

**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  
TUESDAY, SEPTEMBER 07, 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, Treasurer Dennis R. Fedewa, Clerk Mary R. Clark, Trustee Andrea M. Cascarilla, Trustee Fonda J Brewer, and Trustee Elizabeth S. Bowen

Members Absent: Trustee Karen J. Mojica

Others Present: Manager Brian T. Reed, Assistant Manager Alannah Doak, Lt. Ross Tyrell, Fire Chief Ginebaugh, Utilities Director Rick Kane, Planning Director Gary Bozek, Community and Economic Development Coordinator Collin Mays, Finance Director Courtney Nicholls, Building Director Matt Leach, Township Engineer Ernie West, Deputy Utility Director Mike McKane, and Planner Matt McKernan

TRUSTEE BREWER MOVED TO EXCUSE TRUSTEE MOJICA FROM THE SEPTEMBER 7, 2021 REGULAR BOARD MEETING.

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

**IV. PRESENTATIONS AND PROCLAMATIONS**

**V. SET/ADJUST AGENDA**

TRUSTEE BOWEN MOVED TO APPROVE THE AGENDA AS PRESENTED.

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

**VI. PUBLIC HEARINGS**

**VII. COMMUNICATIONS**

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

Lyle Leatherberry, 533 Theo, stated that the Board should do what needs to be done with drainage issues. Also voiced concern about the speeding of traffic on Michigan Ave and Saginaw Hwy. Asked the Board to work with Eaton County.

Barb Shipman, 2508 Park St, shared an announcement that the Delta Senior Council Members in partnership with the 39ers are providing an event called Discovering Delta on Tuesday, September 21<sup>st</sup> at 2pm at the Township Administration building in Room A.

Sherry Castillo, 533 Iris Ave., spoke on behalf of her grandmother Nancy Davenport. Stated her concerns about flooding in the basement and how her grandmother cannot live in her home and the damages have resulted in thousands of dollars. Stated the residents need support from the Township and the Drainage Office.

Michelle Pelicos, 420 White Pine Blvd, Her and her neighbors have also experienced flooding in basements and standing water in their backyards. Wanted to find out what her and her neighbors can do with the County and Township to improve the drain.

Kathleen Henderson, Has experienced flooding in her backyard and basement. Feels it's the Townships responsibility to do something about the drainage.

Manager Reed provided a brief historical background on the drainage issues in the Briggs and Banks Intercounty Drain areas. Utility Director Rick Kane and Township Engineer Ernie West provided information on sanitary and storm systems in the Township, as well as capacity issues with the intercounty drains in the Briggs and Banks Intercounty Drain areas. The Township provided a brief overview of the petition process with the drain office and steps the Township can take to assist in the process.

**IX. INTRODUCTION OF ORDINANCES**

**X. PASSAGE OF ORDINANCES**

**XI. CONSENT AGENDA –**

TREASURER FEDEWA MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

TRUSTEE BREWER SUPPORTED THE MOTION.

ROLL CALL:

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

NAYS: NONE

ABSENT: TRUSTEE MOJICA

THE MOTION PASSED 6-0.

**1. Bills and Financial Transactions**

Payroll & Related	\$	375,539.21
Refunds	\$	13,062.16
Tax Distributions	\$	1,713,352.31
Vendor Claims	\$	1,214,166.35
Total	\$	3,316,120.03

TREASURER FEDEWA MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

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

**2. Minutes –**

a. August 16, 2021

TREASURER FEDEWA MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

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

**3. Approval of the Operating and Paramedic/Firefighter 2021 Tax Rates for form L-4029 for the Delta Township Winter Tax Roll and the City of Lansing Winter Tax Roll**

TREASURER FEDEWA MOVED THAT THE DELTA TOWNSHIP BOARD ADOPT THE FOLLOWING MILLAGE RATES TO BE USED ON THE 2021 TAX

RATE REQUEST FORM L-4029 AND TO LEVY SAID TAX RATES ON THE 2021 DELTA TOWNSHIP WINTER TAX ROLL AND LEVY THE PARAMEDIC/FIREFIGHTER TAX RATE ON THE 2021 CITY OF LANSING WINTER TAX ROLL:

- 4.9287 MILLS FOR THE CHARTER TAX LEVY
- 0.9896 MILLS FOR THE PARAMEDIC/FIREFIGHTER TAX LEVY

IT WAS FURTHER MOVED THAT THE TOWNSHIP SUPERVISOR AND CLERK ARE AUTHORIZED TO SIGN THE 2021 TAX RATE REQUEST FORM L-4029 TO BE FILED WITH EATON COUNTY CLERK.

