

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, OCTOBER 4, 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, Clerk Mary R. Clark, Trustee Andrea M. Cascarilla, Trustee Fonda J Brewer, Trustee Karen J. Mojica, and Trustee Elizabeth S. Bowen

Members Absent: Treasurer Dennis R. Fedewa

Others Present: Manager Brian T. Reed, Assistant Manager Alannah Doak, Lt. Ross Tyrell, Fire Chief Gregg Ginebaugh, Assistant Fire Chief John Kahler, Utilities Director Rick Kane, Planning Director Gary Bozek, Community and Economic Development Coordinator Collin Mays, Finance Director Courtney Nicholls, Parks, Recreation, and Cemeteries Director Marcus Kirkpatrick, Township Engineer Ernie West, Planner Matt McKernan, and Jessica Wood of Dickinson Wright

IV. PRESENTATIONS AND PROCLAMATIONS

V. SET/ADJUST AGENDA

TRUSTEE BREWER MOVED TO APPROVE THE AGENDA AS PRESENTED.

TRUSTEE CASCARILLA SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

VI. PUBLIC HEARINGS

VII. COMMUNICATIONS

1. Attachment 2 to Video Service Local Franchise Agreement Between

AT&T Michigan and Delta Township

VIII. PUBLIC COMMENTS *(maximum three minutes)*

IX. INTRODUCTION OF ORDINANCES

2. Introduction to Small Cell Ordinance

TRUSTEE CASCARILLA REQUESTED TO ABSTAIN.

TRUSTEE BREWER MOVED THE REQUEST FOR TRUSTEE CASCARILLA TO ABSTAIN.

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

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE THE PROPOSED ORDINANCE AMENDMENT ADDING ARTICLE III TO CHAPTER 36 OF THE DELTA TOWNSHIP CODE OF ORDINANCES PERTAINING TO SMALL CELL WIRELESS FACILITIES. THE TOWNSHIP CLERK IS HEREBY DIRECTED TO ADVERTISE THIS INTRODUCTION IN LOCAL NEWSPAPERS WITH FINAL ACTION ON THE PROPOSED ORDINANCE AMENDMENT SCHEDULED FOR THE OCTOBER 18, 2021, TOWNSHIP BOARD MEETING.

TRUSTEE BOWEN SUPPORTED THE MOTION.

ROLL CALL:

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

NAYS: NONE

ABSENT: TREASURER FEDEWA

THE MOTION PASSED 5-0 (CASCARILLA ABSTAINED).

X. PASSAGE OF ORDINANCES

XI. CONSENT AGENDA

TRUSTEE BOWEN REQUESTED ITEM NUMBER TWELVE BE REMOVED FOR DISCUSSION AS WELL AS ITEM NUMBER 4(C) BE REMOVED FOR DISCUSSION.

TRUSTEE BREWER MOVED TO APPROVE THE CONSENT AGENDA AS AMENDED.

CLERK CLARK SUPPORTED THE MOTION.

ROLL CALL:

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

NAYS: NONE

ABSENT: TREASURER FEDEWA

THE MOTION PASSED 6-0.

3. Bills and Financial Transactions

a. September 20, 2021

Payroll & Related	\$	379,064.77
Refunds	\$	48,964.16
Tax Distributions	\$	10,661,637.36
Vendor Claims	\$	884,327.90
Total	\$	11,973,994.19

TRUSTEE BREWER MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

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

b. October 4, 2021

Payroll & Related	\$	382,308.27
Refunds	\$	20,241.83
Tax Distributions	\$	25,479,777.93
Vendor Claims	\$	730,390.94
Total	\$	26,612,718.97

TRUSTEE BREWER MOVED TO APPROVE THE CONSENT AGENDA AS AMENDED..

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

4. Minutes

- a. September 7, 2021
- b. September 13, 2021

TRUSTEE BREWER MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

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

5. Echo Valley East Single-Family Residential Development Project Utility Agreement

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE MUNICIPAL UTILITY AGREEMENT SUBMITTED BY WESTVIEW CAPITAL, LLC FOR THE EXTENSION OF THE PUBLIC WATER AND SANITARY SEWER MAINS TO SERVE THE PROPOSED ECHO VALLEY EAST SINGLE-FAMILY RESIDENTIAL DEVELOPMENT PROJECT. I FURTHER MOVE THAT THE TOWNSHIP SUPERVISOR AND CLERK BE AUTHORIZED AND DIRECTED TO SIGN THE AGREEMENT ON BEHALF OF THE TOWNSHIP.

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

6. Introduction of 511 North Waverly Road Rezoning Request in Case No. 09-21-13

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD REFER SAM FRANGIE'S REQUEST TO REZONE THE PROPERTY DESCRIBED IN CASE NO. 09-21-13 FROM O-OFFICE, TO C-COMMERCIAL, TO THE PLANNING COMMISSION FOR THE PURPOSES OF HOLDING A PUBLIC HEARING ON THE MATTER AND SUBMITTING A RECOMMENDATION TO THE TOWNSHIP BOARD.

