

## **CHARTER TOWNSHIP OF DELTA**

In compliance with Governor Whitmer's Michigan Public Act 228, this meeting was conducted via Zoom Webinar Platform

### **TOWNSHIP BOARD REGULAR MEETING MINUTES FOR MONDAY, DECEMBER 7, 2020**

#### **I. CALL TO ORDER**

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

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

#### **III. ROLL CALL**

Members Present: Supervisor Kenneth R. Fletcher, Treasurer Dennis R. Fedewa, Clerk Mary R. Clark, Trustee Fonda J. Brewer, Andrea Cascarilla, Trustee Mojica, and Trustee Elizabeth S. Bowen

Members Absent: Trustee Mojica (arrived at 6:02pm)

Others Present: Manager Brian T. Reed, Assistant Township Manager Alannah Doak, Planning Director Gary Bozek, Township Engineer Ernie West, Finance Director Courtney Nicholls, Chief Gregg Ginebaugh, Parks, Recreation, and Cemeteries Director Marcus Kirkpatrick, Lt. Ross Tyrell, and Department Assistant-Managers Office Mary Worland, Department Assistant-Engineering Jennifer Bernardin, Accountant Carlin Eiseler, Planner Matt McKernan

TRUSTEE CASCARILLA MOVED TO EXCUSE TRUSTEE MOJICA FROM THE DECEMBER 7, 2020 REGULAR BOARD MEETING.

CLERK CLARK SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

#### **IV. PRESENTATIONS AND PROCLAMATIONS**

#### **V. SET/ADJUST AGENDA**

TREASURER FEDEWA REQUESTED A DISCUSSION ON BROOKSIDE CROSSING JUDGEMENT BY THE APPEALS COURT BE ADDED TO THE AGENDA.

TRUSTEE BREWER MOVED TO APPROVE THE AGENDA AS AMENDED.

TRUSTEE BOWEN SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

**VI. PUBLIC HEARINGS**

**VII. COMMUNICATIONS**

**1. Tri-County Regional Planning Commission 45-Year Plan**

**VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA** *(maximum two minutes)*

Kathleen Knippenberg from Our Saviour Lutheran Church, wondered if the Board needed further information for agenda item number six.

**IX. INTRODUCTION OF ORDINANCES**

**2. Introduction of Collection Bin Ordinance Amendments**

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE AMENDMENTS TO CHAPTER 46, SECTIONS 46-5 THROUGH 46-15 OF THE DELTA TOWNSHIP CODE OF ORDINANCES, PERTAINING TO COLLECTION BINS. THE TOWNSHIP CLERK IS HEREBY DIRECTED TO ADVERTISE THE INTRODUCTION IN LOCAL NEWSPAPERS, WITH FINAL CONSIDERATION OF THE PROPOSED ORDINANCE AMENDMENTS SCHEDULED FOR THE DECEMBER 21, 2020 TOWNSHIP BOARD MEETING.

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

**3. Introduction of Code of Ordinance Amendments, Chapter 40, Utilities**

TRUSTEE CASCARILLA MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE AMENDMENTS TO CHAPTER 40, SECTIONS 40-59, 40-60, 40-137, 40-138, 40-188 THROUGH 40-204, 40-234, 40-342, AND 40-505 THROUGH 40-515 OF THE DELTA TOWNSHIP CODE OF ORDINANCES, PERTAINING TO UTILITIES. THE TOWNSHIP CLERK IS HEREBY DIRECTED TO ADVERTISE THE INTRODUCTION IN LOCAL NEWSPAPERS, WITH FINAL CONSIDERATION OF THE PROPOSED ORDINANCE AMENDMENTS SCHEDULED FOR THE DECEMBER 21, 2020 TOWNSHIP BOARD MEETING.

TRUSTEE BREWER SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

**X. PASSAGE OF ORDINANCES**

**XI. CONSENT AGENDA –**

TREASURER FEDEWA MOVED TO APPROVE THE CONSENT AGENDA.

