

DeWITT CHARTER TOWNSHIP
1401 W. Herbison Rd. DeWitt, MI
REGULAR BOARD MEETING
July 24, 2006

The regular meeting of the DeWitt Charter Township Board was called to order by Supervisor Galardi at 7:00 p.m. with the Pledge of Allegiance.

MEMBERS PRESENT: Supervisor Rick Galardi, Clerk Diane Mosier, Treasurer Phyllis Daggy, Trustees: Steve Musselman, David Seeger.

MEMBERS ABSENT: Trustee Calder, and one vacancy created by the death of Trustee Baumann on July 21, 2006

Also Present: Manager Matthew Kulhanek, Planning Director Jeffrey Gray, County Commissioner Virginia Zeeb, and several citizens.

Supervisor Galardi and Board Member's spoke of their personal sense of loss with the untimely death of Trustee Jeff Baumann.

AGENDA

Seeger moved, Musselman seconded, to approve the Agenda, as presented. Motion voted and carried.

PUBLIC COMMENT

None.

**PUBLIC HEARING/
RESOLUTIONS/
Creeping Brook, Phase 8
Streetlighting District
and Assessment Roll**

Supervisor Galardi called to order a Public Hearing on the creation of a Streetlighting District and Assessment Roll for Creeping Brook Phase 8.

Manager Kulhanek explained the proposed district and reviewed the plan for placement and assessment of streetlighting.

There was no public comment.

Seeger moved, Musselman seconded, to close the Public Hearing. Motion voted and carried.

Musselman moved, Seeger seconded, to adopt Resolution 060717 Establishing a Streetlighting District and Assessment Roll for Creeping Brook Phase 8.

**AYES: Musselman, Seeger, Galardi, Mosier, Daggy
NAYS: None Motion carried.**

Seeger moved, Musselman seconded, to adopt Resolution 060718 authorizing the change to the Consumers' Contract for Creeping Brook Phase 8.

**Crowner Farms, Ph 1 & 2
Streetlighting District
and Assessment Roll**

**AYES: Daggy, Mosier, Galardi, Seeger, Musselman
NAYS: None Motion carried.**

Supervisor Galardi called to order a Public Hearing on the creation of a

Streetlighting District and Assessment Roll for Crowner Farms Phase 1 & Phase 2.

Manager Kulhanek explained the proposed district and reviewed the plan for placement and assessment of streetlighting.

There was no public comment.

Musselman moved, Seeger seconded, to close the Public Hearing. Motion voted and carried.

Mosier moved, Daggy seconded, to adopt Resolution 060719 Establishing a Streetlighting District and Assessment Roll for Crowner Farms Phase I & Phase 2.

**AYES: Seeger, Galardi, Mosier, Daggy, Musselman
NAYS: None Motion carried.**

Seeger moved, Musselman seconded, to adopt Resolution 060720 & 060720a authorizing the change to the Consumers' Contract for Crowner Farms Phase 1.

**AYES: Daggy, Mosier, Galardi, Seeger, Musselman
NAYS: None Motion carried.**

Musselman moved, Seeger seconded, to adopt Resolution 060721 authorizing the change to the Consumers' Contract for Crowner Farms Phase 2.

**AYES: Mosier, Daggy, Galardi, Seeger, Musselman
NAYS: None Motion carried.**

CORRESPONDENCE

Correspondence included the following: two letters from Comcast regarding the ON DEMAND program launch; Consumers Energy Summer Newsletter; Fire Department Burning Issues Newsletter; June Statistics from the Clinton County Sheriff; and the June Activity Report.

REPORTS & COMMENTS

Commissioner Zeeb provided an update of actions of the Clinton County Board of Commissioners.

Manager Kulhanek reported the following: summary of the Meet the Meadows Celebration; update on the Creekside Drain Project; and he reminded the Board of the upcoming luncheon scheduled as a part of the Japanese Sister City program.

COMMITTEE & COMMISSION REPORTS Planning Commission

Trustee Seeger reviewed the minutes of the Planning Commission meeting of July 5, 2006.

Seeger moved, Musselman seconded, to receive and place on file the minutes of the Planning Commission meeting of July 5, 2006. Motion voted and carried.

Election Commission

Mosier moved, Daggy seconded, to receive and place on file the minutes of the Election Commission meeting of July 12, 2006. Motion voted and

carried.

VOUCHERS

Musselman moved, Seeger seconded, to approve General Operating Fund Vouchers 30096-30102 and 50219-50301, and Electronic Transfer July 23. Motion voted and carried.

