

**CHARTER TOWNSHIP OF DELTA**  
Public Meeting Room A  
Delta Township Administration Building  
7710 West Saginaw Highway  
Lansing MI 48917

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR  
MONDAY, FEBRUARY 16, 2009**

**I. CALL TO ORDER**

Supervisor Ken Fletcher called the meeting to order at 7:00 p.m.

**II. OPENING CEREMONIES – Pledge of Allegiance**

**III. ROLL CALL**

Members Present: Supervisor Ken Fletcher, Treasurer Howard Pizzo, and Trustees Jan Cunningham, Jeff Hicks, Barb Poma and Cara Spagnuolo

Members Absent: Clerk Janice Vedder

Others Present: Manager Richard Watkins, Planning Director Mark Graham, Engineering Director Denny Williams, Senior Planner Gary Bozek, Executive Secretary Kathy Ernst and Department Secretary Heather Bouck Pettinger

TRUSTEE CUNNINGHAM MOVED TO EXCUSE CLERK VEDDER FROM THE FEBRUARY 16, 2009 MEETING.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 6 TO 0.

**IV. PRESENTATIONS AND PROCLAMATIONS –**

**1. Designation of March 2009 as Certified Government Financial Manager Month**

TREASURER PIZZO MOVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA PROCLAIM MARCH 2009 AS CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH IN DELTA TOWNSHIP, MICHIGAN AS FOLLOWS:

**CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH**

**WHEREAS**, THE ASSOCIATION OF GOVERNMENT ACCOUNTANTS (AGA) HAS A NETWORK OF 15,000 MEMBERS IN 90 CHAPTERS IN THE UNITED STATES AND AROUND THE WORLD, WITH APPROXIMATELY 200 ACTIVE MEMBERS IN MICHIGAN REPRESENTING STATE, MUNICIPAL, AND PRIVATE SECTOR ACCOUNTANTS, AUDITORS, AND FINANCIAL MANAGERS; AND,

**WHEREAS**, MEMBERS OF THE GREATER LANSING CHAPTER OF THE ASSOCIATION OF GOVERNMENT ACCOUNTANTS HAVE RESPONDED TO AGA'S MISSION OF ADVANCING GOVERNMENT ACCOUNTABILITY, AND ITS EDUCATIONAL EFFORTS EMPHASIZING HIGH STANDARDS OF CONDUCT, HONOR, AND CHARACTER IN ITS CODE OF ETHICS; AND,

**WHEREAS**, GREATER LANSING CHAPTER MEMBERS ARE MAKING SIGNIFICANT ADVANCES BOTH IN PROFESSIONAL ABILITY AND IN SERVICE TO THE CITIZENS OF MICHIGAN BY MASTERING INCREASINGLY TECHNICAL AND COMPLEX REQUIREMENTS; AND,

**WHEREAS**, THE CERTIFIED GOVERNMENT FINANCIAL MANAGER (CGFM) PROGRAM OF AGA PROVIDES A MEANS OF DEMONSTRATING PROFESSIONALISM AND COMPETENCY BY REQUIRING CGFM CANDIDATES TO HAVE APPROPRIATE EDUCATIONAL AND EMPLOYMENT HISTORY, TO ABIDE BY AGA'S CODE OF ETHICS, AND TO PASS A THREE-PART EXAMINATION REQUIRING EXPERTISE IN GOVERNMENTAL ENVIRONMENT, GOVERNMENTAL FINANCIAL MANAGEMENT AND CONTROL, AND GOVERNMENTAL ACCOUNTING, FINANCIAL REPORTING AND BUDGETING, AND REQUIRES EACH CGFM HOLDER TO MAINTAIN CERTIFICATION BY COMPLETING AT LEAST 80 HOURS OF CONTINUING PROFESSIONAL EDUCATION IN GOVERNMENT FINANCIAL MANAGEMENT TOPICS OR RELATED TECHNICAL SUBJECTS EVERY TWO YEARS; AND NOW THEREFORE BE IT,

**RESOLVED**, THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA DOES HEREBY PROCLAIM MARCH 2009, AS CERTIFIED GOVERNMENT FINANCIAL MANAGER MONTH IN DELTA TOWNSHIP, MICHIGAN.

