

**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, JULY 19, 2010**

**I. CALL TO ORDER**

Supervisor Fletcher called the meeting to order at 6:00 p.m.

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

**III. ROLL CALL**

Members Present: Supervisor Ken Fletcher, Clerk Janice Vedder, and Trustees, Jan Cunningham, Jeff Hicks, and Cara Spagnuolo

Members Absent: Treasurer Howard Pizzo, and Barb Poma

Others Present: Planning Director Mark Graham, Township Engineer Dennis Williams, Fire Chief Vic Hilbert, Parks & Recreation Director Dick Benkert, Lt. Jeff Campbell, Manager Richard Watkins, and Deputy Manager Jenny Wohlfert.

TRUSTEE CUNNINGHAM MOVED THAT TREASURER PIZZO AND TRUSTEE POMA BE EXCUSED FROM THIS EVENINGS MEETING. TRUSTEE HICKS SUPPORTED THE MOTION. MOTION PASSED 5-0.

**IV. PRESENTATIONS AND PROCLAMATIONS**

**1. Presentations by the Delta Township Fire Department**

**a. Life Saving Award for Tessy Idusuyi**

Chief Vic Hilbert introduced Tessy Idusuyi who on May 16, 2010, while working at the Claire Bridge Retirement Home, had performed the Heimlich maneuver and successfully dislodged food that had become lodged in a resident's throat and obstructed their airway. Chief Hilbert said as a result of Tessy's quick actions and knowledge and knowing how to deal with a choking victim, she was successful in dislodging the object from the resident's throat. Chief Hilbert expressed the Fire Department's sincere appreciation for Tessy's actions that lead to the saving of a life. He said on behalf of all the members of the Delta Township Fire Department and the Delta Township Board of Trustees, it was his pleasure to present Tessy the Delta Township

Fire Department Life Saving Award for actions above and beyond the call of duty.

**b. Acknowledgement of Promotions in Fire Department**

- i. Michael Roman – Captain
- ii. David Boomer – Lieutenant
- iii. Kent Nordlund – Lieutenant
- iv. Kenneth Barnes – Engineer
- v. Robert Lane – Engineer

Chief Hilbert acknowledged these officers hard work over a 60 day assessment process. Chief Hilbert said he was very proud of each one of the men and women of the Fire Department.

Supervisor Fletcher congratulated the officers on their promotions. He noted that the Board took great pride with its outstanding public safety that the Township was able to offer to its residents. Supervisor Fletcher said the Board was honored that these officers were working for Delta Township and appreciated their dedication and their hard work.

**V. SET/ADJUST AGENDA**

TRUSTEE CUNNINGHAM MOVED THAT THE AGENDA BE APPROVED AS SUBMITTED.

CLERK VEDDER SUPPORTED THE MOTION. MOTION PASSED 5 TO 0.

**VI. PUBLIC HEARINGS**

**2. Transfer a Class C Liquor License – OS Tropical, LLC**

**a. Public hearing**

There was no one in the audience to speak on this matter.

TRUSTEE CUNNINGHAM MOVED THAT THE PUBLIC HEARING BE CLOSED.

CLERK VEDDER SUPPORTED THE MOTION. MOTION PASSED 5 TO 0.

**b. Board Resolution**

TRUSTEE CUNNINGHAM MOVED THAT THE TOWNSHIP BOARD APPROVE THE REQUEST OF OS TROPICAL, LLC, TO TRANSFER OWNERSHIP OF A CLASS C LICENSE LOCATED AT 5924 WEST

SAGINAW HIGHWAY, LANSING, MICHIGAN 48917, DELTA TOWNSHIP,  
EATON COUNTY, FROM CHEESEBURGER-MICHIGAN, LIMITED  
PARTNERSHIP TO OS TROPICAL, LLC.

TRUSTEE SPAGNUOLO SUPPORTED THE MOTION. MOTION PASSED 5-  
0.

## **VII. COMMUNICATIONS**

### **3. Communications from Citizens**

- a. Email - Support for the East-West Connector, Kenneth Hendrick, 7806 Cloverhill Drive
- b. Email - Section 13-16 Comment, Richard D. McKenzie, 7135 Rockbridge
- c. Email and attachment - Caleb's Village ROI Impact for Delta, Mike Kessler

Supervisor Fletcher said when the Board received letters from residents on issues that would come before the Board; he would be placing these communications on the agenda as part of the record.

