

DeWITT CHARTER TOWNSHIP
1401 W. Herbison Rd. DeWitt, MI
REGULAR BOARD MEETING
March 26, 2007

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: Max Calder, Steve Musselman, Brian Ross, and David Seeger.

MEMBERS ABSENT: None

Also Present: Manager Rodney Taylor, Planning Director Jeffrey Gray, County Commissioner Eileen Heideman, Township Attorney J. Richard Robinson, Police Lt. Brian Traub, and several citizens.

AGENDA

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

MINUTES

Approval of minutes was delayed until the next meeting.

**PUBLIC HEARING
LIQUOR LICENSE/
SSC-1, INC./STOSIJA
CVRLJEVIC**

Supervisor Galardi called to order the Public Hearing on the Liquor License Application of Stosija Cvrljevic, SSC – 1, Inc.

Clerk Mosier explained that the information provided to the Board for consideration of this application was compiled from the usual staff review of the application and site being considered.

Attorney Robinson asked if the applicant would like to address the Board.

Attorney Scott Knapp, introduced himself as representing the corporate entity SSC – 1, Inc. He provided a brief history of the license stating that by court order issued in November 06, the liquor license that was held by the “Classic Pub” was transferred by court order to a designee which is now SSC – 1, Inc., the entity before the Board this evening. He introduced his client, Stosija Cvrljevic, who is requesting approval for the liquor license with the intent of opening a bar under a new name at the 16219 U.S. 27 location, former site of the Classic Pub. He stated that she has already received approval from the County Health Department for food service, approval from the Township’s building inspector in terms of the physical premises, and she has submitted an application to the Township Board for the liquor license. He stated that both he and Ms. Cvrljevic would be happy to answer any questions from the Board.

Attorney Robinson addressed Ms. Cvrljevic stating that when her father was the licensee, the Michigan Liquor Control Commission ordered that the license be suspended, and it would have been revoked, had the establishment not been sold within a 90 day period. He noted that since that licensee was not successful, the license has now come back and is in “escrow”. He asked Ms. Cvrljevic if she has any experience in the operation of a bar or restaurant,

since she would be the licensee through her corporation.

Ms. Cvrljevic responded that she has four years of schooling at LCC, and she was around the bar when her dad had it, and although she was not old enough to work in the establishment, she was old enough to observe the operation. She stated that from what her dad talked about previously, she understands how the business runs, and although she will need a little bit of guidance, she understands the steps that need to be taken.

Attorney Robinson asked Ms. Cvrljevic from whom she anticipates receiving that guidance.

Ms. Cvrljevic stated that her sister actually is familiar with the ordering of the liquor, and she will help at the bar, and her mom will help with food and cleaning, as she has done before.

Attorney Robinson asked Ms. Cvrljevic what she anticipates will be the normal hours of operation for the business.

Ms. Cvrljevic stated that Monday through Saturday will be from 11:00 a.m. until 2:00 a.m. and Sunday will be from 12:00 to 12:00.

Attorney asked Ms. Cvrljevic who will be in charge of the bar when she is not there.

Ms. Cvrljevic stated that her sister, Emily Cvrljevic, will be in charge and that her sister actually worked at the bar when her dad had it, and was a manager at that time.

Attorney Robinson asked Ms. Cvrljevic if she understands that the Township's Ordinance requires that the manager, even if said manager is not an owner, must meet the same qualifications as the licensee. She responded that she understands the requirement.

Attorney Robinson asked Ms. Cvrljevic if she understands that her father would not be eligible to engage in the operation or management of the bar in any way. She responded that she understands, and her father will not have any position at the bar.

Attorney Robinson asked Ms. Cvrljevic how many employees she anticipates having, not including herself and her sister. She responded that her estimate is 10 to 15.

Attorney Robinson asked Ms. Cvrljevic if she has participated in any alcohol management courses. She stated that she has, because she is required to take one, and she plans to have all employees do so as well.