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KENNETH FLETCHER, SUPERVISOR

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HOWARD PIZZO, TREASURER

\_\_\_\_\_  
JANICE VEDDER, CLERK

\_\_\_\_\_  
JAN CUNNINGHAM, TRUSTEE

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JEFF HICKS, TRUSTEE

\_\_\_\_\_  
BARBARA POMA, TRUSTEE

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CARA SPAGNUOLO, TRUSTEE

TRUSTEE CUNNINGHAM SUPPORTED THE MOTION. MOTION PASSED 6 TO 0.

Supervisor Fletcher acknowledged area elected officials in attendance at the meeting including Representative Rick Jones, County Commissioner Carol Strachan, and County Commissioner Jeanne Pearl-Wright.

Representative Jones relayed his understanding that the matter before the board this evening was a difficult decision. However, he understood the issue at hand to be that of a local issue.

**V. SET/ADJUST AGENDA**

TRUSTEE CUNNINGHAM MOVED THE AGENDA BE APPROVED AS PRESENTED.

TRUSTEE POMA SUPPORTED THE MOTION. MOTION PASSED 6 TO 0.

**VI. PUBLIC HEARINGS AND ACTION – None.**

**VII. COMMUNICATIONS – None.**

**VIII. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA –**

Doug Kosinski, 7305 Glenn Terra Drive, representative of *Citizens Against Michigan Avenue Extension* expressed the desire to clarify some issues incorrectly delivered by the media. In addition, Mr. Kosinski restated his request that the board review the extension project under today's circumstances rather than the past circumstances in which the project was planned. Again, he requested the board pass a resolution pulling the township's support for the project and any funding for it. Some photographs were distributed to the board for those that were not familiar with the project area.

Trustee Hicks asked Mr. Kosinski for some clarification regarding the abandonment of the road right-of-way and dividing the property up amongst the adjacent land owners. Trustee Hicks indicated that such occurrences in the past related to PA 51 were for established roads. Mr. Kosinski responded that the road at large was the priority to the group, not any potential land division.

**IX. INTRODUCTION OF ORDINANCES – None.**

**X. PASSAGE OF ORDINANCES –**

**2. Amendments to Code of Ordinances Pertaining to Fill Operations**

Supervisor Fletcher stated this matter was originally postponed to allow for a meeting with the Eaton County Drain Commissioner and to permit legal counsel for the Eydes to provide comment. The response on behalf of the Eydes has been received; however no meeting with the Drain Commission has been conducted to date.

Trustee Poma stated she would prefer to see the issue referred to the Utility and Environmental Committee for review and recommendation to the board.

Trustee Hicks felt input from the Drain Commissioner to be beneficial.

TRUSTEE HICKS MOVED THE DELTA TOWNSHIP BOARD FORWARD THE PROPOSED FILL ORDINANCE TO THE UTILITY/ENVIRONMENTAL COMMITTEE FOR THE PURPOSE OF REVIEW AND COMMENT.

TRUSTEE POMA SUPPORTED THE MOTION. MOTION PASSED 6 TO 0.

**XI. CONSENT AGENDA**

TRUSTEE HICKS MOVED THE CONSENT AGENDA BE APPROVED WITH THE REMOVAL OF THE FEBRUARY 2, 2009 REGULAR MEETING MINUTES.

TRUSTEE POMA SUPPORTED THE MOTION.

ROLL CALL:

AYES: SUPERVISOR FLETCHER, TRUSTEE CUNNINGHAM,  
TRUSTEE HICKS, TRUSTEE POMA, TRUSTEE  
SPAGNUOLO AND TREASURER PIZZO.

