

DeWITT CHARTER TOWNSHIP  
1401 W. Herbison Road  
DeWitt, MI 48820  
February 27, 2012 Minutes

Supervisor Galardi called the Regular Meeting of the DeWitt Charter Township Board to order at 7:00 p.m. with the Pledge of Allegiance.

MEMBERS PRESENT: Supervisor Rick Galardi, Clerk Diane Mosier, Treasurer Phyllis Daggy, and Trustees Max Calder, Brian Ross and David Seeger.

MEMBERS ABSENT: Trustee Steve Musselman

Also Present: Manager Rodney Taylor, Police Chief Brian Russell, Planning Consultant Jim Foulds, Planning Commission Chair Bruce Keilen, and several citizens.

CONSENT AGENDA **Mosier moved, Seeger seconded, to approve the Consent Agenda, as follows:**

**Board Minutes of 2/13/12 approved; Planning Commission draft minutes of 2/6/12 received and placed on file; January Revenue and Expenditure Report received and placed on file; and adding approval of General Fund Vouchers 59624–59674 and Tax Fund Vouchers 7530-7555. Motion voted and carried.**

AGENDA **Daggy moved, Calder seconded, to approve the Agenda, adding Presentation – Civilian Service Award to Ronald Wheeler. Motion voted and carried.**

BRIEF PUBLIC COMMENT None.

PRESENTATION Chief Russell presented Ronald Wheeler the Civilian Service Award. Chief explained that Civilian Service Award/Wheeler Wheeler was on the scene of an accident on Airport Road, where a car was in the water in a drainage ditch. Wheeler entered the water, brought the car's occupant to safety, and then into his vehicle to warm her up until the police arrived.

The Board thanked Ron Wheeler for being a good Samaritan; someone we all would want in our corner if we were in need of help.

Intersection Review Report/Webb & BR27 Chief Russell provided a power point presentation showing intersection crash data, and focusing largely on Webb Road and BR27. The Board thank Chief Russell for the data and for continuing to monitor what has been the highest incident intersection in Clinton County.

COUNTY COMM REPORT None present.

**CORRESPONDENCE** Correspondence included a letter from Treasurer Daggy about the Township's business relationship with Citizen's Bank and the DeWitt District Library draft minutes.

The Board thanked Treasurer Daggy for her report.

**UNFINISHED  
BUSINESS** None.

**NEW BUSINESS** Planning Consultant Foulds reviewed the Planning Commission's consideration of a request from Ralph Mason, to obtain a Special Use Permit to develop and operate an adult foster care facility for up to twelve (12) residents at 1074 West Webb Road, DeWitt, MI.  
**SUP 11-990008**  
**Mason/Webb Road**

Planning Consultant Foulds also noted that the applicant has requested a variance (elimination) of the sidewalk requirement as permitted by Section II 1. of the Sidewalk Ordinance, a request that the Planning Commission considered as separate from the SUP review, and granted after much discussion and a 4 to 3 vote.

**Daggy moved, Ross seconded, to approve, based on a unanimous recommendation from the Planning Commission, Special Use permit 11-990008 from Ralph Mason to develop and operate an adult foster care facility for up to twelve (12) residents on the property located at 1074 West Webb Road, DeWitt, on the following basis: 1)the proposed adult foster care facility has been designed and can comply with the requirements of Section 7.3 (Site Plan Review) and Section 5.6.4 of the Zoning Ordinance 2)the standards for Basis for determination listed in Section 7.4.3 of the Zoning Ordinance have been met. Motion voted and carried.**

There was lengthy discussion regarding the sidewalk variance request. It was noted that there is currently a sidewalk across from Mr. Mason's property, which was installed with the Northway development. It was also noted that the properties surrounding Mr. Mason's project are residential in use and are already developed, therefore, not likely to voluntarily see sidewalks installed now unless the Township assessed the property owners for the improvements, and could do the same in the future with Mr. Mason.

Board members agreed that the decision is a difficult one, since the installation of sidewalks must start somewhere.

Clerk Mosier stated that she does not see this stretch of street as a sidewalk priority, when other Township areas as so in need of sidewalks. If this sidewalk connects to no other sidewalks, and is surrounded by already developed residential properties, the likelihood is that if we require the installation of this sidewalk, it will be substantially deteriorated before the Township would even consider installing and assessing for additional sidewalks on this side of Webb Road.

Trustee Calder stated that he believes we need to begin enforcing our own ordinance.

Trustee Seeger stated that he has issues with the Sidewalk Ordinance in general, and does not believe this property is suitable for requiring sidewalks. He noted that he would like to have the Township look at the existing ordinance and see if changes should be initiated.

