

**GENOA TOWNSHIP BOARD**  
**Regular Meeting**  
**September 22, 2003**

**MINUTES**

Supervisor McCririe called the regular meeting of the Genoa Township Board to order at 7:00 p.m. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Gary McCririe, Robin Hunt, Todd Smith, Jim Mortensen, Anthony Combs and Jean Ledford. Also present were Township Manager Michael Archinal, Planning Coordinator Kelly Kolakowski and approximately 8 persons in the audience.

Moved by Ledford, supported by Mortensen to approve the agenda as presented. The motion carried unanimously.

A Call to the Public was made at 7:02 with no response.

**1. Recognition of Rick Staley for years of service with the Zoning Board of Appeals.**

Supervisor McCririe presented a plaque to Rick Staley for his 25 years of service to the community as a Chairman and member of the Zoning Board of Appeals. Mr. Staley estimated that, during his tenure, he has driven over 5,000 miles and heard over 2,000 cases as Chairman of the ZBA. Mr. Staley was congratulated by Supervisor McCririe and the entire Township Board for a job well done.

**2. Request for approval and authorization to execute the NPDES Phase II Intergovernmental Agreement for the Huron River Chain of Lakes Subwatershed Group presented by Kelly Kolakowski.**

Ms. Kolakowski explained that the last census defined much of Livingston County as a small urban area. Because of this Genoa Township is required to comply with E.P.A. requirements for stormwater management. The communities listed have decided to pursue a watershed approach. The engineering firm of Hubbel, Roth & Clark is the consultant to the group that includes the Livingston County Drain Commission and the Livingston County Road Commission. The formula for cost allocation includes watershed and urban area. Genoa Township's share is \$22,310 through 2006.

Moved by Hunt, supported by Smith to authorize Kelly Kolakowski to execute the intergovernmental agreement at a cost of \$22,310. The motion carried unanimously.

**3. Consideration of approval of a contract with Langworthy, Strader & LeBlanc to reformat and update the Township's Zoning Ordinance at a cost of \$12,430.**

Ms. Kolakowski explained the need for this revision to the Board. Since the ordinance has grown organically over the last 11 years there are a number of inconsistencies within it. The proposed contract will help assure that the zoning ordinance is organized and defensible. Trustee Smith expressed concern about new amendments being added to the ordinance as part of this process. Ms. Kolakowski responded that the only substantive changes will be for those sections that should be changed due to new legislation or case law. Further, the revision will follow the same process as an ordinance amendment so the Board will have final review.

Moved by Mortensen, supported by Combs to approve the contract in the amount of \$12,430 per the L.S.L. letter dated 6/5/03 with the following conditions:

- 1) LSL will be responsible for addressing conflicts and otherwise keeping the ordinance current in the future.
- 2) Every page will include a revision date.
- 3) Subject to the Township Attorney review of the final draft.

The motion carried unanimously.

**4. Request for approval of the environmental impact assessment, conceptual PUD plan, and PUD agreement corresponding to a request to rezone 8.248 acres of property from IND (Industrial) to PUD (Planned Unit Development) for property located on Grand River at Lawson Drive, Sec. 9, petitioned by Weiss Properties, LLC and discussed by the Planning Commission.**

**a. Reconsideration of the September 8, 2003 action remanding the Weiss Land Development PUD rezoning to the Planning Commission.**

At the last meeting this item was remanded back to Planning Commission because the applicant had requested a larger building than the Planning Commission had originally recommended. The retail building had changed from 81,000 square feet to 93,000 square feet. The applicant is now seeking approval of 81,000 square feet of total retail in one or more buildings.

Moved by Ledford, supported by Mortensen to reconsider the 9/8/03 action. Motion carried unanimously.

**b. Disposition of the Environmental Impact Assessment.**

Moved by Hunt, supported by Mortensen to approve the Impact Assessment as presented.

**c. Disposition of Rezoning Request.**

It was noted that the commercial PUD as more consistent with the Master Plan than industrial zoning. It was also noted that the trend in surrounding land uses has moved towards commercial.

Moved by Ledford, supported by Mortensen to approve the rezoning from IND (Industrial) to PUD (Planned Unit Development). Motion carried unanimously.

**d. Disposition of PUD Agreement.**

Moved by Ledford, supported by Mortensen to approve the PUD agreement subject to the following:

1. §6.2 will be revised to specify that the sidewalk will be concrete.
2. §7.2 will be revised to remove the reference to §8.0602.
3. Exhibit “B” Permitted Uses (c) will be revised to specifically limit the number of lanes at a bank to four regardless of whether the lanes are for service windows or ATM.
4. Exhibit “B” Permitted Uses (n) will be revised to reference the special use requirements related to restaurants having live entertainment, outdoor seating and drive up (not drive through) windows.

The motion carried unanimously.

**e. Disposition of the conceptual PUD plan.**

Moved by Ledford, supported by Combs to approve the conceptual PUD plan subject to removal from the drawings any reference to J.C. Penney. Motion carried unanimously.

