



**GRAND HAVEN CHARTER TOWNSHIP
BOARD AGENDA
Monday, August 23, 2021**

WORK SESSION – CANCELLED

REGULAR MEETING – 7:00 P.M.

Persons wishing to speak at public hearings, on agenda items, or extended comments, must fill out a "Speakers Form" located on the counter. Completed forms must be submitted to Township Staff prior to the meeting.

- I. CALL TO ORDER
- II. PLEDGE TO THE FLAG
- III. ROLL CALL
- IV. APPROVAL OF MEETING AGENDA
- V. CONSENT AGENDA
 1. Approve August 9, 2021, Regular Board Minutes
 2. Approve Payment of Invoices in the amount of \$497,568.65 (*A/P checks of \$364,229.19 and payroll of \$133,339.46*)
 3. Approve Re-Appointment of Bill Cousins to the Planning Commission for a Term Ending on 8/1/24
 4. Approve Southtown Market Agreement for Site Plan Approval
- VI. PRESENTATION – Rhonda Kleyn – Neighborhood Development – Annual Report
- VII. OLD BUSINESS
 1. Approve Second Reading – Text Amendment – Minimum Dwelling Unit Sizes
 2. Approve Second Reading – Text Amendment – Outdoor Business Use
 3. Update/Discussion on Short-Term Rental Ordinance
- VIII. NEW BUSINESS
 1. Approve Resolution 21-08-01 – Revisions to Hiring Policy
 2. Resolution 21-08-02 – Schedule Truth-in-Taxation Public Hearing for September 13th Board Meeting
- IX. REPORTS AND CORRESPONDENCE
 1. Committee Reports
 2. Manager's Report
 - a. July Public Services Report
 3. Others
- X. EXTENDED PUBLIC COMMENTS/QUESTIONS ON NON-AGENDA ITEMS ONLY
(*LIMITED TO THREE MINUTES, PLEASE.*)
- XI. ADJOURNMENT

NOTE: The public will be given an opportunity to comment on any agenda item when the item is brought up for discussion. Please complete Speaker Information Sheet. The supervisor will initiate comment time.

**GRAND HAVEN CHARTER TOWNSHIP BOARD
MONDAY, AUGUST 9, 2021**

REGULAR MEETING

I. CALL TO ORDER

Supervisor Reenders called the regular meeting of the Grand Haven Charter Township Board to order at 7:00 p.m.

II. PLEDGE TO THE FLAG

III. ROLL CALL

Board members present: Kieft, Redick, Behm, Wagenmaker, Reenders, Meeusen, Larsen

Board members absent:

Also, present were Manager Cargo and Community Development Director Fedewa.

IV. APPROVAL OF MEETING AGENDA

Motion by Clerk Larsen and seconded by Trustee Behm to approve the meeting agenda. **Which motion carried.**

V. APPROVAL OF CONSENT AGENDA

1. Approve July 26, 2021 Regular Board Minutes, as amended
2. Approve Payment of Invoices in the amount of \$347,838.30 (*A/P checks of \$235,958.66 and payroll of \$111,879.64*)
3. Approve Replacement Purchase of 2001 Dump Truck (*\$60,198*)
4. Approve Re-Appointment of Steve Wilson to the Planning Commission for a Term Ending on August 1, 2024

Motion by Clerk Larsen and seconded by Trustee Redick to approve the items listed on the Consent Agenda. **Which motion carried.**

VI. OLD BUSINESS

1. **Motion** by Trustee Redick supported by Trustee Wagenmaker to approve the Conditional Zoning Agreement (*draft date 7/30/21*) and Zoning Map Amendment Ordinance concerning the rezoning of Parcel No. 70-07-27-300-003 from Agricultural (AG) to Rural Residential (RR) and authorizing Supervisor Reenders and Clerk Larsen to execute the agreement. **This is the second reading. Which motion carried,** pursuant to the following roll call vote:

Ayes: Larsen, Wagenmaker, Kieft, Meeusen, Redick, Behm, Reenders

Nays,

Absent:

VII. NEW BUSINESS

1. Community Development Director Fedewa explained the process to amend the Township's future land use map. It was noted that

- a. Residents on Evert Court have expressed concern to staff and there are plans for a community engagement session.
- b. Staff will be setting up a meeting with Berkshire Hathaway and the Chamber to discuss future plans of their 228-acres along Lake Michigan Drive.
- c. Property owners with known map changes will be contacted and have an opportunity to discuss with the Planning Commission prior to the hearing in October.
- d. Staff noted that there will be complete review of the Master Plan during 2022.

It was noted that all of the properties within the DDA do not have to be Master Planned or zoned for a commercial/business use.

The Board directed staff to correct an error on the map – changing the designation of the two industrial properties at the southwest corner of US-31 and Lake Michigan Drive (*i.e., totaling about 45 acres*) from commercial to industrial

Motion by Trustee Wagenmaker supported by Supervisor Reenders to approve the draft Future Land Use Map, as amended, for distribution to begin the 42-day public comment period. **Which motion carried**, pursuant to the following roll call vote:

Ayes: Behm, Wagenmaker, Meeusen, Redick, Kieft, Reenders, Larsen

Nays:

Absent:

2. Community Development Director Fedewa explained proposed text amendment on Minimum Dwelling sizes.

Discussion among the Board members led to a majority consensus to increase the (A) (2) RP District minimum dwelling size to 1,240 square feet; the (A)(4) R-1 District minimum dwelling size to 1,240 square feet; and the (A)(5) R-2 District minimum dwelling size to 1,100 square feet.

Motion by Trustee Redick supported by Trustee Behm to present and postpone the proposed Zoning Text Amendment Ordinance with a draft date of 8/5/2021 concerning the Minimum Floor Area for Dwelling Units amending Section 2.12 (A) (2) RP District minimum dwelling size to 1,240 square feet; (A)(4) R-1 District minimum dwelling size to 1,240 square feet; and (A)(5) R-2 District minimum dwelling size to 1,100 square feet. Further action will be postponed until August 23rd when the ordinance will be considered for adoption. **This is a first reading. Which motion carried.**

3. Community Development Director Fedewa explained proposed text amendment on Outdoor storage of materials.

Discussion among the Board centered on whether it was appropriate to amend the changes as presented and the impact on both the current applicant and future applicants. Concerns were expressed that the exception language was too broad.

It was also noted that applicant had started the businesses prior to receiving proper

zoning approvals and that staff had taken an approach to seek compliance as opposed to a punitive enforcement approach. That said, staff acknowledged that the initial SLU site plan and zoning text change were controversial and were received poorly.

Staff noted that without the changes, the SLU site plan could lead to the material storage being placed near the front of the property as opposed to the rear of the property. Staff noted that the property is currently being used for an excavating business and that the sale of landscape material could be viewed as an appropriate expansion of the business – if an SLU permit can be received.

Motion by Trustee Redick supported by Clerk Larsen to present and postpone the proposed Zoning Text Amendment Ordinance with a draft date of 7/14/2021 concerning the outdoor storage of material with the condition to refer the text amendment to legal counsel in order to make the exception language more restrictive. Further action will be postponed until August 23rd when the ordinance will be considered for adoption. **This is a first reading. Which motion carried** pursuant to the following roll call vote:

Ayes: Kieft, Wagenmaker, Larsen, Redick

Nays: Reenders, Meeusen, Behm

Absent:

VIII. REPORTS AND CORESPONDENCE

1. Committee Reports

Supervisor Reenders noted that the

2. Manager's Report

a. July Building Report

b. July Enforcement Report

c. Manager Cargo noted that the COVID-19 Risk Factor for Ottawa County has been raised to substantial. At this time, Manager Cargo does not plan to implement an indoor mask policy, partly due to the individual offices for most staff and partly due to the HVAC ionization system installed earlier this year.

d. Manager Cargo informed the Board that Jim Schmidt designed some Polo Shirts with a Schmidt Heritage Park logo. He proposed gifting the shirts – valued at about \$80 each – to certain staff, committee members and elected officials involved in the Schmidt Heritage Park project. Although these shirts will exceed the normal \$20 limit, because the shirts incorporate the Township logo and are made for a Township project, Manager Cargo plans to allow this gift pursuant to the policy that allow exceptions with the "*knowledge and approval of the Personnel Director*".

3. Others

IX. PUBLIC COMMENTS

None

X. ADJOURNMENT

Motion by Clerk Larsen and seconded by Trustee Behm to adjourn the meeting at 8:22 p.m. **Which motion carried.**

Respectfully Submitted,



Laurie Larsen

Grand Haven Charter Township Clerk



Mark Reenders

Grand Haven Charter Township Supervisor

SUPERINTENDENT'S MEMO

DATE: August 17, 2021
TO: Township Board
FROM: Cargo
SUBJECT: Supervisor Reenders' Appointment - Planning Commission

Supervisor Reenders is re-appointing William (Bill) Cousins to the Planning Commission. Pursuant to state law, this will require confirmation by the full Board.

Bill Cousins – a long-time resident – is a retired township/city manager that also served as a Building Official, Building Inspector, Mechanical Inspector, Zoning Administrator and Plan Review Specialist for the City of Grand Haven.

To implement the re-appointment, the following motions can be offered:

Move to re-appoint Bill Cousins to the Township Planning Commission for a term ending August 1, 2024.

If you have any questions or comments prior to the meeting, please contact Supervisor Reenders.



GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: August 12, 2021
TO: Township Board
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Southtown Market – Agreement for Site Plan Approval

BACKGROUND

Southtown Market, located at 15191 168th Avenue, has obtained Site Plan Approval from the Planning Commission to build a 994 square foot addition to expand the beer cave. This constitutes Phase 1 of improving the site. Phase 2 is expected to include gas station pump islands.

The overall site work for Phase 1 is limited, but the zoning ordinance requires numerous improvements as a result of the addition—including curbs, parking lot perimeter screening, landscaping adjacent to the building and general landscaping.

Phase 2 is expected to include substantial site work. Including shifting the 168th Avenue access farther south, adding pump islands, expanding the parking, repaving the site, etc. Because substantial construction is anticipated to be performed as part of Phase 2, the Planning Commission has recommended an Agreement to delay some of the Phase 1 requirements until Phase 2. Otherwise, they would be removed as part of Phase 2, essentially “wasting” the businesses resources.

THE AGREEMENT

The purpose of the Agreement is to guarantee the Phase 1 improvements will be completed regardless if Phase 2 is actually built. Staff is confident that Phase 2 will come to fruition, but it is **important to protect the Township** in this type of circumstance.

The Agreement provides the property owner 2 years to make meaningful progress towards the gas station. Failure to do so will enable the Township to perform the work and charge the costs back to the property taxes as a special assessment. Likely this Agreement is a moot point and will simply dissolve after the gas station is built and all associated requirements are installed.

MOTION

If the Board finds this Agreement acceptable, the following motion may be offered:

Motion to approve the Agreement for Delayed Phase 1 Improvements for Southtown Market and authorize Supervisor Reenders and Clerk Larsen to execute the document.

Please contact me if this raises questions.

