

**DELHI CHARTER TOWNSHIP
MINUTES OF REGULAR MEETING HELD ON JULY 3, 2007**

The Delhi Charter Township Board of Trustees met in a regular meeting on Tuesday, July 3, 2007 in the Multipurpose Room at the Community Services Center, 2074 Aurelius Road, Holt, Michigan. Supervisor Goodrich called the meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Members Present: Supervisor Stuart Goodrich, Clerk Evan Hope, Trustees John Hayhoe, Jerry Ketchum, Paul Krepps, Roy Sweet

Members Absent: Treasurer Harry Ammon

Others Present: John Elsinga, Township Manager
Al McFadyen, DDA Executive Director
Tracy Carney-Miller, Director of Community Development
Tricia Vander Ploeg, Administrative Assistant/Deputy Supervisor
Amy Finch, Assistant Township Clerk/Deputy Clerk

COMMENTS FROM THE PUBLIC – None

SET / ADJUST AGENDA

HOPE MOVED TO ADD LATE AGENDA ITEM 8 – RESOLUTION NO. 2007-035-ACQUISITION OF FORECLOSED PARCEL FOR PUBLIC PURPOSE.

A Voice Poll was recorded as follows: All Ayes
Absent: Ammon

MOTION CARRIED

CONSENT AGENDA

- A. Approval of Minutes – Committee Meeting of June 19, 2007
- B. Approval of Minutes – Regular Meeting of June 19, 2007
- C. Approval of Minutes – Special Meeting of June 18, 2007
- D. Approval of Claims – June 19, 2007 (ATTACHMENT I)
- E. Approval of Payroll – June 28, 2007 (ATTACHMENT II)

HAYHOE MOVED TO APPROVE THE CONSENT AGENDA ITEMS AS PRESENTED.

A Roll Call Vote was recorded as follows:
Ayes: Krepps, Sweet, Goodrich, Hayhoe, Hope, Ketchum
Absent: Ammon

MOTION CARRIED

NEW BUSINESS

PROPOSED AMENDMENT TO TOWNSHIP ORDINANCE NO. 71 – DISORDERLY CONDUCT ORDINANCE, SECOND CONSIDERATION (TOWNSHIP ORDINANCE 71.2.1)

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The Board reviewed memorandums dated June 12, 2007 from Twp. Mgr. Elsinga and June 27, 2007 from Tracy Miller, Director of Community Development (ATTACHMENT III).

**KETCHUM MOVED UPON SECOND CONSIDERATION, TO AMEND
TOWNSHIP ORDINANCE NO. 71.2 – DISORDERLY CONDUCT ORDINANCE,
WITH REGARDS TO PUBLIC INTOXICATION AND WEAPONS AND
FIREARMS (TOWNSHIP ORDINANCE NO. 71.2.1).**

Tracy Miller, Director of Community Development, stated that at the June 19, 2007 Board meeting a question was raised regarding the "Reporting of Data" section (Section 7) of the Ordinance. It was asked if the reporting actually happens. Ms. Miller stated that the reporting has not occurred. It was also asked if the reporting needs to be done. Ms. Miller stated that she spoke with Township Attorney J. Richard Robinson in regards to this section and he offered that the section was likely included when the Ordinance was originally adopted in order to provide a mechanism for monitoring to determine the benefits of the Ordinance.

Ms. Miller stated that the Township could probably receive some level of reporting generated by the courts or Sheriff's Office regarding how many people are cited under this Ordinance.

Ms. Miller stated that this section has been re-worded slightly stating that the Township "may" instead of "will" provide an annual report.

A Roll Call Vote was recorded as follows:

Ayes: Sweet, Goodrich, Hayhoe, Hope, Ketchum, Krepps

Absent: Ammon

MOTION CARRIED

**APPROVE DISTRIBUTION OF REVISED MASTER PLAN AND FUTURE LAND USE
MAP FOR COMMENTS FROM SURROUNDING COMMUNITIES**

The Board reviewed a memorandum dated June 26, 2007 from Tracy Miller, Director of Community Development (ATTACHMENT IV).

**HAYHOE MOVED TO APPROVE THE DISTRIBUTION OF THE REVISED
MASTER PLAN AND FUTURE LAND USE MAP TO SURROUNDING
COMMUNITIES FOR THE PURPOSE OF SEEKING COMMENTS ON THE
SAME.**

Tracy Miller, Director of Community Development, stated that the Planning Commission recommended that the Township Board authorize the distribution of the draft amendments to the Master Plan. Ms. Miller stated that there are very few modifications.

The distribution of the draft is mandated by the municipal Planning Act in the amendment procedure. The drafts will be distributed to all of the agencies that received the original "Notice of Intent to Plan". They will have 63 days from the date of mailing to respond with comments.