NAYS: NONE

ABSENT: CLERK VEDDER

MOTION PASSED 6 TO 0.

**3. Minutes**

TRUSTEE HICKS MOVED THE TOWNSHIP BOARD APPROVE THE JANUARY 29, 2009 SPECIAL MEETING MINUTES AS PRESENTED.

TRUSTEE POMA SUPPORTED THE MOTION. MOTION PASSED 6 TO 0.

**4. Bills and Financial Transactions**

TRUSTEE HICKS MOVED TO APPROVE BILLS AND FINANCIAL TRANSACTIONS IN THE AMOUNT OF \$1,459,299.22.

TRUSTEE POMA SUPPORTED THE MOTION. MOTION PASSED 6 TO 0.

**5. Waiver of Lien, Deed of Grant, and Easement Grant for Trinity Methodist Church**

TRUSTEE HICKS MOVED THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA ACCEPT THE WAIVER OF LIEN, DEED OF GRANT AND EASEMENT GRANT FOR THE WATER FACILITIES INSTALLED TO SERVE THE EXPANSION OF THE TRINITY UNITED METHODIST CHURCH SITE IN THE NORTHWEST QUARTER OF SECTION 22 OF DELTA TOWNSHIP AT 7533 WEST ST. JOE HIGHWAY, AND

FURTHER, THAT SAID WATER FACILITIES BE ACCEPTED INTO THE DELTA TOWNSHIP WATER SYSTEM, AND THAT FEBRUARY 16, 2009 BE ESTABLISHED AS THE DATE OF ACCEPTANCE.

TRUSTEE POMA SUPPORTED THE MOTION. MOTION PASSED 6 TO 0.

**XII. ITEMS REMOVED FROM THE CONSENT AGENDA FOR DISCUSSION –**

Supervisor Fletcher requested the minutes from February 2, 2009 be amended, deleting the words “for items” from page 14 of the minutes.

TREASURER PIZZO MOVED THE MINUTES FROM THE FEBRUARY 2, 2009 REGULAR MEETING BE APPROVED AS AMENDED.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 6 TO 0.

**XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA – None.**

**XIV. ITEMS OF BUSINESS – None.**

**XV. ITEMS FOR DISCUSSION ONLY –**

**8. Mixed Use Building Proposed Zoning Amendments – Mark Graham**

Planning Director Mark Graham provided a brief presentation on mix use buildings. Commercial, Office and Residential are combined in one building. Some examples in the area which were referenced are located at Mt. Hope/Hagadorn Road in Meridian

Township and at 4601 West Saginaw in Delta Township. Information was also supplied as to the pros and cons of mixed use buildings. In support of mixed use buildings, Mr. Graham provided:

- Greener;
- More residential choices;
- Attract young individuals and retained seniors to the area;
- Improve retail areas;
- Assist in the retention of vacant land.

Against mixed use buildings, Mr. Graham cited:

- Not all retail mixes with residential;
- Parking;
- Obtaining project/construction financing;
- Increased construction costs;
- Can lead to haphazard development;
- Adjacent single family homeowners do not care for them.

Concerns raised by other departments within Delta Township included:

- Fire divisions provided for during construction;
- Elevators;
- Egress;
- Lack of green space for the residents
- Sound.

Supervisor Fletcher expressed his desire to explore the benefit mixed use buildings may have on revitalizing the Saginaw corridor.

Trustee Poma inquired about restrictions on which type of business operations would be permitted in mixed use buildings. Mr. Graham stated and each case would come before the board for final consideration. Trustee Poma added that she was aware of a mixed use building in Pentwater, MI and there was underground parking provided for the residents.

Supervisor Fletcher, Trustee Poma and Trustee Hicks expressed their desire to have the topic of mixed use buildings referred to the planning commission to hold a public hearing on the matter.