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

Brent Titus, Foster, Swift, Collins, and Smith, 313 South Washington Square, Lansing, Michigan, said he was present this evening representing Sparty and Sherie Baryames who reside at 11455 Upton Road. Mr. Titus said the Baryames' owned property that was listed as a priority in the Township's Non-Motorized Transportation Plan for the construction of a shared use pathway. Mr. Titus noted that Mr. Baryames had asked him to come before the Board this evening to state his opposition to the location of the shared use pathway along the entire length of his property.

Mr. Titus noted that Mr. Baryames had spoken to several of his neighbors who had expressed their opposition to the pathway. Mr. Titus noted that the typical issues of concern were noise and privacy issues, but even more of a concern was the fact that the Township was considering amending their ordinance to allow usage of pathways after dark. He noted that Mr. Baryames had asked that the Township abandon a utility easement that went across his property, but Mr. Baryames was informed that the Township was interested in converting the utility easement into a shared use pathway. Mr. Titus noted that Mr. Baryames was not interested in the pathway and that he wanted to restate his desire to have the utility easement abandoned by the Township. Mr. Titus indicated that one of the main issues that he didn't know whether this Board had considered was the cost of pathways and that the cost of constructing a pathway was estimated at \$150 to \$200 per mile plus additional expenses for maintenance. He suggested that the Township establish a policy of installing pathways adjacent to the public roads within existing rights-of-way rather than across private properties. He reiterated the fact that Mr. Baryames would like to restate that he was not in favor of the

pathway and that he would like the Township's cooperation in abandoning the existing utility easement on his property.

Supervisor Fletcher noted that the Township's 2005 Non-Motorized Transportation Plan recommended a pathway in this area of the Township, but the Board was not considering building the pathway at this time. He noted that discussion surrounding the proposed pathway came up when Mr. Baryames requested to have a utility easement abandoned on his property and he was informed that the Township may be interested in converting the easement into a shared use pathway. Mr. Fletcher noted that there were no immediate plans at this time to build the pathway. He said the pathway had been included in the Non-Motorized Transportation Plan and would possibly be constructed between now and 2025 if funding was available.

Hugh Forster, 7048 Captiva Drive, said he was present this evening to speak on the extension of the East-West Corridor. Mr. Forster thanked the Board for allowing him to speak this evening and that he also wanted to thank the Township employees for all the work they had put into this project. Mr. Forster said two years ago, the Township selected his daughter, Gail Hannah, as Citizen of the Year in Delta Township. He noted that his daughter had worked tirelessly on the non-motorized trail project, as well as the Safe Routes to Schools project. Mr. Forster said unfortunately his daughter had to move to Marquette and had asked him to continue her efforts in her absence. Mr. Forster indicated that a few years ago, he and his wife visited subdivisions throughout the Township in a two week period and obtained more than 1,000 signatures of people who supported the non-motorized trail program. Mr. Forster said he understood the opposition to the East-West Collector pathway traversing west from Creyts Road and that people were concerned about crime and property values. However, he noted that crime rates were no higher in cities that had pathways and in some instances; the crime rate had actually decreased due to the fact that people who used the trails were neighbors and friends who carried cell phones. Mr. Forster also noted that property values along or near pathways had increased in many cities around the United States due to the fact that people were looking for that type of amenity when searching for a place to live. Mr. Forster noted that he and his wife delivered blood for the American Red Cross and were able to visit several small communities in Michigan and had witnessed many people using pathways. Mr. Forster felt the Township should take advantage of the grant monies they had received for this project before they were lost and that it was inevitable that a pathway or a roadway with sidewalks would be constructed in this area of the Township at some point in the future.