Supervisor Galardi addressed Bruce Keilen, Chair of the Planning Commission, stating that he understands the confusion the Planning Commission expressed on this topic, especially since the issue of sidewalks was just discussed at a joint meeting between the Planning Commission and the Board.

It was discussed that Mr. Mason owns property adjacent to this proposed development, for a similar use, and was required to post a bond for the sidewalk some eleven (11) years ago. The Township still holds that money in the Trust and Agency account.

**Ross moved, Daggy seconded, to approve the request for a sidewalk variance (elimination) for 1074 West Webb Road, based on a recommendation from the Planning Commission that the request for a variance be approved because it complies with the Sidewalk Ordinance variance requirement that the preponderance of lots or parcels of land on the street within 1000 feet on either side of the property in question are already developed with no sidewalks existing, and that a sidewalk has no possibility of connecting to any other walk at any time in the future, and this does not serve the purpose of a pedestrian system. Motion voted and carried.**

**Mosier moved, Ross seconded, to request that the Manager look into the possibility of returning Mr. Mason's deposit held within the Trust and Agency Fund, for the installation of sidewalks at his existing care facility on Webb Road. Motion voted and carried.**

Building Insp Step  
Incr/Budget Adj.

Manager Taylor reviewed his request to adjust the Township's Building Inspector to a two year step. His memo, dated February 24, 2012, pointed out that the monetary effect of this proposed change and the inspector's recent increase from 20 to 32 hours is \$13,850 over budget, this requiring an adjustment. He also pointed out that since the inspector does not work 40 hours per week, he does not qualify for any health or dental benefits.

Trustee Ross questioned whether this employee's increased hours could cause a situation where health benefits could be required.

**Ross moved, Mosier seconded, to adjust Bob Logan to the two year step increase, as of March 18, 2012, contingent upon verification that the increase to 32 hours does give the employee full-time status, and if so, reconsideration of the action is required, and to approve the associated Budget Adjustments of \$12,500 to 101-805-702-070 (Bldg Official Salary) and \$1,350 to 101-805-705-000 (Building Dept Benefits) from General Fund Balance. Motion voted and carried.**

DNR Grant App  
Canoe/Kayak Launch  
Set Public Hearing

Manager Taylor reviewed his memo, dated February 24, 2012, outlining a plan to apply for a DNR Grant partnering with the City of DeWitt to purchase and install canoe/kayak launches at the Riverside Park in the City and the Looking Glass Riverfront Park in the Township. He also pointed out that we will be working with Spicer Engineering to complete the applications at no cost, and if the grant is awarded we would utilize Spicer for the project engineering.

**Mosier moved, Calder seconded, to set a Public Hearing for March 26, 2012, for feedback on DeWitt Township's application for a Michigan Department of Natural Resources Grant for the construction of a canoe/kayak launch at Looking Glass Riverfront Park in the Township. Motion voted and carried.**

Meadows Celebration  
Fireworks Display

**Daggy moved, Ross supported, to approve the Permit for Fireworks with Night Magic Display for the Meadows Celebration to be held on July 20, 2012, and authorize the Clerk to execute the permit and the agreement for services. Motion voted and carried.**

EXTENDED  
COMMENTS

Ralph Mason questioned the Board about the existing speed limits on Webb Road.

REPORTS &  
COMMENTS

Manager Taylor reported the following: Commissioner Showers has contracted us regarding DeWitt City's request for a stop sign at Schavey and Howe Roads; Rebuilding Together will take place on April 28<sup>th</sup> this year, we are partnering with Bath Township, and volunteers are needed; he has met with residents on the detention pond in Heritage Glenn, where the Township's property is also within this drainage district, and he continues to provide whatever assistance possible to the resident's efforts; the Township has received complaints regarding some yard signs from a resident located near Lochinvar Estates, the residents wants the signs removed, and although these signs may violate the Township's sign Ordinance, the issue that staff has chosen not to tackle is the issue of free speech; Police Officer Terrill has filed a grievance relating to overtime.

Police Chief Russell thanked the Manager's Office for their assistance with his intersection report. He also noted that an additional Civilian Service Award will be forthcoming.

Both Trustees Ross and Seeger stated that they believe in sidewalk installations, but pointed out that the issue is not always simple, and individual situations must be considered.

Treasurer Daggy reported that she will be settling with the County on March 1<sup>st</sup>.

ADJOURNMENT

**Seeger moved, Ross seconded, to adjourn at 8:30 p.m. Motion voted and carried.**

Respectfully submitted,

Diane Mosier, Clerk

Rick Galardi, Supervisor