

**ACME TOWNSHIP PARKS & TRAILS MEETING  
ACME TOWNSHIP HALL  
6042 Acme Road, Williamsburg MI 49690  
March 16<sup>th</sup>, 2018 8:30 a.m.**

**ROLL CALL:**

|                   |                |         |   |         |         |           |   |        |
|-------------------|----------------|---------|---|---------|---------|-----------|---|--------|
| <b>Committee:</b> | excused        | Feringa | x | Heflin  | excused | Heffner   | x | Jenema |
|                   | Excused        | Smith   | x | Timmins | x       | Wentzloff |   |        |
| <b>Advisory:</b>  |                | Heinert | x | Kushman |         |           |   |        |
| <b>Staff:</b>     | <b>excused</b> | Winter  |   |         |         |           |   |        |

Also present was Jake from the land conservancy with two americorp volunteers

**PUBLIC COMMENT:**

**APPROVAL OF AGENDA: Motion to approve the agenda Timmins, 2nd. By Wentzloff**

**Motion carries**

**A. INQUIRY AS TO CONFLICTS OF INTEREST:**

**B. CORRESPONDENCE:**

**C. ACTION:**

1. Approve Parks & Trails Minutes 02/16/18- Motion to approve the park and trail minutes from 2/16/18. Heflin, 2nd by Timmins Motion carries

**D. OLD BUSINESS: Bay**

**E. side Park Updates-** bid packages went out, an update was mailed to the committee by Klaus.

Gordie LaPointe-6375 Plum Drive Williamsburg,Mi 49690- LaPointe wanted to know if there were any detailed plans for the park that showed exactly what the end product will be.

Jenema explained that the township has sent out detailed plans to get the bid process started but that what the township ends up with will depends on the cost of the bid packages that come back.

Jenema explained to LaPoint that the bid packages contain the detailed plans the township won't know exactly what it will be getting until the township hears back from contractors with the bids.

Discussion followed on the scope of the bid packages.

1. Trail Updates -Kushman met with the Feast of Victory. The church will be signing the letter of commitment. The trail will run along the south end of the church property.
  - a. Acme Connector Trail
  - b. TVC2CHX Trail-Discussed Elk Rapids plans and the committee Elk Rapids is forming.  
**Motion by Wentzloff 2nd. By Heflin, to recommend Marcie Timmins to represent Acme township parks and trails at the Elk Rapids connector trail meetings. Motion carries**
2. Park System Signage -leave on the agenda,
3. Park Rules Ordinance Heflin went over the changes discussed at the February meeting. Cut down the definition of trail under section 2\*(need to listen to the tape to fill in correct wording.)  
**Motion by Wentzloff 2nd. By Timmins to recommend to the board the approval of the revised**

**Township park ordinance pending approval of legal review. Motion carries**

**Motion Wentzloff 2nd. By Heflin to support trail alignment of Saylor park and Winterwoods to include the shared use of both facilities. Motion carries**

Motion by Wentzloff, 2nd. By Timmins Move to support the expansion of Yuba natural area trail system.

Motion carries

**F. NEW BUSINESS:**

1. None

**G. PUBLIC COMMENT none**

**ADJOURN: Motion to adjourn at 10:06 Timmins, 2nd. By Wentzloff  
Motion carries.**



**ACME TOWNSHIP PARKS & TRAILS MEETING**  
**ACME TOWNSHIP HALL**  
**6042 Acme Road, Williamsburg MI 49690**  
**March 16<sup>th</sup>, 2018 8:30 a.m.**

**ROLL CALL:**

**Committee:**

|  |         |  |         |  |           |  |        |
|--|---------|--|---------|--|-----------|--|--------|
|  | Feringa |  | Heflin  |  | Heffner   |  | Jenema |
|  | Smith   |  | Timmins |  | Wentzloff |  |        |
|  | Heinert |  | Kushman |  |           |  |        |
|  | Winter  |  |         |  |           |  |        |

**Advisory:**

**Staff:**

**A. PUBLIC COMMENT:**

**B. APPROVAL OF AGENDA:**

**C. INQUIRY AS TO CONFLICTS OF INTEREST:**

**D. CORRESPONDENCE:**

**E. ACTION:**

1. Approve Parks & Trails Minutes 02/16/18

**F. OLD BUSINESS:**

1. Bayside Park Updates
2. Trail Updates
  - a. Acme Connector Trail
  - b. TVC2CHX Trail
3. Park System Signage
4. Park Rules Ordinance