Howard Hedlund, 7301 Old River Trail, said he had served on the Planning Commission in the early 1970's when the Township's Master Plan was adopted and at that time, emphases was placed on the issues Mr. Forster had just spoke of. He also noted that articles in this week's edition of the US News and World Report addressed health issues and the impact sidewalks and trails had on this issue. Mr. Hedlund said he was on the Planning Commission when the Township developed Delta Mills Park and that all of his neighbors were concerned about "those people", but those people, whoever they are,

never came. Mr. Hedlund said many cities around the country were currently addressing health initiatives. Mr. Hedlund recognized Clerk Vedder for her efforts over the past 30 years in creating a walkable community and pursuing the installation of sidewalks throughout the Township which would be a tremendous asset to the community in the future.

Eileen Houston 2219 Hilltop Drive, said she had lived in her home for 40 years. Ms. Houston expressed her gratitude and appreciation to Delta Township, the Township Board, Dick Benkert, and the Parks & Recreation Department, as well as to the generous people who had donated property to the Township for parks and pathways. Ms. Houston said she was very appreciative of the fact that the Township had these facilities which were used by the residents. Ms. Houston felt very strongly that the extension of the pathway from Creyts Road to Canal was a very important part of the Township's trail system as a connector for people who lived to the west between Creyts and I-96.

Willis Bennett, Director of Ingham County Parks Department, 121 E. Maple Street, Mason, Michigan, said he was present this evening to show support for the Township's Non-Motorized Transportation Plan. He said a number of issues had been raised regarding pathways, but he was able to speak about real life situations and what a trail system meant to not only the City of Lansing, but to the Township. Mr. Bennett said eventually, pathways would connect all of our citizens in Mid-Michigan. He noted that the use of pathways actually decreased negative activities due to the fact that activity on the trails deterred crime and that this had been proven in Lansing's parks that were connected by pathways. He noted that pathways increased the number of visitors to the parks and to the local businesses and that the Township could provide those same types of opportunities for its residents by having interconnecting trails. Mr. Bennett felt pathways were a very positive thing for everyone involved and he highly recommended the Township move forward with its Non-Motorized Transportation Plan.

Chris Baryames, 11455 Upton Road, said he would like to reiterate his opposition to the pathway adjacent to his property. Mr. Baryames passed out a map that illustrated where the proposed pathway would be constructed adjacent to his property and traverse east to Marketplace Boulevard. Mr. Baryames said he wasn't opposed to pathways, but rather he was opposed to pathways going through neighborhoods and taking people's property. He pointed out that the pathways that were constructed in Grand Ledge and East Lansing were installed along roads and that they didn't traverse through neighborhoods. Mr. Baryames felt communities needed to be connected, but how they were connected needed to be further addressed.

Kim Zipple, 6239 Karen Lee Drive, thanked the Township for the beautiful park system and the pathways that were finally becoming a reality. She also thanked Clerk Vedder for all her hard work and dedication she had put towards the trail system in the Township. Ms. Zipple noted that her family was avid exercisers and that she had been a physical therapist for the past 20 years. Ms. Zipple noted that in the 20 years that she had been a physical therapist, obesity had increased significantly and that the joint damage and

organ dysfunction associated with obesity had put a real strain on the health care system and society. She felt the reason why people were becoming overweight was due to the fact that people weren't moving and that communities needed to make it easier for people to move around the area. Ms. Zipple said before sidewalks were installed along Creyts Road, the area was unsafe for her children to walk outside of their neighborhood. Ms. Zipple said she was a big supporter of utilizing easements for non-motorized pathways and that it was amazing what other communities had done for their residents. Ms. Zipple thanked the Board for their continued efforts towards making non-motorized pathways a reality.

Darrell Dontje, 7251 Rockbridge Road, said he had the same concerns that Mr. Baryames had expressed this evening regarding the Rockbridge pathway because it was right in his backyard. Mr. Dontje noted that he understood the benefits associated with pathways, but he would like to see pathways constructed along roads and not through private property. He felt a sidewalk could be constructed along St. Joe Highway that would provide access to Marketplace Boulevard. Mr. Dontje noted that he moved from the City of Grand Ledge to Delta 20 years ago because he wanted more privacy. He said the proposed route of the pathway would drastically affect him. Mr. Dontje provided the Board with an e-mail from Pat and Jan VanVoorhis of 7271 Rockbridge Road, who were also opposed to the proposed pathway.

