

**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, MARCH 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, Clerk Janice Vedder, Treasurer Howard Pizzo, Trustees Jan Cunningham, Barb Poma, Jeff Hicks, and Cara Spagnuolo.

Members Absent:

Others Present: Manager Richard Watkins, Planning Director Mark Graham, Engineering Director Dennis Williams, Executive Secretary Kathy Ernst.

**IV. PRESENTATIONS AND PROCLAMATIONS - None**

**V. SET/ADJUST AGENDA**

MOTION BY POMA, SECONDED BY CUNNINGHAM, THAT THE AGENDA BE APPROVED AS PRESENTED. MOTION PASSED 7 TO 0.

**VI. PUBLIC HEARINGS - None**

**VII. COMMUNICATIONS – None**

**VIII. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA – None**

**IX. INTRODUCTION OF ORDINANCES – None**

**X. PASSAGE OF ORDINANCES**

**1. Zoning Board of Appeals Public Hearing Notice Requirements and Variance Time Limits Amendments.**

Mr. Fletcher noted that the Planning Commission recommends that the Township Board adopt the proposed Zoning Ordinance amendments as they pertain to public notice requirements and variance time limits.

**MOTION BY CUNNINGHAM, SECONDED BY VEDDER, THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA ADOPT THE PROPOSED AMENDMENTS TO SECTIONS 23.4.0 AND 23.6.0 OF THE DELTA TOWNSHIP ZONING ORDINANCE TO MAKE PUBLIC NOTICE REQUIREMENTS CONSISTENT WITH THE MICHIGAN ZONING ENABLING ACT, 2006 PA 110 (MCL 125.3101 ET. SEQ.); AND TO EXTEND THE VALIDITY OF VARIANCES FROM ONE (1) YEAR TO TWO (2) YEARS, RESPECTIVELY; AS DESCRIBED IN CASE NO. 1-09-1.**

**ROLL CALL:**

**AYES: TRUSTEE CUNNINGHAM, TREASURER PIZZO, TRUSTEE SPAGNUOLO, SUPERVISOR FLETCHER, TRUSTEE HICKS, TRUSTEE POMA, CLERK VEDDER.**

**NAYS: NONE**

**ABSENT: NONE**

**MOTION PASSED 7 TO 0.**

**XI. CONSENT AGENDA**

Mr. Fletcher said he would like the minutes of the March 2, 2009 Board meeting removed from the consent agenda.

**MOTION BY CUNNINGHAM, SECONDED BY VEDDER, THAT THE CONSENT AGENDA BE APPROVED WITH THE REMOVAL OF THE MARCH 2, 2009 TOWNSHIP BOARD MINUTES.**

**ROLL CALL:**

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

**NAYS:                   NONE**

**ABSENT:                NONE**

**MOTION PASSED 7 TO 0.**

**2a.    Minutes – February 16, 2009**

**MOTION BY CUNNINGHAM, SECONDED BY VEDDER, THAT THE MINUTES OF THE FEBRUARY 16, 2009 REGULAR BOARD MEETING BE APPROVED  
MOTION PASSED 7 TO 0.**

**3.    Bills and Financial Transactions**

**MOTION BY CUNNINGHAM, SECONDED BY VEDDER, THAT THE BILLS AND FINANCIAL TRANSACTION IN THE AMOUNT OF \$6,719.239.80 BE APPROVED. MOTION PASSED 7 TO 0.**

**4.    Waiver of Lien, Deed of Grant, and Easement Grant for Staples Store Site.**

**MOTION BY CUNNINGHAM, SECONDED BY VEDDER, THAT 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 STAPLES. MOTON PASSED 7-0.**

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

**1.    Minutes of the March 2, 2009 Board Meeting**

Mr. Fletcher requested that the March 2, 2009 Board minutes be revised in a more concise version and resubmitted at a future meeting.

Mr. Hicks said he had had an opportunity to review the materials that Clerk Vedder had provided the Board relative to the distinction between administrative boards and zoning boards and he questioned whether any of the other Board members had had an opportunity to review the material. Mr. Hicks said it had certainly changed his perspective on this matter due to the fact that he was one in favor of much more thorough minutes. However, he said having reviewed the materials provided by Ms. Vedder, he felt this issue was worth discussing.

Mr. Fletcher said he had also read the material Ms. Vedder had provided on the preparation of Board minutes and he felt there was probably a middle ground that could be worked out. Mr. Fletcher said there were a few comments made by Board members at the last meeting as to whether something had been stated accurately in

the minutes, but he didn't feel that 65 pages of transcribed minutes was what the Board wanted as part of the official record.

Ms. Vedder didn't feel that verbatim minutes served the Township well in many aspects. Ms. Vedder noted that she didn't have a problem paraphrasing what took place during a meeting, but she felt paraphrasing the Board member's comments and trying to understand what they were saying was not something the Clerk's office should be doing.

Ms. Poma questioned whether Ms. Vedder was stating that in the future, the minutes would not include comments made by the Board members.

Ms. Vedder said according to many authorities, Board member's comments were to be left out of the minutes.

Ms. Poma felt it was irresponsible for the Clerk's office to pay someone to prepare 65 pages of minutes for one meeting.

Ms. Vedder said the Board minutes were her responsibility. Ms. Vedder said she had tried to accommodate the Boards, but the Board was asking for an impossible situation. Ms. Vedder didn't feel the preparation of minutes should be discussed this evening when there was a room full of people who were present for an item that was on the agenda.

Ms. Poma said she disagreed. She felt the public should be aware of when things like this occurred.

Mr. Hicks didn't feel anyone was advocating for non-public discussion, but he felt it could be discussed at a more appropriate venue when it was actually an item of business. Mr. Hicks said that relative to the legal review standards that were cited in both the documents Ms. Vedder had provided the Board, there was certainly enough for the Board to discuss. Mr. Hicks said he agreed with Mr. Fletcher in that there was probably a happy medium between what would satisfy a legal review standard versus what Board members wanted to see in the minutes.

Mr. Fletcher requested that the matter of the preparation of the Township Board minutes be placed on the next Board agenda for discussion.

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

#### **5. Delta Township Records Retention and Disposal Schedule.**

Mr. Fletcher said at their last meeting, the Board was given a presentation by Dave Marquette on records retention and disposal schedule. He noted that Mr. Marquette

provided the Board with several documents that detailed what was involved with this process.

**MOTION BY PIZZO, SECONDED BY SPAGNUOLO, THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA ADOPT THE PROPOSED DELTA TOWNSHIP RECORDS RETENTION AND DISPOSAL SCHEDULE TO BE EFFECTIVE IMMEDIATELY. MOTION APPROVED 7-0.**

**6. Delta Township Purchase Policy.**

Mr. Fletcher said the Township's Purchase Policy was distributed to the Board at their last meeting by Treasurer Pizzo for their review.

Mr. Pizzo said the Township's Finance Director, Jeff Anderson, drafted the proposed Purchase Policy. Mr. Pizzo noted that the Budget/Finance Committee reviewed the draft and added a few items to approve the accountability, transparency, and the emphasis on ethical behavior.

**MOTION BY PIZZO, SECONDED BY SPAGNUOLO, THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA ADOPT THE PROPOSED PURCHASE POLICY FOR THE CHARTER TOWNSHIP OF DELTA TO BE EFFECTIVE IMMEDIATELY. MOTION APPROVED 7-0.**

**6a. Transfer Request of a 2008 B-Hotel Licensed Business (Liquor License Transfer Request)**

Mr. Fletcher said the Township was in receipt of an application from Portfolio-Lansing, LLC, formally known as the Holiday Inn, requesting that their liquor license be transferred. He said the hotel is now known as the Lansing Hotel West.

