

**MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
MAY 13, 2021**

MEMBERS PRESENT: Scott Lloyd, Sandy Donovan, Bob Hanvey, Les Andersen, and Dan Lowe

MEMBERS ABSENT: Greg Durbin, Tammy Beal

OTHERS PRESENT: John Gormley; Phil Westmoreland

CALL TO ORDER

Bob Hanvey called the meeting to order at 7:30 pm.

PLEDGE OF ALLEGIANCE

BOARD MEMBERS PRESENT

The board members introduced themselves. Bob Hanvey asked the attorney whether board members attending remotely could participate in the meeting. Mr. Gormley said because the township hasn't passed an emergency order, they cannot vote, but they can observe.

CALL TO THE PUBLIC

Jim Abraham, the owner of Howell Storage at 1650 Pinckney Road, was present to ask for feedback from the board members on the concept he recently presented to the Planning Commission for expansion of his business. His concern is that the development standards would require him to have pavement rather than gravel, which wouldn't be financially feasible. Phil Westmoreland said that would be a policy decision for the board to make. Bob Hanvey said the development standards don't provide a procedure for granting a variance. Dan Lowe said because the storage facility has been there so long, they may be able to have just gravel. Phil Westmoreland and Dave Hamann will discuss the options for variances with regard to the development standards.

Les Andersen asked the attorney if adding items to the agenda that require a vote is allowed. Mr. Gormley said because it's the regularly-scheduled board meeting, agenda items can be added, but the general policy is to add the item to the next agenda.

Ted Cole, 1502 Peavy Road, asked about having the street name changed from Tracilee to Peavy Road on two vacant parcels his family owns. Bob Hanvey said he will follow-up with the assessor and county GIS department.

APPROVAL OF AGENDA

Les Andersen motioned to approve the agenda as presented. Scott Lloyd seconded. **Motion carried.**

CONSENT AGENDA

Les Andersen motioned to approve the consent agenda. Scott Lloyd seconded. **Motion carried.**

LOVE’S CREEK/SESAME DRIVE SAD CREATION PUBLIC HEARING

Bob Hanvey opened the public hearing for creation of the district at 7:47 pm. He said the intention is to hold both public hearings consecutively in order to coordinate with a company doing work on Schafer Road.

Patrick Swift, 3867 Love’s Creek, said he doesn’t object to paying for maintenance, but feels that the property owners should do their due diligence before making a decision. He had concerns that he wasn’t aware of what the scope of work would be. He also said he heard about circulation of a petition that he was unaware of. Larry Grunn provided a quote from Highway Maintenance & Construction. The township’s engineer has reviewed the estimate and feels it is reasonable. Mr. Swift questioned why only one estimate was obtained; Mr. Westmoreland said it is very difficult to find companies that do this type of work. Mr. Grunn also said he obtained signatures of those who support the SAD, but it wasn’t a “petition.” Mr. Grunn also said that the company that provided the quote is the same company the Livingston County Road Commission would recommend.

Hulda Shurtleff, 2856 Sesame Dr., said she doesn’t feel that it’s fair to allocate the shares based on ownership; she feels it should be done for each lot as was done in the past. Bob Hanvey said the township has been using the formula to allocate based on ownership for quite some time, and it seems to be the fairest way to do it, but the township board can decide to allocate shares a number of different ways.

The public hearing was closed at 8:01 pm.

Sandy Donovan motioned to adopt a resolution to create the Love’s Creek/Sesame Drive Special Assessment District, as presented. Les Andersen seconded. Roll call vote: Lowe—yes; Lloyd—abstain; Hanvey—yes; Andersen—yes; Donovan—yes. **Resolution passed 4-0 (1 abstention.)**

LOVE’S CREEK/SESAME DRIVE SAD ROLL PUBLIC HEARING

The public hearing was opened at 8:04 pm.

Hulda Shurtleff, 2856 Sesame Dr., said she believes the last three special assessments were allocated to each lot, not each owner.

Sue Willett, 2988 Sesame Dr., asked if the township board can change how shares are allocated; Bob Hanvey said yes.

Cindy Alesso, 4045 Love’s Creek, said she believes allocating by owner is the most fair and equitable way to do it.

Dan Lowe and Les Andersen said they feel that assigning shares for each household is the fairest way.

The public hearing was closed at 8:11 pm.

