

CHARTER TOWNSHIP OF DELTA

In compliance with the Michigan Open Meetings Act (PA 267 of 1976) Sec. 15.263
this meeting is being conducted via Zoom Webinar Platform

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR
MONDAY, MAY 17, 2021**

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 (Delta Twp), Clerk Mary R. Clark (Delta Twp), Treasurer Dennis R. Fedewa (Delta Twp), Trustee Andrea M. Cascarilla (Delta, MI), Trustee Elizabeth S. Bowen (Delta Twp), Trustee Karen J. Mojica (Delta Twp), and Trustee Fonda J. Brewer (Delta Twp)

Members Absent:

Others Present: Manager Brian T. Reed, Assistant Township Manager Alannah Doak, Planning Director Gary Bozek, Township Engineer Ernie West, Finance Director Courtney Nicholls, Parks, Recreation, & Cemeteries Director Marcus Kirkpatrick, Community and Economic Development Coordinator Collin Mays, Lt. Ross Tyrrell, Utilities Director Rick Kane, Building Director Matt Leach, Planner Matt McKernan, Assistant Planning Director David Waligora, and Department Assistant-Managers Office Mary Worland

IV. PRESENTATIONS AND PROCLAMATIONS

V. SET/ADJUST AGENDA

TRUSTEE CASCARILLA MOVED TO APPROVE THE AMENDED AGENDA AS PRESENTED.

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

VI. PUBLIC HEARINGS

VII. COMMUNICATIONS

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

Ron Clark, With Nixon Road Holding Company stated he was available to answer any questions regarding Wind Trace Subdivision plat issues.

IX. INTRODUCTION OF ORDINANCES

X. PASSAGE OF ORDINANCES

XI. CONSENT AGENDA –

TRUSTEE BOWEN REQUESTED AGENDA ITEM NUMBER FOUR BE MOVED TO ITEMS OF BUSINESS.

CLERK CLARK MOVED TO APPROVE THE AMENDED AGENDA.

TRUSTEE MOJICA SUPPORTED THE MOTION.

ROLL CALL:

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

NAYS: NONE

ABSENT: NONE

THE MOTION PASSED 7-0.

1. Bills and Financial Transactions

Bonds/Debt Payments	\$	
Payroll & Related	\$	411,005.42
Refunds	\$	2,076.87
Tax Distributions	\$	
Vendor Claims	\$	544,331.11
Total	\$	957,413.40

CLERK CLARK MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

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

2. DNR Grant Project Agreements – Trust Fund Land Acquisition Grants

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD ACCEPTS THE TERMS OF THE AGREEMENT FOR THE AGREEMENT FOR TRUST FUND GRANT 20-0105 (ELMWOOD ROAD LAND ACQUISITION) AS RECEIVED FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES. THE TRUST FUND GRANT WILL PROVIDE \$30,000 AND THE TOWNSHIP WILL PROVIDE A MATCH OF \$10,000.

IT WAS FURTHER MOVED THAT THE DELTA TOWNSHIP BOARD ACCEPTS THE TERMS OF THE AGREEMENT FOR THE TRUST FUND GRANT 20-0108 (NORTH CANAL ROAD LAND ACQUISITION) AS RECEIVED FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES. THE TRUST FUND GRANT WILL PROVIDE \$75,000 AND THE TOWNSHIP WILL PROVIDE A MATCH OF \$25,000.

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

3. Extension of Tentative Preliminary Plat Approval for the Wind Trace Subdivision

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD GRANT A TWO-YEAR EXTENSION, VALID UNTIL JUNE 7, 2023, OF THE TENTATIVE APPROVAL OF THE PRELIMINARY PLAT FOR LOTS 1 - 153 IN THE WIND TRACE DEVELOPMENT; AS ILLUSTRATED ON A DRAWING DATED 5/19/16, REVISION DATE 04/04/21 PREPARED BY KEBS, INC.

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

XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION

4. Introduction of Rezoning of 120+ acres at the Northwest Corner of Creyts/Mt Hope

TRUSTEE CASCARILLA MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE STERLING DEVELOPMENT COMPANY'S REQUEST TO REZONE THE PROPERTIES DESCRIBED IN CASE NO. 04-21-05 FROM C-COMMERCIAL, TO I-INDUSTRIAL. I FURTHER MOVE THAT THE REZONING REQUEST BE CONSIDERED FOR FINAL ACTION BY THE TOWNSHIP BOARD AT THE JUNE 7 REGULAR MEETING. THE CLERK IS HEREBY DIRECTED TO PUBLISH NOTICE OF SAID MEETING IN THE LOCAL NEWSPAPERS AS IS REQUIRED.