**MOTION BY POMA, SECONDED BY PIZZO, THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA SET A PUBLIC HEARING FOR APRIL 6, 2009, TO CONSIDER A RESOLUTION APPROVING THE REQUEST BY PORTFOLIO-LANSING, LLC TO TRANSFER B-HOTEL LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT LOCATED AT 7501 W. SAGINAW, LANSING, MICHIGAN 48917, DELTA TOWNSHIP IN EATON COUNTY; AND FURTHER, THE TOWNSHIP CLERK SHALL ADVERTISE SAID PUBLIC HEARING. MOTION APPROVED 7-0.**

**XIV. ITEMS OF BUSINESS**

**7. Proposed Rate Increases for Water and Sanitary Sewer.**

Ms. Spagnuolo said the Utility Committee would like to postpone action on this matter until the Board's April 6, 2009 meeting. Ms. Spagnuolo indicated that the Committee

received information today from the Township's Finance Director regarding penalties applied to water and sewer accounts that warranted further discussion.

Due to the number of Board members that would be absent from the April 6<sup>th</sup> meeting, it was recommended that this item be postponed until April 20<sup>th</sup>.

**MOTION BY SPAGNUOLO, SECONDED BY PIZZO, THAT PROPOSED RATE INCREASE FOR WATER AND SANITARY SEWER BE POSTPONED UNTIL THE BOARD'S APRIL 20, 2009 MEETING. MOTION APPROVED 7-0.**

**8. One Year Extension of Township Manager's Contract.**

Mr. Fletcher said as part of the Township Manager's Contract, there was a performance review each year. Mr. Fletcher said the Administrative/Personnel Committee felt that due to the fact that the Township Board had five new members, the Board could not conduct a fair review of the Manager's performance over the past year. Mr. Fletcher said since the Manager's contract would expire on April 1, 2009, the Committee felt the appropriate course of action would be to extend the contract for one year which would provide the Board a chance to perform a more thorough review and negotiate a more long term contract.

**MOTION BY POMA, SECONDED BY SPAGNUOLO, THAT THE CHARTER TOWNSHIP OF DELTA AGREE TO AN EXTENSION OF THE EMPLOYMENT AGREEMENT AMONG THE CHARTER TOWNSHIP OF DELTA AND RICHARD A. WATKINS FOR THE PERIOD OF ONE YEAR. THIS EXTENSION WILL BE EFFECTIVE APRIL 1, 2009 THROUGH MARCH 31, 2010. MOTION APPROVED 7-0.**

**9. Revised Appointment Policy and Associated Appointment Processes.**

Mr. Fletcher said the Administrative/Personnel Committee attempted to establish a consistent procedure for filling vacancies on various Township committees. Mr. Fletcher said the Clerk's office would now be responsible for maintaining the appointment process. Mr. Fletcher noted that the new policy eliminated the three year term limit that had been in place and it also called for all positions to come up for review once a term expired.

**MOTION BY PIZZO, SECONDED BY VEDDER, THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA ADOPT THE REVISED APPOINTMENT POLICY AND THE BUILDING, MECHANICAL, ELECTRICAL, AND PLUMBING BOARD OF APPEAL PROCESS, THE DELTA TOWNSHIP BOARD OF REVIEW PROCESS, THE PARKS, RECREATION, AND CEMETERIES COMMISSION PROCESS, FIRE BOARD OF APPEALS PROCESS, PLANNING COMMISSION PROCESS, ZONING AND SIGN BOARD OF APPEALS PROCESS,**

**ECONOMIC DEVELOPMENT CORPORATION PROCESS, AND PROPERTY MAINTENANCE BOARD OF APPEALS PROCESS. MOTION APPROVED 7-0.**

**10. Accept Bids for the Wastewater Treatment Plant Drain Pumping Station and Creyts Road Water Storage Tank.**

**MOTION BY HICKS, SECONDED BY VEDDER, THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA ACCEPT THE BID OF \$78,125.00 FROM TL CONTRACTING FOR THE REBUILDING OF THE WASTEWATER TREATMENT PLANT DRAIN PUMPING STATION AND FURTHER, THE TOWNSHIP BOARD ALSO ACCEPT THE BID OF \$117,125.00 FROM M K PAINTING, INC. FOR THE PAINTING OF THE CREYTS ROAD WATER STORAGE TANK. MOTION APPROVED 7-0.**

**11. Millett Highway Water main – Change Order No. 1**

**MOTION BY VEDDER, SECONDED BY PIZZO, THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA APPROVE CHANGE ORDER NO. 1 FOR THE MILLETT HIGHWAY WATER MAIN CONTRACT RESULTING IN A \$2,820.00 INCREASE TO THE CONTRACT PRICE TO AN ADJUSTED CONTRACT PRICE OF \$200,648.00; AND FURTHER, THAT THE WATER MAIN IN SERVICE DATE BE EXTENDED FROM DECEMBER 12, 2008 TO APRIL 24, 2009; AND FURTHER, THAT THE TOWNSHIP SUPERVISOR AND TOWNSHIP CLERK BE AUTHORIZED AND DIRECTED TO SIGN SAID CHANGE ORDER NO. 1. MOTION APPROVED 7-0.**

**12. Coin Operated Amusement Device Licenses for 2009/2010.**

Mr. Fletcher inquired about the need for these types of licenses.

Ms. Vedder said these licenses had been in existence since she has been employed with the Township. Ms. Vedder felt requiring these types of licenses assisted the Township in monitoring for compliance.

Mr. Fletcher questioned the need to require an establishment like Babies R Us to acquire a license for a coin operated device in front of their store.

Ms. Vedder felt most of the establishments the Township had had problems with in the past were bar establishments.

Mark Graham, Township Planning Director, said 25 years ago, the Township had had problems with a particular pin ball establishment. Mr. Graham said at one time, these types of licenses were looked at as a possible revenue source. However, he didn't feel that was now the case due to the fact that the license fees had not been increased over the years and there was a lot of administrative work involved with

process. Mr. Graham said this item could be tabled in order to allow staff to reevaluate them.

Mr. Fletcher felt the Board could go ahead and approve them this evening, but he felt this policy needed to be reviewed.

Ms. Vedder said these licenses had been helpful in the past in that the Fire Department had made inspections and had found electrical issues.

Mr. Watkins said the Township could look at this policy over the next year, but he said it was typical for municipalities to regulate these types of devices.

**MOTION BY HICKS, SECONDED BY VEDDER, THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA APPROVE THE 2009/2010 COIN-OPERATED AMUSEMENT DEVICE LICENSES FOR THE FOLLOWING BUSINESSES:**

**BABIES R US  
B & I BAR  
CHUCK E CHEESE  
DENNY'S RESTAURANT  
FRANKS PRESS BOX  
FUNTYME ADVENTURE PARK  
HOLIDAY INN  
LANSING MALL CINEMA  
MEIJER  
BEST WESTERN (MIDWAY)  
OADE'S BAR & GRILL  
RENO'S WEST  
TONY M'S  
WAL-MART  
ZAP ZONE**

**MOTION APPROVED 7-0.**

**13. Dental and Life/Disability Insurance Contracts**

Mr. Watkins said there were no changes to the current plan the Township had with Delta Dental and that this evening's action was an extension of what the Township had been providing in the past. Mr. Watkins indicated that the Township currently provided a short term and a long term disability policy. He noted that the short term policy took effect at 90 days and the long term policy took effect at 180 days. Mr. Watkins said it had been recommended that the Township eliminate the short term policy and provides one long term policy effective on the 91<sup>st</sup> day of disability. He

said having one policy was not only cost effective, but it was easier for the Township to administer.

**MOTION BY POMA, SECONDED BY SPAGNUOLO, THAT THE TOWNSHIP BOARD APPROVE THE RENEWAL OF THE DELTA DENTAL RATES FOR THE PLAN YEAR OF 4/1/09 THROUGH 3/31/10; AND FURTHER, THAT THE TOWNSHIP BOARD APPROVE THE CONTRACT WITH UNUM TO PROVIDE LIFE/DISABILITY INSURANCE BENEFITS, INCLUDING THE CHANGE IN DISABILITY BENEFITS, FOR ALL ELIGIBLE FULL-TIME EMPLOYEES TO BE EFFECTIVE APRIL 1, 2009; AND FURTHER, AUTHORIZE THE TOWNSHIP MANAGER TO SIGN ANY CONTRACTS BETWEEN DELTA TOWNSHIP AND DELTA DENTAL AND UNUM. MOTION APPROVED 7-0.**

**XV. ITEMS FOR DISCUSSION ONLY**

**14. Charitable Gaming License Resolutions Discussion**

Mr. Watkins said within the past year, several non-profit organizations had approached the Township requesting recognition so that they could obtain a charitable gaming license from the State. Mr. Watkins said providing such recognition meant that the Township must determine if they were in fact a non-profit organization. Mr. Watkins said an opinion had been obtained by the Township Attorney who felt the Township would be opening themselves up to liability issues. Mr. Watkins said the Township had since had a non-profit organization request that the Township review and revisit the Attorney's opinion which was the reason why this matter was before the Board this evening.

