

Holly, Michigan
Township Board of Trustees and Village Council
Minutes of August 13, 2009

Call to Order: Holly Township Supervisor Jesse Lambert called the August 13, 2009 Joint Meeting of the Holly Township Board of Trustees and the Holly Village Council to order at the Holly Woodlands, 3325 Grange Hall Road, Holly, Michigan, 48442 at or about 6:05 p.m.

Public Comment:

Mr. Tony Mayhew, 13856 North Ridge Drive, Springfield Township, Holly School Board President, stated his comments are made out of concern for the young men, women and children in the area. Party Outlet is a new business in Holly and they now have a sign on the window that says you must be 18 or older to go in. They sell pornography and paraphernalia, among other things. These items are across the aisle from children's birthday party supplies. He doesn't believe the paraphernalia will be used for tobacco. He doesn't want it showing up in our schools, nor does he believe this is the image we want for this area. He understands the community wants to be portrayed as small town Americana. Perception follows reality and he questions if this is the direction we want this community to be going. When looking at economic development, it may look great there's a full store front now where we may have had an empty one in the past.

Supervisor Jesse Lambert, Holly Township, questioned what defense the community had against similar outlets opening in the community.

Clerk Karin Winchester, Holly Township, indicated Holly Township has an ordinance regarding adult items.

Police Chief Rollie Gackstetter, Village of Holly, stated Party Outlet opened about three weeks ago. When an inspection was done, they satisfied all Village ordinances. According to current case law, anything that can be used to smoke tobacco has been struck down as drug paraphernalia. Even ridiculous items, such as a gas mask-shaped bong, according to the Oakland County Prosecutor's Office, falls within the realm of an article that can be used to smoke tobacco. The Village has a paraphernalia ordinance but there has to be specific circumstances to trigger it, such as drugs present, trace drugs present or other specific circumstances which lead you to believe it will be used for drugs. As far as the adult items, the restrictions are you have to be over 18 to peruse an area where such items are for sale. Because 2/3rds of the store contains these items, they were told to post a permanent sign that only persons 18 and older may come into the store, and they have to guard the door. They have agreed to do that.

Trustee Janet Leslie, Holly Township, noted Milford proactively zoned adult material in an industrial area. An ordinance could state only a certain square footage can be used for adult

materials. Having a business like this in a central business district sends a message to potential investors we're a community in decline.

Supervisor Lambert stated he would share with the Village of Holly what the Township has as far as an ordinance and contact Milford to see what Milford has regarding adult entertainment.

Township and Village officials discussed the various businesses in the community that also sell tobacco paraphernalia.

Trustee Leslie indicated having a little bit that would only be purchased by residents is different than having what could be a destination for people coming from other communities to Holly to buy these products. They may not be people we would like to invite into the community, as they wouldn't fit the healthy, active lifestyle of the type of people we're trying to encourage to come to Holly.

Mr. Larry Lilly, 110 Clarence Street, stated that's the first public comment he's heard in 10 years where everyone was involved in the discussion, both the Township and the Village, and answers were given. That's fantastic. It's great that you're having public comment at the beginning and at the end. He wishes you would do that more often.

Introduction of Holly Township Board of Trustees and Holly Village Council Members

Present:

Reisa Hamilton, Holly Village Council
Mark Freeman, Holly Township Treasurer
Bill Kuyk, Holly Village Council
Karin Winchester, Holly Township Clerk
Peter Clemens, Holly Village President
Jesse Lambert, Holly Township Supervisor

Don Winglemire, Holly Village Council
Steve Ruth, Holly Township Trustee
Janet Leslie, Holly Township Trustee
Sandra Kleven, Holly Village Council
Pauline Kenner, Holly Village Council

Work session Discussion:

1. Economic Development

Supervisor Lambert questioned whether the Village of Holly had an economic development plan.

President Peter Clemens, Village of Holly, stated it was part of the Master Plan.

Councilperson Bill Kuyk, Village of Holly, indicated the Village has run out of vacant territory. There are only a couple places left and some of it's a brownfield development that would have to be rehabbed. There are some closed factories tenants could be found for. Then there's some land on Grange Hall Road next to the storage area where one person has bought a big chunk of property. So far nothing has happened there. A couple shops on North Saginaw Street fell through. A lot of it is due to the economic situation everyone is facing.

Councilperson Sandra Kleven, Village of Holly, noted that the Taco Bell owner proposing to open a Taco Bell in Holly is waiting for the Taco Bell on Cook Road in Grand Blanc to get a stronghold. Last heard, they would be breaking ground this fall. The Taco Bell was approved in February so they'll need to do something or ask for an extension.