AGREEMENT

This Agreement is made between the Charter Township of Grand Haven, a charter township under the laws of the State of Michigan (the “Township”), at 13300 – 168th Avenue, Grand Haven, Michigan 49417 and Amarjit Kaur (the “Owner”), a single man, who owns the Southtown Market (the “Market”), located at 15191 168th Avenue, Grand Haven, Michigan 49417 in the Township, on property legally described as (the “Property”):

E 210 FT of N 1/4 of NE 1/4 of NE 1/4 EXC W 55 FT of N 206 FT
THEREOF SEC 33 T8N R16W .99 NA.

The Agreement is based upon the following facts.

- A. The Owner has requested site plan approval for certain improvements for the Market.
- B. The site plan improvements of the Project will be constructed in two phases, Phase 1 and Phase 2.
- C. The Owner has requested that certain improvements included in Phase 1 will not be constructed until Phase 2.
- D. The Township is willing to allow certain improvements constructed in Phase 1 to not be constructed until a later date, according to the terms of this Agreement and the Grand Haven Charter Township Zoning Ordinance (the “Ordinance”).
- E. The Owner is willing to accept the terms required by the Township, as spelled out in this Agreement.

THEREFORE, the Township and the Owner agree as follows.

Section 1. The Township grants site plan approval for Phase 1 on August 2, 2021. The Phase 1 improvements which may be delayed according to the terms of this Agreement are described as follows (“Delayed Phase 1 Improvements” as shown on the attached Exhibit 1):

- a. Curbs around all paved surfaces – to be mountable or rolled, see Section 4.02.A.4.c and Figure 4-3 of the Ordinance;
- b. Parking lot perimeter landscaping – 10 feet wide surrounding the parking lot on all sides (the landscaping will be comprised of shrubs, hedges, berm, wall, or a combination of all, to create a continuous screen of at least 36 inches in height above street grade), pursuant to Section 4.02.A.4.a of the Ordinance;
- c. Landscaping adjacent to the building to be at least 10 feet wide and for at least 50 percent of the total width, or about 130 feet, see Section 4.02.A.6 of the Ordinance; and
- d. General landscaping of 1 tree per 500 square feet of non-paved surface pursuant to Section 4.02.A.2 of the Ordinance, which is estimated at 55 trees. Existing trees plus trees being planted as part of the landscape requirements are eligible.

Section 2. The Delayed Phase 1 Improvements shall be completed as part of the Phase 2 improvements, according to the terms of this Agreement.

- a. The Owner shall be required to obtain site plan approval for Phase 2 improvements to the Property, including the Delayed Phase 1 Improvements, and shall make meaningful progress toward completion of those Phase 2 improvements, including the Delayed Phase 1 Improvements, within two years of the date of this Agreement.
- b. After the two years covered by Section 2.a above, the Township may in its discretion provide written notice to the Owner, giving the Owner six months to complete the Phase 2 improvements, including the Delayed Phase 1 Improvements.

Section 3. If the Owner fails to satisfy the deadlines established by Section 2.a or Section 2.b, the Township shall have the discretion and authority to construct the Delayed Phase 1 Improvements on the Property, and to bill the Owner for that construction. The Owner shall promptly pay the Township for the cost of the Delayed Phase 1 Improvements. Any amounts unpaid shall be added to the next real property tax bill sent by the Township to the Owner for the Property, and then collected like real property taxes.

Section 4. This Agreement shall inure to the benefit of and be binding upon the parties and their respective heirs, personal representatives, members, assigns, and successors. All notices and other documents to be served or transmitted shall be in writing and addressed to the respective parties at the addresses stated on Page 1 of this Agreement or such other address or addresses as shall be specified by the parties from time to time, and may be served or transmitted in person or by ordinary or certified mail properly addressed with sufficient postage. This Agreement has been executed in the State of Michigan and shall be governed by Michigan law. The waiver by any party of a breach or violation of any provision of this Agreement shall not be a waiver of any

subsequent breach or violation of the same or any other provision of this Agreement. If any section or provision of this Agreement is unenforceable for any reason, the unenforceability shall not impair the remainder of this Agreement, which shall remain in full force and effect. This Agreement represents the entire understanding and agreement between parties, and all prior understandings and agreements are specifically merged in this Agreement. More than one copy of this Agreement may be signed, but all constitute but one agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

WITNESSES:

AMARJIT KAUR

GRAND HAVEN CHARTER TOWNSHIP

Stacey Fedewa

By: _____
Mark Reenders, Supervisor

William D. Cargo

By: _____
Laurie Larsen, Clerk

STATE OF MICHIGAN)
)ss.
COUNTY OF OTTAWA)

The foregoing Agreement was acknowledged before me this ____ day of _____, 2021, by **Amarjit Kaur**.

Printed Name: _____
Notary Public, Ottawa County, Michigan
My Commission Expires: _____
Acting in Ottawa County, Michigan

STATE OF MICHIGAN)
)ss.
COUNTY OF OTTAWA)

The foregoing Agreement was acknowledged before me this ____ day of _____, 2021, by **Mark Reenders** and **Laurie Larsen**, respectively the Supervisor and the Clerk of Grand Haven Charter Township, a Michigan charter township, on behalf of the Township.

Printed Name: _____
Notary Public, Ottawa County, Michigan
My Commission Expires: _____
Acting in Ottawa County, Michigan

Prepared by:
Ronald A. Bultje
Dickinson Wright PLLC
200 Ottawa Avenue N.W., Suite 1000
Grand Rapids, Michigan 49503
Telephone: (616) 336-1007

City of Grand Haven
Neighborhood Housing Services
519 Washington Ave
Grand Haven MI 49417
616-935-3270
www.grandhaven.org/housingservices



TO: William Cargo, Manager
FROM: Rhonda Kleyn, Neighborhood Development Coordinator
RE: MOU Proposal
DATE: August 4, 2021

Northern Ottawa County is a desirable place to live and work. Research ranks Ottawa County among the fastest wage growth areas in the country. This 5.2% wage growth however, cannot compete with the 59.7% increase in the average sale price for a single-family home during the same time as reported by the Greater Regional Alliance of Realtors.

In a recent blog Ryan Kilpatrick of Housing Next said,

Nationally, nearly 1 in 4 renters spend 50% of their monthly budget on maintaining adequate shelter. In Kent and Ottawa counties, our numbers are similar, and some communities are seeing more than 30% of renter households spending half their income on rent.

It's time to take stock of what it means when a neighbor has to choose between spending half their income on rent or abandoning the idea that housing is a priority. It's estimated 1 in 3 households in West Michigan wonder whether they can afford to remain housed.

Let that sink in for a moment.

Now, let's think about how this impacts the emotional and physical well-being of those neighbors. Consider the last time you were faced with two bad choices. How did you show up in the world with that worry on your shoulders? Did prioritizing the smaller issues in your life become more difficult?

There are significant costs to our communities when neighbors fall into such drastic instability. For example, housing instability leads to less preventative health care, which leads to more emergency room visits. Having to take on a second or third job to cover housing costs means parents can't spend time at home to make sure their kids are keeping up in school. To address this, more community resources are needed – and we all pay for these resources.

The services provided by Neighborhood Housing Services (NHS) support housing affordability and sustainability. Housing counseling and education helps residents buy a home and remain in their

homes. With housing costs so high and inventory so low NHS has an important role in making sure buyers understand what it means to invest money above the appraised value. COVID 19 related mortgage forbearances are going to come to an end very soon. NHS will support homeowners who need a successful exit plan in order to keep their homes.

The homeowner repair grant programs that NHS facilitates support low to moderate income resident's sustainability. Leaky roofs, bad windows, old furnaces and lack of insulation all lead to high energy bills and a house that is not safe or secure. In 2020 NHS facilitated \$188,000 in repairs in Northern Ottawa County.

To support their mission of creating strong vibrant neighborhoods through sustainable housing, NHS has taken on the role of spearheading the creation of a community land trust. A community land trust (CLT) is a type of shared equity home ownership program, which provides affordable homeownership opportunities to low and moderate income households. Shared equity homeownership programs sell homes at below market rate prices to low and moderate income households. In exchange for the discounts at the time of purchase, buyers agree to sell the homes below market rate in the future. Therefore, the homes remain permanently affordable, helping family after family access homeownership. The home is more affordable because the individual or family purchases the home but the CLT retains ownership of the land. The CLT leases the land to the homeowner in a long-term, low-cost, renewable lease.

Encouraging data shows that 70% of CLT homeowners are first time homebuyers, 99% avoid foreclosure and 60% use their earned equity to purchase a market rate home. Since 2000, the share of minority owned CLT homeowners has increased 30%. Ninety-five percent of CLT buyers spend 30% of their income on housing which is the federally recommended housing ratio.

The first group of houses the Grand Haven Area Community Land Trust (CLT) will own are part of the Michigan Community Capital (MCC) development known as Robinson Landing on Comstock Street. Sixteen of the thirty homes in this development will be part of the CLT.

NHS is excited to be a part of the creation of decent and safe housing for low and modest income individuals and families in Grand Haven. The City is providing staff and resources to support the creation of this 501c3. When the 501c3 becomes operational, it will be a separate entity from the City of Grand Haven.

NHS' service numbers remain consistent from year to year. We continue to apply for and receive scarce grant funds that bring in desirable revenue. This memo is to request funds for Neighborhood Housing Services. We would like to keep the amount the same as 2020/21. We are asking for a contribution of \$8100.00 for July 1, 2021 to June 30, 2022. We have agreements with the Village of Spring Lake, \$1200, Spring Lake Township, \$6406, Ferrysburg \$1400 and the City of GH \$55,000.

Upon acceptance of this proposal an MOU will be sent.

2020 NEIGHBORHOOD HOUSING SERVICES REPORT



MISSION: CREATING STRONG VIBRANT NEIGHBORHOODS THROUGH SUSTAINABLE HOUSING

HUD Housing Counseling and Education

- ◆ 160 New Clients
 - 25% Grand Haven Twp
- ◆ Closed-emergency phone and online HBE only for several months
- ◆ 2020 primary counseling service Homebuyer Education-



2020 Home Repair Services

- ◆ Neighborhood Impact Program (NIP)
- ◆ Neighborhood Enhancement Program (NEP)

NIP (FHLBI)

Area	Projects	Amount
Spring Lake Township	11	\$82,638
Grand Haven Township	6	\$39,842
Ferrysburg	2	\$9,545
	19	\$132,025

NEP (MSHDA)

Area	Projects	Amount
City of Grand Haven	8	\$55,219



Memorandum of Understanding

Between

City of Grand Haven's Neighborhood Housing Services

And

Grand Haven Township

This Memorandum of Understanding sets forth the terms and understanding between Neighborhood Housing Services (NHS) a department of the City of Grand Haven located at 519 Washington Ave, Grand Haven, MI 49417 and Grand Haven Township (GHT) a Michigan municipal corporation, located at 13300 168th Avenue, Grand Haven MI 49417 to provide financial support in the amount of \$8100 to NHS for the services their office provides to Grand Haven Township residents.

