

SPRINGFIELD TOWNSHIP BOARD MEETING
February 8, 2007
SYNOPSIS

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

PUBLIC COMMENT:

CONSENT AGENDA:

- a) Approved Minutes: December 28, 2006, Special Meeting and January 11, 2007 Regular Meeting with bills and additional disbursements of \$219,780.31
- b) Accepted January 2007 Treasurer's Report
- c) Received January 2007 Reports: Building, Electrical, Plumbing, Mechanical, Fire and Ordinance
- d) Authorized payment of bills as presented, total \$38,231.98
- e) Appointed William Whitley to the Zoning Board of Appeals, term expiring 12-31-2007
- f) Authorized Sponsor Contributions @ \$3,500.00 each to Clarkston Area Youth Assistance and Holly Area Youth Assistance
- g) Received Report from Supervisor on Cable Franchise Status and new State Uniform Video Service Local Franchise Agreement
- h) Received memo from Collin Walls regarding Fire Department Grant
- i) Received communications and placed on file.

PUBLIC HEARING:

OLD BUSINESS:

- 1. Springfield Market Place: Provided comments on revised Concept Plan
- 2. Medical Insurance
 - a. Received and discussed Report from Supervisor
 - b. Appointed Cedric McSween as Blue Cross/Blue Shield Agent of Record

NEW BUSINESS:

- 1. Deferred decision on Cable Fund uses
- 2. Discussed Township response to Kalamazoo Circuit Court decision on Phase II permitting

PUBLIC COMMENT: None

ADJOURNED: 10:00 p.m.

NANCY STROLE, Clerk

Call to Order: Chair Pro Tem Roger Lamont called the February 8, 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

Jamie Dubre	Township Treasurer
Nancy Strole	Township Clerk
Dennis Vallad	Township Trustee
David Hopper	Township Trustee
Roger Lamont	Township Trustee
Marc Cooper	Township Trustee

Board Members Not Present

Collin Walls	Township Supervisor
--------------	---------------------

Others Present

Greg Need	Township Attorney
Charlie Oaks	Fire Chief

Agenda Additions & Changes: NONE

Public Comment: NONE

Consent Agenda:

★ Trustee Hopper moved to approve the Consent Agenda as published. Trustee Cooper supported the motion. Vote on the motion. Yes: Dubre, Strole, Vallad, Hopper, Lamont and Cooper; No: none; Absent: Walls. The motion carried by a 6 to 0 vote.

- a) Approval of Minutes: December 28, 2006, Special Meeting and January 11, 2007 Regular Meeting with bills and additional disbursements of \$219,780.31
- b) Acceptance of January Treasurer's report
- c) Receipt of January 2007 Reports: Building, Electrical, Plumbing, Mechanical, Fire and Ordinance
- d) Authorize payment of bills as presented, totaling \$38,231.98
- e) Appoint William Whitley to the Zoning Board of Appeals, term expiring 12-31-2007
- f) Authorize Sponsor Contributions @ \$3,500.00 each to the Clarkston Area Youth Assistance and Holly Area Youth Assistance
- g) Report from Supervisor on Cable Franchise Status and new State Uniform Video Service Local Franchise Agreement
- h) Receipt of Memo from Collin Walls regarding Fire Department Grant

Receipt of Communications

- Holly Area Youth Assistance Report and letter regarding staff appointment
- Letter from Oakland County regarding CDBG Funding
- Update letter from John Bistoff regarding Waumegah Road Paving
- Letter from Road Commission for Oakland County regarding speed limit signs
- Letter from Clarkston Area Youth Assistance regarding Youth Recognition

Old Business:

1. Springfield Market Place

Mr. Ken Till of REDICO explained that they have made a number of changes to the plans that make it much more compatible with the Township's ordinance for a PUD. To meet the material benefit of the PUD, they also incorporated a boulevard section on Dixie Highway. Based on these changes, REDICO believes that this new plan does comply with the PUD requirements and satisfies all of the concerns that have been raised throughout the process, up until the December submittal date, by the Township and the township residents.