**G. NEW BUSINESS:**

1. None

**H. PUBLIC COMMENT**

**ADJOURN:**

**ACME TOWNSHIP PARKS & TRAILS MEETING  
ACME TOWNSHIP HALL  
6042 Acme Road, Williamsburg MI 49690  
February 16<sup>th</sup>, 2018 8:30 a.m.**

**ROLL CALL:**

|                   |          |         |          |         |          |           |          |        |
|-------------------|----------|---------|----------|---------|----------|-----------|----------|--------|
| <b>Committee:</b> | <b>X</b> | Feringa | <b>X</b> | Heflin  | <b>X</b> | Heffner   | <b>X</b> | Jenema |
|                   | <b>X</b> | Smith   | <b>X</b> | Timmins | excused  | Wentzloff |          |        |
| <b>Advisory:</b>  |          | Heinert | <b>X</b> | Kushman |          |           |          |        |
| <b>Staff:</b>     |          | Winter  |          |         |          |           |          |        |

**A. PUBLIC COMMENT:**

**B. APPROVAL OF AGENDA: Motion to approve agenda Timmins, 2nd. By Heflin.  
Motion carries**

**C. INQUIRY AS TO CONFLICTS OF INTEREST: noNe**

**D. CORRESPONDENCE: Kevin’s email summary (not read in)**

**E. ACTION:**

1. Approve Parks & Trails Minutes 01/19/18  
**Motion by Heffner, seconded by Heflin- to approve the 01/19/18 meeting minutes with the correction under Old business; trails, b and c to remove extra wording.  
Motion carries**

**F. OLD BUSINESS:**

1. **Bayside Park Updates- Kevin’s email referenced.**  
Jenema- still waiting for approval from the State MDNR to get the final approval to be able to put out the large bid package for bayside park.  
Went over tree pricing. Actual price was more than 3 times the estimated price in the grant. Unexpected price increases like these may lead to small design changes in order to meet budget.
2. **Trail Updates**
  - a. *Acme Connector Trail Kushman-*  
Feast of Victory and Samaritas Easements- Kushman-Feast of Victory had a meeting with the board members on 2/15, Tart is working to move the letter of commitment along, there are different people in place now and a few new questions are coming up. Shawn has been great at working with the church and answering their questions. These meetings are to secure a letter of commitment, no talk of an easement as of yet, that is the next step needed in order to do the survey work to start the engineer design.  
Kushman also talked about working with Samaritas. John DeMarch is still willing to work to help facilitate the agreement, although he is now retired from there.
  - b. *TVC2CHX Trail - Jenema went to the open house at the cider house. There was a large turnout, very diverse.*  
Preliminary design- Elk Rapids is ready to begin that process, they have been very actively raising funds. Jenema made it clear Acme supports the trail connector but cannot, at this time, financially donate to it due to all the other work Acme has in process.  
Kushman drafted a proposal for preliminary design work from Elk Rapids to Maple Bay. Kushman asked Jenema if Acmes townships resolution of support, would support the preliminary design work all the way from Elk Rapids to Acme township. Jenema talked

with Zollinger and they agreed it would. Acme will not be putting in any money towards the preliminary design work. The cost will be covered by Tart and Elk Rapids. The first phase of construction would still be planned from Elk Rapids down to Maple bay. Hope to have the process started as soon as April and the preliminary design finished by December 2018.

Kushman still working with Holiday Inn express, Still raising concerns about if problems arise on the trail. Other properties that support the trail along with TART have been working to reassure the Holiday Inn. The township has to wait to begin the engineering plan until all the easements are signed.

Kushman also touched on how hard it has been to keep up with snow removal along 31. Heffner asked about the time frame to finish the trail.

Jenema gave an update on the sewer, which is the reason for the trail being ripped up. Hoping for a final finish date of mid-May.

i. Scope of Design Work-

ii. Elk Rapids Trail Team Liason - Kushman asked for a representative from Acme to join the Elk Rapids committee.

Timmins volunteered as long as the meeting times, which are unknown at this time, can work with her schedule.

**3. Park System Signage –**

Feringa is waiting to meet with Valley city signs until the Tribe is ready with their branding. Will keep on the agenda for March.

**4. Park Rules**

a. *Update & Feedback-* Smith and Heflin went over all the input from Jeff Jocks, along with research they had done. Added section 2) prohibited activities. (please see attached sheet). Under section 3) b. Talking out wording pertaining to walking along the beaches below the high water mark. Leaving in 3) m- about intoxication. Adding new highlighted language under 3) p.

Under sections 4, 5 and 7 it was decided to keep the current language.

Will continue to work further on the park rules, with plans to get a draft to the board in April.