TRUSTEE CASCARILLA SUPPORTED THE MOTION.

TREASURER FEDEWA MOVED TO WITHDRAW THE MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED.

TRUSTEE CASCARILLA SUPPORTED THE MOTION TO WITHDRAW.

CLERK CLARK MOVED TO APPROVE THE CONSENT AGENDA WITH THE WITHDRAWAL OF ITEM SIX AND PLACED ITEM SIX UNDER ITEMS OF BUSINESS.

TRUSTEE BOWEN SUPPORTED THE MOTION.

ROLL CALL:

AYES: SUPERVISOR FLETCHER, CLERK CLARK, TREASURER FEDEWA, TRUSTEE BOWEN, TRUSTEE BREWER, TRUSTEE CASCARILLA, AND TRUSTEE MOJICA

NAYS: NONE

ABSENT: NONE

THE MOTION PASSED 7-0.

**4. Bills and Financial Transactions**

Bonds/Debt Payments	\$	
Payroll & Related	\$	687,430.32
Refunds	\$	2,881.43
Tax Distributions	\$	32,961.07
Vendor Claims	\$	755,466.46
Total	\$	1,478,739.28

CLERK CLARK MOVED TO APPROVE THE CONSENT AGENDA AS AMENDED.

TRUSTEE BOWEN SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

**5. Minutes**

- a. November 9, 2020 Minutes
- b. November 16, 2020 Minutes

CLERK CLARK MOVED TO APPROVE THE CONSENT AGENDA AS AMENDED.

TRUSTEE BOWEN SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

**6. Amendment/Resubmittal of the Final Preliminary Plat Approval for Wind Trace No. 2 (Lots 18-32)**

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD GRANT FINAL APPROVAL OF THE UPDATED PRELIMINARY PLAT OF THE WIND TRACE NO.2 SUBDIVISION FOR 15 LOTS (#18-32), AS ILLUSTRATED ON DRAWINGS PREPARED BY KEBS, INC., AND REVISED DATED 11/04/20, SUBJECT TO THE FOLLOWING STIPULATIONS:

- 1. RECEIPT OF FINAL APPROVAL OF THE STORM DRAINAGE SYSTEM FROM THE EATON COUNTY DRAIN COMMISSIONER'S OFFICE.
- 2. THE DEVELOPER SHALL SUBMIT A "WAIVER OF NOTICE AND WAIVER OF HEARINGS FOR THE ESTABLISHMENT OF A SPECIAL ASSESSMENT DISTRICT" FOR STREETLIGHTS FOR PHASE 2.

TRUSTEE BOWEN SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

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

**7. Final Consideration of the Our Savior Lutheran Cremains Memorial Garden Cemetery Special Land Use Request – Case No. 10-20-07**

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE SPECIAL LAND USE PERMIT IN CASE NO. 10-20-07 FOR A CEMETERY, AS SUBMITTED, FOR THE OUR SAVIOR LUTHERAN MEMORIAL GARDEN ON PPN 040-020-200-072-00 FOR THE FOLLOWING REASONS:

- 1. THE REQUEST MEETS THE GENERAL STANDARDS FOR A SPECIAL LAND USE FOUND IN SECTION 7.03 OF THE 2017 DELTA TOWNSHIP ZONING ORDINANCE.

2. THE REQUEST MEETS THE SPECIFIC STANDARDS SPECIFIED FOR CEMETERIES IN SECTION 8.02 OF THE 2017 DELTA TOWNSHIP ZONING ORDINANCE.

3. THE USE IS CONSISTENT WITH THE FUTURE LAND USE RECOMMENDATIONS OF THE 2013 COMPREHENSIVE PLAN.

4. THE SUBJECT PARCEL IS ADEQUATELY SERVED BY PUBLIC UTILITIES.

THE SPECIAL LAND USE PERMIT IS APPROVED SUBJECT TO THE FOLLOWING STIPULATION: THE FACILITY SHALL ONLY BE UTILIZED FOR THE SCATTERING OR INTERNMENT OF CREMAINS.