A Roll Call Vote was recorded as follows:

Ayes: Goodrich, Hayhoe, Hope, Ketchum, Krepps, Sweet

Absent: Ammon

MOTION CARRIED

2007 SIDEWALK IMPROVEMENT PROJECT – TOM'S ADVANCED PAVING

The Board reviewed memorandums dated June 27, 2007 from Twp. Mgr. Elsinga and June 29, 2007 from Tracy Miller, Director of Community Development (ATTACHMENT V).

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SWEET MOVED TO AWARD THE CONTRACT FOR THE 2007 SIDEWALK IMPROVEMENT PROGRAM TO TOM'S ADVANCED PAVING IN THE AMOUNT OF \$37,035.

Tracy Miller, Director of Community Development, stated that two new sidewalks will be installed and funded by the DDA. One is located on the north side of Delhi Commerce Drive and another on the north side of Holbrook Drive.

Ms. Miller stated that there are a few sidewalk sections that are in need of repair. Property owners can choose to participate in either the Township Sidewalk contract and pay 50% of the cost of repair to the sidewalk adjacent to their property (the Township will fund the other 50%) or the property owner can choose to have the sections replaced on their own at their expense.

There are three barrier free ramps, as well as a section of sidewalk near Washington Woods Middle School, to be installed and funded by the Township.

A Roll Call Vote was recorded as follows:

Ayes: Goodrich, Hayhoe, Hope, Ketchum, Krepps, Sweet

Absent: Ammon

MOTION CARRIED

RESOLUTION NO. 2007-034 – INCREASE DELHI TOWNSHIP CABLE TELEVISION FRANCHISE FEES

The Board reviewed a memorandum dated June 27, 2007 from Twp. Mgr. Elsinga (ATTACHMENT VI).

KETCHUM MOVED TO ADOPT RESOLUTION NO. 2007-034, WHICH INCREASES THE DELHI CHARTER TOWNSHIP CABLE TELEVISION FRANCHISE FEE FROM 3% TO 5%.

A Roll Call Vote was recorded as follows:

Ayes: Hayhoe, Hope, Ketchum, Sweet, Goodrich

Nays: Krepps

Absent: Ammon

MOTION CARRIED

PUBLIC HEARING – 7:45 P.M.

BROWNFIELD PLAN NO. 3 FOR 1953 CEDAR STREET

HOPE MOVED TO OPEN THE PUBLIC HEARING ON THE BROWNFIELD PLAN NO. 3 FOR 1953 CEDAR STREET.

A Voice Poll was recorded as follows: All Ayes

Absent: Ammon

MOTION CARRIED

Al McFadyen, DDA Executive Director, stated that this property is the former Clark Gas Station site. Mr. McFadyen stated that approximately 17-18' below the surface of the ground there is some contaminated soil and a small amount of free product. This can remain where it is provided that the owners of the property follow a due care plan that has been filed with the Michigan Department of Environmental Quality. The plan calls for, among other things, no digging or significant excavation on the property, certain notices to people who might be digging near the property and the installation of an impervious surface on the property. The owners will pave the property to use as parking for Sammy's Paddock.

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The Brownfield Plan provides a mechanism utilizing tax increment finance dollars that would be captured by the DDA and passed to the Brownfield Authority to reimburse the owners for the cost of the construction of the parking lot over a period of approximately seven to eight years.

HOPE MOVED TO CLOSE THE PUBLIC HEARING.

A Voice Poll was recorded as follows: All Ayes

Absent: Ammon

MOTION CARRIED

The public hearing closed at 7:52 p.m.

RESOLUTION NO. 2007-032 – APPROVE BROWNFIELD PLAN NO. 3 FOR 1953 CEDAR STREET

The Board reviewed a memorandum dated June 25, 2007 from Twp. Mgr. Elsinga (ATTACHMENT VII).

HOPE MOVED TO ADOPT RESOLUTION NO. 2007-032 WHICH APPROVES BROWNFIELD PLAN NO. 3 FOR 1953 CEDAR STREET FOR THE CHARTER TOWNSHIP OF DELHI PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED.

A Roll Call Vote was recorded as follows:

Ayes: Hope, Ketchum, Krepps, Sweet, Goodrich, Hayhoe

Absent: Ammon

MOTION CARRIED

ZONING AND DEVELOPMENT

AMENDMENT TO ZONING ORDINANCE NO. 39 – CASE NO. 07-829 – BOARD OF APPEALS (PROPOSED ZONING ORDINANCE NO. 39.132)

The Board reviewed a memorandum dated June 27, 2007 from Tracy Miller, Director of Community Development (ATTACHMENT VIII).

SWEET MOVED TO ADOPT CASE NO. 07-829 AMENDING ZONING ORDINANCE NO. 39, ARTICLE IV – BOARD OF APPEALS, FOR THE PURPOSE OF REVISING SECTIONS 4.1.1, 4.1.2, 4.2.4, 4.2.5, 4.4., 4.4.3 AND 4.4.4, AS RECOMMENDED BY THE PLANNING COMMISSION AT THEIR JUNE 11, 2007 MEETING (ZONING ORDINANCE NO. 39.132).