Mr. Fletcher questioned whether the two attorneys who served on the Board concurred with the Township's Attorney that this opened the Township up to liability issues. Mr. Fletcher said there were some very good groups that existed in the Township and he was concerned with denying everyone, but on the other hand, would the Township be exposing themselves to liability issues.

Mr. Hicks said he was not aware of the requirement to seek approval from the local municipality. Mr. Hicks said he had served on a number of non-profit boards that had applied for charitable gaming licenses who had not sought municipality approval. However, Mr. Hicks said he didn't know how the Township could put their stamp of approval on an organization that stated it met all of the regulations that was required for a non-profit organization.

Ms. Cunningham said she agreed with the Township Attorney's opinion and didn't feel it was something the Township should get involved in.

Mr. Watkins said once an organization obtained approval, it was valid as long as the group was in existence.

Mr. Hicks felt the Board should concur with the Township Attorney's opinion.

It was the consensus of the Board to concur with the Township Attorney's opinion that the Township not grant recognition to non-profit charitable organizations.

#### **15. Michigan Avenue Extension Discussion**

Mr. Graham informed the Board that they had been provided with a chronology that he had prepared, as well as a short report of information pertaining to the Michigan Avenue Extension. Mr. Graham said the first record of recognition of the Michigan Avenue project that he could find in Township records was in 1973 when the Township adopted the Comprehensive Plan that called for the extension of Michigan Avenue from Green Meadows Drive to Canal Road. Mr. Graham said in that same year, Tri-County started a predecessor to the Regional Transportation Plan which also recommended the extension of Michigan Avenue. He noted that when the Township approved a special land use permit for the construction of Mt. Hope Church in 1983, the church was required to provide 80 feet of right-of-way across the northern portion of their property as a stipulation of granting the permit. Mr. Graham said when Gettysburg Farms #3 was developed in 1984, the Township required that the north end of the subdivision be designed with the recognition of Michigan Avenue being extended. He said when the Glen Terra condominium development, now known as Forest Glen, was developed in 1985, a condition for approval was that right-of-way be provided for the future extension of Michigan Avenue on the southernmost portion of that development. Mr. Graham said in 1994, the Township adopted a road improvement program which prioritized road improvement projects. He said at that time, the Michigan Avenue Extension project was given a #5 priority. Mr. Graham said as other road projects were developed over the years, the Michigan Avenue project was given a higher priority.

Mr. Graham said in 2006, the Township had acquired most of the right-of-way for the road extension with the exception of needed right-of-way from the Grand Ledge School District. However, he noted that the right-of-way had now been acquired from the School District which completed the right-of-way needed for the one mile section of Michigan Avenue. Mr. Graham noted that in 2006, the Drain Commissioner began the Carrier Creek drainage project and as a component of that project, there was a culvert installed over the creek for a future bridge. He said in 2007, the Township installed a 20 inch water main between Canal and Creyts Road. Mr. Graham provided a few facts about the road project indicating that the project was approximately one mile in length and that the estimated cost of the project was approximately \$1.5 million. He noted that a Federal grant had been applied for and that Tri-County Regional Planning Commission had authorized the Federal grant. Mr. Graham said 80% of the cost would be paid for by the grant and that Delta Township's local match of the project would be approximately \$320,000. Mr. Graham indicated that the road itself would be under the jurisdiction of the Eaton County Road

Commission. Mr. Graham said he didn't have a design of the road to present this evening, but tentative comments from the Road Commission had been that the road would be designed very similar to the newly constructed Willow Highway between Canal and Creyts Road. Mr. Graham said there would be six foot wide bike lanes on either side of the road, as well as a five foot wide sidewalk.

Ms. Vedder inquired about the flow of traffic through the West Ledge Subdivision and Hallway Lane.

Mr. Graham said the West Ledge subdivision, located off of Creyts Road, was platted in 1956 and was intended to be expanded to the north and to the west. He said the expansion was never built and a number of stub streets were abandoned by the Road Commission. He noted that the first phase of Gettysburg Farms was developed in 1961 and consisted of 21 lots. He said the first phase of Gettysburg Estates was platted in 1959. Mr. Graham said a few years ago, right-of-way still existed for the Michigan Interurban Electric Railroad that was planned between Lansing and Grand Ledge in the early 1900's, but was never built. Mr. Graham said in 1981, the Eyde Brothers Development Company attempted to rezone the 116 acres located at the southwest corner of Creyts and Saginaw Highway. He said the Township denied the rezoning request which subsequently resulted in a lawsuit. Mr. Graham said in 2000, the lawsuit was settled and at that time, the Eydes property was placed in three zoning classifications. He noted that approximately 44 acres of land along Saginaw Highway was placed in a commercial classification and that property to the west of the West Ledge Subdivision was placed in a residential zoning classification where a 320 unit development had been proposed. He noted that approximately 20 acres was placed within an office zoning classification.

Mr. Hicks questioned whether the office zoning would have frontage along Michigan Avenue.

Mr. Graham said yes and that there was no commercial or residential zoning along Michigan Avenue. Mr. Graham said several years ago, Mr. Eyde presented a plan to the Township which showed Hallway Lane within the West Ledge subdivision being extended to the west in order to provide access to the proposed apartment complex. Mr. Graham noted that he didn't know whether the apartment complex would ever be built, but the Township was very concerned with directing all of the residential traffic through a single family subdivision. However, he noted that Mr. Eyde owned property that extended to Saginaw Highway and Creyts Road and that a road could possibly be built to Saginaw Highway or Creyts Road as alternative access.

Mr. Fletcher questioned whether the Township would be in the position to require that of Mr. Eyde.

Mr. Graham felt that would be a question for the Township Attorney. He said for major residential developments, the Township always attempted to mandate a

minimum of two access points. He said the Township would be concerned with only having one access point on Michigan Avenue for 320 units in case something happened to that sole access point. Mr. Graham said it would be ideal to have access on both Creyts and Michigan Avenue for the residential area. However, he said Mr. Eyde had objected to the Township's proposal of building a north-south road between West Saginaw and Michigan Avenue because Mr. Eyde was concerned with cut-thru traffic from the commercial area through the residential area. Mr. Graham said Mr. Fletcher's question was well taken and that it would definitely be a question the Township would consider when reviewing any site plans for Mr. Eyde's property.

Ms. Cunningham asked how much money had been spent so far on the Michigan Avenue Extension project.

Mr. Graham guesstimated that approximately \$750,000 had been spent so far.

Mr. Hicks asked Mr. Graham to address the position of the Tri-County Regional Planning Commission regarding a substitute project.

Mr. Graham said the Township Engineer, Dennis Williams, would be more qualified to comment on that. He noted that Mr. Williams was the Township's representative on the CARTS committee and he had served in that capacity for a number of years.

Mr. Hicks said representatives of the Tri-County Regional Planning Commission had indicated that if the Michigan Avenue Extension project was withdrawn, there wouldn't be a "substitute" project awarded to Delta Township.

Mr. Graham said there was still the possibility that if the Michigan Avenue project was withdrawn early enough, that those monies could be transferred elsewhere in the Tri-County Region.

Dennis Williams, Township Engineer, said Mr. Graham was correct and that there was no recovery to another project in Delta Township, or in Eaton County, if the Michigan Avenue project didn't proceed. Mr. Williams said in order to qualify, the project had to be listed in the Transportation Improvement Plan (TIP) and the project had to be within a three bracketed year segment. He said at the present time, all of the projects that were in the TIP were earmarked for specific projects within a three year period.