Mr. Till said REDICO does extensively landscape their projects as well as use hardscape features. They are here now to solicit feedback on the revised plan that was presented to the Planning Commission January 15, 2007. The revised plan significantly reduces the square footage from approximately 380,000 square feet to 320,000 square feet. They also incorporated a plaza, walking paths and other community amenities within the development. They do have executed letters of intent with two major retailers and discussions are under way with other local and national retailers. They are anticipating phase I to open in the fall of 2008 and phase II to open in spring of 2009. Mr. Till said in reducing the square footage of the development to reduce density, this also allowed for an increased green space on the site from 11% to 30%, the zoning ordinance only requires 10% green space. Another benefit of reducing the square footage was to address the fact that the retail buildings were considered to be too close to the property lines. By reducing the square footage and bringing the retail buildings more closely centered in the middle of the property, they were able to increase the setback from 65 feet to 95 feet; the zoning ordinance requires 50 feet. They have also increased the minimum distance between the residential and retail buildings from 82 feet to 130 feet. Mr. Till said another concern that the Township and residents had was that they retain the existing tree line between the residential neighborhoods and the retail development. By reducing the square footage they were able to accomplish this. They have replaced the proposed underground retention with an above ground storm water system which includes stone trenches, leaching basins and bio retention swales. They will address MDEQ discharge requirements to ensure protection of the pond.

Mr. Till said other concerns raised throughout this process were the location of the dock areas. They have relocated the truck docks away from the residential neighborhood. REDICO was able to address many of the concerns from the residents and the Township, from a management perspective, by their management practices that they put in place in all of their retail developments. They will comply with the Township noise ordinance. They believe the building masses themselves will help relieve some of the pre-existing traffic noise from I-75 and Dixie Highway. In regard to light trespass issues, REDICO will perform a photometric study to ensure

that light trespass is minimized; there are certain light fixtures that can be utilized to minimize those concerns and they will be utilized to the full extent. REDICO continues to offer to meet with anyone in the community to provide an understanding of how they manage their properties.

Mr. Drane of ROGVOY Architects explained that the grouping of buildings has created a campus style of retailing and restaurants with open areas and outdoor seating in between the buildings. The boulevard is proposed to be constructed during the first phase of construction and they have put together a nice landscape plan for that area. Mr. Till noted that this is just a concept, and they will continue to work with the Township to ensure that it fits whatever design they want to see. Mr. Drane said they expect to have open water areas possibly with a fountain or some larger landscape features. It is conceptual at this point, but the intent is to provide a substantial public gathering area.

Mr. Till said a main concern raised by Carlisle/Wortman were the length of the proposed boulevard section and whether or not it is sufficient. REDICO believes the boulevard could be extended in the future and they will design it in such a manner, if and when additional development occurs along Dixie Highway. Regarding the economic impact concern raised by Carlisle/Wortman, it is REDICO's belief that this development will be a positive to the existing retailers in that it will draw additional traffic to the area and allow independent retailers to find a niche and therefore benefit from this development. They will be developing an economic impact study. In regard to the location of the northern drive, Mr. Till said this is primarily intended for right in and right out and should not cause problems that Carlisle/Wortman felt might be present with this entrance. Regarding the general site design, REDICO will work with the Township during final site plan preparation to ensure conformance with Township guidelines and standards.

Mr. Till said they believe this project brings specific community benefits such as the construction of the boulevard; it provides a gateway to the community that provides shopping, dining and gathering that currently do not exist; it brings significant jobs during construction and thereafter, they estimate the jobs to be approximately 670 new jobs. It will provide an increase in the tax base of approximately \$920,000 per year. There has been concern that additional public services needed would eat up much of that tax base, but they will address that in their economic impact study as well. REDICO believes that this development provides for the highest and best use of the site which currently has minimal existing natural features. They strongly believe this site is a commercial site and will be developed at some point, if not by REDICO now. Mr. Till said if they are able to bring the necessary services that this retail development will provide to the Township residents in this location, it helps avoid spreading it throughout the Township, which would be a negative. Mr. Till said allowing the church to relocate to E. Holly Road preserves the lower impact use of that site which is recognized in the Master Plan and allows for the long term protection and preservation of the existing natural features at that site.