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

#### **4. Distribution Operations asphalt repairs**

TREASURER FEDEWA MOVED THAT THE DELTA TOWNSHIP BOARD ACCEPT THE PROPOSAL FROM MCKEARNEY ASPHALT & SEALING FOR THE NECESSARY ASPHALT REPAIRS AT THE UTILITY DEPARTMENT DISTRIBUTION OPERATIONS SITE IN THE AMOUNT OF \$34,175.00. I FURTHER MOVE THAT THE TOWNSHIP BOARD AUTHORIZE THE TOWNSHIP MANAGER TO SIGN THE AUTHORIZATION FORMS.

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

#### **5. Menards Yard Expansion**

TREASURER FEDEWA MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE MUNICIPAL UTILITY AGREEMENT SUBMITTED BY MENARD, INC. FOR THE RELOCATION OF THE EXISTING PUBLIC SANITARY SEWER MAIN TO ACCOMMODATE THE PROPOSED MENARDS YARD EXPANSION PROJECT. I FURTHER MOVE THAT THE TOWNSHIP SUPERVISOR AND CLERK BE AUTHORIZED AND DIRECTED TO SIGN THE AGREEMENT ON BEHALF OF THE TOWNSHIP.

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

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

### **VIII. UNFINISHED BUSINESS**

#### **6. Case No. 05-21-07: Special Land Use Permit Request for an Outdoor Commercial Recreational Facility (Drive-In Theatre) at 921 Mall Drive West, Lansing, MI 48917**

Planning Director Gary Bozek informed the Board of the withdrawal of Case No. 05-21-07.

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

**XIV. ITEMS OF BUSINESS**

**7. CIA Board Appointment**

Discussion regarding the appointment of Calvin Jones from the Lansing board of Water and Light among Board members took place. Consensus of the Board was to seek confirmation from legal counsel that the appointment meets state statute prior to moving forward with appointing a new CIA board member. It was agreed that the item would be revisited at the next regular board meeting.

**8. Introduction of West Lansing Retail West Lansing Retail Development III, LLC Rezoning Request in Case No. 07-21-09**

TRUSTEE CASCARILLA MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE 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.

IT WAS FURTHER MOVED THAT THE APPLICATION BE CONSIDERED FOR FINAL ACTION BY THE TOWNSHIP BOARD AT THE SEPTEMBER 20, 2021 REGULAR MEETING.

THE CLERK IS HEREBY DIRECTED TO PUBLISH NOTICE OF SAID MEETING IN THE LOCAL NEWSPAPERS AS IS REQUIRED.

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

**9. Final Approval of Preliminary Plat for Echo Valley East**

TREASURER FEDEWA MOVED THAT THE DELTA TOWNSHIP BOARD GRANT FINAL APPROVAL OF THE PRELIMINARY PLAT OF THE ECHO VALLEY EAST SUBDIVISION AS ILLUSTRATED ON DRAWINGS PREPARED BY ROWE PROFESSIONAL SERVICES COMPANY, AND DATED AUGUST 6, 2021, SUBJECT TO THE FOLLOWING STIPULATIONS:

1. THE DEVELOPER SHALL EXECUTE A UTILITY AGREEMENT WITH THE TOWNSHIP FOR THE INSTALLATION OF THE PUBLIC WATER AND SANITARY SEWER FACILITIES.