Ms. Cunningham inquired about the history of the Michigan Avenue Extension project and how it became a high priority. Ms. Cunningham noted that one of the concerns several of the residents had expressed was that the project had been in existence for several years, but they had questioned why it was being considered at this time.

Mr. Williams said the Michigan Avenue Extension project had been in the Township's long range plan which was updated every 30 years. Mr. Williams said each time the

long range plan was updated, the Michigan Avenue project had been reprioritized. He said as road projects were completed, the Michigan Avenue project moved up in priority. Mr. Williams said the extension of Michigan Avenue was actually a 2009 project, but in order to make the funding work in the region, the project was postponed approximately two years ago.

Ms. Cunningham inquired about other road projects that had been completed before the Michigan Avenue project.

Mr. Williams said Michigan Avenue was widened, as well as St. Joe Highway and Canal Road. He noted that improvements were also made to Willow Highway from Elmwood to Canal Road. Mr. Williams said road projects were completed within the Township's industrial tract as well.

Mr. Fletcher questioned why the extension of Michigan Avenue had always been considered such a key priority for the area.

Mr. Williams said if you look at a map of Delta Township and the population density that existed in the Township, there were not enough roads. He noted that Michigan Avenue had always been planned to extend to Canal Road similar to when it was extended from the former terminus at Green Meadows. Mr. Williams said when Michigan Avenue was extended to Creyts Road, South Mall Drive didn't exist. However, he said South Mall Drive was another road project that was built after Michigan Avenue was extended to Creyts Road.

Ms. Poma questioned whether Mr. Eyde had a time frame in which his property would be developed. Ms. Poma said she was concerned with allowing 320 residential units and 20 acres of office development without additional access points.

Mr. Fletcher said the Township didn't know when Mr. Eyde would develop his property, but Mr. Eyde had already won the legal right to develop his property.

Mr. Hicks felt that was an extremely important point that was often overlooked. Mr. Hicks said it wasn't an issue of whether the Township could prevent Mr. Eyde from developing his property because it had been fully litigated. Mr. Hicks said the reason why the Township created a Comprehensive Plan was because it didn't have the benefit of trying to guess what was going to happen in the Township. He noted that the whole idea behind a master plan was to project forward. Mr. Hicks said what the Township did know was that Mr. Eyde had the absolute right to develop 20 acres of office and 320 residential units which he felt factored in to why the Michigan Avenue project had become a higher priority.

Mr. Fletcher asked if there was anyone in the audience who would like to speak on this matter.

Doug Kosinski, 7305 Glenn Terra Drive, said he represented the Citizens against Michigan Avenue Extension who would like to extend their appreciation to the Township for scheduling this item for public discussion. Mr. Kosinski said they would also like to extend their thanks for making available research materials that had been prepared by the Planning Department which provided them with valuable insights into the thought process. Mr. Kosinski said there had been numerous comments that had been made this evening and a considerable amount of content in the report he felt needed to be responded to.

Mr. Kosinski proceeded to review the report prepared by the Planning Department that provided a general overview of justifications for the Michigan Avenue Extension project. Mr. Kosinski said the report suggested that the extension of Michigan Avenue would provide an alternative access to Saginaw Highway and St. Joe Highway for east-west traffic. Mr. Kosinski said to his knowledge, there had been no contemporaneous traffic study done to determine whether the alternative route was necessary or whether the extension would accomplish that. Mr. Kosinski suggested that when a study was done, it was likely that Michigan Avenue would not be a particularly viable alternative for east-west traffic for several reasons. He noted that the eastern terminus of Michigan Avenue at Martin Luther King Boulevard in Lansing was relatively obscure and that it was not a particularly welcoming route from Lansing to the west side. Mr. Kosinski said another point that had been made in the study was the issue of access to vacant commercial parcels. He noted that Mr. Eyde already had access to two major roadways being Creyts and Saginaw Highway. He noted that the Lansing Mall had been in existence for a considerable length of time with access to two major roadways being Elmwood and Saginaw Highway. Mr. Kosinski felt it was questionable whether a third route of access was required. However, he said if a third access was required, he didn't feel it would be unreasonable that the bulk of the obligation would fall upon the developer.

Mr. Kosinski indicated that there hadn't been any data presented to suggest that the Mt. Hope Church needed access beyond what they already had on Creyts Road. He noted that if the church needed additional access, a paved stub of Michigan Avenue the church had installed provided them with access to Michigan Avenue and to all points east. Mr. Kosinski said the report indicated that the Michigan Avenue Extension would provide a connection to the existing road stubs of Williamsburg Road and Forest Glen Drive. Mr. Kosinski said the Williamsburg Road neighborhood already had two points of access being Canal and St. Joe Highway. He questioned why Forest Glen Condominiums had been signaled out for being a critical issue of having a second point of access when the Township had had no difficulty approving several hundred residential units on the west side of Canal with no possibilities for a second point of access. Mr. Kosinski said in regards to school expansion, he noted that the Grand Ledge School District already owned a significant amount of property that could be used for access to any expansion or new construction on the easternmost portion of their property.

Mr. Kosinski said the report had indicated that the Michigan Avenue Extension would be beneficial to residential neighborhoods. He said one of the benefits cited was quicker emergency vehicle response times. Mr. Kosinski said any improvement in response times by emergency vehicles would be marginal at best due to the fact that emergency vehicles would still have to traverse residential streets. Mr. Kosinski said the report suggested that the Michigan Avenue Extension would reduce time and gasoline usage for vehicle trips. Mr. Kosinski noted this seemed unlikely to be a significant benefit. He indicated that the maximum savings that would be realized on a trip to Lansing for someone who lived in Gettysburg Estates, Gettysburg Farms, or Forest Glen would be approximately ½ mile per trip. He felt any savings would likely be off-set by the need to stop at additional traffic signals and additional turning movements. Mr. Kosinski said the report also suggested that there would be a benefit to the installation of a traffic signal at the intersection of Michigan Avenue and Canal whereby, creating gaps in traffic which would facilitate turning movements onto Canal Road from the adjacent subdivisions. Mr. Kosinski said it was impossible to know whether a benefit would occur and in fact, a traffic signal could actually exasperate an already bad traffic situation on Canal road during peak times and that the only way to know whether a traffic signal would improve the situation was to conduct a traffic study.

Mr. Kosinski said the report argued the fact that the neighborhoods would benefit from access to the sidewalks and bike lanes along the Michigan Avenue Extension. Mr. Kosinski said while sidewalks would be nice, access would be better served by the alternative of a mixed use non-motorized pathway connecting Canal and Creyts Road. He said the report also suggested that school children in the Forest Glen and Carrier Creek developments would have improved pedestrian access to Delta Center. Mr. Kosinski said he disagreed due to the fact that those routes would be along a potentially busy street and would necessitate an additional pedestrian crossing of a three lane road by school children who resided north of Michigan Avenue. Mr. Kosinski felt that every justification that had been presented in the report was questionable and certainly in need of further research and study.

Mr. Kosinski said regarding financial information contained in the report, it was noted that the extension of Michigan Avenue would cost approximately \$1.5 million and that \$320,000 would be Delta Township's local match. Mr. Kosinski said there were other controversial projects the Board was considering, one of which was the Creyts Road sidewalk project. Mr. Kosinski said \$320,000 was sufficient funds to pay the additional marginal costs for constructing sidewalks north of Saginaw Highway along Creyts and Webster Road rather than a mixed use path if Federal funding was forfeited. Mr. Kosinski felt a mixed use path could be constructed between Canal and Creyts for a total cost of approximately \$250,000 which would result in many pleased residents. Mr. Kosinski said in regards to the point that significant public funds had already been expended on this project, he felt the

question before this Board and in front of all public policy makers should be what good public policy was today. Mr. Kosinski didn't feel public policy should be shaped based on the fact that money had already been spent. He felt the extension of Michigan Avenue should be evaluated as a new project today.