NHS has provided services to Ottawa county residents since 2007 with some repair services available in limited areas. The financial partnership being created with this MOU will allow NHS to continue providing home owner repair services in Grand Haven Township.

The goal of this partnership is to continue home repair services for Grand Haven Township residents. This will be accomplished through the roles and responsibilities of each partner detailed below.

Neighborhood Housing Services will:

- Provide a mid-year and end of year report showing the number of GHT residents served in the current year.
- Provide an updated budget mid-year and at the end of the year.

Grand Haven Township and its authorized officials will:

- Respond to requests for payment in a timely manner.
- Respond to requests for municipality data to assist with any and all potential grant writing.
- Provide feedback to NHS staff and allow for adjustments to partnership before ending this arrangement.
- Agree to a partnership that lasts 1 year.
- Agree to a partnership that begins on July 1, 2021 and ends on June 30, 2022.

This MOU is at-will and may be modified by mutual consent of authorized officials from the City of Grand Haven and Grand Haven Township. Any modifications or amendments must be in writing and signed by all parties after the approval of their respective boards and councils. This MOU shall become effective upon signature by the authorized officials from the City of Grand Haven and Grand Haven Township and will remain in effect until modified or terminated by any one of the partners by mutual consent. In the absence of mutual agreement by the authorized officials from the City of Grand Haven and Grand Haven

Township this MOU shall end on June 30, 2022 with the anticipation of another MOU to be immediately signed for the following year.

City of Grand Haven Neighborhood Housing Services
Rhonda Kleyn, Neighborhood Development Coordinator
519 Washington Ave
Grand Haven MI 49417
616-935-3275

Grand Haven Township
William Cargo, Manager
13300 168th Ave
Grand Haven MI 49417
616-604-6324

NEIGHBORHOOD HOUSING SERVICES:

PRINTED NAME _____

DATE: _____

SIGNATURE _____

GRAND HAVEN TOWNSHIP:

PRINTED NAME _____

DATE: _____

SIGNATURE _____



GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: August 12, 2021
TO: Township Board
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Text Amendment – Minimum Dwelling Sizes

BACKGROUND

The Township has spent about 5 months discussing the topic of minimum floor areas of dwelling units. Below is a summary of those meetings along with links to the packets and minutes.

- April 19th Special joint meeting with Board and Planning Commission. Split positions.
[Meeting Packet](#) | [Meeting Minutes](#)
- April 26th Township Board meeting, Committee Reports. Majority want larger sizes.
[Meeting Packet](#) | [Meeting Minutes](#)
- May 3rd Planning Commission discussion. Draft text amendment included the 1999 minimums. Through the discussion, a potential compromised was reached. Staff was directed to schedule the public hearing.
[Meeting Packet](#) | [Meeting Minutes](#)
- June 7th Public hearing. Tabled, staff directed to increase sizes for R-1 and R-2.
[Meeting Packet](#) | [Meeting Minutes](#)
- June 21st Discussion. By a vote of 2-6, staff was directed to schedule the public hearing on the latest draft of the floor area schedule.
[Meeting Packet](#) | [Meeting Minutes](#)
- July 19th Public hearing. Clarification requested for the R-3 district and add reference to Section 2.14 for the R-4 district. By a vote of 3-5, a motion was adopted recommending the Board approve the revised schedule.
[Meeting Packet](#) | [Meeting Minutes](#)
- August 9th Present to Township Board for First Reading. Minimum sizes were increased for districts RP, R-1 and R-2.
[Meeting Packet](#) | [Meeting Minutes \(see packet\)](#)
- August 23rd Present to Township Board for Second Reading.

SCHEDULE OF MINIMUM FLOOR AREAS

The following schedule of minimum dwelling unit sizes was established by the Board on August 9th.

Section 2.12 MINIMUM RESIDENTIAL UNIT SIZE.

- (A) The minimum floor area for residential dwelling units shall be:
- (1) In the AG district, 1,100 square feet;
 - (2) In the RP district, 1,240 square feet;
 - (3) In the RR district, 1,100 square feet;
 - (4) In the R-1 district, 1,240 square feet;
 - (5) In the R-2 district, 1,100 square feet;
 - (6) In the R-3 district, each unit shall have:
 - (a) Single family dwelling – 800 square feet;
 - (b) Two family dwelling – 500 square feet plus 100 square feet per bedroom;
 - (c) Multiple family dwelling – 500 square feet plus 100 square feet per bedroom.
 - (7) In the R-4 district, see Section 2.14.
- (B) Residential dwelling units with more than one story shall have a minimum ground floor area of at least 800 square feet, which may include an attached garage.
- (C) Residential dwelling units shall have at least 24 feet in width.

SAMPLE MOTION

If the Board finds the above text amendments acceptable, the following motion can be offered:

Motion to approve the Zoning Text Amendment Ordinance with draft date 8/10/2021, concerning the Minimum Floor Area for Dwelling Units. **This is the second reading.**

Please contact me if this raises questions.

ORDINANCE NO. _____

ZONING TEXT AMENDMENT ORDINANCE

**AN ORDINANCE TO AMEND THE GRAND HAVEN
CHARTER TOWNSHIP ZONING ORDINANCE (THE
“ZONING ORDINANCE”) TO ADDRESS MINIMUM
RESIDENTIAL UNIT SIZES.**

THE CHARTER TOWNSHIP OF GRAND HAVEN, COUNTY OF OTTAWA, AND STATE OF MICHIGAN, ORDAINS:

Section 1. Minimum Residential Unit Size. Section 2.12 of the Zoning Ordinance shall be restated in its entirety as follows.

Section 2.12 MINIMUM RESIDENTIAL UNIT SIZE.

- (A) The minimum floor area for residential dwelling units shall be:
- (1) In the AG district, 1,100 square feet;
 - (2) In the RP district, 1,240 square feet;
 - (3) In the RR district, 1,100 square feet;
 - (4) In the R-1 district, 1,240 square feet;
 - (5) In the R-2 district, 1,100 square feet;
 - (6) In the R-3 district, each unit shall have:
 - (a) Single family dwelling – 800 square feet;
 - (b) Two family dwelling – 500 square feet plus 100 square feet per bedroom;
 - (c) Multiple family dwelling – 500 square feet plus 100 square feet per bedroom.
 - (7) In the R-4 district, see Section 2.14.
- (B) Residential dwelling units with more than one story shall have a minimum ground floor area of at least 800 square feet, which may include an attached garage.
- (C) Residential dwelling units shall have at least 24 feet in width.

Section 2. Effective Date. The foregoing amendment to the Grand Haven Charter Township Zoning Ordinance was approved and adopted by the Township Board of Grand Haven

Charter Township, Ottawa County, Michigan on _____, 2021, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended, and after a first reading of the amendment by the Township Board on August 9, 2021. This Ordinance shall be effective on _____, 2021, which date is eight days after publication of the Ordinance as is required by Section 401 of Act 110, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Mark Reenders, Township Supervisor

Laurie Larsen, Township Clerk

CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Grand Haven Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on _____, 2021. The following members of the Township Board were present at that meeting: _____. The following members of the Township Board were absent: _____. The Ordinance was adopted by the Township Board with members of the Board _____ voting in favor and members of the Board _____ voting in opposition. The Ordinance or a summary of the Ordinance was published in the *Grand Haven Tribune* on _____, 2021.

Laurie Larsen, Clerk
Grand Haven Charter Township



GRAND HAVEN CHARTER TOWNSHIP

Community Development Memo

DATE: August 17, 2021
TO: Township Board
FROM: Bill Cargo
RE: Zoning Text Amendment – Special Land Uses – Outdoor Storage

BACKGROUND

Per the direction of the Board, the zoning text amendment for outdoor storage of material has been amended "*to make the exception language more restrictive.*"

The amendments have been reviewed by both Attorney Bultje and Trustee Redick. (*Please see the attached ordinance.*)

To proceed with the approval of the ordinance -- as amended -- the following motion can be offered:

Motion by _____ supported by _____ to approve and adopt the Zoning Text Amendment addressing Outdoor Storage of material -- as amended -- with a draft date of 8/17/2021. This is a second reading.

If there are any questions or comments, please contact Cargo at your convenience.

ORDINANCE NO. _____

ZONING TEXT AMENDMENT ORDINANCE

**AN ORDINANCE TO AMEND THE GRAND HAVEN
CHARTER TOWNSHIP ZONING ORDINANCE (THE
“ZONING ORDINANCE”) TO ADDRESS OUTDOOR
STORAGE FOR CONSTRUCTION MATERIALS AND
LANDSCAPE CONTRACTOR’S OPERATIONS.**

THE CHARTER TOWNSHIP OF GRAND HAVEN, COUNTY OF OTTAWA, AND
STATE OF MICHIGAN, ORDAINS:

Section 1. Special Land Use – Outdoor Storage. Section 12.32A of the Zoning Ordinance shall be restated in its entirety as follows.

Section 12.32A Construction Material Storage and/or Landscape Contractor’s Operation

- (1) All materials and equipment must be stored within an enclosed building or within an area completely enclosed by a sight obscuring fence at least eight (8) feet in height, lined with evergreen trees planted three feet on center. Materials may not be stacked or piled to be visible above the fence. Equipment (including vehicles) may only be visible above the fence if the equipment is greater than eight (8) feet tall and cannot be dis-assembled for storage. The Planning Commission has discretion to limit or waive any or all of the screening requirements if the lot has natural features that provide screening that is equal to or better than the above screening requirements, provided that conditions imposed shall ensure the perpetual care, maintenance, and replacement of the natural screening, as necessary, in the same condition approved by the Planning Commission.
- (2) The area on which vehicles, materials, or equipment is stored must be kept in a clean, dust free condition. The area must be swept at least daily and as often as necessary to keep it free from dust and loose materials.
- (3) Materials shall be stored in a manner that prevents them from blowing outside the area in which they are stored.
- (4) A permanent main building of at least five hundred (500) square feet must be constructed on the property.

- (5) Storage areas shall be located in the rear yard of the lot. However, the Planning Commission may partially or entirely waive that requirement if the Planning Commission finds exceptional conditions or unique circumstances exist on the site whereby storage in alternative locations would be more compatible with adjoining properties or provide other benefits that would better achieve the intent and purposes of this ordinance.
- (6) The storage area shall meet setback requirements applicable to a main building in the zoning district.
- (7) Storage areas shall be setback at least one hundred (100) feet from any R-1, R-2, R-3, or R-4 zoning district.

Section 2. Effective Date. The foregoing amendment to the Grand Haven Charter Township Zoning Ordinance was approved and adopted by the Township Board of Grand Haven Charter Township, Ottawa County, Michigan on _____, 2021, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended, and after a first reading of the amendment by the Township Board on _____, 2021. This Ordinance shall be effective on _____, 2021, which date is eight days after publication of the Ordinance as is required by Section 401 of Act 110, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Mark Reenders, Township Supervisor

Laurie Larsen, Township Clerk

CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Grand Haven Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on _____, 2021. The following members of the Township Board were present at that meeting: _____ . The following members of the Township Board were absent: _____ . The Ordinance was adopted by the Township Board with members of the Board _____ voting in favor and members of the Board _____ voting in opposition. The Ordinance or a summary of the Ordinance was published in the *Grand Haven Tribune* on _____, 2021.