Objections were received from the following property owners:

4710-21-100-040	\$2,272.73	Patrick Swift	3867 Love’s Creek Drive
4710-20-200-017	\$2,272.73	Richard Mowery	4078 Love’s Creek Drive.
4710-16-400-013	\$2,272.73	H.N. Rev. Living Trust	2856 Sesame Dr.
		(Hulda Shurtleff)	

Les Andersen motioned to adopt a resolution to approve the Love’s Creek/Sesame Drive SAD roll as presented. Dan Lowe seconded. Roll call vote: Donovan—yes; Hanvey—yes; Lloyd—abstained; Andersen—yes; Lowe—yes. **Resolution passed 4-0 (1 abstention.)**

GENERAL FUND BUDGET ADJUSTMENTS

In addition to the amendments presented, Bob Harvey said he would like to move \$500,000 to the roads fund for the current fiscal year as the auditor likes the budget to reflect when a project is done, not when the bill is paid. Les Andersen motioned to adopt a resolution to approve the budget amendments as presented, with the additional \$500,000 for roads. Scott Lloyd seconded. **Motion carried.**

LINKS OF MARION OAKS ADJUSTED SITE PLAN

Rick Elkow from Echelon Homes was present, along with Paul LeBlanc from PLB Planning Group, to ask the board to consider allowing a change from duplex condo units to detached units. Mr. LeBlanc said they aren't asking for more density, and that much has changed since the original plan was approved. Scott Lloyd said he is concerned about the space between units. Bob Harvey said he thinks it's a good plan and there really isn't a downside to allowing the change. Dan Lowe said he doesn't see any advantage to the township by allowing the change. Mr. Harvey said it would be better than having a project that's not completed, and the township has allowed other developers to place units at their discretion. Mr. LeBlanc said the township's master plan has a stated goal of providing these types of units. Scott Lloyd said he also has concerns about parking. Mr. Elkow suggested perhaps taking out a few units and putting in additional parking areas.

Les Andersen motioned to grant conditional approval provided that six units are removed and additional community parking is added. Sandy Donovan seconded. Roll call vote: Harvey, Lowe, Lloyd, Donovan, Andersen—all yes. **Motion carried 5-0.**

SEWER CONNECTION CONTRACTORS

Dan Lowe said even after a meeting with the engineer and contractor, he's still not satisfied that the process is being handled correctly. He feels the City of Howell and Livingston County should be eliminated from the process and the township should handle it. If necessary, hire someone to do the inspections.

John Gormley asked if the township has something in writing regarding the policy and expectations. Phil Westmoreland said yes, in the development standards. The board members discussed having the engineer provide some type of fee schedule for inspections.

Dan Lowe said he will contact the Livingston County Building Department about how the township could handle permitting/inspections.

TOWNSHIP PARKING LOT BID SPECS

Phil Westmoreland said they are still working on the design and he should have information for the June 10 board meeting.

ENGINE BRAKING

The LCRC is working on installing the signs. Dan Lowe and Les Andersen had concerns about placement of a few signs: Cedar Lake Road and Mason Road. Dan Lowe will talk with Mike Goryl at the LCRC.

2021-22 MEETING SCHEDULE

Les Andersen motioned to approve the 2021-22 meeting schedule as presented. Scott Lloyd seconded. **Motion carried.**

PLANNING COMMISSION APPOINTMENT

Bob Hanvey nominated Cheryl Range to a three-year term on the Planning Commission. Les Andersen motioned to accept the nomination. Sandy Donovan seconded. **Motion carried.**

CORRESPONDENCE & UPDATES

The monthly Livingston County update is included in the packet.

A letter was received from federal court regarding the Hometown Village of Marion case.

The wedding barn issue is still pending.

Dan Lowe asked for an update on the tree planting at Mugg & Bopps; if they aren't planted by May 15, he wants the township to issue a "red tag" on the project. With regard to the mulch being sold on the property, the township's planner was going to discuss with the property owner. Regarding the Schroeder parking lot, the drain commissioner's office has reviewed and asked him to put in a swale to direct run off to the retention pond.

Les Andersen motioned to have an item to discuss paved parking lots added to the next board agenda. Dan Lowe seconded. **Motion carried.**

CALL TO THE PUBLIC

No response.

ADJOURNMENT

Sandy Donovan motioned to adjourn at 9:36 pm. Scott Lloyd seconded. **Motion carried.**

Submitted by: S. Longstreet

Tammy L. Beal, Township Clerk Date

Robert W. Hanvey, Township Supervisor Date