Attorney Robinson asked Ms. Cvrljevic if she has a plan for security in the bar, such as checking identification and controlling unruly patrons. She responded that this is one of the reasons that she wants everyone to attend training so they can manage the amount of alcohol sold to individuals. She also stated that they will be checking ID's at the door during later hours.

Attorney Robinson asked the hypothetical question, "what would be done if a fight breaks out at the bar?" Ms. Cvrljevic stated that a bouncer would be at

the door to handle these situations, and there is always the police to call. She stated that a bouncer will be in place during nights and weekends.

Attorney Robinson asked Ms. Cvrljevic if she plans to have entertainment at the bar and what type of menu is anticipated. She stated that there is no plan for live bands, but they would like to do Karaoke. She stated that burgers, sandwiches, fries, and mostly basket type meals will be on the menu.

Attorney Robinson asked why the business recently opened for three days, serving food only, and then closed down. Ms. Cvrljevic stated that they were not able to maintain the business with only food service, and that people were coming in to be served alcohol.

Attorney Robinson asked Ms. Cvrljevic if she understands that local ordinance requires that alcohol service be an accessory to food service, not the other way around. He asked Ms. Cvrljevic if she was unable to maintain the business as a restaurant, would she say that the alcohol is the main purpose of the business? Ms. Cvrljevic responded that they were only open for three days, and she feels that both are needed to be successful, but during the day most of the business will be food.

Attorney Robinson asked Ms. Cvrljevic if she was really able to determine in three days that just the sale of food would not maintain her livelihood. She stated that people who come in during the dinner hour really want a drink with their dinner, and together, the business will do much better.

Attorney Robinson asked Ms. Cvrljevic if she understands that the license is only available on a year-to-year basis and if her operation violates the assurances that she has given tonight, particularly with her father's involvement in the business, that the options available to the Township would include either a recommendation of revocation of the license, or non-renewal of the license with the Liquor Control Commission. Ms. Cvrljevic nodded that she understands.

Supervisor Galardi asked Ms. Cvrljevic about her role as the licensee and possible involvement by her father. She stated that she will be the general manager of the business and that her father will have no involvement in the operation.

Supervisor Galardi asked if her father has been involved, in any way, in the planning process of reopening this business, since January of this year. Ms. Cvrljevic stated that her father has picked up some paperwork for her.

Supervisor Galardi referred to a staff report to the Township Clerk from the Planning Department, dated January 12, 2007, which indicated that Boris Cvrljevic was the contact person listed on the new zoning compliance review application, that Boris had visited the Township Offices in person relative to the zoning compliance, and that he stated that he would like to open the restaurant for food service until he acquires a liquor license.

Attorney Knapp stated that his client, the applicant, has three jobs currently, and Boris, her father, does not have a job. So during this process, Mr. Cvrljevic has undertaken tasks to assist his daughter. He stated that he is present this evening with Ms. Cvrljevic to stipulate that Mr. Cvrljevic will not have involvement with the bar/restaurant operation, period, should this

application be approved.

Attorney Robinson stated that the representations made this evening are on the record, and should violations occur, enforcement procedures through the Liquor Control Commission would be the first course of action available to the Township. He stated that the Township has to ability to take the license.

Attorney Knapp stated that they fully understand the power of the Township in this matter.

Supervisor Galardi stated that this issue puts the Township Board in a difficult position. He stated that up until today, the majority of the contact on this business has been with Boris Cvrljevic. He pointed out that the violations on record with the Liquor Control Commission (LCC) occurred while the business was under his control and management, and although these young ladies are now representing that they will run the operation, it appears it is under Boris's tutelage. He explained that if something now happens at the establishment and it appears there was less than proper management of the bar, this Board could be in a tough position having granted this transfer under these conditions.

Clerk Mosier questioned the proposed assistant management of the bar by Emily Cvrljevic, sister of the current applicant and daughter of the former owner, when she functioned as the previous manager when the violations occurred. What will be different when much of the management will be the same? Ms. Cvrljevic stated again that training of staff should eliminate these problems.

Supervisor Galardi pointed out that the TAMS training occurred twice, under order of the Liquor Control Commission, while the bar was under her father's ownership.