#### **9. Proposal to Combine Township's Commercial & Industrial Zoning Districts – Mark Graham**

Mark Graham spoke on combining the two commercial districts and the two industrial zoning districts. Mr. Graham felt this would elevate some discrepancies in the zoning map, simplify and better prepare the township for future growth and development. There is now a requirement by law, to have a Zoning Plan and Comprehensive Plan that coincide. Combining the referenced zoning districts would be in support of this

requirement. The board members concurred with Mr. Graham to move forward and return to the board with a motion approving the action.

#### **10. Strategic Plan – Consider Setting Specific Meeting**

Supervisor Fletcher suggested the board schedule a special meeting devoted to reviewing and revising the Strategic Plan.

Trustee Poma stated she felt there was no urgency to hold the meeting and suggested late summer. Trustee Cunningham expressed her feeling that the board had more pressing matters to address first.

Treasurer Pizzo expressed his concern about delaying the meeting to late summer as budget discussions and preparations would be under way in July.

Supervisor Fletcher stated he felt the strategic plan lead into the budget.

Trustee Poma suggested late spring.

Treasurer Pizzo suggested the second Monday of May, May 11<sup>th</sup>. No objections were raised to the proposed date.

Trustee Hicks suggested a start time of 6pm for this meeting. Trustee Cunningham concurred with Trustee Hicks.

Supervisor Fletcher stated the meeting be set for May 11<sup>th</sup> at 6:00 pm and should the planning commission be meeting that evening, the special meeting will be held in Room B.

#### **11. Creyts Road Sidewalk/Path Proposed Project Discussion**

Carol Strachan, 6035 Grand River, Eaton County Commissioner for District 4, and Tri-County Planning Commissioner stated she applauded the township's efforts in regard to the non-motorized transportation plan. Commissioner Strachan stated studies show that pathways and sidewalks serve as economic engines by enhancing quality of life and generating economic activity for existing businesses. They provide an opportunity for people to exercise. Studies have also shown that as trails increase so do the number of people getting physical exercise. While campaigning for office, going door-to-door there is clearly a diminished quality of life on Creyts and Webster. There is a need for some form of walkway along these roads. The board will have to make the decision as to what. The board should take into consideration the fact that many of the homes were built prior to any non-motorized transportation.

Rick Jones, State Representative, stated he was asked to speak on behalf of several of the residents. He feels compromise is best. Representative Jones feels a sidewalk would best enhance the neighborhood. The 10' path seems excessive.

Supervisor Fletcher stated that the requirement of the 10' path and the requirement of the 10' setback came with the grant and with the project. A couple of potential options that were explored were these two requirements. The grant funds can't be utilized for anything less than a 10' pathway nor be used for another project. There have been attempts to obtain a firm answer on the 10' setback. Spot variances are an option for areas where special accommodations are needed. The 10' setback is a set policy. There is not a current policy allowing for a variance the entire length of the project. The Road Commission policy would have to be amended to allow for this.

Trustee Poma confirmed that the funding allocated for this project cannot be transferred to another project. Supervisor Fletcher said a new application could be submitted for other projects.

Trustee Hicks stated funding for any other projects would have to have been submitted in January 2009 for possible projects for 2010 but more like 2011. The policy for the Road Commission regarding the 10' setback was adopted in 1998. Trustee Hicks suggested to residents that any type of relief from the setback requirement would have to come from the Eaton County Road Commission and residents may want to contact their Eaton County Commissioner for assistance. Trustee Hicks reiterated the 10' setback is a Road Commission requirement. There has been misinformation printed in the press.

Supervisor Fletcher stated the options on the table at this point is to keep the project as is with the existing grant funding available, or do something that Delta Township would be funding entirely on their own.

Trustee Cunningham clarified that the path cannot be changed but the Road Commission setback can potentially be amended as it is their policy.

Manager Watkins clarified that there were spot variances along Richard Street in certain areas.

Maureen Toppel, 1212 N Creyts, questioned if the board had considered just saying no to the project.

Treasurer Pizzo requested the four options that were currently on the table be reviewed.