Chris Vickers, 7119 Rockbridge, said when Mr. Baryames informed the neighbors about the possibility of a pathway being constructed adjacent to Rockbridge, there were several neighbors who became concerned. Mr. Vickers noted that he and his wife had walked the East-West Collector pathway east of Creyts Road because they were interested in seeing how the pathway affected the neighborhood. As he walked the trail, it appeared as though the right-of-way had been there a long time because there were existing fences with years of foliage growth on both side of the pathway and that their backyards served as a border. Mr. Vickers noted that he had become concerned due to the fact that a storm drain project necessitated the removal of several trees and fences in the same area of Rockbridge where the pathway had been proposed and that the residents were never notified of the project until just before construction started. Mr. Vickers offered an alternative plan using existing road right-of-way along Coneflower and Rockbridge with a future connection to Saginaw Highway. He reiterated the fact that the residents didn't want to do away with the pathway, but rather they wanted to relocate the pathway out of their backyards.

Supervisor Fletcher said there were several options the Township could consider when reviewing future routes for pathways and that nothing had been "cast in stone" at this time.

Mr. Watkins said the Township didn't have any definite routes for pathways at this time and that they were trying to determine future routes while they had the opportunity. He noted that the Township had used a "broad brush" approach in determining where pathways would be located that would disrupt as few people as possible.

Effie Hall, 11475 Upton Road, said she was also concerned with the proposed pathway that would traverse along her side yard. Ms. Hall noted that she didn't object to pathways, but rather she objected to the location of the pathway. She indicated that the pathway would take away the privacy she now enjoyed because she didn't have any foliage to buffer her from the pathway.

**IX. INTRODUCTION OF ORDINANCES - None**

**X. PASSAGE OF ORDINANCES**

**4. Adoption of Proposed Amendments to the Delta Township Code of Ordinances, specifically the deletion of Section 13-16(C) of the Parks & Recreation Regulation which currently prohibits riding bikes on Township trails between sunset and sunrise.**

Supervisor Fletcher said this was a proposal that was brought forward regarding the Township's Code of Ordinances that prohibited bike riding on the Township's pathways after dark. He said at a previous meeting, several residents had raised the issue of safety concerns with people using the pathways after dark. Mr. Fletcher said to ensure that there was thorough discussion of the data surrounding the safety issues of pathways; he had asked Bob Ford, who was involved in drafting the Township's Non-Motorized Transportation Plan, to attend this evening's meeting in order to provide a presentation on safety issues surrounding pathways. Mr. Fletcher noted that the Board was in receipt of a letter from Meridian Township indicating that during the 13 years they had been constructing pathways in their community, they had not experienced an increase in crime or problems on their pathways.

Bob Ford, 809 Center Street, Lansing, said he had been working with the Township for several years on the Non-Motorized Transportation Plan. Mr. Ford proceeded to provide a power point presentation illustrating the overall routing and phasing plan from the Non-Motorized Transportation Plan in all four sectors of the Township. Mr. Ford said the pathway that everyone had focused their attention on this evening was the East-West Collector pathway which traversed from Sharp Park west to Canal Road. Mr. Ford felt the East-West Collector pathway was a very important piece of the overall plan because it had the potential of connecting many neighborhoods to vital services without having to use major highways or roads. Mr. Ford said it was his understanding that the Township had not received any complaints about the East-West Collector pathway, but rather the Township had received several compliments and encouragement from residents to move forward with the pathway. He provided slides of various areas where the pathway traversed and the fact that there was a 66 foot wide right-of-way, as well as 2 to 3 foot wide shoulder which provided a sufficient setback to maintain existing vegetation or enhance it with additional plantings. Mr. Ford reviewed the benefits that were provided by the East-West

Collector pathway and the connectivity between neighborhoods and the Township's commercial and office facilities, as well as the potential connectivity to Delta Mills Park in the future.

