

**GENOA CHARTER TOWNSHIP BOARD  
Regular Meeting  
November 21, 2022**

**MINUTES**

Supervisor Rogers called the regular meeting of the Genoa Charter Township Board to order at 6:30 pm at the Township Hall. The following members were present constituting a quorum for the transaction of business: Bill Rogers, Paulette Skolarus, Jean Ledford, Terry Croft, Jim Mortensen, Diana Lowe and Robin Hunt. Also present were Township Manager Kelly VanMarter, Township Attorney Joe Seward and eight persons in the audience.

The Pledge of Allegiance was recited.

Supervisor Rogers stated he may need to step out of the meeting tonight so he requested a motion to have Ms. Hunt to oversee the meeting in his absence. **Moved** by Lowe, seconded by Mortensen, to allow Ms. Hunt to oversee tonight's meeting in Supervisor Roger's absence. **The motion carried unanimously.**

The call to the public was opened at 6:31 pm.

Ms. Eda Biegas is concerned about the proposed apartment complex. It is very dense for this area and is going to bring a lot of traffic and not just cars, there will be boats. People who live there are going to want to use the lake. She would like to see it scaled back. Also, if there is a recession, and they are not rented, will the rent go down and will they then be a detriment to the community instead of an asset. She wants to ensure that if Grand River needs to be widened, are the setbacks far back enough, or will the homes on Grand River lose part of their front yards.

Mr. Wayne Brewer who lives in Sunrise Park is concerned with the proposed apartment complex with regard to traffic and impacts on the environment. Is the water supply sufficient for sprinkler systems in the units and for the fire department's needs. Lake Chemung is a public lake so this will increase the traffic on the lake. It is already crowded. The fishing has gone down due to the pollution. It will also increase traffic on the roads. He would like to see individual homes on lots instead of the apartments.

A resident spoke who was opposed to the apartments because of the setbacks; however, he knows they have been moved so now it is a positive for the Township, and he is in favor of it.

The call to the public was closed at 6:36 pm

**Consent Agenda**

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

1. Payment of Bills: November 21, 2022

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2. Request to approve November 7, 2022 regular meeting minutes
3. Request Board approval to adjust the Refuse Special Assessment Roll, #X0012, and to adjust the 2022 Winter tax roll accordingly for parcel numbers 4711-09-201-243, 4711-19-300-008, ~~4711-26-300-044~~ 4711-23-200-013, 4711-33-401-016, 4711-34-403-006, and 4711-34-403-007.

**Regular Agenda**

**Moved** by Hunt, supported by Lowe, to approve the Regular Agenda as presented. **The motion carried unanimously.**

4. Consideration of a recommendation for approval and adoption of rezoning ordinance number Z22-03 and associated Planned Unit Development (PUD) agreement, impact assessment and conceptual PUD site plan. The request is to rezone approximately 52 acres from the Neighborhood Service District, Medium Density Residential district and the Town Center Overlay district to a Residential Planned Unit Development overlay of the High Density Residential District (HDR) to allow for 204 apartment units with a net density of 6.23 units per acre. The property consists of two vacant parcels with parcel ID numbers 4711-11-300-014 and 4711- 14-100-002 located at the southeast corner of Grand River and Dorr Road. The request is petitioned by Grand River Dorr, LLC.
  - A. Disposition of Rezoning Ordinance Z-22-03 (requires roll call vote)
  - B. Disposition of PUD Agreement
  - C. Disposition of Impact Assessment
  - D. Disposition of Conceptual PUD Site Plan

Mr. Mark Kassab provided a history of the property as well as his company. They own many high-end apartment complexes in Michigan. He stated they will not be encroaching into the wetlands. The current zoning allows for a zero foot setback; however, they are proposing a 75 foot setback on Grand River and 68 feet on Dorr Road. They are proposing a less dense development than what would be allowed under the current zoning. They have discussed the expansion of Grand River with the Livingston County Road Commission and if it is needed, they will accommodate that. He cannot speak if these residents will be using Lake Chemung; however he has spoken to Mr. Wilson and he is in support of this project.