Laurie Larsen, Clerk
Grand Haven Charter Township

From: [Bill Cargo](#)
To: [Township Board](#)
Cc: [Stacey Fedewa](#); [Ronald A. Bultje](#); [Department Directors](#)
Subject: FW: Short-Term Rental Legislation
Date: Tuesday, August 17, 2021 3:12:00 PM

To All:

Please see below ...

I will not schedule a work session, but, include the discussion of STRs on the Old Business portion of the agenda.

FYI

Bill

From: Judy Allen <judy@michigantownships.org>
Sent: Monday, August 16, 2021 11:01 PM
To: Bill Cargo <BCargo@ght.org>
Subject: RE: Short-Term Rental Legislation

Bill,

The immediate urgency on moving these bills - HB 4722 and SB 446 - has somewhat diminished for now but the issue remains a top priority for the Speaker of the House.

The proponents continue to push for passage of the legislation. And while the vote count has been incredibly close, there were not sufficient votes to put the measure up for a vote—thanks to the voices of local officials and their residents.

Additionally, House members were advised in mid-June that a workgroup would be convened to look at possible compromises / alternative proposals – but nothing to date has been scheduled. We continue to have discussions with legislators.

When the Legislature returns in September, their top priority will be to address the state's FY 2021-22 budget as well as appropriating the state's unrestricted ARPA funds. The caucuses in each chamber are finalizing their priority agenda for the fall session. I would anticipate it will be on the House Republican agenda due to the fact it is a top issue for the Speaker.

I hope this is of assistance. Please let me know if I can clarify or provide anything further.

Judy

From: Bill Cargo <BCargo@ght.org>
Sent: Monday, August 16, 2021 3:00 PM
To: Judy Allen <judy@michigantownships.org>
Subject: Short-Term Rental Legislation

Judy:

The Township Board in June examined some rather restrictive regulations on STRs ... but, because of pending STR legislation at the state level, postponed any action until the August 23rd (*or later*) Township Board meeting.

That said, can you provide any insight or predictions regarding the status and future of STR legislation during 2021?

Thanks you.

William D. Cargo
Superintendent
Grand Haven Charter Township
(616) 604-6324

SUPERINTENDENT'S MEMO

DATE: February 19, 2020
TO: Township Board
FROM: Cargo
SUBJECT: Short-Term Rental (STR) Regulations

At the January 13th Board work session, the Board provided direction to staff regarding amendments to the ordinances regulating Short-Term Rentals (STRs). Attached, please find the following three items:

- ✓ Short-Term Rental Regulation Ordinance that includes the changes recommended by the Board at the last work session;
- ✓ Zoning Text Amendment Ordinance regarding STRs that uses an “Overlay Zone” approach; and,
- ✓ STR Overlay Zone map.

At this stage, the staff have produced three (3) STR maps to illustrate where STRs would be allowed – pursuant to the Special Land Use application process.

Map #1 prohibits STRs in developments that are “traditional” subdivisions or platted developments.

Map #2 is slightly less restrictive inasmuch as it prohibits STRs in traditional subdivisions or platted developments – but allows STRs to occur in developments that have active Associations that can oversee and regulate STRs

Map #3 is the newly created **Overlay Zone STR map**. This map is the **most restrictive** of the three (3) maps prohibiting STRs in traditional subdivisions, platted developments and on most other lots; but, because the map is not defined by zoning text amendments – the **Overlay Zone approach** provides the Board with the **most flexibility** in defining where STRs will be allowed.

For example, through public testimony, it was noted that the single-family lot at **14873 Mercury Drive** has three (3) residential structures and that some of these structures are used for STRs. Further, staff research indicates that this non-conforming use existed since the 1940s and prior to zoning. In addition, the Township has allowed these non-conforming structures to be improved through the building permit process. Given these facts, staff have allowed this non-conforming, single-lot lot to qualify for an STR using the proposed Overlay Map.

Another example is a Lakefront residential development. About 23 of the lots located in the dunes are covered by the Shore Acres Association – which can have STRs pursuant to the Overlay Zone map. But, STRs are prohibited in the remainder of this residential development that is not located adjacent to Lake Michigan and whose members have testified against STRs.

Again, the strength of the **Overlay approach** is the **flexibility** that it will allow. More specifically, based upon public testimony, the Board could also decide to “grandfather” or allow certain pre-existing STRs based upon specific, unique circumstances that might exist for the property or owners.

If there are any questions or comments, please contact me at your convenience.

RENTAL REGULATION ORDINANCE
CHARTER TOWNSHIP OF GRAND HAVEN, MICHIGAN
ord. no. _____ eff. _____

AN ORDINANCE TO REGULATE THE RENTAL OF PROPERTY IN GRAND HAVEN CHARTER TOWNSHIP; TO ESTABLISH PENALTIES AND SANCTIONS FOR VIOLATIONS OF THIS ORDINANCE; AND TO ESTABLISH AN EFFECTIVE DATE.

THE CHARTER TOWNSHIP OF GRAND HAVEN, OTTAWA COUNTY, MICHIGAN, ORDAINS:

Sec. 1. PURPOSE

These standards in this Ordinance are intended to ensure compatibility with the other permitted uses and the residential character of the neighborhoods in which rentals are located. All short-term rentals and limited short-term rentals shall meet the standards contained in this Ordinance and shall be so located and constructed that the average neighbor, under normal circumstances, will not be aware of their existence.

These standards are also to provide for and protect the welfare of full-time residents and to discourage the purchasing of property for vacation rental uses when it would be inconsistent with the neighborhood in which the property is located.

Sec. 2. DEFINITIONS

The following words, terms, and phrases, when used in this Ordinance, shall have the meaning ascribed to them in this Section, except where the context clearly indicates a different meaning.

(a) *Bedroom* means a room which is intended, arranged, and designed to be occupied by one or more persons primarily for sleeping purposes.

(b) *Dwelling* means a building or portion of a building providing complete, independent living facilities for one or more persons, including permanent provisions for living, eating, cooking, sanitation, and one or more separate Bedrooms for sleeping.

(c) *License* means a Short-Term Rental License or a Limited Short-Term Rental License.

(d) *Limited Short-Term Rental* means the Rental or subletting of any Dwelling for any one or two Rental periods of at least six but not more than 14 days, not to exceed 14 days total in a calendar year. The minimum rental period of six days is

reduced to three days during the period after Labor Day and before the next succeeding Memorial Day.

(e) *Maximum Occupancy* means the maximum number of allowable Occupants for the Dwelling, as established by Section 5(k) of this Ordinance.

(f) *Occupant* means an individual living in, sleeping in, or otherwise having possession of a space.

(g) *Owner* means a person holding legal or equitable title to the Premises. An Owner may designate an agent to perform duties or receive notice under this Ordinance.

(h) *Premises* means the property, including any land and the improvements on the land, such as a building or other designated structure, on which the Short-Term Rental or Limited Short-Term Rental is located or is proposed.

(i) *Rent or Rental* means to permit, provide for, or offer possession or occupancy of a Dwelling, in which the Owner does not reside for a period of time, to a person who is not the legal owner of record, pursuant to a written or unwritten agreement.

(j) *Short-Term Rental* means the Rental or subletting of any Dwelling for a term of at least six but less than 28 days. The minimum rental period of at least six days is reduced to three days during the period after Labor Day and before the next succeeding Memorial Day. This definition does not include the use of campgrounds, hotel rooms, transitional housing operated by a non-profit entity, group homes such as nursing homes and adult foster care homes, hospitals, or housing provided by a substance-abuse rehabilitation clinic, mental-health facility, other health-care related clinic, or housing for farm labor. This definition absolutely prohibits Rentals of less than six days.

Sec. 3. RENTAL REGISTRATION AND LICENSE REQUIRED

Short-Term Rentals and Limited Short-Term Rentals shall be registered and licensed with the Township prior to commencement of any Rental activity related to them.

Sec. 4. APPLICABILITY AND EXCEPTIONS

The following circumstances do not constitute a Rental.

- (a) *Family occupancy.* Any member of a family, as well as that family member's guests, may occupy a Dwelling as long as that family member's family owns the Dwelling. Family occupancy also exempts guest houses or similarly separate Dwellings legally located on the same Premises as the Owner's domicile, when occupied by family guests, exchange

students, visitors, medical caregivers, and child caregivers, without remuneration to the Owner.

- (b) *House sitting.* During the temporary absence of the Owner and the Owner's family, the Owner may permit non-Owner occupancy with or without remuneration to the Owner.
- (c) *Dwelling Sales.* Occupancy of up to 90 days by a prior Owner after the sale of a Dwelling under a Rental agreement following closing is permitted.
- (d) *Estate representative.* Occupancy by a personal representative, trustee, or guardian (including family members) of the estate, with or without remuneration, is permitted. The estate shall notify the Township of the Owner's name, date of death, and name of the person occupying the premises.

Sec. 5. PERFORMANCE STANDARDS

All Short-Term and Limited Short-Term Rentals shall be subject to the following performance standards.

- (a) The Owner shall provide off-street parking on paved portions of the Premises and not in the yard to accommodate all Occupants' vehicles, including motor vehicles and trailers.
- (b) The Owner shall provide the Occupant and the Township with the following information prior to occupancy and post such information in a conspicuous place within the Dwelling:
 - (1) The name of a contact person and a telephone number at which the contact person may be reached any time that the Dwelling is Rented;
 - (2) Notification of the Maximum Occupancy permitted in the Dwelling;
 - (3) Notification and instructions as to the parking locations;
 - (4) A copy of this Ordinance, as may be amended from time to time; and
 - (5) Notification that an Occupant may be cited or fined by the Township, in addition to any other remedies available at law, for violating any provision of this Ordinance.
- (c) The Owner's contact person must be available to accept telephone calls at all times that the Dwelling is Rented. The contact person must have a key to the Dwelling and be capable of being physically present at the Dwelling

within one hour to address issues, unless arrangements are made for another person to address issues within the same timeframe.

- (d) The Owner shall provide the contact person's information in writing to the Owners of the property within 300 feet of the Premises.
- (e) The appearance of the Dwelling shall not conflict with the residential character of the neighborhood. The Dwelling shall be properly maintained per all applicable local and state codes, and kept in good repair so that the use in no way detracts from the general appearance of the neighborhood.
- (f) Occupants shall not encroach on neighboring properties.
- (g) Owners shall provide sufficient waste receptacles substantially screened from public and neighboring view; and the Premises shall be maintained free of debris and unwholesome substances. Garbage must be kept in a closed container and disposed of on a regular weekly schedule.
- (h) Campfires shall be maintained in designated fire pits and comply with applicable fire codes.
- (i) Occupants shall not create a nuisance. For purposes of this subsection, a nuisance includes but is not limited to any of the following:
 - (1) Any activity that violates Township noise regulations;
 - (2) Any outside noise that is audible at the property line of the Premises occurring between 10:00 p.m. and 7:00 a.m. on weeknights (Sunday, Monday, Tuesday, Wednesday, and Thursday), and between 11:00 p.m. and 7:00 a.m. on weekend nights (Friday and Saturday); and
 - (3) Any activity that violates Township firework regulations.
- (j) The maximum occupancy for any Dwelling is 12 individuals, subject to any applicable local, state, or federal laws, regulations, or ordinances, and subject to the Property Maintenance Code as referenced in the Michigan Building Code that is enforced by the Township per Ordinance No. 454, as amended. Campers and tents to provide additional occupancy on the Premises are not permitted. The occupancy of any Short-Term Rental or Limited Short-Term Rental served by a septic tank rather than a public sanitary sewer system shall not exceed any limitations established by the Ottawa County Health Department.
- (k) A lock box, acceptable for the Township's Fire Chief or the Fire Chief's designee, shall be provided for every Dwelling used as a Short-Term Rental or Limited Short-Term Rental.