Mr. Till said a number of the items raised in the meeting with the Planning Commission in January are already beginning to be addressed, such as the relocation of retail C, the relocation of the truck turn-around, the re-addition of the berm and wall, the evaluation of the most effective configuration of the boulevard, and development of an economic impact study.

Clerk Strole asked how, with the boulevard and the location of Lavon and the service station, will traffic be handled when trying to get back onto northbound I-75? Mr. Walther, the traffic engineer, explained that this is an operational issue and part of their traffic study recommends that a traffic signal be installed at the main entrance. It will function as a 3-phase signal with a left turn phase for traffic going into the Bordine development or their proposed development. Traffic exiting Lavon or the BP Station already have trouble making a left turn. REDICO is proposing that they could execute a right turn, come to the turning lane provided along the boulevard and use the left turn phase. With the added turn lane provided along the frontage, there is sufficient distance for them to execute a left turn/ U-turn. Mr. Till said given the location of Lavon and the BP Station, there is not really any other way to address it than how they have. Another option would be a service drive along the north side of Dixie Highway, but then we get into right-of-way issues and a lot of other financial implications and those are things they cannot control.

Clerk Strole asked if they have estimates for the total additional trips during a 24-hour period that would be generated as a result of this site? Mr. Walther said they could provide that. Clerk Strole said the applicant has stated that a home improvement store (Lowe's or Home Depot) and a department store (Target) will occupy the large retail buildings. But the Board has no idea who the tenants of the other six buildings will be and asked if they could be more specific? Mr. Till said they do not have executed leases with other retailers and they are early enough in the process that they have not started detailed discussions with other users. Their intent is looking at two to three sit-down restaurants and breaking some of the outlot buildings into a number of smaller retailers. He said he could provide a list of tenants at their other developments. Clerk Strole said a list of possible tenants would be very helpful because one might be considered a benefit while another might not be considered a benefit. Treasurer Dubre agreed. Mr. Till said there would be no 24-hour operations as asked by Clerk Strole. Clerk Strole asked what prompted the design of the boulevard monument? Mr. Drane said they were seeking a rural appearance but it is conceptual and they are open to working with the Township on these elements. Clerk Strole noted that the \$920,000 in tax base should not be implied that that is what is coming to the Township government because it is not.

Treasurer Dubre asked if the applicant has approached the Dodge dealership in regard to the boulevard? Mr. Till said no, but they would certainly do so. Treasurer Dubre said she is concerned with all the curb cuts in that area and she envisioned a much longer boulevard. Mr. Till said if Bordine's moves forward with their development, they could then incorporate that additional boulevard section at that time. It does come down to economics and this project cannot support it all. Treasurer Dubre said she does not think REDICO and the Township should bear all of the cost. She does think the boulevard is an improvement that would make a big difference along the corridor for all of the businesses.

Trustee Hopper asked what the thoughts are on moving retail C? Mr. Drane said they are thinking about taking it to the other side. Trustee Hopper said he assumes quality construction materials will be used, he does not want to see block. Mr. Drane said they will be using quality architectural materials as is used in all REDICO sites. Trustee Hopper asked if the pathway plan has been modified because his plan doesn't show anyplace to walk? Mr. Drane showed where there would be pedestrian pathways with linkages in several places. Trustee Hopper said in

Springfield Township Board
Regular Meeting Feb. 8, 2007

regard to the entrance area, he would like to see perhaps a treed, woodsy entrance versus a fountain in order to hide massive parking. Trustee Hopper said he does not believe the fountains are something in character of Springfield Township.

Trustee Cooper asked if landscaping will be done along the edge early, so as to hide the construction from the residents. The applicant indicated that it would be.

Trustee Lamont asked what is the footprint pad elevation in relation to Dixie Highway? Mr. Drane said it is the same. Trustee Lamont asked if some subtle berming could be along Dixie Highway to eliminate the visual of the sea of parking? Mr. Drane said there is still substantial greenbelting. Trustee Lamont asked what the applicant is thinking when they are considering pulling the road out of the lifestyle center? Mr. Drane said one thought is to eliminate the road through the center and bring it along the side so there wouldn't be a separation between the gathering area the building pads. He believes it is resolvable. Trustee Lamont said he agrees. He said, if retail C moves as suggested, the applicant may be able to slide the lifestyle center back a little bit.