**G. NEW BUSINESS:**

1. None

**H. PUBLIC COMMENT: none**

**ADJOURN: Motion to adjourn at 9:57 Timmins, 2nd Feringa  
Motion carries**

ACME TOWNSHIP  
ORDINANCE NO. \_\_\_\_ OF 2018

ACME TOWNSHIP PARKS ORDINANCE - RESTATED

THE TOWNSHIP OF ACME ORDAINS:

**SECTION 1. Purpose of this Ordinance**

The purposes of this ordinance are:

To protect the health, safety and welfare of visitors to the Township’s parks.

To protect the health, safety and welfare of residents living near the parks.

To meet the Township’s responsibility as the trustee of assets held for the present and future benefit of the public.

**SECTION 2. Definitions as Used in this Ordinance:**

“Facility” means any building, sign, structure, equipment, utility or other improvement in or on any park.

“Park” means any land or facility of any size or shape, including but not limited to linear ways, road ends, and submerged lands, owned by or under the full or partial control of Acme Township, that is used for recreation or held for future recreational use. Parks include areas within the riparian extensions of park boundary lines.

“Paths” means Paths 1, 2, 3 and 4, and Border Avenue, as depicted in the Plat of Woodland Acres. The paths include the beaches within the path boundary lines and the areas within the riparian extensions of those lines. *(See attached map.)*

*“Personal Property” includes kayaks, kiteboards, paddleboards, boats, canoes, and other watercraft as well as trailers, recreational vehicles, camping equipment or similar equipment used within a park.*

“Recreation” includes picnicking, swimming, beach activities, hiking, boating, sports, lounging, photography, nature activities, fishing, and similar pursuits.

“Woodland Acres” means the subdivision platted in 1924 from a portion of Fractional Lot 3, and the SW 1/4 of the SE 1/4 and all of Fractional Lot 4, in Sec. 27, T 29 N, R 10 W, Acme Township, Grand Traverse County Michigan.

*“Trail ” means a path or narrow transportation-oriented corridor for the primary purpose of biking, running, walking, or other non-motorized use. It may be of impervious surface, such as asphalt, or may be left in its natural state, or may be composed of wood chips, cinders, or other types of natural material. Trails usually have a beginning and ending point and have at least one trailhead.*

### **SECTION 3. General Use Restrictions**

*All Township, County, State and Federal ordinances apply within the parks.*

The following use restrictions shall be observed in all parks except those with management plans, which shall have their own restrictions:

Hours. No person may be in a park from 30 minutes after sunset to 30 minutes before sunrise. Road ends are open for launching and recovering boats 24 hours per day, and for swimming and wading in designated areas from 30 minutes before sunrise to 30 minutes after sunset. ~~The Township may open gates and facilities at times within its discretion.~~

Trespass. Users of the parks shall not trespass on adjacent property. ~~Nothing in this section should be interpreted to abrogate the public’s right to walk on Great Lakes beaches below the ordinary high water mark, however.~~

Litter. Littering in the parks or adjacent property is prohibited.

~~Vandalism. No person may injure, damage, deface, disturb, or destroy any part of any park or any part of any facility.~~

~~Vandalism. Vandalism or destruction of any public or private property is prohibited, including the cutting or removal of live vegetation or alteration of land surfaces.~~

~~Commercial and Vending Activities. Commercial and vending activities are not allowed without a license issued by Acme Township. See ordinance # \_\_\_\_\_~~

~~Plants. No person may dig, remove, injure, damage or destroy any tree, flower, shrub, plant or growing thing within any park.~~

~~Animals. No person other than a Township employee may injure, kill, trap, hunt, take, pursue or disturb any animal within any park.~~

~~Hunting. Hunting is prohibited in all parkland areas other than Yuba Creek Natural Area. Hunting activities at Yuba Creek Natural Area must be in compliance with Michigan DNR regulations and may not include baiting of game.~~

Fires. Fires are prohibited in all parks except in designated and posted locations.

Camping. Camping and overnight parking are prohibited in all parks.

Fireworks. Fireworks are prohibited in all parks. *See Ordinance #\_\_\_\_\_.*

~~Swimming. Swimming and wading are prohibited in all parks except in designated and posted locations.~~

~~Storage. Storing personal property in any park overnight is prohibited.~~

*Storage of personal property is allowed only during designated park hours. No overnight storage is allowed.*

Glass. Glass containers are prohibited within the areas of any park, including any water area, used for swimming or beach purposes.

Alcohol. No person may be intoxicated in any park.