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

7. Wastewater Treatment Plant (WWTP) Major Capital Improvements – Phase 1 Amendment 1 to Engineering Services Agreement

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE PROPOSED AMENDMENT NO. 1 TO THE AGREEMENT WITH TETRATECH FOR ENGINEERING SERVICES FOR THE WASTEWATER TREATMENT PLANT MAJOR CAPITAL IMPROVEMENTS PROJECT AT A COST NOT TO EXCEED \$204,671.00 AND THAT THE TOWNSHIP MANAGER IS HEREBY AUTHORIZED TO SIGN AND EXECUTE THE NECESSARY DOCUMENTS FOR SAID PROFESSIONAL SERVICES ON BEHALF OF DELTA TOWNSHIP.

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

**8. Project Spartan (Amazon) Proposed Warehouse Development Project
6500 West Mt. Hope Highway Utility Agreement**

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE MUNICIPAL UTILITY AGREEMENT SUBMITTED BY DELTA PARTNERS INDUSTRIAL, LLC FOR THE EXTENSION OF THE PUBLIC WATER MAINS TO SERVE THE PROPOSED PROJECT SPARTAN PROPOSED WAREHOUSE DEVELOPMENT PROJECT. I FURTHER MOVE THAT THE TOWNSHIP SUPERVISOR AND CLERK BE AUTHORIZED AND DIRECTED TO SIGN THE AGREEMENT ON BEHALF OF THE TOWNSHIP.

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

9. Land Acquisition Purchases

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD REFER SAM FRANGIE'S REQUEST TO REZONE THE PROPERTY DESCRIBED IN CASE NO. 09-21-13 FROM O-OFFICE, TO C-COMMERCIAL, TO THE PLANNING COMMISSION FOR THE PURPOSES OF HOLDING A PUBLIC HEARING ON THE MATTER AND SUBMITTING A RECOMMENDATION TO THE TOWNSHIP BOARD.

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

10. Land and Water Projects Agreements

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD ACCEPTS THE PURCHASE PRICE OF \$29,000 FOR THE ELMWOOD ROAD PROPERTY, TAX PARCEL 23-040-064-100-110-00 ALSO DESCRIBED AS LOT 11 MALL-PARK SUBDIVISION AND FURTHER AUTHORIZE THE TOWNSHIP MANAGER TO COMPLETE THE CLOSING AND GRANT REIMBURSEMENT PROCESS.

IT WAS FURTHER MOVED THAT THE DELTA TOWNSHIP BOARD ACCEPTS THE PURCHASE PRICE OF \$120,000 FOR THE NORTH CANAL ROAD PROPERTY, TAX PARCEL 23-040-003-300-153-00 AND FURTHER AUTHORIZE THE TOWNSHIP MANAGER TO COMPLETE THE CLOSING AND GRANT REIMBURSEMENT PROCESS.

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

11. Set The Public Hearing of Assessment for Stoll Road Street Lighting District

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD DECLARE ITS INTENT TO PROCEED WITH THE INSTALLATION OF STREET LIGHTS IN THE DISTRICT KNOWN AS STOLL ROAD.

IT WAS FURTHER MOVED; THE BOARD DECLARES THAT SUFFICIENT PETITIONS WERE SUBMITTED TO PROCEED WITH SAID IMPROVEMENTS.

IT WAS FURTHER MOVED; THAT THE BOARD APPROVE THE PLANS AND ESTIMATE OF COSTS FOR THE PROPOSED PROJECT.

IT WAS FURTHER MOVED; THE BOARD OF TRUSTEES HEREBY APPROVES THE SAID SPECIAL ASSESSMENT DISTRICT AND DETERMINES THAT THE TERM OF ITS EXISTENCE SHALL BE IN PERPETUITY.

IT WAS FURTHER MOVED; THE SUPERVISOR IS DIRECTED TO PREPARE A SPECIAL ASSESSMENT ROLL FOR THE SAID SPECIAL ASSESSMENT DISTRICT WHICH SHALL BE FILED WITH THE TOWNSHIP CLERK.

IT WAS FURTHER MOVED; THAT THE PUBLIC HEARING FOR OBJECTIONS TO THE SPECIAL ASSESSMENT ROLL IS SET FOR OCTOBER 18, 2021 AT 6 P.M. AT THE DELTA TOWNSHIP ADMINISTRATION BUILDING, ROOM A.

IT WAS FURTHER MOVED; COSTS MAY BE INCREASED BY THE UTILITY COMPANY OVER TIME TO REFLECT INCREASES IN ELECTRICAL RATES.