Mr. Ford said he had spoken to other municipalities in the area who had constructed pathways and was informed that several of their residents had built their homes near pathways. He had found this to be part of a national trend in that people wanted easy access to pathways and interaction with people and their neighbors. He also pointed out that as pathways were constructed, more and more people requested gates be placed at the back of their yards so that they could access the pathway. Mr. Ford said the Parks Director for Portland, Michigan had provided him with some basic information regarding the lack of crime they had experienced on their pathways. Mr. Ford said he had personally been involved with the City of Lansing's river trail project for over 25 years which was a project that continued to evolve. He noted that there had been two studies conducted by Michigan State University on the type of activities that took place on the trail and the levels of activity. He noted that the study also provided a breakdown of the trails use by time of day and that it had been found that the use of the trail was predominately during the day and that usage of the pathway dropped off significantly during the evening.

Mr. Ford pointed out that the City of Lansing's Parks Department had an ordinance that closed the trails from dawn to dusk that wasn't enforced, but it was a valuable tool to have if necessary. He indicated that Murdock Jemerson, who was the Director of Lansing's Parks and Recreation Department, had indicated that the residents along the river trail had not reported any increase in crime or intrusions on their property and for the most part, realtors saw the river trail as an asset that added value to ones property. Mr. Ford indicated that there were developers who had also expressed a desire to develop on the river trail. He noted that he had spoken to the former Lansing Parks and Recreation Director, Tanya Moore, who had also validated that the Parks Department recognized prohibition on the use of the pathways after dark and that most offenses involved drunkenness, open containers of alcohol, and those types of offences. However, he pointed out that the Lansing river trail traversed very urban areas. Mr. Ford used the Lansing's Common Ground event as an example where there were thousands of people in one particular area at one particular time when most of those types of offences occurred. He said if these types of occurrences happened in residential areas, they happened very infrequently. Mr. Ford noted that unfortunately, most communities didn't keep crime statistics on pathways because it was hard to connect crimes directly to pathway and whether they originated from the pathway.

Mr. Ford noted that he had worked with the City of East Lansing in developing their trail system, several of which were within 25 feet of residential properties. He said in speaking with those residents, they had indicated that they enjoyed

living next to the pathway and the ability to access the trail. He noted that East Lansing's Parks Director, Tim McCaffrey, had indicated that he had not received any privacy complaints and that patrolling of the pathways was a non-issue. He noted that the Assistant Parks Director, Wendy Wilmers, had indicated that a pathway that traversed adjacent to multi-family, condominiums, and single family developments was within 15 feet of a property owner's back yard in some locations. She also pointed out that the Hawk Nest Development had become a very popular area for perspective home buyers and that property values had increased significantly due to the development's proximity to the pathway. He noted that Ms. Wilmers also pointed out that there had been a few issues with people using a non-public access point to get to the trail which she felt resulted in poor layout design.

Mr. Ford noted that several other community administrators that he had spoken to had indicated that the loss of privacy or safety issues had not manifested as a result of their pathway system, even though many of their pathways traversed very close to private property in certain areas. He said it had been their experience that once the pathways were constructed and the residents started using them, the pathways became very popular. He said this held true for the City of DeWitt who had experienced a number of residents who actually opposed the inclusion of a pathway next to their homes but yet a year later, those same residents came back and apologized to the City because the pathways had been such an asset to the community. Mr. Ford noted that the Paint Creek Trail located in Oakland County was not an urban trail, but rather it was a very suburban trail. He said this community didn't keep statistics on the trails themselves, but they had experienced a few car break-ins at trailheads a couple of years ago for two weekends in a row, but they were now taking action to counter balance that and had not experienced anymore instances.

Mr. Ford indicated that there was a lot of information contained in the Non-Motorized Transportation Plan regarding health and safety statistics in the United States. Mr. Ford made mention of various studies that had been conducted on pathways throughout the United States and the impact pathways had on a community. He mentioned the fact that his office was located on the Lansing river trail in Downtown Lansing and that he had not experienced any break-ins or disturbances in the 15 years that he had been located adjacent to the trail. He felt the main point that should be made this evening was the fact that pathways did not lower property values or have a negative impact on neighborhoods, but rather they actually had a positive effect on neighborhoods.