**5. Consideration of a resolution for approval of a liquor license for Buffalo Wild Wings for property locate on Grand River Ave. and Latson Roads in front of Meijers as requested by Jim Womac.**

PRESENT: Combs, Hunt, Ledford, McCririe, Mortensen, Smith

ABSENT: Skolarus

MOTION BY: Mortensen

SUPPORTED BY: Combs

AYES: Combs, Hunt, Ledford, McCririe, Mortensen, Smith

NAYES:

ABSTAINED:

RESOLUTION DECLARED ADOPTED

**6. Consideration of a request for approval of a liquor license for Irish Roadhouse by Gary Mirto.**

Moved by Smith, supported by Mortensen to table the request due to lack of attendance by the applicant. Motion carried unanimously.

**7. Consideration of a resolution for approval of a liquor license for proposed Bennigan's Restaurant located on the corner of Latson and Grand River requested by Diane Fussman.**

PRESENT: Combs, Hunt, Ledford, McCririe, Mortensen, Smith

ABSENT: Skolarus

MOTION BY: Mortensen

SUPPORTED BY: Combs

AYES: Combs, Hunt, Ledford, McCririe, Mortensen, Smith

NAYES:

ABSTAINED:

RESOLUTION DECLARED ADOPTED

**8. (A) Consideration of approval of a contract with GeoTrans, Inc. to assist with the establishment of a Brownfield Redevelopment Authority at a cost of \$2,500.**

Moved by Ledford, supported by Mortensen to approve the contract subject to review by the Township Attorney. Motion carried unanimously.

**(B) RESOLUTION OF INTENT TO CREATE AND PROVIDE FOR THE OPERATION OF A BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE TOWNSHIP OF GENOA PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AS AMENDED.**

PRESENT: Combs, Hunt, Ledford, McCririe, Mortensen, Smith

ABSENT: Skolarus

MOTION BY: Mortensen

SUPPORTED BY: Combs

AYES: Combs, Hunt, Ledford, McCririe, Mortensen, Smith

NAYES:

ABSTAINED:

RESOLUTION DECLARED ADOPTED

**9. Consideration of approval of a contract with TetraTech MPS to provide a topographic survey and a grading/development plan for the Township Hall property at a cost of \$5,000.**

Township Manager Archinal explained that this request was related to the eventual development of soccer or ball fields on the Township Hall property. The area in question lies to the east of the Township Hall. Supervisor McCririe felt that since the public had already paid for the property it should be utilized for their benefit. Mr. Smith wished to stipulate that the amount not exceed \$5,000.

Moved by Mortensen, supported by Combs to approve a contract with TetraTech MPS for topographical survey and grading plan for the Township Hall property for an amount not to exceed \$5,000. Motion carried unanimously.

**10. Request for approval to attend MTA's 2003 Trustee's Retreat, November 1<sup>st</sup> and 2<sup>nd</sup> at the cost of \$375 per person.**

Moved by Smith, supported by Hunt to approve the amount of \$375 for each trustee who would like to attend. Motion carried unanimously.

**11. Request to accept a letter of resignation as secretary and alternate to the Zoning Board of Appeals as submitted by Skolarus.**

Moved by Smith, supported by Ledford to accept the resignation submitted by Skolarus. Motion carried unanimously.

**12. Discussion and possible consideration of per diem compensation for Trustees, Zoning Board of Appeals and Planning Commission.**

Discussion was related to the amount of time various Township officials are undertaking Township business without compensation. Direction was given to the Township Attorney to draft a policy specifying a per diem for such meetings. The policy will be considered at a future meeting.

**Administrative Business:**

Moved by Mortensen, supported by Ledford to approve payment vouchers in the amount of \$96,571.67. Motion carried unanimously.

Moved by Hunt, supported by McCririe to approve the minutes of 9/8/03 with the following correction:

The text under item #10 to be deleted in its entirety and replaced with the following: McCririe recommended the appointment of Doug Brown to the Zoning Board of Appeals. He advised the Board that the Township received approximately 50 applications and that he felt Brown was the most qualified. Skolarus asked that the Board not approve this appointment. After discussion of Board members McCririe called for a motion of the Board. Moved by Mortensen, supported by Ledford, for discussion to appoint Brown to the ZBA. After additional discussion by members the motion carried as follows: Ayes – McCririe, Ledford, Mortensen and Smith. Nays – Skolarus, Hunt and Combs.

Hunt explained that the Assessor's Affidavit for operating levy previously approved was incorrect. Moved by Smith, supported by Hunt to replace the previously approved levy of .8194 with the corrected levy of .8317. Motion carried unanimously.

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The regular meeting of the Genoa Township Board was adjourned at 9:10 PM.

A handwritten signature in black ink, appearing to read "Michael C. Archinal". The signature is fluid and cursive, with a large loop at the end.

Michael C. Archinal  
Genoa Township Manager