Supervisor Fletcher indicated the four options were:

- (1) 5' sidewalk on both sides of the road for \$306,374
- (2) 7' sidewalk & 5' sidewalk for \$325,489
- (3) 10' path & 5' sidewalk for \$106,672 (+ \$294,720 grant funds)
- (4) 10' path on both sides of the road for \$241,422 (+ \$294,720 grant funds)

Trustee Hicks clarified that regardless of which side of the road, just putting in one sidewalk would actually cost more to the township.

Treasurer Pizzo provided this statement on the matter:

*I have reviewed the Delta Trails Non-Motorized Transportation Study document and acknowledge that I agree in general with the conclusions and recommendation included therein.*

*I have also heard from the many residents who do not want a sidewalk and/or a shared-use path constructed in their front or back yards. They argue that they will lose parking space, privacy, the country-like atmosphere they desire, property value, safety, and the value of whatever they have built or planted in the way of the sidewalk or path. They also argue that government should not be spending on sidewalks and paths during these tough economic times. I do empathize with them and support any reasonable accommodation to ease their loss.*

*I also recognize that in a democracy not all citizens will be satisfied by the decisions of elected officials. As the Delta Township Board works towards action on the continued implementation of the Delta Trails Plan I offer the following as my starting position.*

1. *There must be safe walking and biking paths along all of the townships main roadways. Our pedestrians and bikers need to have safe routes on our busiest roads. The risk of losing one life or one person incurring serious injury because he or she is forced to walk or bike on a busy roadway must be eliminated.*
2. *Reasonable accommodations for property owners need to be considered. The width of paths and sidewalks may need to be adjusted and/or the set back from the roadway may need to be less than ten feet.*
3. *Township property owners need to be reminded that their properties are often surrounded, and occasionally traversed, by public easements and rights of way. The easements and rights of way pertain to underground utilities (water & sanitary sewer pipes), roads, sidewalks, etc. We need to suggest that prior to commencing a construction project such as a deck, out-building, pool, etc. or prior to the installation of landscaping, property owners check their property survey to locate and avoid easements and*

*rights of way. For example, in most suburban areas in Delta Township there is 18 ft. of green area in back of the street curb which is mowed by the property owner but which is within the Eaton County Road Commission's road right of way that restricts the installation of plantings. We need to recommend that anyone contemplating a spring construction/landscaping project call Miss Dig three business days prior to your "dig" at 1-800-482-7171 or at [www.missdig.org](http://www.missdig.org).*

4. *Property owners to be impacted by the implementation of the Delta Trails Plan need to have fair warning and an opportunity to request reasonable accommodations.*
5. *The Delta Trails Plan needs to be promoted in the community so that residents are aware of the plan, recognize the plans impact on their property and be told of the advantages resulting from implementing the plan. As a Board and administration, we need to actively and enthusiastically promote the plan.*

*I believe the continued implementation of the Delta Trails Plan will make Delta Township a desired residential location for current and future residents and will make Delta Township a healthy and safe community.*

Jerry Marcus, 2028 Webster Road, asked if the pathway was the only alternative that the township has in order to get the funding. He stated that there was an easement available that could be utilized in the alternative.

Denny Williams, Engineering Department Director, stated only minor adjustments could be made which would be to accommodate for safety for example. Minor adjustments could be made once there, such as moving a path to run along a lot line instead of in front of a house. For example, 2315 Webster Road since the garage is 12' from the road right-of-way. There is plenty of room in the road right-of-way for the path and meet the 10' setback. There is discussion to use the road right-of-way and pass over to Armstrong Road which is where the path is headed, to the park.

Trustee Hicks stated that the air quality test was done for the Creyts Road corridor. This is what binds the project to this area. Denny Williams stated that what qualifies this project for the grant is the study done on the air quality of the proposed route. Therefore, this is a congestion management air quality grant based on traffic, on this road, in this location, and the proposal.

Trustee Poma stated her appreciation for the point made regarding the grant qualifications.