- (l) A Dwelling may not be occupied as a Short-Term Rental for more than 16 weeks in a calendar year.
- (m) Any Dwelling occupied as a Short-Term Rental shall have public water service and public sanitary sewer service, or if it does not have either or both, any water well or septic system serving the Dwelling must be inspected by and approved by the Ottawa County Department of Public Health for use with a Short-Term Rental. Specifically, any water well serving the Dwelling must be upgraded from a residential class II to class III. No Dwelling used as a Short-Term Rental may have a shared water well or shared septic system with another building.
- (n) The Owner of a Short-Term Rental shall provide the Township with written confirmation that the Short-Term Rental is insured as a commercially rented property with coverage of at least \$1,000,000.00 during all times the Owner's Dwelling is used as a Short-Term Rental.

Sec. 6. DURATION

A license issued under this Ordinance shall be valid for a period of two years from the date of issuance.

- (a) *Renewal.* A request for renewal shall be submitted at least 30 days before the expiration date or within 30 days of a sale or transfer of ownership of the Dwelling. The renewal forms shall be provided by the Township. If no information has changed since the previous registration and license approval, the information previously submitted may be incorporated by reference.
- (b) *Noncompliance.* Any change in the use or construction of a Dwelling that results in noncompliance with any Township or state standards, as determined by the Community Development Director, shall void the license.

Sec. 7. RENTAL LIMITATIONS

A Dwelling that is issued a license under this Ordinance may be Rented subject to the following limitations.

- (a) In any zoning district, a Dwelling may be Rented for any time period, as often as the Owner decides, subject to the limitations and all other requirements of this Ordinance. Accordingly, Short-Term Rentals, including Limited Short-Term Rentals, are permitted in any zoning district, subject to compliance with this Ordinance.
- (b) Any Short-Term Rental, including any Limited Short-Term Rental, must satisfy the requirements of the Township's Zoning Ordinance.

- (c) Short-Term Rentals, other than Limited Short-Term Rentals, are not permitted in any subdivision (excluding a supervisor plat), planned unit development, or site condominium unless Short-Term Rentals are specifically provided for and allowed according to the restrictive covenants or master deed provided to the Township during the application process for the development in question, which restrictive covenants or master deed is approved by the Township and recorded with the Ottawa County Register of Deeds.
- (d) Short-Term Rentals are not permitted for any Dwelling that is served by a private road serving eight or more Premises, according to the Township's Private Roads and Driveways Ordinance, as amended or restated.

Sec. 8. SUSPENSION OR REVOCATION OF LICENSE

In addition to any other penalty authorized by law, a license may be suspended or revoked if the Community Development Director finds by competent, material, and substantial evidence, and after written notice of the charges to the Owner and an opportunity for the Owner to be heard, that the Owner has violated or failed to fulfill the requirements of this Ordinance. Written notice of the charges and notice of hearing before the Community Development Director shall be personally served on the Owner or served on the Owner by certified mail, no less than 21 days before the hearing.

- (a) Upon a finding by the Community Development Director of a first violation within any 12 month period, the license may be suspended for up to 30 days during which time the Premises shall not be Rented.
- (b) Upon a finding by the Community Development Director of a second violation within any 12 month period, the license shall be suspended for 60 days during which time the Premises shall not be Rented.
- (c) Upon a finding by the Community Development Director of a third violation within any 12 month period, the license shall be revoked and the Owner shall not again be issued a license for a period of 24 months, during which time the Premises shall not be Rented. Appeal from denial or suspension or revocation of a license is allowed, as provided in Section 9.

Sec. 9. APPEAL

Any Owner whose application was denied or whose license was suspended or revoked by the Community Development Director, may, within ten days following such decision, appeal to the Township Board. The Township Board shall determine whether to affirm, reverse, or modify the decision of the Community Development Director in accordance with this Ordinance.

- (a) *Notice.* At least 14 days prior to the Township Board meeting to consider the appeal of the Owner, the Community Development Director shall

send, by certified United States mail, written notice to the Owner of the date, time, and place at which the Township Board will consider the denial, suspension, or revocation. The Owner shall be provided an opportunity to be heard by the Township Board prior to its decision being made. All neighbors within 300 feet of the boundaries of the Premises must also be notified by United States mail of the date, time, and place of the Township Board meeting.

- (b) *The decision.* The decision of the Township Board shall be final. The Township Clerk shall notify the Owner, in writing, of the decision of the Township Board.
- (c) *Right to appeal.* If the Township Board affirms the decision of the Community Development Director denying an application or suspending or revoking a license, the Owner shall have the right to appeal the Township Board decision to the circuit court. The decision of the Township Board shall not be vacated during the pendency of any appeal to circuit court. The Owner has the right to seek a stay in circuit court.

Sec. 10. TOWNSHIP, STATE, AND FEDERAL REQUIREMENTS

Nothing contained within this Ordinance shall be construed to relieve a person of any duties and obligations imposed under any Township, state, or federal laws, rules, regulations, licenses, or permit requirements.

Sec. 11. SEVERABILITY AND CAPTIONS

This Ordinance and its various parts, sections, subsections, sentences, phrases, and clauses are severable. If any part, section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid, the remainder of this Ordinance shall not be affected. The captions included at the beginning of each Section are for convenience only and shall not be considered as part of this Ordinance.

Sec. 12. ADMINISTRATIVE LIABILITY

No officer, agent, employee, or member of the Township Board shall be personally liable for any damage that may accrue to any person as a result of any act, decision, or other consequence or occurrence arising out of the discharge of duties and responsibilities pursuant to this Ordinance.

Sec. 13. VIOLATIONS

Any person violating the provisions of this Ordinance shall be responsible for a municipal civil infraction. The penalty for a violation of this Ordinance shall be a civil fine of not less than \$50.00, plus costs and other sanctions. Increased civil fines may be imposed for repeat violations of this Ordinance by a person. A “repeat violation” of this Ordinance is a second or subsequent violation of this Ordinance committed by a person within six months of a prior violation of this Ordinance, and

for which the person admits responsibility or is determined to be responsible. The penalty for a violation of this Ordinance which is a first repeat violation shall be a civil fine of not less than \$250.00, plus costs and other sanctions. The penalty for a violation of this Ordinance which is a second or subsequent repeat violation shall be a civil fine of not less than \$500.00, plus costs and other sanctions. The Township Supervisor, Township Superintendent (Township Manager), an authorized Township official, any law enforcement officer of the Ottawa County Sheriff's Department or the Michigan State Police, and the Township Attorney are authorized to issue municipal civil citations for violations of this Ordinance.

Sec. 14. EFFECTIVE DATE

This Ordinance was approved and adopted by the Township Board on _____, 2019, after its introduction and first reading on _____, 2019, and after its publication in the manner provided by Public Act 359 of 1947, as amended. This Ordinance shall take effect 30 days after its publication following adoption.

Mark Reenders, Township Supervisor

Laurie Larsen, Township Clerk

CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Rental Regulation Ordinance was adopted at a regular meeting of the Township Board held on _____, 2019. The following members of the Township Board were present at that meeting: _____

The following members of the Township Board were absent: _____

_____. The Ordinance was adopted by the Township Board with members of the Board _____ voting in favor and _____ members of the Board voting in opposition. Notice of Adoption of the Ordinance was published in the *Grand Haven Tribune* on _____, 2019.

Laurie Larsen, Clerk
Grand Haven Charter Township

ORDINANCE NO. _____

ZONING TEXT AMENDMENT ORDINANCE

AN ORDINANCE TO AMEND THE GRAND HAVEN CHARTER TOWNSHIP ZONING ORDINANCE TO ADD THE **SHORT-TERM RENTAL OVERLAY ZONE** AND TO PERMIT SHORT-TERM RENTALS AND LIMITED SHORT-TERM RENTALS IN THE TOWNSHIP; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

THE CHARTER TOWNSHIP OF GRAND HAVEN, COUNTY OF OTTAWA, AND STATE OF MICHIGAN, ORDAINS:

Section 1. Limited Short-Term Rental Definition. Section 2.13 of the Grand Haven Charter Township Zoning Ordinance (the “Zoning Ordinance”) shall be amended to include the following definition. (The rest of Section 2.13 shall remain unchanged.)

LIMITED SHORT-TERM RENTAL: The rental of any Dwelling for any one (1) or two (2) rental periods of at least six (6) days but not more than fourteen (14) days, not to exceed fourteen (14) days total in a calendar year. The minimum rental period of six (6) days is reduced to three (3) days during the period after Labor Day and before the next succeeding Memorial Day.

Section 2. Short-Term Rental Definition. Section 2.20 of the Zoning Ordinance shall be amended to include the following. (The rest of Section 2.20 shall remain unchanged.)

SHORT-TERM RENTAL: The rental or subletting of any Dwelling for a term of at least six (6) days but less than twenty-eight (28) days. The minimum rental period of at least six (6) days is reduced to three (3) days during the period after Labor Day and before the next succeeding Memorial Day. This definition does not include the use of Campgrounds, hotel rooms, transitional housing operated by a non-profit entity, group homes such as nursing homes and adult foster care homes, hospitals, or housing provided by a substance-abuse rehabilitation clinic, mental-health facility, other health-care related clinic, or housing for farm labor.

Section 3. Short-Term Rental Overlay Zone. Chapter 15B of the Zoning Ordinance shall be added and shall state in its entirety as follows.

SECTION 15B.01 FINDINGS AND STATEMENT OF PURPOSE

Short-Term Rentals have historically been considered a commercial use, not historically permitted in residential zoning districts. Furthermore, the Township is committed to preserving the residential character of Township neighborhoods, minimizing potential nuisances, and maintaining the Township’s small-town character and scenic beauty. The Township intends to protect its residents and visitors from the potentially negative or harmful effects that can arise from

commercial rentals, including the potential impact on the appearance, tranquility, and standard of living in the Township's prime residential areas.

However, the Township also recognizes the potential benefits of tourism and additional lodging opportunities for visitors, as well as the financial benefit that Short-Term Rentals can bring to property owners in the Township. Therefore, the Township wishes to achieve a balance between these considerations by providing that Short-Term Rentals are allowed as special land uses, based upon a consideration of the standards in Section 19.05, in the Short-Term Rental Overlay Zone.

