

DeWITT CHARTER TOWNSHIP
1401 W. Herbison Road, DeWitt, MI 48820
July 22, 2013 Board Minutes

The Regular Meeting of the DeWitt Charter Township Board was called to order by Supervisor Galardi at 7:00 p.m. with the Pledge of Allegiance.

MEMBERS PRESENT: Supervisor Rick Galardi, Clerk Diane Mosier, Treasurer Phyllis Daggy and Trustees Johanna Balzer, Brian Ross, Steve Musselman, and David Seeger

MEMBERS ABSENT: None

Also Present: Manager Rodney Taylor, Assistant Planner Tory Niewiadomski, County Commissioners Robert Showers and Jack Enderle, and several citizens.

AGENDA **Balzer moved, Daggy seconded, to approve the Agenda, as presented. Motion voted and carried.**

CONSENT AGENDA **Musselman moved, Daggy seconded, to approve the Consent Agenda, which included approval of General Operating Fund Vouchers 61727 - 61842; approval of Township Board Minutes of 06/24/13, receive and file Planning Commission Draft minutes of 7/15/13. Motion voted and carried.**

BRIEF PUBLIC

COMMENT

Dave Stewart, 12595 Wood Road, made the following points regarding the IPMC: 1)the Township is taking a step backwards to allow residents one junk car 2)he is taking up the fight for Gil Minsky, a Wood Road resident, who died recently and had been attempting to get his neighbors to clean up their property for years.

Shannon Schlegel, stated that although she lives in Ovid, she runs her law practice from DeWitt Township. She explained the proposed elimination and reinstatement of one Clinton County District Court Judge. She indicated that she may be interested in this Judgeship when Judge Wells retires.

COUNTY

COMM. REPORT

Commissioner Showers provided an update of County Commissioners business.

PRESENTATION

Safe Center

Hannah Gottschalk, with the Safe Center (formerly RAVE), an agency that provides domestic and sexual violence services, noted that they have offices in St. Johns and Owosso. She explained their current Lethality Assessment Program, and their work with local law enforcement departments. Their goal is to reduce the risk of severe assault when victims utilize domestic violence services. The Board thanked her for the useful information and Manager Taylor provided her with information to contact the Township Police Department.

PRESENTATION

Non-Motorized Trans Assistant Planner Tory Niewiadomski provided a power point and historical review since the Township began discussing a Non-Motorized Transportation Plan in the early 1990's. More recently, based upon the 2010 Comprehensive Plan Update, a committee was formed, and the committee began work to formulate the Non-Motorized Transportation Plan. After a yearlong process in committee, a public meeting and workshop was held on July 9, 2013, to provide and explain the plan to the Community. He explained that this plan also includes maps and a rating system to prioritize projects to connect current infrastructure, construct sidewalks and or pathways and non-motorized traffic lanes.

Supervisor Galardi requested that each committee member present comment on the process or plan presented this evening.

Pat Aseltyne, committee member and Township resident, stated that he believes there is much more work to be done, but this plan is the first step in an ongoing process. He noted his interest is because of his love for cycling.

Jeff Carpenter, committee member and Township resident, commented positively on the committee process and the technical assistance provided by Township staff. He noted that this type of infrastructure will be used by all generations.

Julie Ferguson, committee member and Township resident, stated that she first wrote a letter to the Township when she discovered that her neighborhood could not access other pathways in the community, and that often connectors between neighborhoods do not exist. She stated that this creates a disconnected community. She stated that this plan, even in its early stages will be a big improvement to what we currently have.

Ruth Drago, committee member and Township resident, stated that year ago, based on a medical diagnosis, she began walking, a practice she continues today. She stated that this plan will benefit the fit and the least fit, and will be valuable to the entire community.

Supervisor Galardi thanked the committee members for their service. He noted that he has been involved in Township government since 1999, and that this proposed plan was recommended in 2005 in the Comprehensive Development Master Plan, and even more relevant today as residents strive to be more physically fit.

Supervisor Galardi called for public comment.

Laurel Headley, 1714 E. Stoll Road, stated that she wants this plan adopted, implemented, updated, and she wants this in her lifetime.

Roger Coulter, 3180 E. Clark Road, stated that there is a lot of bike traffic on Clark Road.

Ken Taylor, 1280 Boichot Road, stated that he is a lifetime resident of DeWitt Township, and he was recently assessed \$4,200 by the Drain Commission, with little benefit to his property. He questioned where the money will come from to pay for these pathways? Tax dollars?

Assessments? Who will pay for the maintenance and clearing of these pathways? He pointed out the cultural differences in the community.

Supervisor Galardi stated that this Board has no intention of raising taxes for any reason. He explained that there are grant monies available for these types of programs and some 425 revenues may be available if Board approved. It was also discussed that there are some grant monies through MDOT and the City of Lansing.

Trustee Musselman pointed out that the Planning Commission has seen the plan, noted that they will be involved in updating this living document.

Musselman moved, Ross seconded, to adopt the Non-motorized Transportation Plan as presented and to have the Planning Commission continue to receive public input and update the plan, as needed.

AYES: Ross, Balzer, Daggy, Mosier, Galardi, Musselman
NAYS: Seeger Motion carried.

PUBLIC HEARING Supervisor Galardi called to order the Public Hearing on the Panther Drive Assessment District.
Panther Drive Assessment District Manager Taylor explained the process, and noted that the process was initiated by petition from residents in the Shady Brook Subdivision.

Clerk Mosier noted that proper mailings and publications were done and no calls were received opposing this assessment. There was no public comment.

Supervisor Galardi closed the Public Hearing and reconvened the Regular Meeting.

The history of the road, and the details of the plan to make this a public road were discussed.

Balzer moved, Daggy seconded, to adopt Resolution 2013-07-16 that confirms the special assessment roll for the 2013 Panther Drive Road Improvement Special Assessment District.

AYES: Musselman, Seeger, Galardi, Mosier, Daggy, Balzer, Ross
NAYS: None Motion carried.

Balzer moved, Daggy seconded, to authorize the Township Clerk to execute any documents necessary for the purpose of converting Panther Drive from private to public and dedicating it to the Clinton County Road Commission, and authorize the Township Supervisor, Clerk, and Treasurer to sign the agreement for work between DeWitt Charter Township and the Road Commission for the purpose of milling and paving Panther Drive in an amount not to exceed \$30,895. Motion voted and carried.

CORRESPONDENCE Correspondence included the following: MTA membership renewal letter; Update on Building Stronger Communities; DCT Fire Department Burning Issues Newsletter; Activity Report; 2013 Clinton County Equalization Report.

UNFINISHED BUS Manager Taylor gave a power point presentation for those present, which documented the history
Property Maintenance of the process to date, and the major amendments recommended to the IPMC. Clerk Mosier and
Code/Property Manager Taylor reported receiving some calls about the code, mostly questions, and one written
Maintenance Code comment was received and provided to the Board.
Ord/Violations Bureau-
Second Reading Supervisor Galardi called for public comment.

Virginia Green, 1080 Ralph, stated that she is ashamed to live on Ralph Street any more. She has been in contact with the Township, but it is not getting better. She stated that if this Ordinance will help clean up neighborhoods, then let's get it adopted.

Ms. Green's daughter, (first name not recorded) stated that the neighborhood she grew up in, Ralph Street, is now disgraceful, littered with unsafe unlicensed vehicles, trash, and unmowed grass. She wants the Ordinance adopted, then enforced.

Laurel Headley, 1714 E. Stoll Road, provided pictures of a home on her road which she assumed was vacant. She stated that this home has looked this way all summer, and even the new Ordinance will not be forceful enough to assist in cleaning up this yard. She stated that it is a start, and the Ordinance should be adopted.

Tom Nitzsche, 2088 W. Stoll Road, stated that he was on the committee and explained the allowance of one unlicensed vehicle, noting that without this language a home owner cannot even park an unlicensed vehicle in his yard to sell. He stated that he is not supportive of the entire Ordinance, but it is better than the Township's sign Ordinance and its enforcement.

Ann Lixie, 1040 E. Twinbrook Drive, stated that in her neighborhood they face, and are next to, empty lots that are not mowed, which is a fire hazard to their property which has pine trees. She noted that these long, waist high, weeds provide cover for intruders, and the Township repeatedly tells her that there is nothing they can do because there is currently no regulation for weeds.

John Headley, 1714 E. Stoll Road, stated that he understands the struggle with these issues, but he wants movement forward, and that means adopting the Ordinance.

Ken Taylor, 1280 Boichot, thanked Clerk Mosier, Manager Taylor, Deputy Clerk Martiny, and the late Dick Robinson, for their help with addressing his issue in the proposed Ordinance, that being the draining of swimming pools onto neighboring properties. He stated that the Township Board should be striving to preserve property values, especially since the 2008 mortgage default phenomenon. He thanked the Board for taking his concerns seriously.

Jackie Cressman, 1630 E. Stoll Road, stated that she is a neighbor of the unmowed lot with the long grass. She stated that she believes crime comes with blight, and she does not want to see this community continue to slip into that pattern. She believes that the rules in the new Ordinance are too lax when it comes to maintaining yards and mowing grass.

Ed Reed, 11377 East River Drive, thanked the Board for the service to the community and for considering the adoption of this Ordinance. He stated that he is disappointed that the Township will not mow and assess properties sooner, and that he believes there is no reason to allow unlicensed vehicles anywhere in the Township. He stated that this Ordinance is an important step in cleaning up the Township, but maybe it does not go far enough. He also explained his affiliation with Delta Township.

Deborah Villegas, 1749 Yorkleigh, questioned why we are allowing one junk car? What is the time limit for having this junk car? Forever? She stated that this new Ordinance needs teeth, a time limit for junk cars, and enforcement.

Phillip Bareham, 14122 Cordaleigh Drive, (not Township) stated that he does not like any regulation with the word International in it. He stated that the IPMC is a complex issue, going back to 1994, and with its adoption will erode local control. He encouraged the Board to review Agenda 21.

Brenda Blemaster, 1341 Linden Cove, stated that she needs help with the weeds surrounding her property. She explained that someone from the Township has noticed the neighbors, but the issue continues to return. She stated that without this Ordinance, her only course of action is the civil courts, and who wants to take their neighbor to court. She encouraged the Board to do whatever is needed to force the proper maintenance of properties within the Township.

Roger Coulter, 3180 E. Clark Road, stated that he never likes regulations with the word International used. He stated that he would like to see the Township develop its own ordinance, not use the International Code.

Ken Kain, 12651 US 27, stated that he served on the committee for a short period of time, and this ordinance has some things he likes, and some things he is not in favor of. His major concern is that it can pit neighbor against neighbor. He pointed out that some Township parks will be in violation if adopted. He stated that he feels the committee did a good job, and pointed out violations near Clark and Chandler. He stated that he believes the Township is ready for some type of property maintenance regulation.

Stephen Turner, 3400 W. Howe Road, stated that his property runs along the back of several lots in Springbrook Hills. His major point was that he has done plantings and let grass grow to create a separation from those neighbors, because of the issues he has experienced with these neighbors. (Bottle rockets, grass clippings dumped, etc). He explained that he does not want to be in violation because of the overgrowth he is using to discourage kids from using his property.

The public comments session ended at 10:15 p.m.

Musselman moved, Ross seconded, to adopt the Ordinance known as the Property Maintenance Code of DeWitt Charter Township, on Second Reading.

AYES: Musselman, Galardi, Mosier, Daggy, Balzer, Ross
NAYS: Seeger Motion carried.

Musselman moved, Ross seconded, to adopt the Ordinance known as the DeWitt Charter Township Civil Infraction and Violations Bureau Ordinance, on Second Reading

AYES: Ross, Balzer, Daggy, Mosier, Galardi, Musselman

NAYS: Seeger Motion carried.

Ordinance 2013-06-02
Fireworks/Second
Reading
Manager Taylor explained that this Ordinance is in response to the recent changes in the law that offer local government additional opportunity to regulate fireworks.

Rebecca Stinson, 1841 E. Clark Road, asked questions about the Ordinance as it will pertain to properties north of her where fireworks have been discharged in the past.

Stephen Turner, 3400 W. Howe Road, explained problems he has experienced in the past relating to fireworks. He requested a copy of the proposed Ordinance.

Mosier moved, Musselman seconded, to adopt the Fireworks Ordinance, amending the Township's Codified Ordinance, on Second Reading.

AYES: Ross, Balzer, Daggy, Mosier, Galardi, Seeger, Musselman

NAYS: None Motion carried.

NEW BUSINESS
Metro Act Agmt
Manager Taylor explained that the Township's Metro Act Agreement with AT & T expired December 31, 2012, and they are asking that this standardized agreement be extended.

Mosier moved, Daggy seconded, to authorize the Township clerk to execute the Metro Act Right of Way Permit Extension. Motion voted and carried.

Clinton County
Economic Alliance
Agmt
Galardi moved, Mosier seconded, to authorize the Township clerk to execute the Agreement for Services of the Clinton County Economic Alliance. Motion voted and carried.

Michigan Municipal
League Ballot/
Workers' Comp Fund
Motion by Mosier, second by Daggy, to cast a ballot for re-election of the incumbent Trustees to the Michigan Municipal League Workers' Compensation Fund Trustees. Motion voted and carried.

Executive Session
Seeger moved, Musselman seconded, to enter into Executive Session to discuss the purchase of property.

AYES: Musselman, Seeger, Galardi, Mosier, Daggy, Balzer, Ross

NAYS: None Motion carried.

Supervisor Galardi reconvened the Regular Meeting.

Seeger moved, Musselman seconded, to 1)authorize the Township Manager and Township Clerk to execute any necessary documents related to the Blight Elimination Grant 2)authorize the Township Manager to continue to negotiate the purchase of parcels 050-

470-000-044-00 and 050-470-000-047-00 contingent upon receipt of the Blight Elimination Grant and not-to-exceed the appraised value for the property 3)authorize the Township Manager and the Township Clerk to sign any necessary documents related to the purchase of these parcels and for 425 Funds to be used. Motion voted and carried.

REPORTS &
COMMENTS

Manager Taylor reported the following: he will be out of the office on vacation from 7-30 until 8-10; interviews for Chief Building Official will be held tomorrow; reminded the Board of the upcoming TechMark open house; Jeff Gray, former Township Planner, has been hired as the City Manager in Jonesville.

Trustee Balzer reported that she will attend the Building Stronger Communities updates.

Trustee Ross updated the Board on the Strategic Planning process undertaken by the DARA Board.

Clerk Mosier reported that she will be in and out of the office for awhile with a health issue.

EXTENDED
PUBLIC COMMENT

None.

ADJOURNMENT

Seeger moved, Musselman seconded, to adjourn at 11:25 p.m.

Respectfully submitted,

Diane Mosier, Clerk

Rick Galardi, Supervisor