IT WAS FURTHER MOVED; THE CLERK IS DIRECTED TO PUBLISH NOTICE OF THE PUBLIC HEARING IN THE NEWSPAPER AND NOTIFY THE AFFECTED PROPERTY OWNERS. THE CLERK SHALL NOTIFY ALL PROPERTY OWNERS THAT THEY MUST APPEAL AT THE PUBLIC HEARING OR FILE A WRITTEN PROTEST OBJECTING TO SAID SPECIAL ASSESSMENT IN ORDER TO FURTHER APPEAL TO THE MICHIGAN TAX

TRIBUNAL.

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

13. Referral Of Ingham County Conservation League Rezoning Request in Case No. 9-21-14

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD REFER THE INGHAM COUNTY CONSERVATION LEAGUE'S REQUEST TO REZONE THE PROPERTY DESCRIBED IN CASE NO. 9-21-14 FROM NR, NATURAL RESOURCES, TO AG1, AGRICULTURAL, TO THE PLANNING COMMISSION FOR THE PURPOSES OF HOLDING A PUBLIC HEARING ON THE MATTER AND SUBMITTING A RECOMMENDATION TO THE TOWNSHIP BOARD.

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

14. Election Equipment Maintenance

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD AUTHORIZE THE PAYMENT OF \$80,388 FOR A FIVE-YEAR MAINTENANCE CONTRACT FOR ELECTION EQUIPMENT WITH HART INTERCIVIC.

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

15. Set The Public Hearing for FY 2022 Delta Township Budget

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD SET A PUBLIC HEARING ON THE FY 2022 BUDGET FOR MONDAY, OCTOBER 18, 2021, AT THE DELTA TOWNSHIP ADMINISTRATION BUILDING AT 6 PM. I FURTHER MOVE, THAT THE TOWNSHIP CLERK BE DIRECTED TO ADVERTISE SUCH NOTICE OF PUBLIC HEARING.

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

VIII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION

4. Minutes

c. September 20, 2021

SUPERVISOR FLETCHER MOVED THAT SEPTEMBER 20, 2021, MEETING MINUTES BE APPROVED AS AMENDED.

CLERK CLARK SUPPORTED THE MOTION.

ROLL CALL:

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

NAYS: NONE

ABSENT: TREASURER FEDEWA

THE MOTION PASSED 6-0.

**12. Delta Township Saginaw Corridor Improvement Authority Board
Appointment**

SUPERVISOR FLETCHER MOVED THAT CALVIN JONES BE APPOINTED TO
THE DELTA TOWNSHIP SAGINAW HIGHWAY CORRIDOR IMPROVEMENT
AUTHORITY BOARD; AND THAT THE CLERK IS HEREBY DIRECTED TO
SEND NOTIFICATION INFORMING HIM OF HIS APPOINTMENT.

TRUSTEE MOJICA SUPPORTED THE MOTION.

ROLL CALL:

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

NAYS: TRUSTEE BOWEN

ABSENT: TREASURER FEDEWA

THE MOTION PASSED 5-1.

VIII. UNFINISHED BUSINESS

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

XIV. ITEMS OF BUSINESS

16. Set The Public Hearing for Delta Township CIA Development TIF Plan

SUPERVISOR FLETCHER MOVED THAT THE DELTA TOWNSHIP BOARD
SET THE PUBLIC HEARING DATE FOR THE DEVELOPMENT AND TIF
PLANS FOR MONDAY, NOVEMBER 15, 2021, AT 6:00 P.M. PER THE

ATTACHED RESOLUTION.

TRUSTEE CASCARILLA SUPPORTED THE MOTION.

ROLL CALL:

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

NAYS: TRUSTEE BREWER

ABSENT: TREASURER FEDEWA

THE MOTION PASSED 6-0.

17. Case No. 08-21-10: A request to expand the existing Delta Township Wastewater Treatment plant, requiring an amendment to an existing Special Land Use Permit for a Major Essential Service.

TRUSTEE CASCARILLA MOVED THAT THE DELTA TOWNSHIP BOARD SPECIAL LAND USE PERMIT FOR ESSENTIAL SERVICES, MAJOR TO ALLOW FOR THE EXPANSION OF THE DELTA TOWNSHIP WASTEWATER TREATMENT PLANT AS DESCRIBED IN CASE NO. 08-21-10 FOR THE FOLLOWING REASONS:

1. THE SPECIFIC USE STANDARDS IN SECTION 8.24 HAVE BEEN MET.
2. THE SPECIAL LAND USE STANDARDS SET FORTH IN SECTION 7.03 OF THE DELTA TOWNSHIP ZONING ORDINANCE HAVE BEEN MET.