Trustee Vallad asked, regarding the Michigan Left, would three 12 foot lanes accommodate a tanker? Mr. Till said, no it is designed for standard vehicles but the design is not concluded yet.

In the absence of Supervisor Walls, Clerk Strole read the Supervisor's comments regarding the plans. These comments were provided in writing to REDICO and all Board Members. Supervisor Walls felt the narrative has enough elements to warrant proceeding with an actual PUD application. The plan still does not meet qualifications for PUD but it appears that it could. REDICO has done a good job working with residents and Township representatives to revise the plan. This project can and will provide benefits to our residents but as a "gateway" there is nothing wrong with a church and school. Screening the adjacent residential area is critical. Dixie Highway improvements can be an important public benefit but impact on public services is critical. Pedestrian and vehicular traffic could be improved. There is not enough architectural information to determine conformance with ordinance standards. The boulevard and Dixie Highway improvements are not sufficient, and do not provide the public benefit needed. A review by MDEQ must be obtained before presentation of the PUD final plan to the Planning Commission. **[A copy of the full, detailed comments from Supervisor Walls are on file at the Office of the Clerk, Springfield Township] and attached to these minutes.**

Clerk Strole thanked the applicant and complimented them on their willingness to work with the Township. She believes they are a first-class developer and the type of developer Springfield Township welcomes. She commented that this plan is a significant improvement from the previous submittal she believes it could meet the PUD criteria, but does not meet it yet. She said if she had to vote tonight on this configuration she would have to vote no. Items still needing to be addressed, in her opinion, include the boulevard. As currently designed it does not address traffic safety and traffic issues, and that needs to be addressed now. The boulevard need to be designed to include the length of the development and the adjacent apartment and condo entrances. The impact on police and fire services has not been sufficiently addressed. She would like to know what tenants the other six buildings will be housing. The plaza is a key benefit but could be improved upon further. The third northerly entrance to this development

from Dixie is extraneous, and its elimination will help redesign the plaza. The architecture is critical and will add to the benefit, but the plans are lacking the information. The monument sign does not fit with the Township character, in her opinion, nor do the fountains. The pedestrian connections could be more walkable, especially in phase I, and there could be a better walk way connection from the plaza area down to the department store area that could be nice. The buffer and landscaping along the residential is important and needs to go in early. Clerk Strole noted that the church relocating within the township is not considered a “community benefit”, because the church is looking into locations outside the township.

Treasurer Dubre commented that the construction of the boulevard is key to this plan and as proposed it does not cut it, in her mind. This does not mean that REDICO should bear the burden of the full cost. Police and fire are also key and this development does not cover costs based on current police and fire millage rates. She did speak with Sgt. Gardener and he believes we would need at least three extra officers. Treasurer Dubre said she believes the realignment of the drive to eliminate the curb cut could be reviewed. She further believes the sign proposed for the entrance to the “gateway” is not indicative to Springfield Township.

Trustee Hopper commented that a PUD does make sense for this site and development. However the criteria for the PUD requirements has not yet been met and he would like more architectural details. Job creation is a benefit, as is the expanded retail opportunities. The boulevard is a benefit but the proposed plan still needs to be addressed further. Screening is critical for the adjacent residential. The PUD standards stipulate screening to be up to 100 feet in width, and that supercedes the screening that is proposed. It can be varied in size, and he would like to see this resolved before they start the first phase. Trustee Hopper said the landscape should be a type 3 and type 4, and they could vary. Trustee Hopper said the fountain is out of place. This is an upscale development and he would like to have an upscale entryway.

Trustee Cooper commented that he is very concerned with the boulevard. He believes there must be some way to adjust it and the Michigan U-turn will be critical for the BP Station and the Saturn dealership. He would like landscaping done first to help screen residents from the construction.