Mr. Kosinski said the traffic volume data that was referred to in the report was from a 2007 study on Saginaw Highway and that the rest of the data was taken from a 4 to 12 year old study. Mr. Kosinski said circumstances had changed in that period of time suggesting that more traffic studies needed to be done in order to adequately research this project. Mr. Kosinski said the report referred to future road improvements within the Township and the fact that the St. Joe Highway widening project was scheduled for 2013. Mr. Kosinski noted that the most recent Transportation Improvement Plan prepared by the Tri-County Planning Commission had indicated that the St. Joe Highway widening project had been removed. Mr. Kosinski felt the St. Joe Highway project should be revisited and strongly advocated by the Board. He noted that the St. Joe Highway project had the potential of providing considerable relief for east-west traffic, provide better service to one of the fastest growing residential neighborhoods in the Township west of Canal Road, and would better serve the public.

Mr. Kosinski said he found it interesting that while the report addressed possible mitigation measures that could be considered, it also acknowledged the negative impacts on homeowners. He said the point was raised about the fact that homeowners did not know how close the road would be from their homes. Mr. Kosinski said he lived on the south side of Glen Terra Drive and that he had measured the distance from his home to the road right-of-way. Mr. Kosinski indicated that his bedroom wall would be approximately 40 feet from the road right-of-way and that other units within his development would be closer. Mr. Kosinski said a possible mitigation to be considered was shifting the Michigan Avenue roadway to the north or south where homes were located in close proximity to the right-of-way. However, he said there was only 80 feet of right-of-way which didn't leave a lot of room to shift the road around. Mr. Kosinski said he would like to point out inconsistent action the Board had previously taken. He said the extension of Michigan Avenue would be a three lane road with a six foot wide bike lane and sidewalks on both sides. He said another aspect of the Township's plan was for a 10 foot wide mixed use pathway along the right-of-way, thereby extending the amount of area needed for the road extension. Mr. Kosinski didn't feel this was a very effective mitigation measure when you look at the clearance between the homes in the Gettysburg Subdivision and the condominiums in Glen Terra.

Mr. Kosinski said another possible mitigation measure that had been suggested was the installation of a six foot solid wood fence in selected areas where homes were located in close proximity to the roadway. He said an example was given in the report that fencing was found to be a satisfactory mitigation for the construction

of a sidewalk adjacent to Park Meadows Condominiums. Mr. Kosinski didn't feel it was the intent of the report to suggest that what constituted a satisfactory mitigation for a sidewalk would be adequate for a three lane road with sidewalks and a bike lane. He noted that another possible mitigation measure was the installation of a berm in selected areas. Mr. Kosinski said that if you look at the close proximity of the homes in the areas that would be most affected, there was simply not enough room to construct a berm. He said the last possible mitigation measure was the elimination of the center turn lane at selected points in order to narrow the road width. He said at most, it would be a 12 to 14 foot impact which was insufficient to achieve any meaningful mitigation in regards to noise. Mr. Kosinski said the report addressed miscellaneous issues where several points were raised. He said it was noted that 50 residences would abut Michigan Avenue. Mr. Kosinski said while 50 residences were hardly insignificant, he didn't feel they would be the only ones affected. Mr. Kosinski felt a good indication of how many people would in fact be affected by this road was the number of people in attendance this evening, not all of whom lived in a residential neighborhood that directly abutted the road. He noted that every resident of the three neighborhoods would be negatively impacted by the extension of Michigan Avenue in the form of increased traffic, property values, safety, and quality of life.

Mr. Hicks said in all fairness to staff, he didn't feel there was any insinuation that this project only affected 50 homes and that the report simply pointed out that approximately 50 homes would abut the road.

Mr. Kosinski said that was a fair observation and that it was certainly not his intent to suggest the report was purposely mis-leading.

Mr. Kosinski said the report also noted that environmental issues related to the Michigan Avenue crossing of the Carrier Creek had been addressed. However, he felt it was unlikely that this was the case and that the extension of Michigan Avenue would create additional impacts. Mr. Kosinski said it wasn't just the Carrier Creek that would be affected, but the road would traverse a considerable amount of wildlife habitat which would result in a significant negative impact. Mr. Kosinski said the report noted that select streets in the Gettysburg Farms Subdivision and Forest Glen Condominiums would be expected to experience increased traffic volumes as a result of the Michigan Avenue Extension, but the report didn't analyze what the impacts would be. Mr. Kosinski encouraged Board members to visit the neighborhoods and look at the roads that were not designed to carry any traffic beyond that of the residences that already existed. He said there would inevitably be cut-thru traffic through the neighborhoods which would have a negative impact on the residences.

Mr. Kosinski said there were several issues that had previously been mentioned that he would like to reiterate. Mr. Kosinski said this was not to suggest that these issues were consciously omitted from the report, but he felt the Board needed to

take into account the effects the extension of Michigan Avenue would have on property values. He said the road would significantly impact the quality of life in terms of noise and the enjoyment of property. He said the report did not take into account any additional costs that would be realized for mitigation, pedestrian crossings, traffic controls, and a number of other issues that would arise during construction. He said recognizing the time frame and the purpose for which the report was being prepared, the report did not include input from any of the homeowners that would be directly affected and that it would be premature for the Township to take any action without having that input. Mr. Kosinski said it had been suggested that homeowners failed to exercise due diligence by not being aware of the fact that the road right-of-way existed. Mr. Kosinski said that may be true, but he didn't feel a majority of the residences knew about the proposed extension and that the residents of Forest Glen were never formally notified by the Township or by anyone else involved in the transaction when the residents purchased their property. Mr. Kosinski said it was interesting that until 2006, the right-of-way ended approximately 1/3 of a mile short of Canal Road and that anyone who purchased their property before 2006 would not have been aware of the proposed extension due to the lack of right-of-way in this area.

Ms. Vedder questioned whether Mr. Kosinski was stating that people who purchased property in the adjacent neighborhoods were not aware that Michigan Avenue would be extended.

Mr. Kosinski felt he could state that most of the residents were not aware of the proposed extension. Mr. Kosinski said he couldn't address the issue of whether they should have been, but in the most technical sense, they certainly should have been.

Ms. Vedder said when Glen Terra was proposed, the residents in the Carrier Creek Condominium development located to the north were very much aware that Michigan Avenue would be extended in the future. Ms. Vedder said the developer of Glen Terra was also made aware of the proposed extension and was required to provide right-of-way at that time.

Mr. Kosinski felt the most important point with regards to due diligence was an issue that wasn't particularly germane to the discussion that should be taking place today. He said whether or not someone was notified 20 years ago was not the only relevant question in light of today's facts. He felt the question was whether this was good public policy and a wise expenditure of public funds.

Mr. Hicks felt it was certainly germane in that several of the inquiries the Board had received were residents stating that had they known about the extension of Michigan Avenue, they would have never purchased their property. Mr. Hicks felt it was certainly germane which made it relevant as a whole.

Mr. Kosinski felt that provided adequate evidence of the negative impact on property values.

Mr. Hicks felt it was too easy to discount the idea that it was not germane to today's discussion when all of the issues were germane to the issue.

Mr. Kosinski said he understood what Mr. Hick's was saying, but he didn't feel it should become a distraction to what did or did not happen in terms of notice.

Mr. Hicks said he did not necessarily disagree, but rather he was suggesting that it was one of many issues.

Mr. Kosinski said in summary, the report had certain issues that needed to be resolved in terms of inadequacies. He said much of the data was outdated and many crucial issues were not addressed because the report was intended to provide justification for the project. He felt the report lacked the balance that was critical to a complete understanding of the issues involved. Mr. Kosinski said circumstances since the extension of Michigan Avenue was initially proposed in 1973 had changed significantly and all of those changes and the current circumstances needed to be taken into account before any decisions were made. Mr. Kosinski said the Citizens against Michigan Avenue Extension were present this evening to repeat their request that this matter be referred to the appropriate committee of the Township for study and determination. He said they remained ready to meet with that committee and provide whatever assistance they could to ensure that all sides were represented and that all relative issues were exhaustingly studied before a decision was made.