SECTION 15B.02 PERMITTED USES

The uses permitted in the Short-Term Rental Overlay Zone shall be the uses permitted in the underlying zoning district, plus Short-Term Rentals as special land uses.

SECTION 15B.03 DESIGN REQUIREMENTS

The design requirements of the underlying zoning district shall apply to the Short-Term Rental Overlay Zone.

SECTION 15B.04 PROPERTY INCLUDED IN THE SHORT-TERM RENTAL OVERLAY ZONE

The property in the Township included in the Short-Term Rental Overlay Zone is illustrated in the diagram attached as Exhibit A, to be added to the zoning map.

Section 4. Special Land Use Standards. Section 19.07.38A of the Zoning Ordinance shall be added and shall state in its entirety as follows.

38A. Short-Term Rentals.

- A. A Short-Term Rental must be located in the Short-Term Rental Overlay Zone.
- B. A Short-Term Rental must comply with the Township's Rental Regulation Ordinance, as now or subsequently amended.

Section 5. Rental Regulations. Section 20.27 of the Zoning Ordinance shall be added and shall state in its entirety as follows.

SECTION 20.27 RENTAL REGULATIONS

- 1. Limited Short-Term Rentals, because of the time limitations placed upon them, are permitted by right in all zoning districts, as long as the use of the rented property is permitted by the terms of this Ordinance.

2. Rentals that are longer than and thus do not qualify as Short-Term Rentals are permitted by right in all districts, as long as the use of the rented property is permitted by the terms of this Ordinance.
3. Notwithstanding any other provision in this Section or in this Ordinance, all rental property in the Township must comply with all other Township ordinances, all Ottawa County requirements, and all applicable State and Federal laws.

Section 6. Effective Date. The foregoing amendment to the Grand Haven Charter Township Zoning Ordinance was approved and adopted by the Township Board of Grand Haven Charter Township, Ottawa County, Michigan on _____, 2020, after a public hearing as required pursuant to Michigan Act 110 of 2006, as amended, and after a first reading of the amendment by the Township Board on _____, 2020. This Ordinance shall be effective on _____, 2020, which date is eight days after publication of the Ordinance as is required by Section 401 of Act 110, as amended, provided that this effective date shall be extended as necessary to comply with the requirements of Section 402 of Act 110, as amended.

Mark Reenders, Township Supervisor

Laurie Larsen, Township Clerk

CERTIFICATE

I, Laurie Larsen, the Clerk for the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing Grand Haven Charter Township Zoning Text Amendment Ordinance was adopted at a regular meeting of the Township Board held on _____, 2020. The following members of the Township Board were present at that meeting: _____

The following members of the Township Board were absent: _____

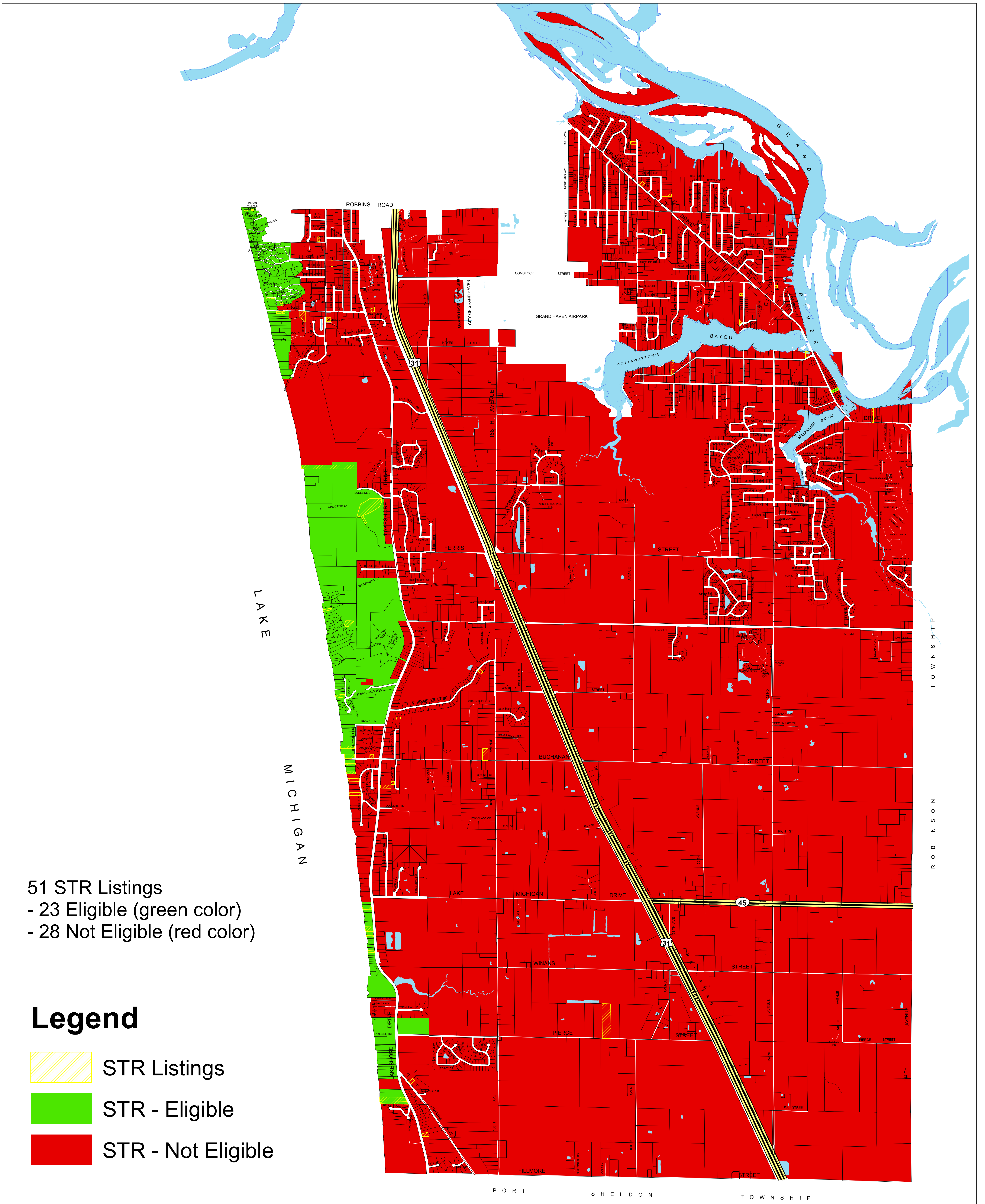
The Ordinance was adopted by the Township Board with members of the Board _____

voting in favor and members of the Board _____
voting in opposition. The Ordinance or a summary of the Ordinance was published in the *Grand Haven Tribune* on _____, 2020.

Laurie Larsen, Clerk
Grand Haven Charter Township

Proposed Short Term Rental Map

Eligible Land vs. Non-Eligible Land
Level of Restriction = Overlay Zone



**GRAND HAVEN CHARTER TOWNSHIP BOARD
MONDAY, FEBRUARY 24, 2020**

WORK SESSION

Supervisor Reenders called the work session meeting of the Grand Haven Charter Township Board to order at 6:00 p.m.

1. **Motion** by Trustee Redick supported by Clerk Larsen to enter Closed Session at 6:01 p.m. to discuss legal opinion regarding a proposed settlement offer regarding the pending Swiftney STR ordinance enforcement and related matters. **Which motion carried** pursuant to the following roll call vote:

Ayes: Redick, Meeusen, Kieft, Behm, Redick, Gignac, Larsen

Nays:

Absent:

Motion by Trustee Redick supported by Trustee Gignac to exit Closed Session at 6:27 p.m. **Which motion carried.**

2. Staff presented information on utilizing an Overlay Zone approach to determine where Short-Term Rentals (STRs) would be allowed within the Township.

After discussion, the Board instructed staff to utilize the Overlay Zone approach to determine where STRs would be authorized within the Township by special exception – beyond the two-weeks that all property owners would qualify. The Board recommended the following standards when examining STRs that are currently operating outside of Zoning regulations:

- ✓ Does the property have a lengthy history of STR (*e.g., beyond a decade*);
- ✓ Does the property have a history of complaints regarding any STR usage (*e.g., properties with complaints from neighbors or others would not be included within the STR Overlay zone*);
- ✓ Is the property located within a traditional subdivision or platted development (*i.e., these areas will typically be excluded unless significant extenuating circumstances exist*);
- ✓ Is the property large (*e.g., larger acreage*), heavily screened, or located in an area where the possibility of complaints (*e.g., noise, parking, etc.*) would be reduced.

It was noted that the aforementioned criteria may be expanded based upon further input and that additional public work sessions and hearings will occur.

It was noted that properties not included would have the possibility of seeking a zoning amendment to STR Overlay zone.

It was noted that the current draft contains a provision whereby multiple complaints could lead to revocation of the STR special exception rights. Staff were instructed to ensure that this would also apply to the two-week STR provision for all properties.

Public comments included the following:

- i. Mary Peterson (11865 Chickory Drive) believes the STR ordinance should be referred to a special committee that has STR owners represented.
- ii. Marcie Barber (2685 Wild Coyote Trail, Galesburg) noted that their STR property is “red” on all three maps. Opined that the six-day minimum stay is too restrictive.
- iii. Richard Barber (2685 Wild Coyote Trail, Galesburg) expressed concern over the rules regarding septic systems and opined that the 16-week limitation on STRs is too restrictive.
- iv. Kris Riera (205 North Division Street, Spring Lake Village) opined that the insurance requirements are too great and that shared wells should be allowed.
- v. Michelle Hornstrand (17954 Brucker Street) noted that her property is currently “red” and was advised to contact staff regarding any extenuating circumstances that might exist on the property that would allow qualifying for STR.
- vi. Kevin Freng (1341 Cornell Drive SE, Grand Rapids) noted that their property on Buchanan Street is in the “red” and expressed concerns about the definition of rentals.

Staff indicated that the next draft of the STR ordinances would be brought before the full Board at either the March 9th or March 23rd work session.

REGULAR MEETING

I. CALL TO ORDER

Supervisor Reenders called the regular meeting of the Grand Haven Charter Township Board to order at 7:02 p.m.

II. PLEDGE TO THE FLAG

III. ROLL CALL

Board members present: Larsen, Redick, Behm, Reenders, Gignac, Meusen, Kieft
Board members absent:

Also, present were Manager Cargo and Community Development Director Fedewa.

IV. APPROVAL OF MEETING AGENDA

Motion by Trustee Redick and seconded by Trustee Behm to approve the meeting agenda.
Which motion carried.