Clerk Mosier asked Ms. Cvrljevic if she currently resides with her parents? She stated that she does.

Clerk Mosier questioned Ms. Cvrljevic if she has been counseled by the Liquor Commission regarding what appears to be a "straw sale."

Ms. Cvrljevic stated that the LCC informed her that her dad is not able to work in the establishment in any way, and they discussed the issue at length.

Clerk Mosier asked Ms. Cvrljevic if at some point during the process, did she and her father clearly change how they were handling this proposed transfer of the business, a change in communication with the Township specifically, and whether this was done to avoid questions regarding her father's involvement?

Ms. Cvrljevic stated that the wrong phone number on the local approval letter was a mistake, which was corrected.

Clerk Mosier asked Ms. Cvrljevic if she is aware of any comments made by her father within the community regarding the license or that he is "getting around" the LCC by transferring the license to his daughter. She denied ever personally hearing any such comment by her father.

Attorney Knapp stated that he has had several consultations with Mr. Cvrljevic in this regard, and he understands that his future involvement of the business

will not be allowed. He pointed out that the forms filed within the Township offices could have been filed by counsel or anyone else, and the person filing the paperwork is not necessarily the one who will be operating the business.

It was discussed that the business is formed under a Limited Liability Corporation, that Mr. Cvrljevic is not an officer of the corporation, that Ms. Cvrljevic is the agent of record.

The proposed hours of operation were discussed, and Supervisor Galardi pointed out that the former incidents and violations typically happened in the later hours. He questioned whether the applicant was interested in voluntarily reducing the hours of operation for a period of time, or whether the Township can enforce such a commitment if the applicant agrees to reduced hours. He stated that his reason for asking this question is that Ms. Cvrljevic is asking this Board to approve her running this business when she has very little experience, and the business has a previous history of problems while her father was involved, and anything that happens from here forward will reflect on all of us and the community.

Trustee Ross commented on the five violations which occurred during a two year period. He questioned what field of study Ms. Cvrljevic referred to at Lansing Community College. She stated that she has studied advertising and various other subjects. He questioned Ms. Cvrljevic if she sees herself separating herself from someone within the household in which she lives, and also manage a business that does not allow a member of the household to participate in the business. She stated that she understands the requirement and has agreed to comply.

Trustee Calder questioned what hours the security person, or bouncer, will be on the job. She stated that the busier evening and weekend hours would be the time a bouncer would be on duty.

Treasurer Daggy stated that with the applicant holding three jobs currently, she is not certain there is time for Ms. Cvrljevic to adequately manage this business. Ms. Cvrljevic stated that she will definitely have to adjust her current schedule to spend more time at the bar.

Attorney Robinson clarified that Mr. Cvrljevic will be able to eat or frequent the bar, but will not be able to serve himself or others.

Clerk Mosier asked Ms. Cvrljevic if she sees any enforcement problems if her father becomes intoxicated while in the bar, and questioned how she or staff would handle the problem. She responded that no intoxicated persons will be served in the bar, including her father.

The applicant and her attorney stated that they would be willing to limit their hours of operation for one month. Attorney Robinson stated that the Township cannot limit or enforce limited hours of operation since the LCC controls hours of operation.

Trustee Musselman stated that the applicant has come here talking about her ability to manage this business, when it appears that there is no written

business plan. He stated that, in his opinion, this type of venture with no written business plan, will likely not survive. The applicant stated that she has no written business plan at this point in time, but would be willing to submit one at a future date.

Supervisor Galardi stated that if this Board even considers granting this applicant the license, we will need to work together extensively to assure a safe operation that could benefit the community, which is not easy since no bar owner likes to see Police cars in their parking lot. Lt. Traub briefly explained the Police Departments previous experiences at the bar.

Clerk Mosier pointed out that this really becomes a “catch 22” when bars begin to have problems at their establishment, since owners and managers do not want to pick up the phone and call the police department, creating a record of responses. That very hesitancy to call the Police when problems occur can escalate situations within the establishment.

Supervisor Galardi called for public comment.