Supervisor Lambert indicated Genesys Credit Union's developer had stated they would wait until next spring to break ground. Being on a corner, there is probably quite a bit of road work that needs to be done.

Supervisor Lambert questioned whether anyone saw weak points in either municipality's legislation that should be shored up before the next round of development comes through to facilitate what we're trying to do between the Village and the Township.

Trustee Leslie stated it shouldn't be approached in a piecemeal way. Economic development is a huge issue that incorporates not just our ordinances and zoning. It would be great to comb through the Village and Township ordinances and zoning to see that they are complimentary and achieve our mutual goals. The first place to start is to establish mutual goals for the community. In speaking to several residents, they would like to see a task force put together to address not just ordinances and business recruitment, but to look at the total picture and address vision, goals, strategies, create an implementation plan and a system of assessment of our success or lack of success. Rather than taking each separate issue and dealing with it in our two separate boards, it would be better to have a task force comprised of council members, township board members and residents of both communities to work together and look at the whole picture so we can really start shoring up what our goals are and determine how to implement them.

Councilperson Reisa Hamilton, Village of Holly, indicated Trustee Leslie brought a great idea forward. We've had a lot of progress in the joint meetings. Input from somebody besides the two boards would be wonderful.

Councilperson Kleven stated the economic development committee Mr. Rick Stevens from Holly Township started should be included in any task force. They may not be active anymore, but that would be a good group to tap into.

Trustee Steve Ruth, Holly Township, indicated there were funding issues the group faced.

Trustee Leslie stated the issue that the economic development committee had regarding lack of funding and lack of organization is something a task force could approach. Before you start defining the problem, how are we going to attack the problem, are we going to do this ourselves, are we going to look for a non-profit organization to supervise us and guide us through it? That's what Milford did and so did Howell and West Branch. Many successful development plans have been created that way.

Councilperson Kleven indicated there are different programs to get information through, including Oakland Main Street.

Ms. Suzanne Perreault, Village of Holly Downtown Development Authority, noted there are programs available for fairly small scale projects, especially if you're looking at having somebody come in and help you put a plan together or try to facilitate these meetings. There are grants available through the State of Michigan, through the Michigan Economic Development Corporation (MEDC) or Michigan State Housing Development Authority (MSHDA) to help do this kind of thing.

Trustee Leslie questioned whether Ms. Perreault noticed more grants are available if multiple municipalities are attempting to work together.

Ms. Perreault indicated that's been a trend lately with all the regionalization and combining of resources to show efficiency between units of government. The State is really looking at it.

Councilperson Hamilton stated she thinks Ms. Perreault should be included on the committee.

Ms. Perreault indicated she would want to be part of the committee. It's important to have some staff people, herself or the Village manager, as we talk about what the implementation of the plan is going to be so we have a better understanding of what expectations are and what kind of resources we need to ask for to complete the plan.

Ms. Marsha Powers, Holly Village Manager, stated there's a lot of free help from Oakland County Planning. Previously the Planning Commissions of both municipalities met once a year in September. There was a yearly meeting facilitated by Oakland County Planning where basically discussion was held regarding areas you wanted to develop and how to develop them. For some reason, the two Planning Commissions decided they didn't want to do that anymore. There also used to be a liaison from the Township Planning Commission on the Village Planning Commission and vice versa.

Councilperson Hamilton indicated having the Planning Commissions meet and/or have a liaison at each other's meetings would be a good idea.

Supervisor Lambert agreed, but noted Holly Township's Planning Commission is now meeting quarterly.

Councilperson Kleven stated the Village's Planning Commission meetings are monthly only when there's something on the agenda.

Trustee Leslie indicated if an economic development task force was created, it would be great to have individuals from the Planning Commission but they have their own responsibilities and projects. This isn't something that we can give to any existing board or commission. We have

to gather passionate people from all walks of life around the community. It will take an investment of time so they have to be committed.

Supervisor Lambert asked for volunteers for a joint economic development task force between the Village and the Township.

The following people volunteered:

Jesse Lambert	Jackie Campbell
Reisa Hamilton	Marsha Powers
Janet Leslie	
Suzanne Perreault	

The following names were mentioned as people who are not present but may want to volunteer:

Rick Stevens	Ted Gurski
Ken McKay	

Councilperson Hamilton noted there are Citizen Participation Forms, as well, they can fill out and workable citizens can be chosen.

Councilperson Kuyk stated one of the things he recalled from being on the Planning Commission was identifying areas where developments of a commercial nature could take place and then trying to identify what types of activities were appropriate for the utilities and amenities we have for such things, where our location is relative to transportation and so forth. You're not going to get heavy manufacturing in here, that's pretty clear. Recruitment could be done for the "higher tech" outfits possibly, to get somebody interested in bringing something in here of that nature because it is a nice area to live. We have lakes, freeway access and other things handy.