Mr. Fletcher said he appreciated Mr. Kosinski's appearances before the Board and he appreciated the helpful information Mr. Kosinski had provided concerning this issue. Mr. Fletcher said he also appreciated the comments made by those who sent the Board e-mails on this issue and that the Board liked hearing from the residents and their views.

Jim Osieczonek, 316 N. Creyts Road, said he was probably the one person who was outside of the area that would be affected by the extension of Michigan Avenue. Mr. Osieczonek noted that the extension would provide him with an alternative route of transportation, but he felt the issue was more about the impact the project would have on the neighborhoods. Mr. Osieczonek said everyone had addressed several boards and committees on this issue, but nothing had been done. Mr. Osieczonek felt it was time for the residents to form a committee and meet with Township officials to discuss possible options that could be explored. Mr. Osieczonek noted that the developer was not the resident's enemy regarding this matter and that the developer had the legal right to develop his property. However, he said the residents did not want the development to happen at the expense of their neighborhood. Mr. Osieczonek said it was his understanding that the developer of the property located at the southwest corner of the Creyts/Saginaw Highway intersection had already obtained the legal right to use Holloway Lane within the West Ledge subdivision as

an access point which was a major concern even if Michigan Avenue wasn't extended. Mr. Osieczonek said there were several concerns that needed to be addressed, but he didn't feel they could be addressed at a podium.

Mr. Fletcher said he did not want anyone leaving the meeting this evening with the impression that nothing was being done on this issue. Mr. Fletcher noted that the extension of Michigan Avenue had been discussed at the Township's Transportation Committee meetings and had been placed on this evening's agenda for further discussion. Mr. Fletcher indicated that if the Board made any decisions to modify the project, it would be done before any funding deadlines were issued by the Tri-County Regional Planning Commission.

Dave Arking, 223 Williamsburg Road, said he didn't have much to add to Mr. Kosinski's presentation, but he felt the point about what homeowners should have done in terms of due diligence when they purchased their property seemed to be of importance to the Board. Mr. Arking said he purchased his home in 2000 and at that time, he tried to do his best to research the area by talking to his neighbors, consulting with his Realtor, and reviewing a plat book which was one of the few resources he knew of at the time. Mr. Arking said he had noticed that the plat book illustrated a stub street coming off of the existing Michigan Avenue and traversing from Creyts Road and terminating at Carrier Creek. Mr. Arking noted that he went to the Township and was told that the stub street was for the future extension of Michigan Avenue. Mr. Arking said there was nothing that indicated to him that Michigan Avenue would be extended all the way to Canal Road, or even across Carrier Creek. Mr. Arking said he had made an honest effort to find out what was going on around him before he purchased his home and he suspected that other homeowners had done the same. Mr. Arking said he agreed with Mr. Kosinski in that this issue should not be a distraction to the main issue as to whether the extension of Michigan Avenue was good public policy today. He felt a lot had changed since this project was first envisioned and he felt it needed to be looked at with today's facts.

Jeanne Pearl Wright said she was a county commissioner who not only represented the residents that were present this evening, but she also was a resident of Gettysburg Estates. Ms. Wright said she didn't understand how there could be adequate traffic control by going from a four lane road on the east side of Creyts Road to a three lane road west of Creyts Road. Ms. Wright felt that in 1973, the plan called for Michigan Avenue to be extended to M-100, but she noted that with all of the development that had taken place along St. Joe Highway, she felt the money would be better spent on improvements to St. Joe Highway. Ms. Wright said when she purchased her home on Rapidan, the property behind her was originally zoned for residential, but she now abutted office buildings instead of single family homes which was why she didn't feel anyone could look backwards to what had been done in the past, but rather we should be looking forward. Ms. Wright said she couldn't afford to move when the quality of life that she thought she had bought into was gone. Ms. Wright said she had expressed her concerns to Commissioners Freeman and

Strachan at Tri-County Regional Planning Commission about the extension of Michigan Avenue. Ms. Wright felt this issue needed to be further researched and could even be changed.

John Cotter, 7102 Mandell Circle, said his property would abut the extension of Michigan Avenue. Mr. Cotter said a question was raised this evening as to how much money had been spent already on the Michigan Avenue Extension project. Mr. Cotter said he was a CPA and a term that had not been provided was “sunk” costs which simply meant that monies were gone. Mr. Cotter said for example, you could purchase a lap top for \$2,000 and have it be sufficient for a number of years and then spend \$400.00 on repairs when you spent \$2,000 several years ago. Mr. Cotter said he understood how nice Federal matching monies were, but due to the residents present this evening, the monies should be forfeited and given to someone else in the Tri-County area. Mr. Cotter said as much as he enjoyed Mr. Kosinki’s presentation, he understood that studies took time and they may not be done quickly enough to provide a decision which would permit the Federal funding to be spent elsewhere.

Mark Abood, 209 Harpers Way, said he would like to mention Charles Leap who resided on Roanoke and who had recently passed away. Mr. Abood noted that Mr. Leap was a very zealous gentleman who had a lot of good input about the community. Mr. Abood said he believed that growth and development were good, however, he felt growth and development needed to have homework and research. Mr. Abood noted that he had been an appraiser for approximately 24 years and he couldn’t convey an opinion of value without doing research and an analysis first. He felt it was evident by everything that had transpired thus far that there hadn’t been enough homework done. Mr. Abood felt the homework should have been done first and that the Township was putting the cart before the horse. Mr. Abood said there were several implications that impacted several subdivisions from several different directions and he had yet to hear any discussion regarding the loss of green space. Mr. Abood felt a lot more homework had to be done before a decision was made.

Terry Largent, 7204 Glen Terra Drive, questioned why the Township didn’t create a Mandell Circle on the east side of the Glen Terra development. Mr. Largent questioned what the grade of Michigan Avenue would be. Mr. Largent indicated that there were very few access points proposed along Michigan Avenue and he questioned why money had to be spent on a three lane roadway. Mr. Largent said he had purchased his home in Glen Terra for the fact that it was a closed subdivision with easy in and easy out access. He noted that by having a closed subdivision, people didn’t use it as a cut-thru. Mr. Largent questioned whether the Township was committed to paying prevailing wages to contractors, or would smaller companies be hired.

Phil Chisholm, 1132 Vail Court, passed out handouts to the Board pertaining to the Michigan Avenue Extension project. Mr. Chisholm said he could speak on this project from an historical standpoint in that he first became involved with the

Township in 1974 and had witnessed the project move along. Mr. Chisholm said he had reviewed the comments that were passed out several weeks ago by the group who was opposed to the extension of Michigan Avenue and he had listened to the comments that had been made this evening. Mr. Chisholm proceeded to address the citizen's concerns regarding the allegation that the extension would not relieve traffic pressure on Saginaw Highway and in fact, would be a road to nowhere. Mr. Chisholm said the extension of Michigan Avenue would relieve traffic on Saginaw and St. Joe Highway. He said it wouldn't be a dramatic change, but several traffic studies received by the township had indicated that parallel routes must be developed for Saginaw Highway. Mr. Chisholm said the Township had repeatedly received complaints about the amount of traffic on Saginaw Highway, but the only way to deal with that problem was to provide an alternate route. He said the relief would come primarily from the shorter or local trips because those were the type of trips that the extension would address. Mr. Chisholm said Forest Glen and Williamsburg residents heading to downtown Delta would be able to use Michigan Avenue to travel east to Mall Drive South or Snow Road and then north, avoiding Saginaw Highway altogether. Mr. Chisholm said residents in the apartments and mobile homes on the west side of Canal Road, as well as Creekside and Sunset residents, would also be able to use the extension to avoid using Saginaw Highway. He said Michigan Avenue traffic heading west of I-96 could use the extension to Canal and south avoiding the St. Joe/Creyts Road intersection.