~~Noise and conduct. No person may engage in what would appear to a reasonable person to be violent, abusive, excessively loud, boisterous, vulgar, obscene or disorderly conduct.~~

*Noise and conduct. Any activities or operation of equipment that disturbs the quiet, safety, comfort or repose of a reasonable person of normal sensitivities is prohibited. Any creation of a disturbance by obscene or disorderly conduct is prohibited.*

*Pets. Dogs and other pets are permitted within parks. All pets must be on a leash no longer than six feet and under the control of a responsible individual. The owner of any pet is responsible for cleaning up all solid waste left by the pet.*

Motor vehicles. No person may operate any motorized vehicle in any park except where designated and posted. No person may operate a motorized vehicle in excess of 15 miles per hour in any park, except where designated and posted. Drivers of motorized vehicles shall obey all posted traffic control signs and devices. This section does not prohibit motorized wheelchairs and similar devices.

No person may park any motorized vehicle in any Park except where designated and posted. No motorized vehicle may be parked or left in any Park at times during which the Park is closed to the public. No motorized vehicle may be parked in any Park except for purposes directly related to use of said Park. The Township may post signs setting out parking regulations in any Park in which the Township determines a sign is necessary. The Township may also post signs stating that a motorized vehicle in violation may be towed and informing the vehicle's owner of the towing company's contact information.

Boats. Trailered boats shall only be launched from designated and posted launching sites.



This section does not restrict the launching of kayaks, canoes and similar watercraft.

### **SECTION 3B. Park Specific Rules**

#### **Special Use Restrictions for the Paths in Woodland Acres**

The paths in the Woodland Acres subdivision run into Grand Traverse Bay. The paths were dedicated to the public in 1924 *with the intent and purpose for use of residents in the neighborhood.* The paths are public property under the jurisdiction and control of Acme Township. The general use restrictions in Section 3 of this ordinance shall apply to the paths, except as modified by the following special use restrictions shall be observed on the paths and their riparian extensions:

Hours. The paths may be used 24 hours per day.

Quiet hours. All persons shall observe quiet hours on the paths between the hours of 11 p.m to 7 a.m. Quiet hours shall mean any noise must be kept no louder than normal conversation.

Swimming. Swimming and wading are allowed on the paths.

Motor vehicles. Motorized vehicles are prohibited on the paths. This section shall not be interpreted to prohibit the use of boats on the water of Grand Traverse Bay within the riparian extensions of the paths. This section does not prohibit motorized wheelchairs and similar devices. *Parking is limited and designated parking does not exist.*

#### **Yuba Creek Natural Area:**

~~The general use restrictions of this ordinance shall not apply to any park regulated by a management plan, in which case the use restrictions in the management plans shall control. The use restrictions of the following management plans are incorporated into this ordinance:~~

*The Yuba Creek Natural Area management plan can be found at [www.acmetownship.org](http://www.acmetownship.org)*

#### ***Sayler Park:***

*Daily boat launch fees apply. Annual passes are available at the Acme Township Hall.*

### **SECTION 4. Violations and Penalties**

Any person who violates any provision of this ordinance shall be responsible for a municipal civil infraction and shall be subject to a fine of not more than \$100.00. Each day this ordinance is violated shall be considered a separate violation. Any action taken under this section shall not prevent civil proceedings for abatement or termination of the prohibited activity.

The Township Zoning Administrator, Township Supervisor, authorized Township Parks employees, Township Manager, and the County Sheriff and his/her deputies are designated as the

authorized local officials able to initiate municipal civil infraction actions directing alleged violators of this ordinance to appear in court.

**SECTION 5. Nuisance Per Se**

A violation of this ordinance is a nuisance *per se*.

**SECTION 6. Separate Court Action**

In addition to enforcing this ordinance through the use of municipal civil infraction proceedings, the Township may initiate proceedings in the circuit court to abate or eliminate the violation.

**SECTION 7. Validity of this Ordinance and Other Ordinances**

If any portion of this ordinance or any application of it is held invalid, the remaining portions or applications of this Ordinance shall continue to be given effect. All prior ordinances in conflict with this ordinance are repealed and shall have no effect, including the Township’s previous parks ordinance and the Acme Township Trespass Ordinance, No. 87-2.

**SECTION 8. Management Plans**

The general use restrictions of this ordinance shall not apply to any park regulated by a management plan, in which case the use restrictions in the management plans shall control. *Sections 4-7, and section 9 apply to all parks regulated by a management plan.* The use restrictions of the following management plans are incorporated into this ordinance:

- a. Yuba Creek Natural Area

**SECTION 9. Effective Date**

This ordinance shall be effective 30 days after being published in the *Traverse City Record Eagle*.

TOWNSHIP OF ACME

By \_\_\_\_\_ Date: \_\_\_\_\_  
Jay B. Zollinger, Supervisor

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Cathy Dye, Clerk