	77.68%	\$0.00 (0.00%)

Rows 1 - 10 of 568



MAY 2021 GAINES TOWNSHIP CP REPORT

Michelle LaJoye-Young
SHERIFF

COMPLETED

- Delt with a resident issue in the 6500 blk of East Mill Run Dr SE
 - Followed up on an ordinance violation for Dan Wells in the 3400 blk of 76th St SE
 - Ran speed enforcement in Dutton along 68th St near Hammond
 - Assisted a citizen that walked in with an identity theft issue
 - Taught CPR / AED for 7 officers at KCSO
 - Worked with the detective assigned to Gaines Twp on some recent residential building material thefts
 - Delt with a neighborhood issue in Stevens Pointe
 - Delt with an ongoing prostitution issue on 100th St
 - Responded to a shooting at S Division and Kenbrook St SE
 - Assisted a resident in Leisure Creek with an Alzheimer's patient having issues
 - Assisted park management and KCSO Detectives with a shooting on Faraday SE
 - Speed enforcement on Piedmont Dr SE
 - Delt with a sex offender issue at Townline Elementary School
 - Responded to an unresponsive subject on Cobblefield SE
 - Responded to an armed robbery at the Citgo Gas Kalamazoo / 60th St SE
 - Investigated a dumping complaint at Pine Circle Townhomes
 - Assisted Kentwood Public Schools with a purse theft
- Assisted Kentwood Police department in locating a home invasion suspect living in Gaines Township
- Met with Amazon security in reference to a team building event
 - Multiple patrols of Amazon semi parking issues

- Delt with a trespassing issue with the semi-trucks from Amazon at the new Coca-Cola facility
- Assisted Lowell PD on a search warrant on Centerbrook St SE
- Speed enforcement 68th / Leisure Creek
- Met with South Christian about South Kent National Night out
- Investigated a school bus violation on 68th near Glen Hollow
- Responded to an armed robbery on Cobb Dr SE
- Delt with an ongoing family dispute on Gaines St SE

ONGOING / UPCOMING FOR JUNE

- Plan South Kent National Night Out
- Lead South Christian High School Day at Kent County Sheriff's Office
- Reviewing the safety plans and meeting with Cutlerville CRC in reference to church safety
- Meeting with the Gaines / Cutlerville Chamber of Commerce participants
- Stevens Pointe Neighborhood watch meeting
- Continued patrol of Rapids Dr and Coca-Cola for Amazon Semi trucks