UNFINISHED
BUSINESS
Rezoning 06-880002
Eyde Limited Family
Partnership

Seeger moved, Musselman seconded, to adopt on Second Reading, as recommended by the Planning Commission, Rezoning 06-880002, from George and Louis Eyde Limited Family Partnerships, to rezone approximately 11.20 acres located at 14073 S. US 27 from M2 (Multiple Residential) to BC (Business, Community) on the following basis: 1)the requested rezoning is consistent with the Future Land Use designation and commercial land use goals of the Comprehensive Development Plan 2)the requested rezoning is consistent with the Growth Management Strategy component of the Comprehensive Development Plan 3)the site can be adequately served with the necessary public facilities, including public water and sanitary sewer.

AYES: Mosier, Galardi, Seeger, Musselman, Daggy

NAYS: None Motion carried.

NEW BUSINESS
Final Preliminary Plat
Buckingham Estates

Planning Director Gray reviewed his staff report dated July 20, 2006, for the Final Preliminary Plat of Buckingham Estates Subdivision.

Seeger moved, Musselman seconded, to approve as recommended by the Planning Commission, the Final Preliminary Plat for Buckingham Estates, subject to the following conditions: 1)all typographical errors be corrected in the plan notes, and that Open Space calculations be revised to address the reconfiguration of Stormwater Basin #2 2)the applicant shall revise the locations of the street trees within the development so that they are placed between the sidewalk and street curb 3)the applicant shall comply with all of the agency requirements 4)the applicant shall provide a master grading plan that is acceptable to the Township Engineer 5)the applicant shall submit proof of waivers from the Clinton County Road Commission, or provide revised drawings if the waivers are not granted 6)the applicant shall submit a revised plan depicting sidewalk crossings that meet Condition I (C) of Special Use Permit #05-990009 7)signs shall be subject to the review and approval of the Planning Department and the Clinton County Road Commission, as required by Condition II (C) of Special Use Permit #05-990009. Motion voted and carried.

SUP 06-990002
E.T. MacKenzie

Planning Director Gray reviewed his staff report, dated July 21, 2006, which explained that E.T. MacKenzie Company is requesting approval of a Special Use Permit to be allowed to place fill material on a 19.21 acre parcel located at 15620 S. US 27 on the west side of the road, just north of Pearl Street.

Seeger moved, Musselman seconded, to approve, as recommended by the Planning Commission, Special Use Permit 06-990002 from the E. T. MacKenzie Company, based on the plans last revised on June 23, 2006, on the following basis: 1)the use has been designed in accordance with the requirements of Sections 6.4.8 and 7.13.7 of the Zoning Ordinance 2)the conditions included in the permit assure that the use will not be hazardous to existing or future uses in the vicinity 3)the standards of the

Valley Farms Pathway
Project – Award Bid

Basis for Determination listed in Section 7.6 (1) of the Zoning Ordinance have been met. Motion voted and carried.

Seeger moved, Musselman seconded, to approve the award of the Valley Farms Park Pathway project in the amount of \$18,537.16 from the bid submitted by the E. T. MacKenzie Company. Motion voted and carried.

Seeger moved, Musselman seconded, to approve the following budget adjustment for the 2006 Township budget: \$27,000 to Parks & Recreation Capital Expenditures (101-751-877-000) from General Fund Balance (101-000-390-000). Motion voted and carried.

Brownfields
Development
Authority

Planning Director Gray reviewed his staff report dated July 21, 2006, which explained that the Township has been approached by Alan Hooper with Northern Environmental Technologies, Inc., as they represent the owners of two properties in the Township whose owners are requesting that the Township consider establishing a Brownfield Redevelopment Authority to address contaminated sites.

Discussion with Mr. Hooper raised additional questions, and Manager Kulhanek will further investigate the issues and how they are handled in surrounding communities. No action was taken.

Resignation
Public Safety Committee

Supervisor Galardi read the resignation submitted by Phil Patriarche.

Seeger moved, Mosier seconded, to accept with the regret the resignation of Phil Patriarche from the Public Safety Committee. Motion voted and carried.

Appointment
Planning Commission

Seeger moved, Daggy seconded, to concur with the Supervisor's recommendation to appoint Lauralee McClearey, if she accepts the appointment, to the Planning Commission to fill the vacancy created by the resignation of Jane DeHoog. Motion voted and carried.

Trustee Appointment

Clerk Mosier initiated discussion about the need to fill, within 45 days, the Trustee vacancy created by the death of Jeff Baumann. Clerk Mosier and Manager Kulhanek will begin the process which will then be discussed at the next meeting.

Mosier moved, Seeger seconded, that the Board proceed with filling the Trustee vacancy by authorizing the Clerk to prepare and publish an advertisement for applications to fill the position. Motion voted and carried.

PUBLIC COMMENTS

None.

ADJOURNMENT

Seeger moved, Musselman seconded, to adjourn at 8:10 p.m. Motion voted and carried.

Respectfully submitted,

Diane K. Mosier, Clerk

Rick Galardi, Supervisor