Trustee Vallad said he believes the boulevard needs more work. He suggested if the plan takes major renovation of the roadway to make it work, then that’s what it takes. He believes the third proposed driveway is unnecessary. He likes the plan and thinks it is appropriately sized and laid out for this site. He believes everything else is just minor tweaks.

Trustee Lamont commented that the applicant has done a great job moving the plan forward and has been more than flexible and has come up with some positive changes. He believes the plan could qualify for a PUD, but currently does not. He concurs that the boulevard should be extended on the plan. He would like to see the boulevard design help the Lavon residents and concurs that we can work out the financials of how it would be built and paid for as the plan progresses. Traffic could be a benefit if this is properly designed. He encouraged continued workshops and meetings with the Township. Screening should be type 3. He apologized for his error in January when he said it should be type 1. He is not opposed to the re-addition of a meandering wall. The parking proposed is adequate in his opinion. He looks forward to seeing

the truck delivery and turn-around design. Where possible, narrower drives behind retail A and B would be beneficial. The banked parking does not show landscaping, and he believes it should show landscaping and screening. He is not opposed to a water feature but he is opposed to a commercial looking water feature. Trustee Lamont said the applicant has done a great job with the storm water plan. He believes this development will serve the Township.

Ms. Laura Moreau, 9654 Westwood Circle, commented that the plan looks great but she has concerns with the traffic issue. She loves the plaza area and would like to see something similar to a “farmers market.”

Mr. Calvin Bordine, 9930 King, said he thinks the biggest issue is the traffic. He believes the only solution to the traffic is a boulevard with right-in and right-out’s and that is the only solution for Lavon. He believes this project will bring a lot more to this area that is needed and is fully supportive of it.

Mr. Tom Weiler, 9171 Hillcrest, commented that he thinks it is time the Township consider a northbound exit at Davisburg Rd.

2. Medical Insurance

a) Report from Supervisor

Clerk Strole said, in regard to the action that was taken by the Board at the January meeting, she would like to make sure what everyone understood that action to be and the consequences of that action. The motion was that we authorize the exploration of medical insurance by the Supervisor of any supplier with a state licensed and approved plan. She asked if those Board members who voted for it, was it with their understanding that the consequences of that would be to give a green light to authorize the Supervisor to go out and explore and obtain information on additional plans and then get quotes that would require, by employees, extensive waiver of their individual privacy rights, and releasing information that goes far beyond medical? She explained that her understanding of the motion was that the Supervisor would look for additional plans that would not have the employees waiving their privacy rights, and then, if something was identified, to come back to the Board. Trustee Lamont said his understanding was that the Supervisor was free to pursue other companies other than AETNA. Trustee Cooper said he was under the impression the Supervisor would look for what is available and if he finds a program, the Board would have to approve a waiver of these rights requirement and it would come back and we could review it. Trustee Hopper said he didn’t want to limit ourselves just by keeping BCBS, because he thinks it is in the best interest of the tax payers and the employees. It came to the Board before because of the burdensome information the employees were asked to fill out strictly for a quote. It was not his intent for anyone to waive HPPA rights strictly for a quote. Trustee Vallad said that is pretty much it.

Clerk Strole said Supervisor Wall’s view was that the motion gave him a green light to go out and pursue what has occurred. What has occurred is that our employees were not given an option. They were told to complete the form for Humana so we could get a quote from Humana. She believes this can still be reversed. The consequence of this is that the Humana waiver is

every bit as bad as the AETNA form. Employees are clearly signing away privacy rights. Clerk Strole read several paragraphs in the form (form provided to Board members and attached to minutes) where this takes place.

Treasurer Dubre said all plans will want this information for a quote and this is why she did not want to pursue any other plans. That is why she asked for reconsideration last month in regard to the previous month's action. Supervisor Walls put a memo out to herself and Clerk Strole asking them what they thought about Humana versus AETNA. She gave him her thoughts in writing and that to her it was just him gathering more information. She did not get the information that anything went out to the employees, that that is what happened, until after it happened. Clerk Strole said she did not respond in a timely fashion to Collin's memo. However, she said that she strongly expressed her objections to Collin on several occasions this week prior to release of employee waivers to Humana, and she told Collin that her understanding was that it would come back to the Board before it went to the employees for waivers.