Mr. Kassab showed a colored photo rendering of the proposed buildings and explained the floor plans. He also showed the site plan and what the views will be from both Grand River and Dorr Road.

Mr. Mortensen is concerned with the amount of brick facing the roads. Mr. Kassab stated that nearly 100 percent of the front of the buildings will be brick or stone.

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Ms. Skolarus questioned the location of the mailboxes. Mr. Kassab stated the clubhouse will have an area for both mail and parcel deliveries.

Ms. Ledford questioned the results of the traffic study. Ms. Jill Bauer, the traffic engineer, stated they have done a traffic study to include the hospital expansion. She stated there were no significant changes when it was included.

Ms. Hunt clarified that the water and sewer system has capacity for this development. Mr. Kassab will confirm again with MHOG that there is capacity. If there is not, then they will not be able to build what they are proposing

Ms. VanMarter noted that more details, such as building elevations and materials, environmental impacts, etc. will need to be developed and presented to the Planning Commission and Township Board for final review and approval.

**Moved** by Hunt, supported by Mortensen to approve and adopt Ordinance Z-22-03. This approval is made because the proposed amendment to the Zoning Map and reclassification as a Residential Planned Unit District (RPUD) /High Density Residential (HDR) with the related development agreement, impact assessment and conceptual plan has been found to comply with the qualifying conditions and the criteria stated in 10.03.01, 10.07.01 and 22.04 of the Township Zoning Ordinance. **The motion carried unanimously with a roll call vote (Ledford - yes, Croft - yes, Hunt - yes, Lowe - yes, Mortensen - yes, Skolarus - yes, and Rogers - yes).**

**Moved** by Hunt, supported by Lowe to approve the PUD Agreement revised on November 1, 2021 with the following conditions:

1. The revised PUD agreement submitted, made revisions to an outdated earlier version of the agreement. The applicant must work with staff and the Township attorney to blend the agreements and revisions must be made to the satisfaction of Township staff.
2. All deviations requested must be specifically detailed including setbacks requested outlined in the PUD Agreement.
3. The applicant must address any comments provided by the Township Planner and Engineer, Utilities Director and/or Brighton Area Fire Authority.

**The motion carried unanimously.**

**Moved** by Ledford, supported by Lowe, to approve the Environmental Impact Assessment dated May 25, 2022 as submitted. **The motion carried unanimously.**

**Moved** by Hunt, supported by Lowe, to approve the Conceptual PUD Plan dated November 4, 2022 with the following conditions:

1. The final site plan shall include all items as required by Section 10.06 as required by ordinance.

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2. The deviations along Grand River for building and parking setbacks shall be reviewed to determine if they can be moved further south to decrease the 25-foot deviation.

**The motion carried unanimously.**

5. Request to approve the proposal from Douglas Electric dated November 4, 2022 for the Township Hall parking lot and driveway lighting improvements excluding and deducting both alternates for a total construction project cost not to exceed \$145,325.50 (\$126,370 + 15% contingency).

Ms. Hunt asked if this proposal includes lighting for the basketball courts as requested by a resident, whose letter is in this evening's packet. Ms. VanMarter stated that was Alternate Proposal #2, which was removed from her recommendation. It can be done at a later date. Supervisor Rogers requested the Board discuss adding lighting to the court.

**Moved** by Lowe, supported by Mortensen, to approve the proposal from Douglas Electric dated November 14, 2022 with removal and deductions for alternate proposals 1 and 2 for a project total not to exceed \$145,325.50 (\$126,370 plus 15% contingency). **The motion carried unanimously.**

6. Consideration of Resolution 221121 for Censure and Reprimand of the Township Clerk, Paulette Skolarus. (requires roll call vote)
  - A. If necessary, consider motion to enter into closed session under the Open Meetings Act, MCL 15.268(h) to consider material exempt from discussion or disclosure by state or federal statute (attorney-client communications). (requires roll call vote and 2/3 majority)
  - B. Consider motion to adjourn the closed session and reconvene in open session. (roll call)

Ms. VanMarter distributed the Resolution for Censure and Reprimand of the Township Clerk for all Board Members to read.