CONDITIONS OF APPROVAL:

1. FINAL SITE PLANS FOR THE WASTEWATER TREATMENT PLANT WILL REQUIRE PLANNING COMMISSION APPROVAL.
2. FAILURE OF THE APPLICANT TO COMPLY WITH ANY OF THE PROVISIONS REQUIRED BY THE DELTA TOWNSHIP ZONING ORDINANCE, OR ANY STIPULATIONS ADDED BY THE DELTA TOWNSHIP PLANNING COMMISSION OR TOWNSHIP BOARD, SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THESE SPECIAL LAND USE PERMIT.

TRUSTEE BOWEN SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

18. Case No. 08-21-11: Special Land Use Permit request for a 130-foot wire radio communications monopole to be located at the Delta Township Wastewater Treatment Plant.

TRUSTEE MOJICA MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE FOR A WIRELESS COMMUNICATION FACILITY AS DESCRIBED IN CASE NO. 08-21-11 FOR THE FOLLOWING REASONS:

1. THE SPECIFIC USE STANDARDS IN SECTION 8.67 HAVE BEEN MET.
2. THE SPECIAL LAND USE STANDARDS SET FORTH IN SECTION 7.03 OF THE DELTA TOWNSHIP ZONING ORDINANCE HAVE BEEN MET.

CONDITIONS OF APPROVAL:

1. FAILURE OF THE APPLICANT TO COMPLY WITH ANY OF THE PROVISIONS REQUIRED BY THE DELTA TOWNSHIP ZONING ORDINANCE, OR ANY STIPULATIONS ADDED BY THE DELTA TOWNSHIP PLANNING COMMISSION OR TOWNSHIP BOARD, SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THESE SPECIAL LAND USE PERMIT.

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

19. Final Consideration of the Delta Crossings Phase 1.3, Building G Drive-Through

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE SPECIAL LAND USE PERMIT REQUEST FOR A DRIVE-THROUGH, AS DESCRIBED IN CASE NO. 8-21-12, WHICH WOULD 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 DRIVE-THROUGHS 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.

SUBJECT TO THE FOLLOWING STIPULATION:

1. A SITE PLAN SHALL BE SUBMITTED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 6 OF THE DELTA TOWNSHIP ZONING ORDINANCE, ILLUSTRATING COMPLIANCE WITH ALL THE TOWNSHIP'S APPLICABLE DEVELOPMENT REGULATIONS.
2. FAILURE OF THE APPLICANT TO COMPLY WITH ANY OF THE PROVISIONS REQUIRED BY THE ZONING ORDINANCE, OR ANY STIPULATIONS REQUIRED BY THE DELTA TOWNSHIP BOARD, SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THIS PERMIT BY THE DELTA TOWNSHIP BOARD.

TRUSTEE CASCARILLA SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

20. Final Action for West Lansing Retail West Lansing Retail Development III, LLC Rezoning Request in Case No. 07-21-09

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE WEST LANSING RETAIL DEVELOPMENT III, LLC REQUEST TO REZONE 6.41 ACRES IN SECTION 9 OF THE TOWNSHIP FROM AG2, AGRICULTURAL/RESIDENTIAL, TO RM, MULTIPLE FAMILY RESIDENTIAL, AS DESCRIBED IN CASE NO. 07-21-09. BEING THAT THE PROPOSED REZONING REQUEST COMPLIES WITH THE CRITERIA SPECIFIED FOR REZONINGS IN SECTION 16.04 (CRITERIA FOR AMENDMENT TO THE OFFICIAL ZONING MAP) OF THE DELTA TOWNSHIP ZONING ORDINANCE.

TRUSTEE CASCARILLA SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

21. Approval Of The 2021-2026 Delta Township Strategic Plan

TRUSTEE MOJICA MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE 2021-2026 STRATEGIC PLAN.

TRUSTEE BREWER SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

22. Transmittal of the 2022 – 2027 Capital Improvements Plan

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD ACCEPT THE TRANSMITTAL OF THE 2022 – 2027 CAPITAL IMPROVEMENTS PLAN.

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

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

Manager Reed presented his updates to the Township Board:

- Manager Reed provided the Board with the MML Core Legislative Principles.
- General Motors is back in production today. There is no guarantee that it will be long term, but hopeful supply chain issues will be resolved.
- Redwood Development started demolition on some of the houses on Willow for the second phase.
- Received grant paperwork from the state for the aerial apparatus. Hopeful to order in 2021.
- Thank you to staff that worked on the MML presentation and booth for the Waverly Pathway Project.

XVI. COMMITTEE OF THE WHOLE

XVII. PUBLIC COMMENTS

XVIII. CLOSED SESSION

XIX. ADJOURNMENT –

Supervisor Fletcher adjourned the meeting at 7:54 PM.

CHARTER TOWNSHIP OF DELTA

KENNETH R. FLETCHER, SUPERVISOR

MARY R. CLARK, TOWNSHIP CLERK