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

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

XIV. ITEMS OF BUSINESS

5. 2021 Fire Station #1 Re-Roof Bid Results and Recommendation for Award

TREASURER FEDEWA MOVED THAT THE DELTA TOWNSHIP BOARD ACCEPT THE BID FROM ROOFING INNOVATION FOR THE 2021 FIRE STATION #1 RE-ROOF PROJECT IN THE AMOUNT OF \$154,780.00. I FURTHER MOVE THAT THE TOWNSHIP MANAGER BE AUTHORIZED AND DIRECTED TO EXECUTE THE NECESSARY DOCUMENTS RELATED TO THE AFOREMENTIONED PROJECT.

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

6. Final Consideration of the Delta Crossings Phase 1, Texas Roadhouse Drive-Up/ Drive-Through Special Land Use Request

TRUSTEE MOJICA MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE SPECIAL LAND USE PERMIT REQUEST FOR A DRIVE-UP/DRIVE THROUGH, AS DESCRIBED IN CASE NO. 01-21-01, WHICH WILL BE LOCATED ON A PORTION OF PARCEL NO 040-009-300-090-01, FOR THE FOLLOWING REASONS:

1. THE REQUEST MEETS THE GENERAL STANDARDS FOR SPECIAL LAND USES FOUND IN SECTION 7.03 OF THE 2017 DELTA TOWNSHIP ZONING ORDINANCE.
2. THE REQUEST CAN MEET THE SPECIFIC STANDARDS FOR A DRIVE-THROUGH IN SECTION 8.23 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.

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

7. Echo Valley East Subdivision Tentative Preliminary Plat Review

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE TENTATIVE REVIEW OF THE PRELIMINARY PLAT FOR THE ECHO VALLEY EAST SUBDIVISION AS ILLUSTRATED ON A DRAWING PREPARED BY ROWE PROFESSIONAL SERVICES, DATED 3/24/21, SUBJECT TO THE FOLLOWING:

1. FINAL APPROVAL OF THE STORM DRAINAGE SYSTEM SHALL BE OBTAINED FROM THE EATON COUNTY DRAIN COMMISSIONER.
2. FINAL APPROVAL FOR THE PROPOSED LOCAL STREET ARRANGEMENTS SHALL BE OBTAINED FROM THE EATON COUNTY ROAD COMMISSION.
3. FINAL APPROVAL OF THE PROPOSED WATER AND SANITARY SEWER SYSTEMS SHALL BE OBTAINED FROM THE TOWNSHIP ENGINEERING AND UTILITIES DEPARTMENTS.
4. APPLICANT SHALL COMPLY WITH ALL REQUIREMENTS OF TOWNSHIP FIRE DEPARTMENT.

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

8. CIA Final Consideration

TRUSTEE CASCARILLA MOVED TO APPROVE THE FOLLOWING RESOLUTION:

CHARTER TOWNSHIP OF DELTA
RESOLUTION ESTABLISHING THE WEST SAGINAW HIGHWAY
CORRIDOR IMPROVEMENT AUTHORITY

WHEREAS, THE TOWNSHIP BOARD BY RESOLUTION ADOPTED FEBRUARY 15, 2021 DECLARED ITS INTENT TO ESTABLISH A CORRIDOR IMPROVEMENT AUTHORITY AND TO DESIGNATE THE BOUNDARIES OF AN AUTHORITY CORRIDOR IMPROVEMENT DEVELOPMENT AREA (“DEVELOPMENT AREA”), FINDING CERTAIN REQUIRED CRITERIA HAD BEEN MET WITH RESPECT TO THE PROPOSED QUALIFIED DEVELOPMENT AREA PURSUANT TO THE RECODIFIED TAX INCREMENT FINANCING ACT, ACT 57 OF THE PUBLIC ACTS OF MICHIGAN OF 2018, AS AMENDED, MCL 125.4602 ET SEQ.,(THE “ACT”); AND

WHEREAS, PURSUANT TO THE ACT, A PUBLIC HEARING WAS HELD ON MARCH 15, 2021 ON THE ESTABLISHMENT OF A CORRIDOR IMPROVEMENT AUTHORITY AND THE DEFINED DEVELOPMENT AREA

BOUNDARIES, NOTICE OF WHICH, AS REQUIRED BY THE ACT, WAS PUBLISHED TWICE IN THE LANSING STATE JOURNAL, A NEWSPAPER OF GENERAL CIRCULATION IN THE CITY, NOT LESS THAN 20 DAYS NOR MORE THAN 40 DAYS BEFORE THE HEARING; A NOTICE OF PUBLIC HEARING WAS SENT BY FIRST-CLASS MAIL TO THE PROPERTY TAXPAYERS OF RECORD IN THE PROPOSED DEVELOPMENT AREA, THE GOVERNING BODY OF EACH TAXING JURISDICTION LEVYING TAXES WITHIN THE PROPOSED DEVELOPMENT AREA AND THE MICHIGAN STATE TAX COMMISSION NOT LESS THAN 20 DAYS BEFORE THE HEARING; AND NOTICE OF THE PUBLIC HEARING WAS POSTED IN AT LEAST 20 CONSPICUOUS AND PUBLIC PLACES IN THE PROPOSED DEVELOPMENT AREA AT LEAST 20 DAYS BEFORE THE HEARING.