Supervisor Fletcher said he personally found Mr. Ford's presentation to be very helpful and useful when looking at the issues that were being raised by the residents. He said the issue before the Board this evening was whether or not the Board wanted to move forward with amending the Code of Ordinance to allow bike riding on the pathways after dark. Mr. Fletcher said he personally didn't feel

there was a need to amend the ordinance at this time due to the fact that the Township was just starting to build pathways. He said the Non-Motorized Transportation Plan addressed the fact that use of the paths would be restricted and that several communities and statistics that Mr. Ford had presented this evening dealt with limiting those restrictions. However, he felt the Township should wait until more pathways were constructed and people became more comfortable with pathways before the Township worried about whether or not people should be allowed to use them after dark. Supervisor Fletcher said he was very appreciative of staff being proactive and bringing these types of issues forward for the Board's review as the Township proceeded to construct pathways.

Mr. Watkins noted that other communities used a dawn to dusk provision as their model which would actually provide the Township with a tool to use for enforcement if needed.

It was the consensus of the Board not to proceed at this time with the proposed amendment to the Delta Township Code of Ordinances, specifically Section 13-16(c) of the Parks & Recreation regulation which prohibits riding bikes on Township trails between sunset and sunrise.

#### **XI. CONSENT AGENDA**

CLERK VEDDER MOVED THAT THE CONSENT AGENDA BE APPROVED AS SUBMITTED.

TRUSTEE CUNNINGHAM SUPPORTED THE MOTION.

ROLL CALL:

AYES: TRUSTEE CUNNINGHAM, SUPERVISOR FLETCHER, TRUSTEE HICKS, TRUSTEE SPAGNUOLO, AND CLERK VEDDER.

NAYS: NONE

ABSENT: TREASURER PIZZO AND TRUSTEE POMA

MOTION PASSED 5 TO 0.

#### **5. Minutes**

CLERK VEDDER MOVED THAT THE JUNE 21, 2010 REGULAR BOARD MEETING AND THE JULY 6, 2010 REGULAR BOARD MEETING MINUTES BE APPROVED AS SUBMITTED.

TRUSTEE CUNNINGHAM SUPPORTED THE MOTION. MOTION PASSED 5-0.

**6. Bills and Financial Transactions**

CLERK VEDDER MOVED THAT THE BILLS & FINANCIAL TRANSACTIONS IN THE AMOUNT OF \$849,512.21 BE APPROVED.

TRUSTEE CUNNINGHAM SUPPORTED THE MOTION. MOTION PASSED 5-0.

**XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION – None**

**XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA**

- 7.
- 8.

**XIV. ITEMS OF BUSINESS**

- 9. **Set a Public Hearing to hear comments on the proposed conversion of 10 acres of Looten's Park** – The Parks and Recreation Department recommends the Township Board set a public hearing to hear comments on the proposed conversion of 10 acres of Looten's Park for the purpose of constructing a Waste Water Treatment facility and substituting this acreage with approximately 16 acres to be added to the Hunter's Orchard Park property.

TRUSTEE CUNNINGHAM MOVED THAT THE TOWNSHIP BOARD SET A PUBLIC HEARING FOR AUGUST 2, 2010, TO HEAR COMMENTS ON THE PROPOSED CONVERSION OF 10 ACRES OF LOOTEN'S PARK FOR THE PURPOSE OF CONSTRUCTING A WASTE WATER TREATMENT FACILITY AND SUBSTITUTING THIS ACREAGE WITH APPROXIMATELY 16 ACRES TO BE ADDED TO THE HUNTER'S ORCHARD PARK PROPERTY; AND FURTHER, THAT THE TOWNSHIP CLERK SHALL ADVERTISE SAID PUBLIC HEARING.

CLERK VEDDER SUPPORTED THE MOTION. MOTION PASSED 5-0.

**XV. COMMITTEE OF THE WHOLE**

- 10. **Dick Benkert, Parks and Recreation Director**
  - a. **Parks and Recreation Master Plan Discussion**

Mr. Benkert said in 2006 the Township conducted a complete rewrite of the Parks and Recreation Master Plan which was a five year program that served as a guide in the planning for future recreation opportunities

and to be eligible for grant monies. Mr. Benkert noted that since the plan was now five years old, there was a need to update the plan. He said the master plan reflected changing attitudes towards leisure and assisted the Township in taking a proactive approach to long range planning for the Township's park system. He noted that the master plan also assisted the Township in identifying future priorities and how to accomplish them. Mr. Benkert noted that the Township held public meetings and invited interested citizens to make any comments on the overall plan. He said a draft of the plan was then provided to the Parks & Recreation Committee who made a recommendation to the Township Board for adoption.