Trustee Hicks stated that there is very little wiggle room as to where the installation takes place. In addition, that because this grant has been awarded to Delta, and should the grant be turned down, any future funds Delta would be at risk.

Denny Williams clarified that since this grant has been awarded within a region (that includes Delta) there other issues at play. There have been many applications made by municipalities in this region. The funds, if turned back, may or may not be retained within the region. There is a gentlemen/ladies agreement around the table: use it, don't lose it. If the funds are not retained in the region there would be risk to future funding.

Trustee Cunningham clarified that back when grant funds first became available, there was a requirement that a long-term plan be in place to even apply. This is how the plan came about. The adopted plan has permitted the township to seek grant funding from various pockets. The projects are then funded without taxpayer dollars. There has been an ongoing directive to township staff to apply for any grant funding that is available. That is the case here. Twenty months ago, the master plan dictated the project and the application was then submitted. The grant money provides a significant costs savings to the projects.

Manager Watkins stated many sidewalk and pathway grants have been received.

Trustee Cunningham recommended that a request be made to the Eaton County Road Commission to waive the 10' setback requirement.

Trustee Hicks stated that 10' is one of the largest setback requirements in the area. Many municipalities are 4-6'. Trustee Hicks has encouraged residents to contact the Eaton County Road Commission.

Trustee Cunningham stated she felt it was unfortunate that Delta did not have a representative on the Road Commission.

Trustee Poma stated that Delta does have individuals who are willing to assist and Delta has County Commissioners which represent Delta who are very helpful.

Manager Watkins added that the policy is one adopted by the Eaton County Road Commission. Delta should not be critical of the Eaton County Road Commission and their policy, but work with them.

Supervisor Fletcher indicated that most road commissions leave the setback up to the local communities. Some current Eaton County Road Commissioners felt that 10' was standard. Some members may be willing to look at the request. Supervisor Fletcher stated that a formal request is to be made in relation to modifying the setback as it currently stands.

Trustee Hicks felt the 10' setback will come up in the future as additional projects are implemented.

Trustee Cunningham wanted to clarify that many individuals were present for yet an additional township board meeting and there is still no decision being made. This needs to be addressed with the Road Commission at the next available meeting.

Supervisor Fletcher indicated the Road Commission is holding its annual meeting on February 23, 2009.

Larry Abraham, 1121 N. Creyts, sought clarification where the pathway would end to the north – the park was the response. Mr. Abraham confirmed the pathway would end at Saginaw Highway to the south. He stated that because it may be years before it would extend, to put the funds to use somewhere else. The plan was voided in Mr. Abraham's eyes when the 10' pathway changed sides of Creyts Road in October 2008. Mr. Abraham felt that those directly impacted should have been notified before the grant funds were applied for. Again, the residents should have been notified when the 10' path changed sides of the road.

Maureen Toppel, 1212 N. Creyts, stated that risk will never be eliminated. Risk will only be replaced or exchanged for another.

Wendy Williams, 1155 N. Creyts, she agrees that it is a safety issue. Ms. Williams attempted to see to pull from her driveway in advance of the path – she could not see to safely pull out from her driveway. She attempted to pull out from the end of her driveway but in the process was blocking the path (as it is planned to be installed) and the right-of-way of potential bike traffic. Pulling out is dangerous and dictated by the traffic light. She would accept a sidewalk.

The concern clarified by a resident in the audience, Wendy Williams, indicated that the smaller the width of the path/sidewalk would permit the driver to be closer to the road, increasing traffic visibility.

Jim Webster, 1115 N. Creyts, you must come down and look to compromise. Sidewalk would win and would be a compromise. The crisis would end. Do one side this year and the other side next year. The final approval by this board has not been made. Have a win for everyone.

Maureen Toppel, 1212 N. Creyts, supports a non-motorized transportation plan. Has anyone investigated slowing the traffic down on Creyts Road? The traffic volume has increased since Creyts was connected to Webster.