Loretta Spinrad, 12830 S. US 27, stated that she does not know what establishment is being discussed, but she knows from personal experience that no owner of an establishment can know in three days if they can make it or not. She stated that she owned a restaurant and also tended bar for eight years, and she is certain that experience is the more important factor in a successful bar/restaurant operation. She stated that she remembers finding herself in difficult situations, and only experienced management and staff can assure a safely run operation. She stated that she wants to see the Township continue to clean up the southern tier and the business corridor, and although she wants to see the local business community succeed, she does not believe this proposed business to be an asset to the community. She stated that she has a problem with the Board granting a liquor license to someone with no experience. She stated that she is speaking as a resident of the southern tier of the Township, and she has concerns with this proposed bar.

Mosier moved, Seeger seconded, to close the Public Hearing at 7:54 p.m. Motion voted and carried.

Resolution 070303

Clerk Mosier read Resolution 070303, which was before the Board for consideration in this matter.

Trustee Musselman stated that, in his opinion, if the Board approves this applicant, we are entrusting the license to someone who we feel has the capability and the resources to manage the license to the betterment of the community. He stated that he does not believe that the applicant has proven that here tonight. He stated that he questions the applicant’s management experience and to him, it does look like a “front” for this family. He stated that he might have seen this issue differently if the applicant had hired a professional manager for an extended period of time to insure a successful business operation.

Trustee Calder clarified that limited hours would not be an option the Township could require or enforce.

Trustee Calder pointed out that there have been other operations approved who might not have had extensive experience in the management of a bar/restaurant operation. There was a brief discussion regarding other bar/restaurant operations within the Township.

Trustee Calder stated that he does not want to hold the daughter responsible for the errors of her father, and he personally would like to give her a chance, under careful scrutiny of the local authorities.

Clerk Mosier stated that her position is that she does not believe the applicant to be sufficiently independent from her father, and based on her experiences during the process of considering this application, she must vote her conscience in the matter, and she will not vote to grant the license to the applicant.

Mosier moved, Musselman seconded, to adopt Resolution 070703, for the request from SSC – 1, Inc., to transfer the ownership in the 2006 Class C Licensed Business in escrow, from D M Smith, Inc., located at 16219 U.S. 27, Lansing, Michigan, Clinton County, be considered for disapproval, and that it be the consensus of this legislative body that the application not be recommended for issuance.

AYES: Ross, Daggy, Mosier, Seeger, Musselman
NAYS: Calder, Galardi Motion carried.

CORRESPONDENCE

Correspondence included the following: information from Assessor Tafelsky regarding 2007 Board of Review and taxable values; Ann Mather re: Climate change; education opportunities from MTA; Thank You from Jeff and Sarah Gray; update from MTA District Representative Linda Towsley; and Remy Chandler 2/9/07 and 2/20/07 minutes and meeting date information.

REPORTS & COMMENTS

Commissioner Eileen Heideman stated that vacancies exist on CATS, EDC, and the Historical Commission. She also reported that the Commissioners have considered a request to put a millage question before the voters for youth services, and it does not appear that the Commissioners will elect to place this issue before the voters.

Clerk Mosier reported that an Eagle Scout project has recently been completed by James Terrill, Jr., accomplishing stormwater management within Heritage Glenn and Creekside Subdivisions.

Treasurer Daggy reported that with the most recent sewer billing, a direct payment process is now available.

Trustee Calder requested that this Board recognize the accomplishment of the Bath basketball team for their State Championship. Manager Taylor will take the lead on this issue with the Supervisor's input.

In response to his inquiry, Trustee Musselman was assured that the Springbrook paving project is scheduled for this year.

Trustee Ross stated that he has not yet drafted a communication to local legislators regarding revenue sharing.