Trustee Lamont said his intent was to try to save the township and tax payers money and look for insurance plans that can do that. If every insurance plan requires divulging this information similar to AETNA's, he would go back to AETNA. Treasurer Dubre said Humana is better, they only go back two years and AETNA goes back five years. Trustee Lamont said we won't get any quotes unless we fill out these forms. Trustee Cooper said he doesn't have a problem getting quotes because if we don't use that company we just pull the applications back. Clerk Strole said employees would have already waived their future rights, and she noted that the form they signed was an application for coverage, not just a quote request.

Trustee Hopper said the only way to explore quotes is to have them underwritten and that is what this process is. The verbiage is bad, but it's the only way and there is no other plan that would not require these burdensome forms to be filled out. Trustee Hopper said the alternative is to do nothing and we're stuck with BCBS and their rate increases and it will go up every year. This is an opportunity to potentially get something better and cheaper.

Trustee Lamont said the motion did not say anything about wholesale waiving of rights, it talked about authorizing the Supervisor to seek alternative plans other than AETNA. They were not specific as to what forms could be filled out. We did agree in the conversation leading up to the motion that AETNA was too severe and to look for ones that didn't have such a severe form, but we weren't specific in the motion. He believes the Supervisor did act in good faith on the motion. Treasurer Dubre concurred.

*** Clerk Strole moved to reconsider the previous motion of January 11, 2007 whereby we authorize the exploration of medical insurance by the Supervisor any supplier with a state license and approved plan. Trustee Hopper supported the motion. Vote on the motion. Yes: Strole and Vallad; No: Lamont, Hopper, Cooper and Dubre; Absent: Walls. The motion failed by a 4 to 2 vote.**

Fire Chief Oaks said he feels the Board listens, but they don't hear. No one on the Board said they understood after Greg Need's comments about the forms waiving HPPA.

b) Agent of Record appointment

- ★ **Treasurer Dubre moved to authorize the appointment of Mr. Cedric L. McSween of Premier Solutions Agency as our Blue Cross/Blue Shield Agent of Record effective February 15th as outlined in the letter dated tomorrow. Trustee Cooper supported the motion. Vote on the motion. Yes: Strole, Dubre, Vallad, Lamont, Cooper and Hopper; No: none; Absent: Walls. The motion carried by a 6 to 0 vote.**

New Business:

1. Computer Purchase – Cable Fund

Trustee Lamont explained that this discussion was raised by a memo from Supervisor Walls that outlines the request to purchase five computers and one laptop computer for the library, using PEG funds.

Clerk Strole suggested deferring this because she feels if PEG funds could be used for something like this, then perhaps we should consider looking into the Parks Department utilizing some of these funds, since they do many public education programs. The library now has ample of money and is not in need of these funds as is the Parks Department which is in dire need.

- ★ **Treasurer Dubre moved to defer this to look at other ways to creatively utilize the PEG Funds in areas that are in more of a need at this point. Trustee Cooper supported the motion. Vote on the motion. Yes: Strole, Dubre, Vallad, Lamont, Cooper and Hopper; No: none; Absent: Walls. The motion carried by a 6 to 0 vote.**

Trustee Vallad said he agrees, particularly with respect to a laptop computer. There is nothing presented that tells him why the library needs a laptop. Trustee Lamont concurred.

2. Phase II Stormwater Permit

Greg Need explained that the Board has a copy of his draft letter to go to the MDEQ. **[A copy of this letter is on file at the Office of the Clerk, Springfield Township].** He believes that, based on the Kalamazoo Circuit Court decision, we are not subject to the requirements of the Phase II Stormwater Permit Program, for the reasons stated in the letter.

Clerk Strole said this is the way to go and suggested moving forward. The Board unanimous concurred that our attorney should send the letter.

Public Comment: None

Springfield Township Board
Regular Meeting Feb. 8, 2007

Adjournment:

Hearing no other business, Chair Pro Tem Lamont adjourned the meeting at 10:05 p.m.

Collin W. Walls, Township Supervisor

Nancy Strole, Township Clerk