Mr. Chisholm said in regards to the point that had been made that the extension would not open properties for development that were not already served by a major street, he said the land west of the West Ledge Subdivision was a ticking time bomb for those residents. Mr. Chisholm said as the area developed, anybody coming from the south would use Hallway as an access point to the Eyde property which would have a negative impact on Hallway if Michigan Avenue wasn't extended. He noted that historically, motorists took the path of least resistance. Mr. Chisholm said it was not true that the project had not been reevaluated since being put on the books approximately 30 years ago. He noted that in 1994, the Michigan Avenue Extension was listed as a #5 priority in the Township's Road Improvement Program, in 1997 the project became a #4 priority, in 2001 the project became a #3 priority, and in 2006, the project became a #2 priority. Mr. Chisholm said with the completion of the Willow Highway Widening project, the Michigan Avenue Extension became the top priority. He noted that the Township's Transportation Committee periodically reviewed the road projects and submitted a recommendation to the Township Board which adopted the Road Improvement Program. Mr. Chisholm noted that when the Michigan Avenue extension was first proposed, it was part of the Township's Master Plan which envisioned the residential development along the corridor. He said the residential developments that existed today were envisioned in the master plan when Michigan Avenue Extension was first proposed.

Mr. Chisholm said in regards to safety and property values being harmed in the neighborhoods, he said the extension of Michigan Avenue would greatly improve

safety for the north Williamsburg area. He said if something should block Williamsburg, east of Sherman, there wouldn't be any access to the area. Mr. Chisholm said he had visited the area of Mt. Hope Highway last summer after the area was hit by a tornado and he had witnessed the road being blocked by fallen trees. He said emergency crews were unable to get through until the trees were cleared from the road and he felt the same situation could occur on Williamsburg. Mr. Chisholm said with the extension of Michigan Avenue, emergency vehicles responding from the north could enter Williamsburg from the north and emergency vehicles responding from the east would have direct access across Michigan Avenue thus avoiding having to detour down to St. Joe Highway to Canal. Mr. Chisholm felt the extension of Michigan Avenue was a safety benefit for all of the Canal Road area. Mr. Chisholm said the point had been made that traffic studies had not been done. Mr. Chisholm said this project had been studied by the Township over the years and in addition, it had been reviewed and approved by the Tri-County Regional Planning Commission and its committees. Mr. Chisholm said in order for a project to qualify for Federal funds, a project had to go through a number of reviews. He noted that the Michigan Avenue project had gone through all of the reviews over the years.

Mr. Chisholm said in regards to the project diverting funds from other much more productive projects such as the St. Joe Highway bridge, he noted that improvements to St. Joe Highway west of Canal were the next priority in the Township's current Road Improvement Plan. However, he noted that the widening of the bridge over I-96 would probably never happen due to the expense. He noted that the I-96 bridge was the responsibility of the Michigan Department of Transportation who had basically informed local authorities that they didn't have the funds to widen the bridge. Mr. Chisholm said the bridge over I-96 would be extremely expensive due to the fact that it not only crossed the freeway, but it also crossed the ramp leading to and from the I-496 interchange. Mr. Chisholm said there were concerns expressed regarding the increased traffic volume that would be generated at the Saginaw Highway intersection and the increase in left turning movements. Mr. Chisholm noted that the Michigan Department of Transportation was making improvements to I-96 from south of Saginaw Highway to Eagle and as part of that project, major improvements would be made to the Saginaw Highway/I-96 interchange. He noted that as part of the interchange improvements, dual left turn lanes would be installed at the Canal/Saginaw Highway intersection which would be able to better handle the additional traffic.

Mr. Chisholm said the Michigan Avenue Extension was for the benefit of all Township citizens. He said the project would benefit the residents on both sides of Canal Road allowing them to avoid Saginaw Highway. Mr. Chisholm said there were few, if any, public work projects that didn't have some negative impacts. Mr. Chisholm said he had heard the statement that "if the people didn't want it, it should not be built". He said those people were those that lived next to the project. However, he asked who spoke for the other 30,000 plus residents and business people. Mr. Chisholm said if all public work projects had to answer to the statement "if the people didn't want it, it

should not be built”, few freeways and highways, airports, waste water treatment facilities, sidewalks, and other projects would be built. Mr. Chisholm noted that everyone suffered some impacts from public works for the good of all and that decisions must be made based on the value of a project for the benefit of the whole community. He said at the same time, construction of Michigan Avenue should involve measures to mitigate impacts to those directly affected as much as possible. Mr. Chisholm urged the Township Board to continue to support this needed project. Mr. Chisholm said he lived in Delta Township and he used to live in Gettysburg Estates. He said when he moved to Gettysburg Estates between 1963 and 1964, it was known at that time that the north end of Gettysburg Estates would connect to a future Michigan Avenue. Mr. Chisholm said his house backed up to Snow Road and was located just to the north of I-496 so he was well aware of traffic.

Sarah Crispin, 7311 Glen Terra Dr., said she had purchased her home because of its location and the peace and quiet she experienced. Ms. Crispin said she moved from the city where she couldn't sleep because there was light shining in her bedroom window during the evening. Ms. Crispin said all of the residents in Glen Terra had their bedrooms or living rooms to the rear of their homes where their decks were located and if there was going to be a road 30 feet from her deck, she was going to hate living there.

Dean Crispin, 7311 Glen Terra Dr., said he would like to dispute what Mr. Chisholm had stated about the trailer park benefiting from Michigan Avenue. He noted that the trailer park's access points were north of Glen Terra and when those residents experienced backups at Michigan Avenue, they would use Glen Terra as a cut-thru neighborhood.

Barbara Rinkenberger, 7514 Glen Terra said she lived on the north side of Glen Terra and would not be directly affected as her neighbors would be, but she felt for them and was against Michigan Avenue being extended. Ms. Rinkenberger said she had attended two meetings on this issue and not once had anything been mentioned about the Delta Center Elementary School. She noted that a few of the students walked to school, but if she was a mother with young children, she would be worried for the safety of her children and would walk her children to school. Ms. Rinkenberger noted that Canal Road had a 25 m.p.h. speed limit twice a day when school was in session, but she questioned what good would it do if a traffic signal was installed at Michigan Avenue. Ms. Rinkenberger could not understand the common sense of the project and she felt there were too many negatives.

Mr. Pizzo said he wanted to thank everyone for attending this evening's meeting, particularly the neighborhood that agreed to have representatives who provided a presentation that was direct, comprehensive, and well thought out. Mr. Pizzo said he wanted everyone to know that the Board was listening and he felt a great deal of empathy for the residents. Mr. Pizzo said he and his wife had walked the Michigan Avenue corridor this past weekend and he recognized that the residents along

Halloway would have a view of the road, but that those residents had fairly deep back yards. He noted that the vacant property behind the Mt. Hope Church and the Eyde property would be developed in the future and that an outlet would have to be provided. Mr. Pizzo said the creek crossing was a beautiful area. He noted that many residents lived close to the Carrier Creek, but really didn't get to see it up close. Mr. Pizzo said he recognized how tight the distance was from the side yards of those properties along Williamsburg and the limited backyards of the condominiums from the future Michigan Avenue. Mr. Pizzo said the condominiums were designed such that they didn't have as deep yards as the residents had along Halloway which is why they were condominiums. However, Mr. Pizzo recognized how difficult it would be to squeeze the road in and make any kind of mitigation for the residents.

Mr. Pizzo said he wanted to offer a compromise for consideration. Mr. Pizzo said Michigan Avenue could be built to a ½ mile west of Creyts Road so that the church and Eyde property would have access and then a non-motorized path could be constructed ½ mile west to Canal Road. Mr. Pizzo said he understood the need for two access points which was a standard of the Road Commission and the Township. He noted that the basis for approving the extension of Williamsburg was that it would eventually connect to Michigan Avenue.

Mr. Fletcher noted that Mr. Pizzo was the Township's representative on the Tri-County Regional Planning Commission. Mr. Fletcher inquired about the timeline for the Township to make a decision on the Michigan Avenue project.

Mr. Pizzo said it was a matter of months. He said if there was a change in the Michigan Avenue project for 2010, a new emission study would have to be done which took time. He said otherwise, there wouldn't be an opportunity to chose a new project and it would put in jeopardy all the other projects in the Tri-County area that were planned for 2010 which was significant in these economic times.