2. RECEIPT OF FINAL APPROVAL OF THE STORM DRAINAGE SYSTEM FROM THE EATON COUNTY DRAIN COMMISSIONER'S OFFICE.
3. RECEIPT OF FINAL APPROVAL OF THE LAYOUT, ENGINEERING, AND CONSTRUCTION OF THE PUBLIC STREETS WITHIN THE SUBDIVISION FROM THE EATON COUNTY ROAD COMMISSION.
4. THE DEVELOPER SHALL EXECUTE A "WAIVER OF NOTICE AND WAIVER OF HEARINGS FOR THE ESTABLISHMENT OF A SPECIAL ASSESSMENT DISTRICT" FOR STREETLIGHTS.

TRUSTEE CASCARILLASUPPORTED THE MOTION. THE MOTION PASSED 6-0.

**10. Case No. 07-21-10: Special Land Use Permit Request for a Place of Worship at the northwest corner of Standard Drive and North Waverly Road**

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD APPROVE THE SPECIAL LAND USE PERMIT FOR A PLACE OF WORSHIP REQUESTED BY SHEKHINAH INTERNATIONAL CHURCH AS DESCRIBED IN CASE NO. 07-21-10 FOR THE FOLLOWING REASONS:

1. FINAL SITE PLANS FOR SHEKHINAH INTERNATIONAL CHURCH 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 REQUIRED BY THE DELTA TOWNSHIP BOARD, SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THESE SPECIAL LAND USE PERMIT BY THE TOWNSHIP BOARD

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

**11. Designation of a Delegate and Alternate Delegate for the Michigan Municipal League Annual Business Meeting**

TRUSTEE BREWER MOVED THAT THE DELTA TOWNSHIP BOARD DESIGNATE MANAGER BRIAN REED AS THE DELEGATE AND DELTA TOWNSHIP'S OFFICIAL REPRESENTATIVE TO CAST THE VOTE AT THE MICHIGAN MUNICIPAL LEAGUE ANNUAL BUSINESS MEETING. I FURTHER MOVE THAT TREASURER DENNIS FEDEWA BE DESIGNATED AS THE ALTERNATE DELEGATE.

TRUSTEE BOWEN SUPPORTED THE MOTION.

ROLL CALL:

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

NAYS: NONE

ABSENT: TRUSTEE MOJICA

THE MOTION PASSED 6-0.

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

Manager Reed presented his updates to the Township Board:

- Library is back to pre-covid hours.
- Next week the Township will begin applying biosolids on a farm in Eagle Twp.
- The East-West Pathway project has been delayed due to supply chain issues in obtaining material. It is anticipated work will resume within the next two weeks.
- Road projects coming up:
  - Creyts Rd will be repaved between Saginaw Hwy and Willow.
  - St. Joe Hwy will be repaved from Creyts Rd to Snow Rd.
  - A section of Canal Rd will be repaved just north of Saginaw Hwy up to the East-West Pathway.
  - Broadbent will be repaved north of Saginaw Hwy.
- Pop-up shop will be held at the Lansing Mall on Sept. 18. Currently there are 26 vendors.
- Hotels reached out to the Township expressing their thanks for taking the lead on Hotel Appreciation Month and the hotels said they saw an increase in revenue during that month.
- Tomorrow is the announcement on Project Spartan.
- CIA meeting next Monday.
- Budget presentation is next Monday at the Township Committee of the Whole meeting.

#### **XVI. COMMITTEE OF THE WHOLE**

##### **12. Discussion Regarding Possible Ordinance Amendment Pertaining to Small Cell Wireless Facilities**

Assistant Township Manager Alannah Doak provided an overview of the proposed draft ordinance amendment pertaining to the deployment of small cell

wireless facilities that would add Article III to Chapter 36 of the Delta Township code of ordinances to reflect changes in state and federal law.

Trustee Cascarilla represents two small cell companies. While they are not part of this project discussion, it was decided to obtain a legal opinion as to her potential conflict of interest before it is presented for a vote.

Discussion among staff and board members took place and the consensus of the Board was to move forward with the first reading and introduction of the ordinance.

**XVII. PUBLIC COMMENTS**

**XVIII. CLOSED SESSION**

**XIX. ADJOURNMENT –**

Supervisor Fletcher adjourned the meeting at 7:15 PM.

CHARTER TOWNSHIP OF DELTA

KENNETH R. FLETCHER, SUPERVISOR

MARY R. CLARK, TOWNSHIP CLERK