Manager Taylor reported the following: due to the continuing increase in health insurance premiums, he has developed an internal team to begin investigating what can be done to control the impact of rising costs while continuing to maintain our ability to provide quality health care benefits; the watertower needs inspection and Trustee Ross will assist by providing history of the watertower maintenance; the Meadows Celebration committee is meeting and a budget is nearing finalization; the building repairs are near completion, with the fire suppression system issues resolved and repaired, and a budget adjustment for the repairs will be forthcoming; the recent meeting with the Road Commission determined that two projects will move forward this season, Springbrook milling and resurfacing, as well as Howe Road maintenance, which will involve use of the Springbrook millings and improved chloride applications, and the projects are estimated to be slightly over budget with the Township's share of the costs projected at \$133,000; a new gas pipeline installation in the southern tier (which was approved by the Michigan Public Service Commission) and the project is now reported by Consumers to be delayed until 2011 because of reduced demand; Planning Director Gray is working on complaints received relative to a gravel pit operation in the southern tier; he has received a request from a citizen to extend sidewalks on Webb Road from the City of DeWitt to BR 27; citizen complaints have also been received regarding bathroom accessibility at Granger Meadows Park.

Manager Taylor stated that in an attempt to get acclimated in the community he has met with DeWitt City Administrator Brian Vick, Watertown Township Manager Jennifer Tubbs, and County Commissioner Bob Showers.

At the Manager's request, Lt. Traub reported that the Sergeant's position has temporarily been filled by Officer Travis Rawson. He also reported that a fatal accident occurred this morning on I-69 near the US 127 interchange.

Clerk Mosier reported that since the Township now has a maintenance plan for Howe Road, correspondence will be sent to the Howe Road and Krepps Road residents in response to their petition received last fall to request that the Township pave Howe Road.

Trustee Ross initiated discussion on the action of the Planning Commission at their March 5, 2007 meeting, relative to the Ordinance Amendment which will change the form of surety.

Ross moved, Daggy seconded, to receive and place on file the minutes of the Planning Commission meeting of March 5, 2007. Motion voted and carried.

COMMITTEES &
COMMISSIONS
Planning Commission

VOUCHERS

Galardi moved, Musselman seconded, to approve General Fund Vouchers 51605 – 51651. Motion voted and carried.

Twp Board Minutes
March 26, 2007 Pg 9

UNFINISHED
BUSINESS
Ordinance 256
Second Reading/Arbor
Meadows

Supervisor Galardi stated that he must again abstain from discussion and voting on Ordinance Amendment 256, Arbor Meadows Traffic Control.

Daggy moved, Seeger seconded, to allow the Supervisor to abstain from discussion and voting on Ordinance Amendment 256.

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

Calder moved, Daggy seconded, to adopt Ordinance Amendment 256, Arbor Meadows Traffic Control, on Second Reading.

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

NEW BUSINESS
Streetlight Relocation
Request/Willow Creek
Farms

Manager Taylor reviewed his staff report dated March 23, 2007 providing an overview of the issue involving a request from residents of Willow Creek Farms to move the streetlight installed at the entrance where the land division development (Lockinvar Estates) connects to Outlot B. He explained working with Consumers Energy, the developer, and the residents of the subdivision toward a compromise through the proposed options.

The options and associated costs were discussed at length with the Willow Creek Farms residents present.

Discussion determined that there could be an issue involving the publication of the Streetlight Public Hearing, published as Riverside Estates (as provided by Consumers Energy) and Riverside Lake Estates, which was known to the residents of Willow Creek Farms. Those residents maintain that they did not provide input at the Public Hearing because they were unaware from the published name that it involved the land division development connecting to their subdivision. It was noted that the development is now Lockinvar Estates; but since this is not a platted subdivision, the records normally provided, which provide a legal name, do not exist.

Supervisor Galardi stated that he is concerned that our participation in moving this streetlight might set a precedence which could bind this Board to future required action.

Attorney Robinson stated that streetlight installation and subsequent creation of assessment districts is a fairly common practice and care should be taken in making decisions which vary from the standard practice. He suggested that for the Board to make a decision to move a streetlight, he would suggest that some standards should be established. He also explained that this situation is somewhat unusual because the residents complaining about the streetlight are not residents who are being assessed.

Attorney Robinson stated that the design drawings for a streetlighting district are done by the power company, as is the case here, and the Township has simply relied on the expertise of Consumers Energy.

