

DeWITT CHARTER TOWNSHIP
1401 W. Herbison Rd. DeWitt, MI
REGULAR BOARD MEETING
January 9, 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: Jeff Baumann, Max Calder, Steve Musselman, David Seeger.

MEMBERS ABSENT: None

Also Present: Manager Matthew Kulhanek, Fire Chief Frederick Koos, Planning Director Jeffrey Gray, and several citizens.

AGENDA **Baumann moved, Daggy seconded, to approve the Agenda, as presented. Motion voted and carried.**

MINUTES **Calder moved, Daggy seconded, to approve the minutes of December 12, 2005, as presented, and a correction to the minutes of November 28, 2005. Motion voted and carried.**

PUBLIC COMMENT None.

PUBLIC HEARING/
RESOLUTIONS/
Shadybrook
Streetlighting
District and Assessment
Roll

Supervisor Galardi called to order a Public Hearing for the establishment of a Streetlighting District and Assessment Roll for Shadybrook Condos, Phase 1.

Manager Kulhanek provided and reviewed a map and details of the proposed district.

There was no public comment.

Daggy moved, Calder seconded, to close the Public Hearing. Motion voted and carried.

Baumann moved, Daggy seconded, to adopt Resolution 060102 establishing a Streetlighting District and Assessment Roll for Shadybrook Condos, Phase 1.

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

Baumann moved, Calder seconded, to adopt Resolution 060103 authorizing amendment of the Consumers Energy Contract to add a Streetlighting District for Shadybrook Condos, Phase 1.

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

CORRESPONDENCE

Correspondence included the following: Remy Chandler Intercounty Drain Board minutes of 11-28-05 and 12-20-05; Fire Department Burning Issues Newsletter; Summers Drain information from the Clinton County Drain Commissioner; two programming change notices from Comcast; December Activity Report; a thank you from the Clinton County Sheriff for the 2005 Metro Squad Deputy Contribution; letter from Clinton County Commissioner John Aerhart to the Airport Authority Board; December Green Space Bulletin; DACA December Newsletter; Clinton County Sheriff November Statistics; brush cutting notice from the Clinton County Drain Commissioner.

Baumann asked if the Township has a sharing agreement for forfeiture dollars relating to the Metro Squad. Manager Kulhanek stated that there is no agreement to his knowledge, but that he will speak with the Police Chief about the issue.

Commissioner Zeeb was present with no report.

REPORTS &
COMMENTS

Manager Kulhanek reported the following: relative to the Oakland County Circuit Court decision regarding Crosswinds Mobile Home Park, no appeal has been filed and the time to file an appeal has lapsed and staff is working with Attorney Robinson in an attempt to get the remaining units (which appear to be empty) removed, including the commercial buildings on corridor; we received notice from Consumers Energy that they will not begin construction on the pipeline interconnect project until 2007, since the Public Service Commission has not yet determined an approved route; the four vacant positions, assessing clerical, assistant planner, and two police officers, have been filled and the new employees are now on the job; Attorney Robinson advises that the Township should amend its littering Ordinance, due to recent changes in the Motor Vehicle Code relating to abandoned vehicles; Township is in receipt of the lawsuit recently filled by MacKenzie relating to conditions of the Special Use Permit for the mining operation south of Solon Road; recent turfing vandalism at Granger Meadows Park has resulted in approximately \$7,000 in damage to the park, a suspect has been identified, and the prosecutor will be seeking a malicious destruction of property charge against the individual; we will be making some improvements to increase security within the park; building permit plans for Meijer have been received for plan review; he will be meeting next week with the DeWitt City Council to discuss updating the Sanitary Sewer Utilization Agreement.

Supervisor Galardi initiated discussion regarding whether the Township can include temporary sign prohibition, such as yard-type commercial signs, within the littering Ordinance. Manager Kulhanek and Planning Director Gray will discuss options with Attorney Robinson.

COMMITTEE &
COMMISSION
REPORTS

Trustee Baumann reviewed the minutes of the Board of Appeals meeting of 12-21-05.

Board of Appeals

Baumann moved, Seeger seconded, to receive and place on file the minutes of the Board of Appeals meeting of 12-21-05. Motion voted and carried.

Planning Commission

Trustee Musselman reviewed the minutes of the Planning Commission meeting of 12-05-05.

Musselman moved, Baumann seconded, to receive and place on file the

minutes of the Planning Commission meeting of 12-05-05. Motion voted and carried.

