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Annexation aftermath: Questions still being raised

EUR'Last week's meeting was unsettling'

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There's a name for it: Monday morning quarterbacking.

Even though it's been more than a month since the Aug. 5 ballot initiative was defeated on the 414 acres of Northville Township possibly being annexed to Livonia, a handful of township residents came to the Sept. 18 board meeting still wanting answers.

They want to know who to blame for the annexation attempt.

Was it the building official who signed off on the certificates of occupancy that allowed developer REIS to move tenants into security trailers on the property?

Was it the planning commission or the board for not approving the original plan?

Was it the developer, who crafted the annexation idea in the first place?

Since time restraints did not allow Chip Snider, township manager, to fully answer questions raised at the meeting, he invited the Record to hear a more lengthy explanation. Following are comments from an interview earlier this week:

Q: From comments made at last Thursday's township board meeting, it's clear

that there are members of the public who want to place blame regarding the annexation effort. What are your feelings on this psyche of the residents?

Snider: I felt that last week's meeting was unsettling, because the residents who stood there < although they have every constitutional right in the world to let this public body know what they feel and how they feel < I felt they had a sense of looking for blame or looking for an apology. If they're looking for an apology, I think it's a myth that an apology will lead to some sort of community catharsis or that there's some relief that would come from such a consensus. Some wanted to put a name or an attributable act to this trailer incident. That, I think, was probably improper blame and only used essentially to punish the few in the interest of many.

It allows for a scapegoat in a situation so the rest of us can walk smugly through the rest of our lives. They were looking for a name. I think we need to be reminded that everyone in this township reports to the manager with the exception of the board of trustees. So, if we want to look at it from that standpoint, and if they need a name, I direct the strategies, and I direct the people below me. And, in fact, in terms of blame, this could be a question of responsibility. Did I monitor enough the activities of those beneath me? It will serve no purpose to go backwards to look at that, but it certainly seems to be on the minds of people. There are a lot of things that are concerning to people that need to be straightened out. It seems to me that they are comparing the lifestyle center plan of yesteryear with the consent judgment of today. You can't make that comparison between the two. If we can get away from a hindsight bias where they're, in fact, trying to look backwards to want to know why we didn't know then what we know now, then they need to take a look at today's consent judgment and what it reflects to this township going forward.

There were some attributes out of that consent judgment that I don't believe have been highlighted enough. There is a brownfield (redevelopment plan) now where there was not one before, that, upon buildout, will generate \$1.5 million. There was 100 acres of land deeded back to the township that, in fact, while it may not be 100 prime acres, it is 100 acres < almost 25 percent of the site < that now does not allow the developer to overbuild a 400-acre site. Because they now have only 314 acres. I think that's bigger than most assumed. It takes some of the residential threat away that was going to impact the schools. The schools can now relax, and with all reality not be faced with another school. There was a lot that wasn't able to come out in a public meeting. That wasn't the forum for it. But, there are so

many sides to this crystal that I think ... need to be shared with the community.

The public needs to understand that leadership and learning are interrelated. A lot has been learned since this consent judgment came forward. The township board as it sits today is probably the best it's ever been as a result of this. Our township officials, when you look at the administration, you have to think to yourself some corporate mentality may be to broom the entire administration and start over. Then there's the theory that the people who have struggled through this, the people who are combat-weary, yet are extremely astute now in combat, may be the best people to stay going forward in the community. Because they, and they alone, know all of the ins and outs of an annexation threat and putting together a consent judgment.

There was an allegation that there's been nothing done in this township since the consent judgment happened with the exception of a celebration to celebrate things that ought not have been worthy of that. To that I say there were some unsung heroes that emerged out of this. As always, there's always a side to adversity that is pleasing. We had a former community leader and executive director of the chamber, Laurie Marrs, coupled with Carol Poenisch and a tireless worker behind the scenes and with a lot of personal sacrifice, Fred Shadko, who just seemed to be the cohesiveness these hundreds of volunteers needed.

This consent judgment in its totality may not be in some people's minds the best judgment that's sitting in a file in a drawer today for the township. But they may find that going forward in the future that it's the best judgment for the township given the economy.

I think there needs to be a reflection on the leadership of the township board. They had a supervisor sitting at a table that maybe wouldn't have made the same decision if it were a business decision dealing with his dollars, but he was dealing with taxpayers' dollars. His decision was the best for the township.

The annexation outcome was unknown to anyone. No one could have had the foresight to see that the Livonia voters, thanks to our volunteers, would have seen this annexation issue as not neighborly and stepped up. And, people need to be reminded that had Mark (Abbo, township supervisor) and his board authorized settling with the developer and the annexation vote would have gone the other way, we would have lost this land and lost these

opportunities. Had he settled too early, he still would have had a \$100-million lawsuit lying on top of the township. And, if the land was gone, you could say there's no more lawsuit. But, there may have well been a reason for the developer to still continue the lawsuit for cash if nothing else.

Q: You have mentioned that some policies and procedures have been changed in this building as far as what happens in the building department. There were some people who thought some heads should have rolled. Do you have an answer to that?

Snider: I have two answers to that. As a matter of policy, this office does not discuss personnel issues in a public forum. As a matter of fact, that's well-founded in law. That's not the appropriate place for it. Have policies and procedures changed on the first floor in the building department as a result of it? Yes, they have changed. We've changed the decision-making and the responsibility down there. Director (Don) Weaver will assume more responsibility for the direction of the department. There will be more eyes on it. We know now that this township will never be in the dark again on a threat like this.

Q: As far as the annexation-reform legislation, do you have an update? Have you heard any rumblings that it may go to a vote in the Senate?