Trustee Musselman suggested that this situation may involve unique circumstances, which should provide some latitude to deny future requests.

Attorney Robinson stated that in his experience, where streetlights are involved, you are always going to have folks who are in favor of the lighting and folks who are not. He stated that if the proposal this evening is to move the light because of glare to a particular residence, it would be very difficult to establish a unique situation for that.

Treasurer Daggy questioned whether the issue will be completely resolved if the Board chooses to move the light north as shown in Option One. She stated that as she sees it, even if we choose Option One, there will still be a resident who will not see relief for her complaint.

Manager Taylor agreed, stated that both Option One and Option Two provide relief from glare for two of the three residents involved. Manager Taylor also reported that the Chief of Police has visited the site and reports no safety issues with the current location of the light.

Lorelee McCleary, 3753 Ivy Lane, and resident of Willow Creek Farms and Vice President of their Homeowners Association, stated that the three families who originally addressed the streetlighting issue were speaking on their own behalf, however, those residents have now approached the association with their concerns and questions regarding the request to move the streetlight. She stated that she believes the confusion relative to the name used in the publication was an issue that has affected the residents ability to participate timely in the hearing process, which might have avoided the need to move the light now. She explained that the Association took no action regarding this matter, and she is here this evening to become informed on the issue and available options.

Clerk Mosier stated that there is, in her mind, an issue with the name used for the publication. She questioned the residents present as to whether they would be happy with the Option One solution.

Meredith Hill, 3740 Mulberry Lane, stated that she believes Option One might solve her problem with glare, but if the existing tree does not survive all this construction, the glare would remain. She stated that she would really need to see the map and analyze the options.

Clerk Mosier asked Ms. Hill if she is aware that the Township really has no obligation to keep a streetlight from shining into a residence. Clerk Mosier stated that this Board and previous Boards have decided, that as a community, we desire the benefits of the streetlights, sidewalks, etc., knowing that some residents will object to what they consider the "intrusion" of glare into their home.

Manager Taylor will continue to work with the homeowners association and residents in the area, as well as Consumers Energy, to determine if there is a solution to which everyone can agree.

Clerk Mosier stated that she is willing to support Option One on the map, based on the particular circumstances involved with the publication for the Public Hearing.

Trustee Musselman requested additional information from Consumers Energy, the homeowners association, and Manager Taylor. No action was taken and the issue remains with Manager Taylor.

Twp Board Minutes
March 26, 2007 Pg 11

Supervisor Galardi suggested that New Business item 7 be moved up and addressed prior to the Board adjourning to Executive Session.

SUP 07-990001
McKnight Group

Planning Director Gray reviewed his staff report for Special Use Permit 07-990001, from the McKnight Group, request to construct an approximately 30,000 square foot church on vacant property located northeast of the intersection of State and Coolidge Roads.

The applicant was present.

Clerk Mosier alerted the applicant to soil issues in the area.

Ross moved, Seeger seconded, to approve, as recommended by the Planning Commission, Special Use Permit 07-990001 from the McKnight Group (Faith Church) based on the plans dated November 13, 2006, on the following basis: 1)the proposed religious institution has been designed in accordance with the requirements of Section 7.13.1 of the Zoning Ordinance 2)upon compliance with the conditions of the Special Use Permit, the plans will comply with the site plan review standards listed in the Zoning Ordinance. Motion voted and carried.

Executive Session
Team Professionals v
DeWitt Charter Twp

Seeger moved, Musselman seconded, to adjourn to Executive Session to discuss Team Professionals, Inc., v DCT.

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

Supervisor Galardi reconvened the regular meeting.

Supervisor Galardi stated, for those present, that the Township's Attorney will respond to the Team Professionals motion for summary disposition.

Resolution 070304
Sale of Real Property

Manager Taylor explained that although the Board previously approved the sale of this property, a resolution is required to authorize the Clerk to execute documents for the sale of real property.

Ross moved, Daggy seconded, to approve Resolution 070304 which authorizes the Township Clerk to execute any and all documents for the sale and transfer of the real property located on DeWitt Road to the Capital Region Airport Authority.