Ms. Skolarus asked to make a presentation. Mr. Rogers stated he requested at the last Board Meeting that any further discussion regarding the investigation be placed as an agenda item and that the Clerk submit that request as required by policy. She did not provide it as required therefore, that item is not on tonight's agenda. Ms. Lowe asked if Ms. Skolarus read the entire resolution. Ms. Skolarus responded that she did not. Ms. Lowe encouraged Ms. Skolarus to read the entire resolution.

Ms. Skolarus would like to present data to the Board regarding her and Mr. McCririe's payroll from 2016. Ms. Hunt stated a motion was approved at the October 26, 2022 Special Board Meeting that no more Township funds or resources shall be used regarding this payroll issue, and asked if Ms. Skolarus used the Township copier to make copies of the data to present to each of the Board Members this evening. Ms. Skolarus indicated that she did make copies on the Township copier.

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Ms. Skolarus feels a huge mistake is being made if this resolution is passed without reading the information she has to present. Ms. Hunt stated the Censure and Reprimand contains a lot more information than the payroll issue. Ms. Hunt asked if the presentation contained any information other than the payroll issue. Ms. Skolarus responded that 95 percent of the presentation is related to the payroll issue. Ms. Ledford asked Ms. Skolarus if she presents the information will she agree to drop the payroll issue afterwards. Ms. Skolarus responded that she would.

Ms. Lowe questioned Ms. Skolarus why she emailed information from the confidential report to herself and was she going to share it with anyone. Ms. Skolarus responded that she intended to share the information with Mr. Mancuso but had not yet done so. After she received the email from Ms. VanMarter after 9:00pm Friday night she decided to prepare the presentation for tonight. Ms. Hunt indicated that the email from Ms. VanMarter was sent Friday afternoon. Ms. Lowe indicated that the e-mail was sent at 3:49pm.

Ms. Skolarus stated that if she is not able to make her presentation, she is going to give her information to the newspaper.

Ms. Lowe asked for clarification on Item #13. Ms. VanMarter explained that when a raise occurred, they were applied at the beginning of each month, and not at the end, so they were occurring in advance.

Ms. Skolarus would like all of the Board Members to read the entire report from the investigation. Only a synopsis was given to the Board. She presented the copies of the data to each of the Board and the Township Manager and will send an email to Supervisor Rogers asking to have her presentation on the next meeting's agenda. . Supervisor Rogers stated that if she provides the information as required by the policy, it will be placed on the next meeting agenda.

**Moved** by Ledford, supported by Croft to approve Resolution 221121 for Censure and Reprimand of the Township Clerk, Paulette Skolarus. **The motion carried with a roll call vote (Ledford - yes, Croft- yes, Hunt- yes, Lowe- yes, Mortensen- yes, Skolarus - abstain, and Rogers- yes).**

**Correspondence**

An email was received from Nathan Miller requesting lighting be added to the basketball courts at the Genoa Park.

Ms. VanMarter sent a memo to the Board advising that Staff is working with SEMCOG regarding grant opportunities for the Senior Survivor Park.

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Ms. VanMarter sent a memo to the Board outlining a list of conditions that Staff and the Township Attorney developed regarding re-negotiating the Settlement Agreement with Mr. Lalewicz as discussed at the last meeting. Supervisor Rogers stated that Mr. Lalewicz responded today where he crossed out many of the conditions stating they were not acceptable. He will provide that response to the Board.

**Member Discussion**

Ms. Hunt stated that the winter tax bills will be mailed November 30.

Ms. VanMarter stated the first and third Mondays of January 2023 are holidays. Both of the meetings cannot be canceled. She suggested moving the 16th meeting to Tuesday or Wednesday, the 17th or 18th.

**Adjournment**

**Moved** by Hunt, supported by Ledford, to adjourn the meeting at 7:53 pm. **The motion carried unanimously.**

Respectfully Submitted,

Patty Thomas  
Recording Secretary

Approved:

Paulette Skolarus, Clerk  
Genoa Charter Township

Bill Rogers, Supervisor  
Genoa Charter Township