Trustee Hicks again reminded the public that this is yet another variable that the township has no control over.

Maureen Toppel replied that it would be of benefit for this board to get the word out that reducing speed limits would increase safety.

Trustee Hicks stated the board has been very diligent and worked very hard looking for alternatives.

Maureen Tippel feels that removing green space and trees for the pathway does not support improved air quality. Ms. Tippel wants to present a unified front with her neighbors and does not want to comment on compromising with a sidewalk.

Trustee Hicks stated his difficulty in determining what a possible compromise would be, when no one in opposition offers any alternatives. Ms. Tippel indicated they made a choice to be unified to get their voice heard.

John Ostrander, 6204 Chieho, had two questions. Has anyone looked out of the district to see who can use the money? Treasurer Pizzo indicated it would be another district, not Delta. Mr. Ostrander said that was acceptable as long as the money did not go to waste. Trustee Hicks stated that was unknown. If the money left the region it is gone. Mr. Ostrander asked if there was someone in the region who could use the funds. Trustee Cunningham indicated that the Tri-County Board would be the only one to make that decision. At this time, Delta is not in a position to ask the Tri-County Board to call a special meeting for that purpose. There is no way to find out the information.

Mr. Ostrander inquired as to when the cost proposals that were provided this evening were prepared? Manager Watkins indicated the estimates were prepared by the township engineering department within the last week. The estimates were taken from current local costs of product and labor within the last two weeks. Bids have to be in place and obligated by September 2009.

Larry Abraham, 1121 N. Creyts, it was pretty much in concrete with the Road Commission in regards to the 10' setback at the beginning of this meeting. Is going smaller an option that can be explored? Why was that point made?

Supervisor Fletcher indicated that pursuing the option of the reduced setback was an option to be pursued. The result is out of the township's control. As part of asking about the support of the 7' path, this would be an option if the township paid the entire bill.

Larry Abraham was not aware that there were options. Trustee Poma indicated that the options were previously reviewed.

Supervisor Fletcher has struggled himself with the concept of the loss of grass/green space and the loss of parking that will be experienced with this project as it is slated. Questions therefore surfaced for Supervisor Fletcher and the end result has been the costs and related options explored this evening.

Mr. Abraham asked why there has not been a Road Commission representative present at a meeting to date. Personally, Supervisor Fletcher would not have been opposed to that.

Trustee Poma inquired if Mr. Abraham would be opposed to a sidewalk. Mr. Abraham expressed he was not opposed to a sidewalk. He is concerned about the safety issue. Mr. Abraham stated that many individuals don't feel comfortable walking on his lawn in order to avoid walking in the road. He feels strongly about the safety of getting people off the road. He is concerned about the speed of the bicycles on a pathway and vehicles entering and exiting driveways.

Bob Buckmaster, 1409 Strawflower Circle, expressed his concern about the loss of trees in his back yard and the care of the sidewalk/path in his back yard. There would be great difficulty in snow removal for him in this area. He did not purchase his property to have this installed in his back yard. This would change his privacy. He feels that if this project is for the betterment of the community, then the community should pay for the snow removal.

Trustee Poma stated that she has personally received many calls from residents indicating they are in support of the project. These are individuals that will not publically speak out in support of the project as they would be going against their neighbors. There are wheelchair bound individuals that would greatly benefit from the project.

Trustee Hicks confirmed that people want to live in harmony and will not speak out against their neighbors.

Mr. Buckmaster inquired if there was any board member that was directly impacted by the project? Trustee Poma indicated that there were not board members that resided in the area of this project. She did state there would be members directly impacted in the future.

Jerry Marcus, 2028 Webster Road, stated that there were many setback variances along the Willow Highway project.

The board confirmed spot variances were granted by the Eaton County Road Commission for specific properties.