WHEREAS, ALL INTERESTED PERSONS WERE GIVEN THE OPPORTUNITY TO BE HEARD AT THE PUBLIC HEARING; AND

WHEREAS, THE TOWNSHIP BOARD HAS DETERMINED TO PROCEED WITH THE ESTABLISHMENT OF A CORRIDOR IMPROVEMENT AUTHORITY, THE ESTABLISHMENT OF THE BOUNDARIES OF AN AUTHORITY CORRIDOR IMPROVEMENT DEVELOPMENT AREA; THEREFORE

RESOLVED:

1. THAT THE TOWNSHIP BOARD HEREBY CREATES THE “DELTA TOWNSHIP WEST SAGINAW CORRIDOR IMPROVEMENT AUTHORITY” (THE “AUTHORITY”) PURSUANT TO THE ACT; AND
2. THAT THE AUTHORITY SHALL BE A PUBLIC BODY CORPORATE WHICH SHALL POSSESS ALL THE POWERS NECESSARY TO CARRY OUT THE PURPOSES OF ITS CREATION. THE ENUMERATION OF A POWER IN THIS RESOLUTION OR IN THE ACT SHALL NOT BE CONSTRUED AS A LIMITATION UPON THE GENERAL POWERS OF THE AUTHORITY; AND
3. THAT THE TOWNSHIP BOARD HEREBY ESTABLISHES THE “WEST SAGINAW HIGHWAY CORRIDOR IMPROVEMENT QUALIFIED DEVELOPMENT AREA” (THE “DEVELOPMENT AREA”) WHERE THE AUTHORITY SHALL EXERCISE ITS POWERS AS PROVIDED BY THE ACT, WHICH CONSISTS OF PROPERTY LOCATED WITHIN THE TOWNSHIP AND INCLUDES ALL PROPERTY WITHIN THE BOUNDARIES IDENTIFIED IN THE ATTACHED EXHIBIT A (THE “DEVELOPMENT AREA”); AND
4. THAT THE AUTHORITY SHALL BE UNDER THE SUPERVISION AND CONTROL OF A BOARD (THE “BOARD”) CONSISTING OF (A) THE SUPERVISOR OR HIS OR HER DESIGNEE AND (B) EIGHT MEMBERS APPOINTED BY THE SUPERVISOR AND APPROVED BY THE TOWNSHIP

BOARD (THE “APPOINTED MEMBERS”). APPOINTED MEMBERS SHALL BE NAMED LATER; AND

6. THAT UPON ADOPTION OF THIS RESOLUTION, THE TOWNSHIP CLERK IS DIRECTED TO FILE A CERTIFIED COPY WITH THE MICHIGAN SECRETARY OF STATE AND PUBLISH A COPY IN THE LANSING STATE JOURNAL, A NEWSPAPER OF GENERAL CIRCULATION IN THE TOWNSHIP; AND

7. THAT ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH SHALL BE AND THE SAME ARE HEREBY RESCINDED.

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 5-2 (BOWEN AND BREWER NAY)

XV. MANAGER’S REPORT – Brian Reed, Township Manager

- Tomorrow evening is the Townships first Music in the Park at Sharp Park at 7pm.
- In June is the Daddy-Daughter Dance and the Mother-Son Dance at Mt Hope Park this year.
- Waiting for responses from the Board for the Lansing Regional Chamber event on June 10th.
- Governor Whitmer declared this week EMS Week. Appreciate the work done by our Paramedics and Firefighters during this past year.
- Received final federal guidance on ARP funds. Will bring ideas to the board.

XV. COMMITTEE OF THE WHOLE

XVII. PUBLIC COMMENTS

XVIII. CLOSED SESSION

TREASURER FEDEWA MOVED THAT THE DELTA TOWNSHIP BOARD CONVENE IN CLOSED SESSION AT THE REQUEST OF THE TOWNSHIP MANAGER UNDER THE OPEN MEETINGS ACT (ACT 267 OF 1976), SECTION 15.268 (A) TO CONSIDER A PERIODIC PERSONNEL EVALUATION OF BRIAN T. REED, TOWNSHIP MANAGER AT 7:12 PM

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

TRUSTEE BREWER MOVED TO COME OUT OF CLOSED SESSION AT 7:57 PM.

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

XIX. ADJOURNMENT –

Supervisor Fletcher adjourned the meeting at 7:58 PM.

CHARTER TOWNSHIP OF DELTA

KENNETH R. FLETCHER, SUPERVISOR

MARY R. CLARK, TOWNSHIP CLERK