Mr. Benkert said the Parks and Recreation Master Plan provided information on the community, the parks system administrative and financial structure, the process that was followed in developing the plan, as well as identifying the Township's existing facilities and a summary of recreational needs and priorities. He noted that the plan identified the Township's 12 parks, as well as a summary of recommended needs and improvements. Mr. Benkert indicated that priorities identified in the plan was the development of the Mt. Hope property for youth sports programs, continued implementation of the Township's trail system, redevelopment of the Players Club property, and continued development of recreational partnerships in park land and open space.

Mr. Benkert noted that the Township had attempted to receive grant monies for the development of the Mt. Hope Park, but due to the fact that the State had placed more emphasis on the development of trails, these types of projects would be high priorities in the future. Mr. Benkert indicated that the plan recommended continued development of recreation partnerships which he felt was one of the areas that was still very strong. He felt a prime example of developing partnerships was the Township's working relationship with the Waverly Community Schools and the operation of the pool at Waverly East. Mr. Benkert said the plans action program identified the various goals that the Township had set forth. He said when we look at updating the plan for the next several years; he felt you would see some difference in what the Township's goals will be in the future.

**11. Manager's Report**

**a. 2010 Sidewalk Construction Plan**

Mr. Watkins said the sidewalk program for 2010 placed emphasis on filling in the gaps that existed in the Township's sidewalk system. He noted that the Township had been working with Auto Owners to fill in a gap that existed along their property on the north side of St. Joe

Highway, east of Creyts, but as of today, an easement had not been acquired from Auto Owners. He said another gap the Township had been working on was located on the west side of Creyts Road, south of Saginaw Highway along Mike Eydes property. Mr. Watkins noted that the Township received right-of-way from Mr. Eyde as a result of a Consent Judgment to install sidewalk along Creyts Road. However, he noted that Mr. Eyde had entered into an agreement with the Road Commission to construct an access point to his property, as well as a taper and deceleration lane along Creyts Road. He noted that this stymied the Township's effort in getting sidewalk installed in this area due to the fact that the Road Commission required sidewalks to be installed 10 feet back from the curb. He indicated that there was approximately 6 to 7 feet of right-of-way to install the sidewalk, but the Road Commission didn't want a sidewalk installed in the Creyts Road right-of-way. Mr. Watkins said due to the delays experienced with the Auto Owners and Eyde projects, alternative projects had been explored.

Mr. Williams noted that he had provided the Board with a list of alternative projects along St. Joe Highway. He recommended that the Township do as many of these project as possible with the monies the Township had available this year. He said it appeared that the Township would be able to complete two or three of the projects based on the fact that the Creyts Road sidewalk project would not be completed due to the lack of right-of-way.

Clerk Vedder said she didn't know of any other community where a 10 foot setback was required for the installation of a sidewalk and that she felt the Road Commission was being obstructionist and making it odious on the property owners because the sidewalk ended up having to be installed in the middle of their front yard.

Supervisor Fletcher felt this issue needed to be addressed with the Road Commission. He noted that the Township had had several meetings with the Road Commission on this issue and that they had taken the position that a 10 foot setback for sidewalks was necessary for liability reasons. Mr. Fletcher noted that the Township had argued the fact that no one else followed this standard and that the national standard had indicated that a six foot setback was sufficient if right-of-way was available. He said attempting to build sidewalks in urban areas was problematic, but yet the Road Commission felt the Township was a rural area and were unwilling to budge. Mr. Fletcher felt this was something the Township would have to deal with in the future.

Clerk Vedder inquired as to whether there were other options the Township could consider. She felt the Township should meet with the

County Commissioners because the Township wasn't getting anywhere with the Road Commission.

Trustee Hicks said due to the fact that the Road Commission was appointed, he felt the redress had to come through the County Board.

Trustee Cunningham felt this problem was a major safety issue in that people in wheelchairs used Creyts Roads. She questioned if exceptions could be made.