Tracy Miller, Director of Community Development, stated that this amendment was originally on the June 19, 2007 agenda; however, after another review with Township Attorney J. Richard Robinson's office, it was agreed that one of the changes originally proposed by his office was not intended.

Ms. Miller stated that this is an amendment to the section regarding the Zoning Board of Appeals. Most of the changes are required due to the new Michigan Zoning Enabling Act. Ms. Miller went over the changes made.

A Roll Call Vote was recorded as follows:

Ayes: Ketchum, Krepps, Sweet, Goodrich, Hayhoe, Hope

Absent: Ammon

MOTION CARRIED

LATE AGENDA ITEM

**DELHI CHARTER TOWNSHIP
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RESOLUTION NO. 2007-035 – ACQUISITION OF FORECLOSED PARCEL FOR PUBLIC PURPOSE

The Board reviewed memorandums dated July 3, 2007 from Tracy Miller, Director of Community Development and Twp. Mgr. Elsinga (ATTACHMENT IX).

HOPE MOVED TO ADOPT RESOLUTION NO. 2007-035 – WHICH WOULD ACQUIRE FOR PUBLIC PURPOSE TAX PARCEL #33-25-05-17-100-021 (ROMAR PARK), WHICH HAS BEEN FORECLOSED BY THE INGHAM COUNTY TREASURER FOR NON-PAYMENT OF TAXES.

Tracy Miller, Director of Community Development, stated that this is a piece of property that is being foreclosed on by the Ingham County Treasurer's Office for the non-payment of taxes in the amount of \$3,315.60. The property is 14.31 acres in size and is located south of the neighborhood on Houghton Hollow Drive. Ms. Miller stated that 95% of the property is located in the 100 year floodplain. The Township has the ability to acquire this property prior to it going to auction for the amount of back taxes owed.

Ms. Miller is recommending that the Township purchase this piece of property for the purpose of providing permanent open space and passive recreation opportunities for the Township residents.

A Roll Call Vote was recorded as follows:

Ayes: Krepps, Sweet, Goodrich, Hayhoe, Hope, Ketchum

Absent: Ammon

MOTION CARRIED

REPORTS

SUPERVISOR

INGHAM COUNTY ROAD COMMISSION 2007/2008 PROPOSED CONSTRUCTION

The Board reviewed the Ingham County Road Commission's Notice of Public Hearing for 2007 Proposed Construction (ATTACHMENT X).

Supervisor Goodrich stated that the Ingham County Road Commission is working with the Township on a couple of road improvements.

EVAN HOPE – CLERK OF THE YEAR

Supervisor Goodrich congratulated Evan Hope for being elected 2007 Township Clerk of the Year by the Michigan Municipal Clerks Association.

CLERK

MID-DECADE CENSUS

Clerk Hope stated that the State of Michigan has approved the Township's Mid-Decade Census. The Township's total population is 25,081, which is an 11% increase in population from the 2000 Census. The increase in population could benefit the Township by the possibility of additional liquor licenses, revenue money, approved status when applying for grants, etc.

TOWNSHIP MANAGER

SOIL EROSION CONTROL PERMIT UPDATE

**DELHI CHARTER TOWNSHIP
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The Board reviewed a memorandum dated June 28, 2007 from Tracy Miller, Director of Community Development (ATTACHMENT XI).

Tracy Miller, Director of Community Development, gave an update on the Soil Erosion and Sedimentation Control permit process. Ms. Miller stated that the process is a four step process. Step one, which is the initial development of the Ordinance, has been completed. Step two, currently being worked on includes several smaller tasks such as the training and certification of all involved staff, consideration of program funding, development of application and inspection forms and other program supporting documents. The Community Development staff will take the certification exam on August 23, 2007. Step three consists of the submission of the Township's Soil Erosion & Sedimentation Control program for review and approval by the Michigan Department of Environmental Quality (MDEQ). Once received, MDEQ has 90 days to respond. Step four includes the adoption of the Ordinance by the Township Board.

Supervisor Goodrich stated that Lansing Township and Meridian Township have been in contact with him in regards to the Soil Erosion Permitting program.

Trustee Ketchum asked if a full-time staff member would have to be hired to handle these permits. Ms. Miller stated that it is her thought that the current staff can handle this program; however, if MDEQ requires an additional staff member, one will be hired with the additional staff member's salary being paid from the program.

LIMITED PUBLIC COMMENTS - None

ADJOURNMENT

Meeting adjourned at 8:29 p.m.

Date: _____

Evan Hope, Township Clerk

Date: _____

Stuart Goodrich, Supervisor

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