Supervisor Lambert stated the strengths in the area are the state parks, sparsely populated areas and low traffic roads. There are business sets out there that will prefer that.

Trustee Leslie noted this is a great time to start working on economic development as many talented people have found themselves out of work and are trying to think of ways to put their talents to use. Many of them may start new businesses.

Mr. Harold Tsuchiya, Holly Woodlands, questioned what each municipality's responsibilities were and if there was a document that stated the responsibilities. If not, he questioned how the activities were coordinated.

Supervisor Lambert indicated the Township Board of Trustees carries out legislative duties such as ordinance changes, tax collection, budgeting, building permits and other things that affect

Holly Township. There is also a Planning Commission which takes care of the Township Master Plan, which the Township has to adhere to when development occurs. It cites specific uses for land and things of that nature. The Zoning Board of Appeals grants variances if a builder realizes they can't meet regulations.

President Clemens stated the Village is responsible for the 2 ½ square miles that comprise the Village of Holly, itself. The Village has many of the same entities that the Township has; a Planning Commission, Zoning Board of Appeals, a Park Commission and a Village Council.

Mr. Tsuchiya questioned how issues are resolved when there's duplication of services.

President Clemens stated the Village is only concerned with the 2 ½ square miles of the Village, itself, and some outer township residents who are serviced with Village water and sewer. There's not much overlap. The Township takes care of the areas outside of the Village proper and the Village takes care of the Village, itself, with the exception of the collection of certain taxes, elections and assessing, which the Township takes care of for the Village.

Councilperson Kuyk indicated each entity is really an independent entity based on their geographical boundaries.

President Clemens noted there is some blurring of the lines, such as chloriding of the roads and the library, and other things where the municipalities are cooperating.

Ms. Jackie Campbell asked whether the discussions of economic development included water and sewer and industrial. She questioned what would be the trade-off for the Village.

Trustee Leslie stated the economic development task force being discussed would not have authority to make any changes whatsoever. It would be an advisory board that would do the legwork of deciding where we want to go and how we can get there. Individual decisions that had to be made would be presented to the two municipalities.

Councilperson Hamilton noted the Village of Holly used to have an economic development committee about 15 years ago.

Treasurer Mark Freeman, Holly Township, indicated he was the chairman of that economic development committee when it dismantled. The last thing they were working on was a focus on a medical oriented technology area to coincide with at that time the development of Genesys Health Park.

2. Water/Sewer

President Clemens indicated a group led by Mr. Roger Studley would like to see water and sewer from the Riverside Drive Main extended out to Fish Lake Road, along the Grange Hall Road corridor. He has asked Mr. Studley on more than one occasion to speak to an engineer to get a preliminary cost estimate. Mr. Studley represented that whatever it costs, they would be happy to specially assess themselves to pay for it. They may not understand the costs involved.

Supervisor Lambert noted this past week the Township received a signed petition from everyone on the north and south side of Grange Hall Road from Oakhill Cemetery west to Fish Lake Road; not including the credit union, who has already structured a development agreement with Silverman.

President Clemens stated when the credit union first discussed it early last year, they were discussing a 1 ½ inch force main and they were going to use their own well.

Councilperson Kuyk indicated the group was told that was not feasible because you can't service something like that. They have to put in at least a 4 or 6 inch.

Councilperson Don Winglemire, Village of Holly, noted the Village wasn't going to service it anyway. If they're private, they take care of it.

President Clemens stated due to the parking lot configuration and the underground storm water storage, they couldn't do both. They couldn't put a septic field in and storm water storage.

Councilperson Kuyk noted they opted to pump sewage into the sewage system. Since they were contiguous to Silverman, Silverman said if the Village agrees, you can hook into ours. The credit union and the Village agreed, but the credit union had to put in a certain size line which they would maintain at their expense. They would have to pay the full tap-in fees for both water and sewer up front.

Supervisor Lambert stated the special assessment district would be on the Township Board agenda next Wednesday.

President Clemens indicated he received plans today for a concrete drive approach to the cemetery. He questioned whether it should be put on hiatus until it was determined whether water and sewer would be installed in the area.

Councilperson Kuyk noted according to the Village ordinances, anyone wanting to get water and sewer has to pay for all the engineering expenses. The Village will not pay for anything. If the facility is approved by all entities, the piping and everything has to be provided by the people

putting it in at their expense and they would deed that over to the Village with an easement so that the Village maintains it, just as it was done with Silverman.

Supervisor Lambert and President Clemens indicated they have both discussed Councilperson Kuyk's comments with Mr. Studley.