Mr. Watkins noted that he had discussed this issue at length with the Road Commission who had suggested that the Township end the sidewalk along Creyts Road from the north and south and leave a gap where the deceleration lane would be located.

Clerk Vedder felt the Township could get support from the ADAD community and felt it would be a good idea to meet with the County Commissioners from Delta and make them aware of some of the problems the Township had encountered with the installation of sidewalks. Ms. Vedder didn't feel the Township could continue to operate like this and that the only way the Township would be able to get control of this would be to become a city.

Mr. Williams proceeded to review the alternative sidewalk projects which consisted of Alternative #1, the installation of sidewalk along St. Joe Highway from Marketplace to Broadbent, Alternative #2, Countryside to Pointe West, and Alternative #3, the installation of sidewalk from the Calvary Lutheran Church west to the Creyts/St. Joe Highway intersection. He said another segment of sidewalk would consist of one segment of sidewalk along the south side of St. Joe Highway from the Calvary Lutheran church to Cherbourg and a second segment would be from Cherbourg to Arlington.

Mr. Watkins said this segment of sidewalk would close the gap in the sidewalk that existed in front of Auto Owners on the north side of Willow Highway.

Further discussion ensued regarding the alternative sidewalk projects and that it was the consensus of the Board to move forward with Alternative #1 and #2, obtain contractor bids, and request that Mr. Williams meet with residents and return to the Board.

Mr. Watkins said Dan Burden would be providing a presentation to the Board on August 25<sup>th</sup> on Walkable Communities. He noted that Mr.

Burden was recognized as an expert throughout the Nation on Walkable Communities.

Clerk Vedder suggested that the Township advertise these types of events on its website and the local newspaper so that the public could attend.

**12. Board Member Comments**  
**a. Board Member Portraits Discussion**

The Board discussed displaying portraits of the Board members in the hallway outside of the meeting room as a way for the public to identify Board members. It was also felt that a group picture of the Board should be taken for historical purposes.

It was the consensus of the Board to proceed with individual and a group photo of the Board for display.

**XVI. PUBLIC COMMENTS**

Mr. Forster supported the idea of inviting the public to Mr. Burden's presentation on Walkable Communities. He noted that Mr. Burden was an exceptional speaker and provided a broad overview of non-motorized transportation networks. Mr. Forster said he previously lived at 335 N. Creyts Road and had provided the Board with pictures of residents in wheelchairs traversing Creyts Road. He felt the Township had gone beyond being diplomatic with the Road Commission and that he felt the Township should pursue the issue of the 10 foot sidewalk setback with the Road Commission.

Dick Benkert 11284 Cobblestone Lane, said he was present this evening as a resident of the Township. Mr. Benkert felt it was a shame that Nixon Road was being expanded ½ mile south to Rockbridge without the installation of sidewalks. He noted that pedestrians used the sidewalks on Nixon Road in front of Village Place and that sidewalks should be installed during road construction projects.

Clerk Vedder felt the Township had passed a resolution that all roads constructed in the Township were required to have sidewalks.

Mr. Watkins noted that there wasn't sufficient right-of-way.

Clerk Vedder noted that the Road Commission had claimed that they didn't have sufficient right-of-way along Creyts Road within the Township's industrial corridor as well. She said the Road Commission felt that Delta was rural, but yet 41% of the County's revenue came from Delta Township.

Mr. Vickers said he had spoken to 12 of the 16 homeowners that were located on Rockbridge and only one person he had spoken to was opposed to a sidewalk in their front yard. Mr. Vickers indicated that he would be drafting a follow-up letter to his neighbors informing them of the discussion that took place this evening and the fact that the actual route of the pathway had not yet been determined. Mr. Vickers noted that he would not return to the Board to talk about sidewalks and pathways until such time as the Township started to determine the actual route of the pathway. Mr. Vickers thanked the Board for their time and consideration.

**XVII. ADJOURNMENT**

Supervisor Fletcher adjourned the meeting at 8:15 p.m.

**CHARTER TOWNSHIP OF DELTA**

JANICE VEDDER, TOWNSHIP CLERK

KENNETH FLETCHER, TOWNSHIP SUPERVISOR