V. APPROVAL OF CONSENT AGENDA

1. Approve February 10, 2020, Regular Board Minutes
2. Approve Payment of Invoices in the amount of \$511,928.33 (*A/P checks of \$387,842.13 and payroll of \$124,086.20*)
3. Approve Engineering Agreement with Prein & Newhof and Design Forum for Lobby Roof Leaks (\$8,950)
4. Approve Low Bid for Connecting Municipal Water to Township Parks (\$45,254)
5. Approve Bid Documents for Lakeshore Pathway Resurfacing
6. Approve Proclamation for National Library Week 2020

Motion by Clerk Larsen and seconded by Trustee Behm to approve the items listed on the Consent Agenda. **Which motion carried.**

VI. OLD BUSINESS

1. **Motion** by Trustee Gignac supported by Clerk Larsen to approve Resolution 20-02-02 that adopts the “Carry Forward” budget amendments for Fiscal Year 2020. **Which motion carried** pursuant to the following roll call vote:

Ayes: Redick, Gignac, Behm, Kieft, Meeusen, Larsen, Reenders

Nays:

Absent:

2. **Motion** by Clerk Larsen supported by Trustee Redick to approve Resolution 20-02-03 that updates the Township’s Poverty Exemption Policies pursuant to requirements of state law. **Which motion carried** pursuant to the following roll call vote:

Ayes: Larsen, Kieft, Reenders, Behm, Gignac, Redick

Nays: Meeusen

Absent:

3. **Motion** by Treasurer Kieft supported by Trustee Behm to adopt the Water Interconnection Contract between the North Ottawa Water System and the West Michigan Regional Water Authority and authorize the Township Supervisor and Clerk to execute the Contact. **Which motion carried.**

VII. NEW BUSINESS

1. Staff noted that lakefront property owners adjacent to the Brucker Street Road end have requested that the Township financially participate with efforts to address shoreline erosion. Neighbors are concerned that without the Township participating and installed shoreline erosion protection that erosion on the public land will negatively impact their properties.

At this stage, the cost for permit and engineering would be \$6,950 – if the Township signs the engineering agreement. However, actual construction estimates for the proposed shoreline erosion design is about \$1,000 per foot – or about \$130k.

The Board expressed concern regarding whether the project would impede access to the lake for construction equipment. The Board instructed staff to refer the request to the Public Works Committee.

2. Staff noted that the Pigeon Creek Schoolhouse Preservation Society has requested that Grand Haven Charter Township accept the donation of the Pigeon Creek One-Room Schoolhouse – located at 168th Avenue and Pierce Street.

The Board instructed staff to refer the request to the Parks and Recreation Committee.

VIII. REPORTS AND CORRESPONDENCE

1. Committee Reports

2. Manager's Report
 - a. January Public Services Report
 - b. January Legal Review
3. Others

IX. PUBLIC COMMENTS

1. Susan Heine (14520 178th Avenue) noted her lot is in the "red" and was advised to contact staff regarding any extenuating circumstances that might exist on the property that would allow qualifying for STR.
2. Mindi Freng (1341 Cornell Drive SE, Grand Rapids) noted her property on Buchanan Street is in the "red" and believes that STRs should be allowed at this location.
3. Susan Vanse (14873 Mercury Drive) Thanked the Board for the adjustments made. Opined that the six-day limit is too restrictive.
4. Doug Vanse (14873 Mercury Drive) Thanked the Board for the new map. Opined that the six-day limit and the 16-week limit are too restrictive.
5. Ed Everhard (12087 Bluewater Road) objects to the regulation of STRs. Stated that he owns parcel on Bluewater that is a residual of a 1925 plat. Expressed concern regarding the STR rules for wells and septic systems.
6. Richard Cromwell (18008 Brucker Street) opined that STRs create a benefit for businesses; that the six-day limit is too restrictive and that a 2-day rental would be more appropriate.
7. Juanita Bocanegra (707 Garden Ridge Drive, Holland) introduced herself as a candidate for 58th District Court Judge.
8. Fitz Fitzgerald (421 Felch Street, Holland) opined that the language regarding wells and septic system are too specific and restrictive.

X. ADJOURNMENT

Motion by Clerk Larsen and seconded by Trustee Behm to adjourn the meeting at 7:56 p.m. **Which motion carried.**

Respectfully Submitted,



Laurie Larsen

Grand Haven Charter Township Clerk



Mark Reenders

Grand Haven Charter Township Supervisor

SUPERINTENDENT'S MEMO

DATE: August 17, 2021
TO: Township Board
FROM: Cargo
SUBJECT: Short-Term Rental (STR) Regulations

As you recall, the Township discontinued discussions and work on adopting Short-Term Rentals (STR) regulation in March of 2020 due to the COVID-19 pandemic and the difficulty of holding large meetings that allowed for public participation.

With the COVID-19 restrictions on indoor meetings and social distancing lifted, the purpose of July work session is to prompt a review of the previous Board's intentions and instructions regarding STR regulations. To help to review the intentions of the previous Board – which was to use an Overlay approach to limit where STRs could be located, the following documents are attached:

- ✓ The February 2020 draft of a memo on Short-Term Rentals
- ✓ The February 2020 draft of a proposed Ordinance regulating STRs
- ✓ The February 2020 draft of a proposed Zoning Text amendment on STRs
- ✓ The February 24, 2020 minutes of the last meeting before the COVID-19 restrictions were imposed.
- ✓ A map indicating the significant limitation on where STRs could occur using the Overlay approach.

The **Overlay Zone STR map** is restrictive prohibiting STRs in traditional subdivisions, platted developments and on most other lots; but, because the map is not defined by zoning text amendments – the **Overlay Zone approach** provides the Board with the most flexibility in defining where STRs will be allowed.

For example, through public testimony, it was noted that the single-family lot at **14873 Mercury Drive** has three (3) residential structures and that some of these structures are used for STRs. Further, staff research indicates that this non-conforming use existed since the 1940s and prior to zoning. In addition, the Township has allowed these non-conforming structures to be improved through the building permit process. Given these facts, staff have allowed this non-conforming, single-lot lot to qualify for an STR using the proposed Overlay Map.

Another example is a Lakefront residential development. About 23 of the lots located in the dunes are covered by the Shore Acres Association – which can have STRs pursuant to the Overlay

Zone map. But, STRs are prohibited in the remainder of this residential development that is not located adjacent to Lake Michigan and whose members have testified against STRs.

Again, the strength of the **Overlay approach** is the **flexibility** that it will allow. More specifically, based upon public testimony, the Board could also decide to “grandfather” or allow certain pre-existing STRs based upon specific, unique circumstances that might exist for the property or owners.

To Conclude – because the current Township Board is different from the Board that existed in February of 2020 – staff need to confirm that the direction that was provided by the previous Board is still supported by the current Board members.

If the Overlay Zone STR approach is supported by the Board, staff will solicit additional comments from the public to further define the Overlay Map and will schedule a public hearing for **Monday, November 8th**.

If there are any questions or comments, please contact me at your convenience.



TO: Township Board
FROM: Andrea Dumbrell, Human Resources Director
DATE: August 4, 2021
RE: Hiring Policy Revision

During the June 9, 2021, Personnel Committee Meeting, a question was raised by committee members regarding the Personnel Committee's involvement in the approval of new hires, and a request was made to discuss the Personnel Committee's involvement in hiring approvals at the next Personnel Committee Meeting.

At the July 15, 2021, Personnel Committee Meeting, members were presented with options to continue having the Personnel Committee approve all new hires OR transition to having the Township Manager approve all new hires (other than firefighters, who require Board approval pursuant to State law). After discussion, the Personnel Committee approved forwarding the recommended changes, of having the Township Manager approve new hires, to the Township Board for approval.

Administration supports this change, as hiring decisions are the responsibility of the Township Manager; and start dates for new employees will not need to be delayed until the Personnel Committee can meet and approve the hires.

If the Township Board supports this revision to the Personnel Policy and Procedures Manual, the following motion could be offered for consideration:

Motion to approve Resolution 21-08-01, authorizing the revisions to the Hiring Policy as submitted.

The policy, with the highlighted revisions, is attached for your review. If you have any questions regarding the recommended language, please contact Bill Cargo or me.

2.9 HIRING

The Personnel Director shall take steps to assure the selection procedure is in accordance with equal employment guidelines and law.

2.9a Compensation and Benefits

The Township Manager shall have the ability to formulate employment offers to experienced applicants that might exceed the starting wages or leave benefits listed in this manual or current wage scale.

2.9b Approval Procedure

The names and qualifications of candidates to be hired on a Full-Time basis, including the compensation and benefit package that will be offered, shall be submitted to the Township Manager for consideration. ~~Personnel Committee for consideration at a posted committee meeting.~~

If the Township Manager ~~Personnel Committee unanimously~~ approves the recommendation ~~during the committee meeting~~, the Personnel Director is authorized to complete the hiring process subject to the following:

- A. The position was approved by the Board during the budget process or subsequent budget amendment.
- ~~B. The proposed hire has been authorized by the Township Manager.~~

~~If objections are received from the Personnel Committee, the candidate's offer of employment will be submitted to the full Board for consideration.~~

2.9c Approval Procedure – Fire/Rescue

Pursuant to state law, all Fire/Rescue personnel must be approved by the full Township Board before the Personnel Director is authorized to complete the hiring.

The names and qualifications of candidates to be hired, including the compensation and benefit package that will be offered, shall be submitted directly to the Township Board.

2.9d Approval Procedure – Part-Time, Temporary, Temporary Part-Time, or Seasonal

Employees to be hired on a Part-Time, Temporary, Temporary Part-Time, or Seasonal basis, do not require Board approval, provided that the position had been approved by the Board during the budget process. Said employees shall be subject to the approval of the Township Manager upon recommendation by the Personnel Director and Department Director.

2.9e Positions Not Approved during the Budget Process

New positions will be presented to the Personnel Committee, including compensation and job duties for recommendation, with final approval by the Township Board.

(Amended 2/25/2013)

At a regular meeting of the Township Board of Grand Haven Charter Township, Ottawa County, Michigan, held at the Township Hall at 13300 168th Ave., Grand Haven, Michigan 49417, on August 23, 2021, at 7:00 p.m., local time.

PRESENT:

ABSENT:

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

RESOLUTION 21-08-01

WHEREAS, Grand Haven Charter Township (“Township”) has adopted a Personnel Policies and Procedures Manual; and,

WHEREAS, the Grand Haven Charter Township Board (“Township Board”) believes that it is in the best interest of the Township to amend various sections of the Personnel Policies and Procedures Manual from time-to-time as necessary; and,

WHEREAS, the proposed amendment has been reviewed by the Personnel Committee and recommended for approval; and,

WHEREAS, the Township Board believes that it is reasonable and appropriate to adopt this amendment, authorizing revisions to the Hiring Policy language.

NOW, THEREFORE, BE IT HEREBY RESOLVED:

1. That Section 2.9 Hiring, is to read in its entirety as follows:

2.9 HIRING

The Personnel Director shall take steps to assure the selection procedure is in accordance with equal employment guidelines and law.

2.9a Compensation and Benefits

The Township Manager shall have the ability to formulate employment offers to experienced applicants that might exceed the starting wages or leave benefits listed in this manual or current wage scale.

2.9b Approval Procedure

The names and qualifications of candidates to be hired on a Full-Time basis, including the compensation and benefit package that will be offered, shall be submitted to the Township Manager for consideration.

If the Township Manager approves the recommendation, the Personnel Director is authorized to complete the hiring process subject to the following:

- A. The position was approved by the Board during the budget process or subsequent budget amendment.