President Clemens stated he explained to Mr. Studley that the only thing the Village even has a say over is yes or no, we'll let you tap. Beyond that, the Village has no involvement and no expense.

Clerk Winchester questioned whether the Village would install the lines.

Councilperson Kuyk indicated a private contractor would do it at the petitioner's expense.

President Clemens noted he would think this would be cost-prohibitive. It would cost \$45.00 per foot for water and \$45.00 per foot for sewer. That's just getting it out to Fish Lake Road. Then the double tap-in fee on top of that is \$17,000.00.

Councilperson Kuyk stated fire hydrants would also need to be put in. From a planning point of view, if you engineer a line just to service that one area and then you decide to go a little further and you haven't sized it so you could go further, you've made a bad mistake. Putting the hole in the ground is the expensive part. The size of the pipe is cheap compared to all the other expenses.

Clerk Winchester indicated Austin's was looking at putting in only the sewer.

President Clemens stated if you dig one hole, you're going to put two pipes in, not one.

Councilperson Kuyk indicated when a line is put in, you make sure there's a tap for every property, whether there's a building there or not. You do not dig a hole and not put the tap in because then you've made a bad mistake.

Trustee Leslie noted the Township has a safety path on our Master Plan on the north side of Grange Hall and she believes the Village has plans to extend the sidewalk along the north side of Grange Hall. A lot of residents are interested in that.

President Clemens stated this week the Road Commission of Oakland County (RCOC) announced they were going to put a three-year hiatus on tri-party monies. The preliminary estimate for the sidewalk out to North Holly Road is \$125,000.00. The Village has a third of the cost available now, or \$55,000.00. Without the tri-party money, the sidewalk can't be done.

3. Any other topic

President Clemens stated putting together a task force that would meet on a regular basis would be a positive first step. The Village just recently dropped out of CDBG and they are now with the MEDC. Hopefully we can tap resources from MEDC, MSHDA, Oakland County and any other organizations to see that move forward.

Supervisor Lambert indicated he has e-mail contact information for those who volunteered and will send out a preliminary e-mail to find a convenient meeting date for everyone.

Treasurer Freeman recommended having at least one member from each Planning Commission on the task force.

Trustee Leslie indicated many residents work quite a distance away and some of the best minds are never available for meetings. We want to be careful what time the meeting is scheduled.

President Clemens noted Mr. Stevens' organization met at 8:00 in the morning. It was difficult to get there.

Public Comment:

Ms. Campbell stated Tim Stallcup should be contacted regarding anything to do with the waste water treatment plant to ensure if we ever have to expand our water and sewer the plant can meet the demands. If anything is outside of the Villages boundaries, there should be no expense to the Village.

Mr. Lilly commented this was a fantastic meeting. He likes public comment at the beginning and the end. This will bring more public people here. What was discussed tonight was excellent; we're all concerned about it. We're especially concerned about water, sewer and our bills. His water bill has doubled. It's getting to the point that something has to be done. If it goes up any more, you're going to have blight and his house will be the worst. No roses, no flower garden, no grass, no trees, nothing. He won't be able to afford it. Right now they're on a fixed income. They can't even buy weed killer or fertilizer. There are many families in the same situation. If you can work with the Township to get water extended to get more customers, it will help. Another issue is police service for the whole Holly community would be an asset. You want to work together to utilize all the resources we have and service the 10,000 residents. We have a beautiful start here. You've laid a foundation tonight you can really work on. He has chills just standing here before you and you're talking to one another and you're going to accomplish something together. Thank you.

Mr. Tsuchiya questioned whether the Township had a Master Plan for water and sewer.

Clerk Winchester indicated the Township has water and sewer districts on their Master Plan. The water and sewer districts could be serviced by either Holly Village or Grand Blanc. Just recently there has been a petition signed regarding a wish to extend the area of a water and sewer district.

Mr. Tsuchiya questioned whether it was a surprise each time another development goes in that water and sewer is wanted.

Councilperson Kleven noted the Township does not provide water or sewer to its residents unless it's coming out of the Village. Developers have to be able to maintain their own septic field in the Township, which depending on the area you're in is very hard because of the types of soils in the area, as well as digging wells and then all the new rules and regulations. It is always a concern trying to get development to come in because of those issues. If they're close enough into the Village, then it has been extended out based on agreements. If you're in the northern part, you can get it extended down through Grand Blanc Township. Depending on where you are in the Township, you're dependent on a well and a septic field.

Adjournment: Supervisor Lambert, hearing no other business, adjourned the meeting at 7:04 p.m.

Zo Turner, Recording Secretary
Holly Township

Karin Winchester, CMC
Holly Township