Snider: I have no recent information. I was led to believe that possibly in September it would begin to gain some momentum, but I haven't seen anything. We've been told by the legislators involved that some of the impediment to this bill was that there were some who felt it was only going to solve a local problem, and they didn't want to pass legislation to solve the problem of one community. Now they need to fix the law that will affect every community in the state.

Q: What's next? Is there any kind of penalty that if the developers don't do the cleanup within the 10-year period as stipulated in the consent judgment that they could be penalized?

Snider: In a consent judgment, you are legally bound by that order. If someone stepped outside that order, I suppose there could be a show cause before the judge. I don't expect that will ever happen. There is a plan out there right now that the developer has put out to create dialogue with prospective tenants. That is not a plan for the planning commission. It's just a document to get people interested in the site. I believe that their

target is to begin to approach Director (of Community Development Jennifer) Frey and to get before the planning commission probably before the end of this fiscal year, at least for preliminaries. As of today, we've had no plans or know when that day will be. But, they indicated at our luncheon that they were anxious to get going in an expeditious way. It's our expectation that the commercial will be there first.

Q: There's been some criticism that the township should have just approved the original plan. How does the consent judgment compare to the original plan? What was gained? What was lost?

Snider: I think this is what's at the essence of this 'blame game.' Wrongly so, people are trying to look at the original plan and compare it to the consent judgment. What is unknown to us is did the developer ever plan to facilitate that plan or was that just a starting place? Yes, they may have gotten more of one thing and maybe less of another, and we've gotten deeded property that exceeded our first amounts. They would have had no brownfield with the original consent judgment. They now have one. There was give and take on both sides. That was apparent at the closed sessions when they brought (forward) the last best offers and the counteroffers. It was definitely a high-stakes game of negotiation. The gorilla in the room was the \$100-million lawsuit. And, the annexation (threat) didn't take any stress off of the decision-making process, with the fear that we could lose the land.

Q: Another criticism has been that the agreement was a "rush to judgment" < that because of the annexation ballot question coming forward on Aug. 5, some board members felt they didn't have enough time to go through all of the details of the agreement. How do you feel about the decision-making process?

Snider: The cornerstone of good leadership and making good decisions is to be able to appreciate realistic options ... The night they were asked to look at the final document there was concern by some that they would have rather read it letter by letter. However, we were being force fed the consent judgment at each and every meeting. The primary document existed with very small changes. Our legal team would bring us up to speed on what insignificant or significant differences had occurred since the last meeting. It was just an ongoing amendment, if you will.

Q: What about the brownfield? That was such a hotly-contested issue earlier. How do you think residents feel about that?

Snider: It's been my experience that (the word) brownfield in and of itself has a negative connotation. People in communities don't like to think that they need a brownfield. We've never had experience with one here, and we need to get over that perception. A brownfield is a very creative financial structure to clean that site up ... I think the township board understood that when they signed the consent judgment. The developers knew they needed it. I think this a positive thing ... This brownfield will be a significant energizer to the economy once this development is secure. The development will also generate \$16 million in sewer tap-in fees. We've been criticized that our tap-in fees are exceedingly high. We are slightly higher than some of our neighbors, but not significantly. These fees will also help offset the cost of the brownfield.

Q: The celebration at the August board meeting was not to celebrate the agreement that was reached but to honor those who fought the annexation proposal. Is that correct?

Snider: That's correct. After World War II, they had ticker-tape parades for the generals and all of the major leaders after we won the war ... Some might argue that was a bad time to celebrate after all of the senseless deaths of young men and women. However, when people work hard, they deserve recognition. We were at war < it was a civil war with the developers. After the war, after the generals had come together and signed their peace agreement, if you will, which was a consent judgment, I believe it was a time to recognize those who joined in the fight ... And, as strange as this may sound, we should reward people on both sides. Everybody had an opportunity to fight for what they believed in. There were people for the annexation who worked just as tirelessly.

Back to responsibility ... If I'm truly a manager directing this staff, and people want a name to put on this (unforeseen series of events), then they need to put the manager's name on it. Maybe that will solve the problem, and we can move forward. The buck certainly stops here ... (However,) we are holding postmortems in this township hall and other places virtually every day. We are in formal meetings and informal meetings assuring ourselves that we have learned every lesson we could have from this ... But, I question again, with hindsight bias, could anyone have ever been prepared for what they were up against? ... I think the answer is 'no.'

Q: Any other thoughts?

Snider: We employed a significant legal team to fight this (the attempted annexation). (After the annexation petition was submitted) ... We had at least three judges who looked at files of untried evidence and were unwilling or unable to see the manipulation and deceit employed upon us. They lacked the judicial courage to open these files. They used the idea that maintaining the voter status of those seven or eight people (living on the property) was of utmost importance < more so than (the importance of) an entire community. This judicial action just destroyed the sovereignty of the 28,000 people in this community.

The annexation legislation was up against tremendous political odds. While Marc Corriveau, our state representative, coupled with Sen. Bruce Patterson, are still being sent accolades for their help, the fact is they couldn't get the bill out of committee because of political pandering. The bill died, and the legislators let us down. The law wasn't working for us. So, we were back with an annexation threat and leaving this to the voters' choice.

But, there are no failures in this entire situation. We just had an unsuccessful attempt to gain advantage during negotiations. The township's maintained the land. We've got a consent judgment.

We've met with the developers since the consent judgment's been signed. I made a pledge to them that we're going to become advocates < not adversaries. We're going to work forward. The healing has begun. The healing's (also) begun with the city of Livonia, their electeds and residents who supported the annexation. All that's left now is for us to craft the future out of this, to do the best we can, stop looking through the rear-view mirror and start looking through the windshield.

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