**AYES: Galardi, Mosier, Daggy, Calder, Ross, Musselman, Seeger
NAYS: None Motion voted and carried.**

Library Agreement

Manager Taylor reviewed his staff report dated March 23, 2007, relating to the proposed Library Agreement. It was discussed that this issue previously received approval from the Board, but the Agreement will legally finalize the issue.

Calder moved, Daggy seconded, to authorize Supervisor Galardi and Clerk Mosier to execute a lease agreement between DeWitt Charter Township and the DeWitt Public Library for use of approximately 495 square feet of space in the southwest corner of the Community Center.

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

Ordinance Amd
60.70 First Reading

Planning Director Gray reviewed his staff report dated March 19, 2007, relating to Ordinance Amendment 60.70, relating to the form of financial guarantees for the excavation of soils and minerals. He explained that the Board previously requested the change that this amendment will accomplish. He also pointed out the change in the minimum per acre amount of the guarantee based on a recent evaluation by the Township Engineer, and that current permit holders have been notified.

Seeger moved, Calder seconded, to approve, as recommended by the Planning Commission, Ordinance amendment 60.70, addressing financial guarantees, on First Reading.

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

SUP 07-990002
MW Lower MI Synod

Planning Director Gray reviewed his staff report dated March 19, 2007, for the NW Lower Michigan Synod, which proposes an addition of approximately 10,600 square feet to the existing Christ United Church located at 1000 W. Webb Road, to be used by the NW Lower Michigan Synod as the Bishop's office and conference rooms. He explained that he is currently working with the applicant on sidewalk and crossing issues.

Ross moved, Calder seconded, to approve, as recommended by the Planning Commission, SUP 07-990002 from the NW Lower MI Synod based on the plans last revised on January 29, 2007, on the following basis: 1)the proposed religious institution has been designed in accordance with the requirements of Section 7.13.1 of the Zoning Ordinance 2)upon compliance with the conditions of the Special Use Permit, the plans will comply with the site plan review standards listed in the Zoning Ordinance 3)the standards of the Basis for Determination listed in Section 7.6 (1) of the Zoning Ordinance have been met. Motion voted and carried.

DeWitt Cooperative
Preschool

Manager Taylor reviewed his staff report dated March 23, 2007, which explained that the Township currently has, at Fire Station One, a building that was formerly occupied by the DeWitt Cooperative Preschool. He noted that lease agreements were signed from 1982 until the last expiration date in 2005. He explained that the Preschool organization no longer exists and he is working with Attorney Robinson to reclaim the property.

Mosier moved, Daggy seconded, to authorize the Township Manager, with the assistance from the Township Attorney, to do whatever is necessary to reclaim and dispose of the assets located west of Fire Station One on Wieland Road that was formerly used as the DeWitt Cooperative Preschool, with any proceeds claimed being used to satisfy the debt owed to the Township. Motion voted and carried.

COMMENTS

Kevin Coveart, 3760 Mulberry Lane, stated that he is here as a private citizen this evening. He thanked Manager Taylor for his prompt attention to the streetlight issue. He read, for the record, the response he received relative to a

Freedom of Information request dated March 12, 2007.

Planning Director Gray reported that we are experiencing an unprecedented period where we have cancelled three meetings due to lack of business. He reported that with the slowdown in development, he and his staff are proceeding to the bid phase for the South Central Area Plan and also developing a plan to complete special projects. He also provided an update of happenings and his involvement with the Clinton County Economic Development initiative.

Planning Director Gray noted that the MacKenzie operation on the Marten's property is now seeing activity, sparking some complaint and interest from residents and property owners.

Trustee Seeger reported that the Township will be hosting the Clinton County Township Officers meeting on April 18th at the Community Center.

Supervisor Galardi reported that he will be meeting next week with the Officers of the Friends of the Looking Glass River.

Clerk Mosier provided some information on the Meijer planned Grand Opening.

ADJOURNMENT

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

Respectfully submitted,

Diane K. Mosier, Clerk

Rick Galardi, Supervisor