Mr. Fletcher questioned whether the Township had the flexibility to reduce the project to half its original length and still receive the Federal funds that had been allocated for 2010.

Mr. Pizzo said he did not know.

Mr. Watkins felt that if the Township agreed to Mr. Pizzo's compromise, the air quality model would have to be run again and it was questionable whether those funds would still be available if the project was changed significantly. Mr. Watkins felt there could be some changes such as the number of lanes in some of the tighter areas and still maintain funding, but he didn't feel there could be any major changes made to the project.

Mr. Fletcher said Mr. Pizzo had indicated that the Road Commission had recommended a second access point for Williamsburg Road and he questioned whether Mr. Pizzo was suggesting that the road be extended to Williamsburg.

Mr. Pizzo said he was asking the Road Commission and the Township to make a compromise in their standards which would not be a simple matter, but it was in recognition that the residents in that area were seeking relief.

Ms. Poma questioned if Michigan Avenue was only extended to the ½ mile mark, she asked what would be done with the right-of-way west of the Carrier Creek.

Mr. Pizzo said a non-motorized path could be extended from the Carrier Creek west to Canal Road where there were woods and green space, as well as a view of the Carrier Creek.

Ms. Vedder said this had been a very difficult project. However, Ms. Vedder said she kept thinking back to when Saginaw Highway was a two lane road and how upset the residents were when they were told that the road would be widened to three lanes and then widened to four and five lanes. Ms. Vedder said a lot of houses were taken as a result of that widening project, but those were the people who made the sacrifice. Ms. Vedder said as difficult as it was, it should be acknowledged that things had changed since this project was proposed in 1973 and that the population in the Township had increased significantly which made the need for the extension even greater. Ms. Vedder said she was willing and interested in discussing possible mitigation measures that had been mentioned such as narrowing the width of the road and installing berms and landscaping. Ms. Vedder noted that it was the Board's job to follow through with what was best for the public now and in the future.

Mr. Hicks said there had been references made to the big bad developer and he felt it was important to dispel the notion that the extension of Michigan Avenue was the Board cow-towing to one person. Mr. Hicks said the multiple residential zoning classification that existed on the Eyde's property was what it was and that it was just one factor in a group of many. Mr. Hicks noted that this project had been in the books for a long time and he was bothered by the inclination and insinuation that the Board was doing something for the benefit of one property owner in the Township. Mr. Hicks said he had received several e-mails on this matter which he had responded to. He felt the Board had demonstrated that it operated with an open mind as evidenced by the Creyts Road project the Board was working on, and that the Board was open to compromise and suggestions. He didn't feel anyone had hit a dead-end this evening that the Board didn't have any preconceived notions regarding this project. Mr. Hicks said nothing could be further from the truth that the Board was just starting to do their homework on this matter and that the homework had been ongoing. However, he said at some point, action needed to take place and it just so happened that it fell on the lap of this particular board. Mr. Hicks said the Board was elected to make a decision on this matter which was why this matter was placed on this evening's agenda for discussion. Mr. Hicks said this was part of the process so

that the Board could make an educated and informed decision. He noted that the decision may not please everyone, but it will be the greatest good for the greatest number as far as he was concerned.

Mr. Fletcher questioned whether this item could be placed on the Transportation Committee's agenda for this Thursday at 4:00 p.m. for further discussion with the citizens.

Ms. Poma indicated that a member of the Transportation Committee would be absent from this Thursday's meeting. She questioned whether a special meeting could be held when a full Committee could meet with the citizens. Ms. Poma said she hasn't been able to respond to all of the e-mails that she had received on this matter, but she would respond to them and she appreciated receiving the e-mails.

Ms. Cunningham felt a special Transportation Committee meeting needed to be scheduled dedicated to the Michigan Avenue Extension project in the near future. Ms. Cunningham said in reference to Mr. Pizzo's compromise, answers to the questions needed to be obtained quickly because the Township didn't want to put in invest a lot of time and energy looking at alternatives that were not possible.

Mr. Fletcher said a meeting could be scheduled once these types of questions were answered so that the Committee actually had data in front of them.

A resident from the audience asked how the residents would know what the dates of the meetings were.

Mr. Fletcher said meeting dates were publically posted on the Township's website.

Mr. Arking said the Township could send notification to him or Mr. Kosinski which had been done in the past.

#### **XVI. BOARD MEMBER, MANAGER, AND DEPARTMENT REPORTS AND COMMITTEE MINUTES**

- 16. Utility and Environmental Committee Minutes – Draft February 17, 2009.**
- 17. Public Safety Committee Minutes – January 12, 2009.**
- 18. Administrative/Personnel Committee Minutes – February 11, 2009.**
- 19. Administrative/Personnel Committee Minutes – Draft march 4, 2009.**
- 20. Tri-County Regional Planning Report – February 27, 2009.**

Mr. Fletcher said the minutes were brought forward for the Board's information.

Mr. Watkins said because of Waverly School' financial situation, they were considering closing the pool at Waverly East which was the pool the Township used for their recreational programs. Mr. Watkins said Waverly Schools would start discussing this issue tonight and had indicated that they would have a final decision by April 20th. Mr.

Watkins said the Board needed to have discussion with regard to the recreational programs should the school chose to close the pool.

Mr. Watkins said in regards to stimulus funding, he noted that there had been several projects listed in the newspaper where municipalities such as the City of Grand Ledge and the City of Lansing had been awarded projects. However, he noted that those projects had not actually been awarded yet. Mr. Watkins said from what he understood, those municipalities were using the State Revolving fund and the applications that were already in place in the State Revolving Fund to make those initial decisions. He said the Township did not use the State Revolving Fund so actually none of the Township's projects were considered because it was not on the list. Mr. Watkins said the Township may be able to get to be considered in the second round of funding with regards to utility funds. He noted that one of the Township's utility projects had a energy savings issue and that there was an energy part of the stimulus funding the Township would also look into. Mr. Watkins said he was disappointed that the State Revolving Fund projects that were already on the list were the only projects that were being considered at this point. He noted that it wasn't the merit of the Township's projects, but rather the Township did not use the State Revolving Fund for its projects.

Ms. Cunningham said she was disappointed in the Board minutes. She said having served on the previous Board, a comment was made by Clerk Vedder that the Board had been vague and laxed in the past and was disappointed that the Township Manager had stated that he had to interpret what the Board wanted. Ms. Cunningham said this was during the discussion regarding the Manager's evaluation. Ms. Cunningham said she didn't feel this was true and that previous direction of the Board had always been that every Board member was to be notified in the event of any type of fire, major police conflicts and so forth, that put the residents in danger. She said it was a consent issue with the Board that the Board members wanted constant communication from the Manager's office. Ms. Cunningham said it was her opinion that the Manager's office had done a great job improving of that over the past three years of making sure the Board received phone calls. Ms. Cunningham said she was very distressed that she was not informed of the tragedy that occurred on Stoll Road and in fact, found out from her son at 6:00 p.m. who had received text messages, that it was a teacher at Waverly High School. Ms. Cunningham said as Chairman of the Public Safety Committee, she expected to be notified as soon as possible any time there was a major health or public safety issue within the Township. Ms. Cunningham said she would like to defend the previous board in that she didn't feel they were laxed and unclear and would like the minutes to reflect this.

Ms. Vedder said the minutes were summarized. She said the Board was discussing the Strategic Plan and priorities. Ms. Vedder noted that the Board was discussing the fact that at some point in time, they were laxed on zeroing in on what the Board really wanted out of the Strategic Plan. Ms. Vedder said her comments were not a reflection on the previous Board, but rather the Board was discussing about setting priorities in the Strategic Plan.

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

**XVII. ADJOURNMENT**

TRUSTEE HICKS MOVED THE MEETING ADJOURN AT 9:45 P.M.

CLERK VEDDER SUPPORTED THE MOTION. MOTION PASSED 7 TO 0.

**CHARTER TOWNSHIP OF DELTA**

JANICE VEDDER, TOWNSHIP CLERK

KENNETH FLETCHER, TOWNSHIP SUPERVISOR