(Amended 8/23/2021)

2.9c Approval Procedure – Fire/Rescue

Pursuant to state law, all Fire/Rescue personnel must be approved by the full Township Board before the Personnel Director is authorized to complete the hiring.

The names and qualifications of candidates to be hired, including the compensation and benefit package that will be offered, shall be submitted directly to the Township Board.

2.9d Approval Procedure – Part-Time, Temporary, Temporary Part-Time, or Seasonal

Employees to be hired on a Part-Time, Temporary, Temporary Part-Time, or Seasonal basis, do not require Board approval, provided that the position had been approved by the Board during the budget process. Said employees shall be subject to the approval of the Township Manager upon recommendation by the Personnel Director and Department Director.

2.9e Positions Not Approved during the Budget Process

New positions will be presented to the Personnel Committee, including compensation and job duties for recommendation, with final approval by the Township Board.

(Amended 2/25/2013)

2. That all resolutions in conflict herewith in whole or in part are hereby revoked to the extent of such conflict.

YES:
NO:
ABSENT:

RESOLUTION DECLARED ADOPTED.

DATED: August 23, 2021

Laurie Larsen, Township Clerk

CERTIFICATE

I, the undersigned, the duly qualified and acting Township Clerk of the Grand Haven Charter Township, Ottawa County, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the Township Board at a regular meeting of the Township Board held on April 26, 2021, do further hereby certify that public notice of said meeting was given pursuant to and in full compliance with Michigan Act 267 of 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Laurie Larsen, Township Clerk



Deputy Treasurer

DATE: August 23, 2021
 TO: Township Board
 FROM: Ashley Larrison
 RE: Adoption of the Resolution to schedule the “Truth in Taxation” Public Hearing

Grand Haven Charter Township provides many services to our residents, those which have been approved by our voters and those which are statutory. Many of these extra services have had voter approval, however, the Township must still hold a yearly public hearing and adopt a resolution establishing the millage rate to support these services.

In this process, each taxing jurisdiction must determine if their taxable value has increased which will cause them to potentially levy more tax dollars than last year (except for new construction and the rate of inflation). This will determine if their operating and voted millages will be subjected to any millage reduction fractions, such as “Headlee Amendment” and “Truth in Taxation”.

“Headlee”

The first potential millage reduction may be from the Michigan Compiled Laws, Section 211.34d, “Headlee” reduction.

“Headlee Amendment” – Is a 1978 Amendment to Michigan State Constitution limiting property tax rate increases without voter approval. Headlee requires that tax rates be “rolled back” if the increase in a taxing unit’s taxable valuation (excluding changes from new construction, improvements and losses) is greater than the rate of inflation. Headlee also requires the State to appropriate necessary funds to local units for any new state-required services and prohibits the State from reducing State share of existing required services.

To make the determination on whether Grand Haven Charter Township needs to apply a “Headlee” reduction to 2021 millage rates the following calculation was done:

\$870,066,054	-	\$2,979,829	x	1.0140	=	\$879,225,432
(2020 Total Taxable Value-Losses) x Inflation Rate						
\$905,780,568	-	\$20,048,148			=	\$885,732,420
(2021 Total Taxable Value-Additions)						
					<u>.9927</u>	

Since the millage reduction fraction is under 1.0000, the fraction of .9927 must to be applied to last year’s millages.

The table listed below shows how we applied the “Headlee” Reduction Fraction to our 2020 millages.

Purpose of Millage	2020 Millage Rate	“Headlee” Reduction Fraction	2021 Millage Rate Allowed
Township Operating	1.0397	0.9927	1.0321
Fire Department	1.8233	0.9927	1.8099
Transportation	0.9115	RENEWED May 2021	0.9500
Bike Path	0.4361	0.9927	0.4329
Museum	0.2473	0.9927	0.2454
Four Pointes (NOCA)	0.2459	1.0000 RENEWED May 2021	0.2500
Debt-Parks		New-voted May 2021	0.4000
Total	4.7038		5.1203

“Truth in Taxation”

The second potential millage reduction comes under the requirements of MCL Section 211.24e, a taxing unit may not generate more revenue than it generated in the prior year unless it holds a “Truth in Taxation” public hearing.

To determine if the current levy of the sum of all operating millages for the Township produces more tax dollars than last year’s actual levy and for a “Truth in Taxation” hearing to be required, the BTRF (*Base Tax Rate Fraction*) and BTR (*Base Tax Rate*) must be computed using Grand Haven Charter Township’s 2020 and 2021 Taxable values and 2021 taxable value losses and additions.

The 2020 Base Tax Rate Fraction (BTRF) is calculated as shown below:

$$\begin{array}{rclcl}
 \$870,066,054 & - & \$2,979,829 & = & \$867,086,225 \\
 \text{(2020 Total Taxable Value-2021 Taxable Losses)} & & & & \mathbf{0.9790} \\
 \$905,780,568 & - & \$20,049,148 & = & \$885,732,420 & \text{(BTRF)} \\
 \text{(2021 Total Taxable Value-2021 Taxable Additions)} & & & & &
 \end{array}$$

The (BTRF) Base Tax Rate Fraction (0.9790) when multiplied with the 2020 total operating millage (i.e., 4.7038) results in a maximum levy of **4.6050** allowed without a public hearing.

(2021 Base Tax Rate (BTR) = 2020 operating levy rate (4.7038) x BTRF (0.9790) = 4.6050)

Since this ‘base tax rate’ is under 1.0000, it is then necessary to schedule a public hearing and direct the publishing of the “*Notice of Public Hearing on Increasing Property Taxes*” not less than six (6) days prior to the public hearing in compliance with the requirements of Section 6 of the Truth in Taxation law. If approved the following motion can be offered.

Move to adopt Resolution No. 21-08-02 which schedules the “Truth in Taxation” Public hearing for September 13, 2021 and proposes the additional allowable millage rate of .5153 mills for a proposed total of 5.1203 mills.

After the public hearing on September 13, 2021 the Board will have a resolution to adopt which will establish the actual millage rate to be levied by the Township and authorizes the Supervisor and Clerk to sign the L-4029 2021 Tax Rate Request, for levy on the 2021 winter tax bills.

If there are any questions or comments regarding the above, please feel free to contact me.

If the Board approves the proposed millages listed below, the proposed tax dollars will be generated for the 2021 fiscal year.

Millage Levy	2020 Millage	2021 Proposed Millage with Headlee reduction applied	2020 Tax Dollars Generated	2021 Tax Dollars proposed to be generated
Township Operating	1.0397	1.0321	\$904,608	934,856
Fire Department	1.8233	1.8099	\$1,586,391	1,639,372
Transportation	0.9115	0.9500	\$793,065	860,492
Bike Path	0.4361	0.4329	\$379,436	392,112
Museum	0.2473	0.2454	\$215,167	222,279
(NOCA)Four Pointes	0.2459	0.2500	\$213,949	226,445
Debt-Parks		0.4000		362,312
Total	4.7038	5.1203	\$4,092,616	4,637,868

RESOLUTION # 21-08-02

WHEREAS, Grand Haven Charter Township is prohibited by Public Act #5 of 1982 from levying ad valorem property taxes for operation purposes for the Township's 2021 fiscal year which yields an amount more than the sum of taxes levied at the base tax rate on additions within the Township, plus the taxes levied on existing property for operating purposes during the 2021 fiscal year unless the Township holds a public hearing pursuant to public notice of the hearing, as defined and required by the Truth in Taxation Law; and

WHEREAS, it appears that the "additional millage rate", as defined by the Truth in Taxation Law, would be 0.5153 mills; and

WHEREAS, it appears it would be in the best interest of the Township to levy the "additional millage rate".

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. That the Township will hold a public hearing on Monday, September 13, 2021 at 7:00 p.m. local time at the Grand Haven Charter Township Hall-13300 168th Ave. Grand Haven MI 49417, for the purpose of receiving testimony and discussing the levy of an additional millage rate of 0.5153 mills for the Township's 2021 fiscal year.

2. That the Township Clerk is directed to publish a notice of this public hearing in the Grand Haven Tribune, not less than six (6) days prior to the public hearing, and to notify in writing all newspapers of general circulation in the Township. The notice shall comply with the requirements of Section 6 of the Truth in Taxation Law.

3. The Township hereby establishes the "proposed allowable additional millage rate" at 0.5153 mills.

AYES:

NAYS:

ABSENT AND NOT VOTING:

RESOLUTION DECLARED ADOPTED.

Dated: August 23, 2021

Laurie Larsen, Township Clerk

CERTIFICATE

I, the undersigned, duly qualified and acting Township Clerk of the Charter Township of Grand Haven, Ottawa County, Michigan, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the Township Board at a regular meeting of the Township Board held on the 23rd day of August, 2021. I do further hereby certify that public notice of said meeting was given pursuant to and in full compliance with Michigan Act 267 of 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available by said act.

Dated: August 23, 2021

Laurie Larsen, Township Clerk

**PUBLIC SERVICES DEPARTMENT
END OF THE MONTH REPORT
2021**

WATER

MONTH	WORK ORDERS	METER INSTALLS		REPLACED METERS	REPLACED MXU'S	NEW TAPS		MAIN INSTALLED IN FEET	MILLION GALLONS OF NOWS WATER	MILLION GALLONS OF G.R. WATER	G.R. SUPPLIMENTAL WATER
		3/4"	1"			3/4"	1"				
JANUARY	46	2	1	5	0	2	5	0	39.17	0.72	0.00
FEBRUARY	78	3	5	2	1	0	0	0	34.30	1.00	0.00
MARCH	74	3	3	4	0	7	3	0	33.80	0.65	0.00
APRIL	81	4	2	2	0	2	4	2724	38.92	2.74	0.00
MAY	83	4	3	12	1	2	4	918	86.03	3.16	0.00
JUNE	107	11	2	7	2	5	3	0	108.64	3.78	0.00
JULY	88	1	2	8	2	0	3	0	90.75	3.16	0.00
AUGUST								0	0.00	0.00	0.00
SEPTEMBER								0	0.00	0.00	0.00
OCTOBER								0	0.00	0.00	0.00
NOVEMBER								0	0.00	0.00	0.00
DECEMBER								0	0.00	0.00	0.00
TOTAL YTD	557	28	18	40	6	18	22	3642	431.60	15.22	0.00
TOTALS			46				40			15.22	
							5532		446.83		

NOTES:

WASTEWATER

MONTH	WORK ORDERS	NEW TAPS	MAIN INSTALLED IN FEET	MILLION GALLONS OF WASTE PUMPED
JANUARY	3	6	0	6.61
FEBRUARY	3	2	0	8.86
MARCH	3	6	0	9.42
APRIL	2	8	3400	9.29
MAY	6	5	0	10.06
JUNE	4	5	0	10.32
JULY	1	1	0	8.77
AUGUST			0	0.00
SEPTEMBER			0	0.00
OCTOBER			0	0.00
NOVEMBER			0	0.00
DECEMBER			0	0.00
TOTAL YTD	22	33	3400	63.33
TOTALS		937		

NOTES: