

SPRINGFIELD TOWNSHIP BOARD MEETING
July 12, 2007
SYNOPSIS

CALL TO ORDER: 7:30 p.m. by Supervisor Walls

PUBLIC COMMENT: Bob Hollis, Leonard Michalski and Tim Feike, residents of Walnut Hill Dr. commented on Township's alleged inaction regarding a blighted property.

CONSENT AGENDA:

- a) Approved Minutes: June 14, 2007 Regular Meeting with bills and additional disbursements of \$279,265.02
- b) Accepted June 2007 Treasurer's Report
- c) Received June 2007 Reports: Building, Electrical, Plumbing, Mechanical and Fire
- d) Authorized payment of bills as presented, total \$45,749.63
- e) Adopted Resolution approving list of prospective Board of Directors members for Holly Area Youth Assistance
- f) Authorized Fire Chief to sell old "Smoke House" trailer and use sale proceeds to refurbish new trailer
- g) Received communications and placed on file.

PUBLIC HEARING:

OLD BUSINESS:

- 1. 2007 Gravel Program: Authorized funding portions of Big Lake and Kier roads; and Hog Back and Dilley roads
- 2. Dangerous Building – 7637 Stonevalley Bluffs: Awarded repair/secure work to Weekend Warriors, not to exceed \$600.00
- 3. Comcast and AT&T Franchises: Adopted Resolution regarding community needs and PEG fees in Franchise Agreements

NEW BUSINESS:

- 1. Tabled Proposed Kingston Pointe Site Plan Amendment
- 2. Sleepy Hollow Concept Plan: Provided comments
- 3. Fieldstone Highlands: Conditionally approved Final Preliminary Plat
- 4. Master Plan Update, Phase I: Awarded bid to Carlisle/Wortman Associates
- 5. Adopted Resolution regarding Rate & Fee Schedule, Softwater Lake Development Sanitary Sewer System
- 6. Agreed to Tentative Softwater Sanitary Sewer Benefit Unit assignment
- 7. Awarded Fire Department Bids to Breathing Air Systems and Hastings Air Energy Control
- 8. Adopted 2007 Parks & Recreation Budget Amendments

PUBLIC COMMENT: None

ADJOURNED: 9:30 p.m.

NANCY STROLE, Clerk

Call to Order: Supervisor Collin Walls called the July 12, 2007 Regular Meeting of the Springfield Township Board to order at 7:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Roll Call:

Board Members Present

Collin W. Walls	Township Supervisor
Jamie Dubre	Township Treasurer
Nancy Strole	Township Clerk
Dennis Vallad	Township Trustee
Roger Lamont	Township Trustee
Marc Cooper	Township Trustee (arrived 7:43 p.m.)

Board Members Not Present

David Hopper	Township Trustee
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Others Present

Greg Need	Township Attorney
Charlie Oaks	Fire Chief

Agenda Additions & Changes: NONE

Public Comment:

Mr. Bob Hollis, 10078 Walnut Hill Dr., commented regarding the blight on Walnut Hill Dr. He said he has called the Building Department twice and Leon does not return his calls. The stuff has been moved and piled up in other piles. There are nine cars still in the front yard and they are licensed but the ordinance says the cars must be drivable and these cars are not. The owner is using the cars as storage vehicles. Mr. Hollis provided pictures of this property to the Board that were just taken today. Mr. Hollis said Mr. Genre is getting paid everyday to do a job and he needs to do his job. Supervisor Walls told Mr. Hollis that he would get a call back tomorrow.

Mr. Tim Feike, 10098 Walnut Hill Dr., commented that, after 13 years of documented complaints we should get an answer on what they can do to help the Board with their ordinance. He expects an answer to this problem and expects the problem to be taken care of.

Mr. Leonard Michalski, 10025 Walnut Hill Dr., commented that the owner only has two vehicles he uses and there are at least six vehicles there all the time and never move. He said it looks like a used car lot and the vehicles are probably dripping chemicals into the ground.

Consent Agenda:

- ★ **Trustee Vallad moved to approve the Consent Agenda as published. Trustee Lamont supported the motion. Vote on the motion. Yes: Walls, Strole, Dubre, Vallad and Lamont; No: none; Absent: Cooper and Hopper. The motion carried by a 5 to 0 vote.**

- a) Approval of Minutes: June 14, 2007 Regular Meeting with bills and additional disbursements of \$279,265.02
- b) Acceptance of June Treasurer's report
- c) Receipt of June 2007 Reports: Building, Electrical, Plumbing, Mechanical, and Fire
- d) Authorize payment of bills as presented, totaling \$45,749.63
- e) Adopt Resolution approving list of prospective Board of Directors members for Holly Area Youth Assistance
- f) Authorize Fire Chief to sell old "Smoke House" trailer and use sale proceeds to refurbish new trailer

Receipt of Communications:

- Holly Area Youth Assistance Report
- Letter from Michigan Department of Treasury accepting revised deficit reduction plan
- Resolution from MTAOCC in opposition to House Bill 4780
- Oxford Township Resolution opposing H.B. 4780
- Letter, notice from Oakland County Treasurer regarding Right of Second Refusal per Act 123 of 1999 as amended

Public Hearing: NONE

Old Business:

1. 2007 Gravel Program

Supervisor Walls said we have received the cost information and list of suggestions from the Road Commission since last month's meeting. 23A material cost is \$11,200 per mile. 21AA material (higher grade) is \$16,200 per mile. HRC suggests using the 23A because it has more fines. Trustee Hopper recommends the 21AA. Supervisor Walls said if we do the first four roads on the Road Commission's priority list using 21AA, the cost would be approximately \$46,240.00. If Groveland doesn't go with 21AA, as they are covering half the cost of Kier Rd., and they go with 23A, the cost would be approximately \$44,320.00.

Trustee Cooper arrived 7:43 p.m.

- ★ **Clerk Strole moved to do the first four roads using the 21AA gravel, those roads being Big Lake Road from Ormond Rd. east 1.1 mile; Dilly Rd., Hogback Lake Rd., and a section of Kier Rd. between Gibbs and Old Kent. Trustee Vallad supported the motion.**

Supervisor Walls asked if Groveland does not agree with the 21AA on Kier, do we want to contribute to the 23A on that road? The Board agreed they would.

- * Vote on the motion. Yes: Walls, Strole, Dubre, Vallad, Lamont and Cooper; No: none; Absent: Hopper. The motion carried by a 6 to 0 vote.**

2. RFP: Dangerous Building – 7637 Stonevalley Bluff

Supervisor Walls explained that this property looks exactly the same as it did two months earlier. The contractor he spoke with does not see any reason to add an additional layer of sheeting of the entire deck. Supervisor Walls said Weekend Warriors is the cheapest labor rate when comparing labor and bids.

- * Clerk Strole moved to award the bid for repairing and securing 7637 Stonevalley Bluff to Weekend Warriors at a cost not to exceed \$600.00 based on twelve 4' X 8' 3/4" OSB, labor, cleanup and the installation of any necessary joists needed to repair and secure the building. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Strole, Dubre, Vallad, Lamont and Cooper; No: none; Absent: Hopper. The motion carried by a 6 to 0 vote.**

3. Comcast Franchise – Community Need Resolution

Supervisor Walls explained that we had a request for a Franchise Agreement submitted by Comcast under the state's new Uniform Video Service Local Franchise Program. There were two different ways to cover public education and government franchise fees in the agreements. Springfield Township chose line 4, Comcast chose line 3. Supervisor Walls said the attorney has prepared some action necessary that will be acceptable to Comcast, stating that the Township Board would determine the community need is for 2% PEG fee. AT&T asked for the same change. Comcast submitted a Uniform Video Service Local Franchise Agreement to the Township on April 13, 2007. The existing agreement with Comcast had expired at that time. Section 8 of the agreement PEG fees in line A3 allows a franchising entity to determine a percentage of gross revenues as determined by a community needs assessment.

- * Supervisor Walls moved that it be resolved [per the draft resolution prepared by the Township attorney] that the Township shall insert 2% in Section 8A3 of the Agreement for both Comcast and AT&T. Trustee Cooper supported the motion. Vote on the motion. Yes: Walls, Strole, Dubre, Vallad, Lamont and Cooper; No: none; Absent: Hopper. The motion carried by a 6 to 0 vote.**

New Business:

1. Kingston Pointe Site Plan Amendment Approval

Supervisor Walls explained that this is a proposed amendment to the Kingston Pointe Site Plan. The applicant will go before the Board of Appeals for process and interpretation reasons as well as variances because, although our ordinance allows for minor amendments to a PUD through a committee process, we do not have anything for site plans. Supervisor Walls suggested that we table this for that action by the Board of Appeals.

Supervisor Walls asked the applicant about the scaling on the drawings submitted. He also noted that we have a difference of opinion as to the engineers on the project and asked who prepared this plan? Mr. Windingland said this plan was prepared under the direction of William Thompson. Kieft did the original site plan and the engineering plan. Supervisor Walls asked if Mr. Thompson used As-builts or the Kieft plans? Mr. Windingland said he used a combination of both. Supervisor Walls asked the applicant if he proposes any side or rear limited common areas or decks or patios? Mr. Windingland said, yes, they would like the availability to have a deck or patio at the rear of the units but they are not shown on the outline. Supervisor Walls said the plan before us isn't revised enough for us to act on, even if we could. Supervisor Walls asked which units would the limited common space be limited to? Mr. Windingland said he thinks we can limit it to more than one user on a condominium master deed. Supervisor Walls asked the applicant if he explored a design that architecturally was more compatible with what is there? From what he sees, it appears one would look at garage doors and roofs from the road. Mr. Windingland explained that two of the three existing units have front entry driveways. Supervisor Walls said yes, but they have windows and some character. He noted that on the Exhibit B, there are side load garages on the currently approved plan and a shared drive between units 12 and 13.

Trustee Lamont said he also has a concern with the scaling and the element for decks as well as the side load garages and staggering the fronts of the buildings. He concurs that the Board needs more information and this should go to ZBA before the Board could act beyond tabling.

Clerk Strole commented that she also has a concern with the architecture of what is proposed and it should be compatible with the existing attached condominiums. She is concerned looking at the elevations that there could be quite a contrast. Clerk Strole further noted that a point of reference or comparison between the approved plan and the requested amendments would be helpful.

- ★ Supervisor Walls moved that the Board table the request for Kingston Pointe Site Plan Amendment until determination by the Zoning Board of Appeals and request that before the applicant returns that they revise plans with some more information and address the questions and comments raised by the Board this evening. Trustee Lamont supported the motion. Vote on the motion. Yes: Walls, Strole, Dubre, Vallad, Lamont and Cooper; No: none; Absent: Hopper. The motion carried by a 6 to 0 vote.**

2. Sleepy Holly Concept Plan

Mr. Tom Mickus of Tri-County Survey explained that this is proposed as a three unit condominium and a park. The three condo sites perked and they would go with engineered septic systems for the sites they had problems with. The majority of the site is heavily wooded and noted that the Township does have the adjacent preservation area. Mr. Mickus said they will have to seek a variance for the roadway and the detention pond. Currently the road is planned to be private and two places are deficient of the width requirement. The purpose of the reduction was to save a number of large diameter trees. The applicant would like to think of this development as an extension or blending in with the adjacent preservation area. Mr. Mickus said they would need a variance for the detention system because currently the ordinance requires a 25 year storm and they are proposing a 10 year storm.

Supervisor Walls said the drainage map was not in the packets provided to the Board. He asked if that is depicting the area going through the detention pond or the area draining into the wetland? Mr. Mickus showed where on the map it all drains into. He explained where the swale is and there is a water line that goes around the detention basin. Supervisor Walls clarified that the only thing going into the detention area is the drainage from the street itself? Mr. Mickus said that is correct. Supervisor Walls asked why they designed the street with curbs on both sides rather than take advantage of the natural soils and percolation. Mr. Mickus said the HRC requirement was curbs on both sides. Supervisor Walls asked if there is any reason why, where they have the elevations that would allow that, they could not have part of the storm water coming off the road naturally blending into the wooded environment? Mr. Mickus said it would create a bit of a nuisance with the storm water. They did think about a small swale on both sides but would have to knock out too many trees. Supervisor Walls said why not use what nature provided.

Trustee Vallad asked the applicant if they have done the calculations for a 25 year detention basin? Mr. Mickus said he does not have them here.

Clerk Strole asked if the access on East Holly Rd., is proposed to have tapers? Mr. Mickus said the road plans are in Oakland County now and the MDEQ but they do not show tapers. Clerk Strole said she sees the need for tapers.

Clerk Strole commented that she agrees with the waiving of sidewalks and the applicant has made a real effort to minimize impact. She shares Carlisle/Wortman's concerns with the detention basin and reducing the amount of grading. She suggested limiting clearing within the lots and the applicant should look at restrictions of planting of invasive plants. Clerk Strole further suggested the applicant avoid curb and gutter and that gravel driveways could be integrated very nicely.

Trustee Lamont said he would echo the roadway and sheet drainage concerns. He suggested utilizing sheet drainage in combination with low impact development techniques as described in Carlisle/Wortman's review.

Supervisor Walls commented that the applicant has made exceptional efforts but suggested that they might be able to shorten the road somewhat. He strongly encouraged the applicant to look at natural ways to handle storm drainage. He said he would be concerned when he sees the actual easement agreements and restrictions because the way it is currently drawn, the detention pond is partially in the condominium and partially outside. He would reduce it so it is not a problem but if it cannot be reduced, the applicant might look at including it all into either one of the acreage parcels or preferably all within the site condominium.

3. Fieldstone Highlands – Final Preliminary Plat

Supervisor Walls said he spoke with Grant Ward about the priority protection area to be preserved and it would be in the deed restrictions, but he asked if “preserved” means left natural? Mr. Sikora said it would be left natural as best as they can.

Supervisor Walls said there are part of the setback areas along the south side of lots 4 and 3 and the east side of lot 3 listed as having mature hardwoods. The ordinance does not allow building in setbacks so those areas cannot be built on anyway. He asked the applicant if he had objections to adding those wooded areas to the priority protection area and the portion of lot 7? Mr. Sikora said, no, he has no objections. Supervisor Walls asked the applicant to have protection and preservation provisions within the area that can be built on, as far as preserving of the specimen trees. Mr. Sikora said he might have to trim some of the eastern border, but he would trim as little as possible.

Clerk Strole commented that on lot 1 the building envelope appears to be the maximum one could have and still have the required setbacks. A good part of lot 1 is taken up by the proposed drainage easement. She asked why it is such a large building envelope? Supervisor Walls explained that is the difference between a plat and condominium requirement. Clerk Strole said she concurs with Supervisor Walls concern with priority protection and requested that to be added to that area, the line along lots 4 and 3.

*** Supervisor Walls moved that the Final Preliminary Plat of Fieldstone Highlands represented by construction plans received by the Township July 3, 2007 be approved with the request that the priority protection area be left natural and expanded to the woodland fence lines along the south side of lots 3 and 4, the side setback area of 7 and that the deed restrictions contain tree protection and preservation provisions within the non-preservation areas. Trustee Lamont supported the motion. Vote on the motion. Yes: Walls, Strole, Dubre, Vallad, Lamont and Cooper; No: none; Absent: Hopper. The motion carried by a 6 to 0 vote.**

4. Master Plan Update: Bids, Phase 1

Supervisor Walls said we still do not have a release for this year’s CDBG Funds. He explained that we submitted requests for proposals to seven companies. We got back three, two of which

did not meet the specifications, and the prices were too high. The low bidder is Carlisle/Wortman.

- * Trustee Vallad moved to award the Master Plan Update Phase I to Carlisle/Wortman per their proposal on estimated fees Phase I cost not to exceed \$8,000.00. Trustee Cooper supported the motion. Vote on the motion. Yes: Walls, Strole, Dubre, Vallad, Lamont and Cooper; No: none; Absent: Hopper. The motion carried by a 6 to 0 vote.**

5. Resolution: Rate & Fee Schedule, Softwater Lake Development Sanitary Sewer System

Supervisor Walls explained that this is a Resolution adopting fees which are exactly taken from Independence Township. By doing this by Resolution we do not have to amend the ordinance every time Independence changes their rates.

- * Clerk Strole moved the Resolution as presented to us for consideration this evening as by our Township Attorney. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Strole, Dubre, Vallad, Lamont and Cooper; No: none; Absent: Hopper. The motion carried by a 6 to 0 vote.**

6. Tentative Softwater Assessment Roll

Supervisor Walls explained the rates we just adopted are REU (Residential Equivalent Units). In the Capital Connection Charge Independence Township will have a charge to the system for capital connections. They use 1 as the REU for condos and .6 for apartments. However, they are charging an amount so everything is equal. Supervisor Walls said the Director of the Independence Township DPW believes that attached condos should be considered the same as apartments, but their Board has not made that change yet.

Supervisor Walls said we must concur with the opinion that apartments and the attached condos will have equal benefit to this project, so every unit will receive 1 benefit unit assessment. He asked if any Board member disagreed with that? There were no objections.

Treasurer Dubre commented that the tax year should be noted as 2026, not 2027. The Board agreed that is correct.

Supervisor Walls said it would be helpful to decide a time period in which residents will be allowed to pay the assessment without interest. Bond counsel suggested the residents have until October 1, 2007. The Board unanimously concurred. Supervisor Walls said, in regard to the net service schedule, it shows a positive cash flow, so the typical 1% that is added to the interest rate is not necessary in this case. This is the schedule that can be used and will generate sufficient funds to protect the county's pledge of their full faith and credit that has been agreed with. Supervisor Walls explained that the bids came in considerably lower than what was estimated and presented to the property owners last June. Included in the budget is the full bid for the force

main Independence Township will be paying depending on actual cost. Therefore, the contingency is actually larger than the \$88,000 indicated.

7. Fire Department Bid Awards

Supervisor Walls asked Fire Chief Oaks, if we award the bid this evening, can he use the bid to submit to FEMA for reimbursement and it's possible we can have the funds back before we actually have to pay? Fire Chief Oaks explained that is correct.

- ★ **Supervisor Walls moved to award the contract for the 6000 PSI Breathing Air Compressor and Carbon Monoxide Monitoring System to Breathing Air Systems of Jackson, Michigan in the amount of \$20,814.90 and that we award the contract for the exhaust removal system for Fire Station #1 and #2 to Hastings Air Energy Control of Farmington, Michigan in the amount of \$70,006.00, also that we authorize the Fire Chief to spend up to \$5,000.00 for truck modifications, replacement parts and equipment or to cover extra installation costs as long as the combined breathing air and exhaust removal system costs do not exceed the \$95,667.00 Grant amount; also that we approve a prepayment for the exhaust removal systems at the 3% discount if Grant Funds are received from FEMA prior to that payment. Treasurer Dubre supported the motion. Vote on the motion. Yes: Walls, Strole, Dubre, Vallad, Lamont and Cooper; No: none; Absent: Hopper. The motion carried by a 6 to 0 vote.**

8. 2007 Parks & Recreation Budget Amendments

Supervisor Walls said when the Park Commission and the Township Board know that making commitments for funding that require amendments, the amendments should be done first instead of after the contract is awarded or the salaries are increased. It is discouraging to him that we are looking at things approved months ago. Jennifer Tucker explained that they were waiting to see how their revenues shook out.

- ★ **Clerk Strole moved to amend the Parks and Recreation Fund Budget per the memo presented to us dated July 2, 2007. Trustee Vallad supported the motion.**

Trustee Cooper commented that he is very concerned with the way the budget is looking and he has real problems approving the change, even though they have already occurred because if this is approved he doesn't know how they will fulfill the things for the next year. The funding is going down and everything keeps going up. We keep telling them but they still keep spending.

- ★ **Vote on the motion. Yes: Walls, Strole, Dubre, Vallad, Lamont and Cooper; No: none; Absent: Hopper. The motion carried by a 6 to 0 vote.**

Public Comment: None

Springfield Township
Regular Meeting
July 12, 2007

Adjournment:

Hearing no other business, Supervisor Walls adjourned the meeting at 9:32 p.m.

Collin W. Walls, Township Supervisor

Nancy Strole, Township Clerk