TRUSTEE BOWEN SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

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

#### **8. Discussion Related to The Brookside Crossing Judgement by The Appeals Court**

Treasurer Fedewa gave an overview regarding the Brookside Crossing judgement and asked that the Board consider directing Manager Reed to engage with Delta's state representative to inquire about MDEGLE and the interest of granting easements for public pathways at the Brookside Crossing and in future settlements. Consensus of the Board was in favor of directing Manager Reed to reach out to the state representative.

### **XIV. ITEMS OF BUSINESS**

#### **9. Award Engineering Serv Agreements for 2021 Delta Mills Restroom Renovation (TF 19-0069), Mt Hope Pathway Perimeter (LW 19-0018), and Mt Hope North Baseball Fields (LW 19-0017) Final Consideration of the Our Savior Lutheran Cremains Memorial Garden Cemetery Special Land Use Request – Case No. 10-20-07**

TRUSTEE CASCARILLA MOVED THAT THE DELTA TOWNSHIP BOARD CONTRACT WITH VIRIDIS DESIGN GROUP FOR THE PURPOSE OF PROVIDING PROFESSIONAL SERVICES FOR THE DELTA MILLS PLAYGROUND RESTROOM RENOVATION PROJECT AT A COST NOT TO EXCEED \$10,000, THE MT. HOPE PARK NORTH BASEBALL FIELDS PROJECT AT A COST NOT TO EXCEED \$17,950 AND THE MT. HOPE PARK PERIMETER PATHWAY PROJECT AT A COST NOT TO EXCEED \$28,500. FURTHER, THE TOWNSHIP MANAGER IS HEREBY

AUTHORIZED AND DIRECTED TO SIGN AND EXECUTE AN AGREEMENT FOR SAID PROFESSIONAL SERVICES ON BEHALF OF DELTA TOWNSHIP.

TREASURER FEDEWA SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

**10. Introduction of Redwood Rezoning Request, AG2 to RM, Case No. 10-20-08**

TRUSTEE CASCARILLA MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE REDWOOD LIVING'S REQUEST TO REZONE THE PROPERTY DESCRIBED IN CASE NO. 10-20-8 FROM AG2-AGRICULTURAL/RESIDENTIAL, TO RM-MULTIPLE FAMILY RESIDENTIAL. I FURTHER MOVE THAT THE REZONING REQUEST BE CONSIDERED FOR FINAL ACTION BY THE TOWNSHIP BOARD AT THE DECEMBER 21 REGULAR MEETING. THE CLERK IS HEREBY DIRECTED TO PUBLISH NOTICE OF SAID MEETING IN THE LOCAL NEWSPAPERS AS IS REQUIRED.

CLERK CLARK SUPPORTED THE MOTION. THE MOTION PASSED 7-0.

**XV. MANAGER'S REPORT – Brian Reed, Township Manager**

- Successful in obtaining two additional DNR Trust Fund Acquisition grants. One property contiguous to sharp park and the other property contiguous to the community center.
- Two things hit mailboxes today, tax bills and legal notification of the franchise fee settlement.
- Reminder to Board of orientation next Monday.
- Governor extended the Pause to Save Lives and the township will continue services by-appointment only.
- Recount that is taking place at the community center had a few incidents where deputies had to deescalate situations where folks tried to get into the building or were not wearing masks.

**XVI. COMMITTEE OF THE WHOLE**

**11. Fee Schedule Discussion**

Township Manager Brian Reed gave an overview of the proposed fee schedule changes for 2021. A brief discussion ensued among Board members and staff regarding the information provided in the fee schedule.

**XVII. PUBLIC COMMENTS**

**XVIII. CLOSED SESSION**

**XIX. ADJOURNMENT –**

Supervisor Fletcher adjourned the meeting at 7:07 PM.

CHARTER TOWNSHIP OF DELTA

KENNETH R. FLETCHER, SUPERVISOR

MARY R. CLARK, TOWNSHIP CLERK