

GENOA CHARTER TOWNSHIP BOARD

Regular Meeting
May 5, 2014

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. The Pledge of Allegiance was then said. The following persons were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Linda Rowell, Jim Mortensen, Todd Smith and Jean Ledford. Also present were Township Manager Michael Archinal; Township Assistant Manager Kelly VanMarter; Township Attorney Frank Mancuso and three persons in the audience.

Call to the Public was made with no response.

Approval of Consent Agenda:

Moved by Mortensen and supported by Ledford to approve all items listed under the consent agenda as requested. The motion carried unanimously.

1. Payment of Bills.

2. Request to Approve Minutes: April 21, 2014

3. Request for approval of an application for fireworks display by Calvin Heckman Jr. with a display scheduled for July 5, 2014 at 4127 Clifford, Brighton.

4. Request for approval of \$770 expenditure for two, 30-yard dumpsters from Duncan Disposal to clean up Suburban Mobile Home Estates.

Approval of Regular Agenda:

Moved by Hunt and supported by Skolarus to approve for action all items listed under the regular agenda as requested. The motion carried unanimously.

5. Open Public Hearing and request for approval of rezoning, PUD agreement, impact assessment, conceptual PUD plan and adoption of Ordinance #Z-14-01 to amend the zoning map of Genoa Charter Township by rezoning approximately 14.57 acres in Section 09, located at 1201 S. Latson Road (former Latson Road Elementary School), Howell, and #4711-09-100-036. The requested rezoning is from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD), and is petitioned by Howell Public Schools and Genoa Charter Township.

Township Assistant Manager Kelly VanMarter reviewed the history of the Township Board's involvement in the Latson Elementary school property. Mrs. VanMarter explained that the Township and the Schools have been working together on the terms of the rezoning and until the last few weeks have been in accord. The schools have recently asked that the Township agree to language that would allow them to keep the north driveway access to the site. Township staff and consultants are unable to approve the request from the schools. The Board was advised that the north driveway does not conform to the Township's current standards as set forth in the Zoning Ordinance. Without knowing the future use or potential development scenario on the property we are unable to confirm that the driveway can be safely utilized.

The board raised the following concerns:

- The Latson Road/I-96 interchange agreement between the Township of Genoa and the Howell Public Schools was signed by Mr. Rick Terres, Ron Wilson, Mike Witt and Ann Routt representing the school board on Feb. 8, 2012
- The zoning and master plan amendment was recommended for approval by the Township Planning Commission and the Livingston County Planning Commission
- The notice of the public hearing was published in the Press/Argus on 04/27/2014
- Mr. Gordon VanWieren (the Attorney representing the Latson PUD and rezoning) was contacted concerning the Public Hearing scheduled for May 5, 2014 at the Township Hall and did not appear
- There were no representatives from Howell Public Schools present at the public hearing
- The north driveway would be in violation of the Genoa Township Zoning Ordinance Section 15.06 according to Township Attorney Mancuso
- There is a conflict with the apartment complex in that the north driveway is too close to that development
- The end use of the property has yet to be determined.
- The board and township planning commission foresee a potential safety issue in allowing the north driveway to remain
- The directive in Attorney Mancuso's letter of 04/29/2014 is a denial by the Township Board
- The board chooses to allow additional time for the Howell School Board to reconsider their request with regard to the north driveway.

A call to the public was made with the following response: Doug Brown – Should this rezoning be denied, would that open the board to a lawsuit? Mancuso – The board has done everything asked with regard to the rezoning. We cannot go forward with a rezoning without a PUD agreement in place. The call to the public was closed.

Moved by Smith and supported by Rowell to adjourn the Board vote on items A, B, C, and D to June 16, 2014. The motion was voted and carried unanimously.

- A. Disposition of Rezoning from RR to NR-PUD and Adoption of Ordinance Z-14-01
- B. Disposition of PUD Agreement (dated 03-14-14)

C. Disposition of Environmental Impact Assessment (dated 02-14-14)

D. Disposition of Conceptual PUD Plan (Exhibit B, dated 02-13-14)

6. Presentation from Derek Smith regarding SELCRA programming and budget.

Smith presented the board with a copy of the Southeastern Livingston County Recreation Authority audit. SELCRA will be approximately \$20,000.00 in the black at the end of the fiscal year. He requested the board's continued support and expressed appreciation on behalf of the recreation authority.

7. Discussion and direction to staff regarding SELCRA Fall of 2014 use of the north athletic field.

Moved by Skolarus and supported by Rowell to waive past maintenance fees incurred by SELCRA and to allow the use of the north athletic field on the township property for use in the fall 2014 soccer season. The motion carried unanimously.

Member Discussion:

Camp Chaldean has two major summer events scheduled that will occur on June 20th and July 27th. These events will have approximately 1,200 persons in attendance. There are five other family events scheduled in those months. Sound meters will be used to measure the decibel level of the music.

The 2014 Marshmallow Drop and Moon Glow accommodated more than 800 children and the Howell Area Parks and Recreation thanked the board for their support and assistance.

The regular meeting of the Genoa Charter Township Board was adjourned at 7:30 p.m.

Paulette A. Skolarus, Clerk
Genoa Charter Township Board

(Press/argus05/09/2014)