Mr. Marcus asked for a commitment that the board will inquire as to a setback variance on the Creyts Road project. Supervisor Fletcher confirmed that this was already discussed and agreed to. As to snow removal, Supervisor Fletcher said the current policy is that residents are responsible for the snow removal on sidewalks and the township is for pathways. Mr. Marcus asked for how long. Supervisor Fletcher indicated he could not guarantee for how long, but that he could state that is how he would vote on the matter while he was in office. Mr.

Marcus confirmed that there is a removal ordinance in place and there are areas along Willow which are never cleaned. Supervisor Fletcher indicated that staff would be made aware of the issue. Mr. Marcus will support a sidewalk if the variance can be obtained. He is hesitant in supporting a 7' pathway.

Fred Marquardt, 321 Cortina Trail, reminded those in attendance that there are five lanes of traffic that will need to be cleared. There has to be someplace for the snow to go when it is plowed from the roadway. Anything less than a 10' setback will result in the snowplow putting the roadway snow on the sidewalk.

Tami Mullett, 2020 Webster Road, expressed her support for the sidewalk. It is a safety issue for her and her children. Just visiting a neighbor to fix her snow blower requires her to travel in the road to get it repaired.

Supervisor Fletcher clarified the board is in agreement to contact the Road Commission to inquire about a reduced setback for the project. Personally, Supervisor Fletcher feels the 10' pathway and the 10' setback is excessive. He does support pathways because his family would utilize the pathway to travel as a family to area parks. He would like to see a smaller path. Obviously if the path is made smaller there is a greater cost to the township.

Trustee Hicks feels that the cost/expense of reducing the path is very hard to support at this time. Tax notices just went out and 60% of the residents saw a decrease in the taxable value of their homes.

Trustee Poma stated she would like to see something that would accommodate a wheelchair. She does not believe that anyone wants to see a wheelchair traveling in the road. Trustee Poma believes that the requirements of American with Disabilities Act need to be met.

Treasurer Pizzo has difficulty turning away the grant funds as a financial aspect. Treasurer Pizzo struggles balancing the effect on the property owners, the funding and the safety issues at hand.

Trustee Spagnuolo stated she lives in an apartment but personally enjoys being active and sees value in the project.

Supervisor Fletcher stated the request for the variance will be submitted to the Eaton County Road Commission and the matter will come before the board after the response is received.

## **XVI. OFFICERS, DEPARTMENTAL REPORTS AND COMMITTEE MINUTES**

### **12. Draft – Utility Committee Minutes from January 22, 2009**

Supervisor Fletcher felt committee minutes did not need to be part of the agenda packet until after approval by the respective committee. The exception would be minutes having content pertaining to an item requiring board action prior to being approved.

Supervisor Fletcher reminded everyone of the Deltaside Business Expo being held Saturday, March 7, 2008 at Waverly High School from 10am-2pm.

Treasurer Pizzo shared that the Budget/Finance Committee is working on a purchasing policy. The policy will reflect how the township has been operating for a number of years. Expenditures exceeding \$25,000 would come before the board for approval. The committee welcomes comments. Trustee Hicks would like to see any minutes as they become available.

Manager Watkins shared that former Delta Township Trustee and Waverly School Board Member, Jerry Winans passed away Saturday. Mr. Winans had well over 30 years with both Delta Township and Waverly Schools. The funeral is scheduled for Wednesday at St. Gerard. In addition, Jenny Wolfert did get her certificate as a Certified Business Solutions Professional. Trustee Poma and Planning Director Mark Graham are working on this certification as well. The Willow Woods assessment was reduced from \$74,800 to \$40,800.

**XVII. PUBLIC COMMENTS** *(maximum five minutes)* –

**XVII. ADJOURNMENT**

TRUSTEE POMA MOVED THE MEETING ADJOURN AT 9:25 P.M.

TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 6 TO 0.

**CHARTER TOWNSHIP OF DELTA**

HOWARD PIZZO, TREASURER AND ACTING CLERK

JANICE VEDDER, TOWNSHIP CLERK

KENNETH FLETCHER, TOWNSHIP SUPERVISOR