VOUCHERS

Daggy moved, Seeger seconded, to approve General Fund Vouchers 48123 – 48240, Drug Forfeiture Fund Voucher 1254, Tax Fund Vouchers 5975 – 6001, Streetlight Fund Vouchers 1407 & 1408, Sewer Fund Vouchers 2950 – 2954, Trust & Agency Fund Vouchers 4620 – 4631, Water Fund Voucher 1698, Police Training Fund Vouchers 1160 & 1161, and Electronic Transfers Dec 44, 45 & 46. Motion voted and carried.

UNFINISHED
BUSINESS

None.

NEW BUSINESS
Rezoning 05-880003
Pung

Planning Director Gray reviewed his staff report dated January 5, 2006, relating to Rezoning Request 05-880003, from Kenneth Pung, and the Planning Commission's recommendation to the Board.

Supervisor Galardi stated that he believes the process itself requires the Township to consider the particulars of each request, which has, in this case, lead the Planning Commission to vary from the policy requiring public water.

Trustee Musselman stated that the public utility requirement within the Comprehensive Development Plan allows the Township the ability to control where development occurs, generally where public utilities are in place or available for extension. He stated that the Planning Commission felt that there are unique situations relating to this particular request, and therefore recommended approval.

Mosier moved, Daggy seconded, to approve, on First Reading, Rezoning Request 05-880003, from Ken Pung, to rezone approximately 2.0 acres located at 14782 Boichot Road from A (Agricultural) to R4 (Residential Single and Two Family), on the basis that the subject property is unique in nature and does not indicate a policy change to the requirement that public water be available to the site.

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

Rezoning 05-880004
Buckingham Estates

Planning Directory Gray reviewed his staff report dated January 4, 2006, relating to Rezoning Request 05-880004, from Eric Helzer representing Buckingham Landtec Holdings, and the Planning Commission recommendation to the Board.

Mosier moved, Daggy seconded, to approve, on First Reading, Rezoning Request 05-880004, from Eric Helzer representing Buckingham Landtec Holdings. LLC, to rezone approximately 31.14 acres located on the west side of Norris Road, east of Springbrook Hills Subdivision #6, from A (Agricultural) to R4 (Residential Single and Two Family), on the following basis: 1)the requested zoning district is consistent with the Future Land Use designation and residential land use goals of the Comprehensive Development Plan 2)the requested zoning district is consistent with the Growth Management Strategy component of the Comprehensive Development Plan 3)the request is consistent with the planned character of this area of the Township; the site can be adequately served with the necessary public facilities, including public water and sanitary sewer.

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

Open Space Ad Hoc
Committee

Manager Kulhanek presented the Open Space Ad Hoc Committee Purpose Statement which was previously requested by the Board.

Supervisor Galardi stated that the committee will basically be defining and compiling an inventory of open space in the DeWitt area. He initiated discussion regarding the size and makeup of the proposed committee.

Calder moved, Daggy seconded, to approve the Open Space Ad Hoc Committee purpose statement and authorize the Township Supervisor to appoint members to the Committee. Motion voted and carried.

Social Security
Number Privacy
Policy

Seeger moved, Musselman seconded, to approve the Social Security Number Privacy Policy, as presented. Motion voted and carried.

Resolution 060101
Amend Pension Plan

Clerk Mosier explained that the proposed change to the defined contribution pension plan for non-union employees will offer additional investment options for employees who continue to work after the age of fifty-five.

Musselman moved, Calder seconded, to adopt Resolution 060101 changing the John Hancock (USA) Pension Plan's Normal Retirement Age to 55, effective immediately.

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

Resignations

Seeger moved, Musselman seconded, to accept, with regret, the resignation of Lisa Taylor from the Public Safety Committee. Motion voted and carried.

Mosier moved, Calder seconded, to accept the resignation of Andrew Richards from the Public Safety Committee, effective immediately. Motion voted and carried.

Appointments

Daggy moved, Seeger seconded, to concur with the Supervisor's recommendation to appoint Andrew Richards to the Board of Appeals for a three year term ending 12/31/08. Motion voted and carried.

Baumann moved, Seeger seconded, to concur with the Supervisor's recommendation to reappoint Thomas Hendrickson to the Public Safety Committee for a three year term ending 12/31/08. Motion voted and carried.

PUBLIC COMMENT

None.

BOARD COMMENTS

None.

ADJOURNMENT

Seeger moved, Musselman seconded, to adjourn at 8:04 p.m. Motion voted and carried.

Respectfully submitted,

Diane Mosier, Clerk

Rick Galardi, Supervisor