

SEMCOG says 'go' to Auburn Hills megamall

By Tim Richard
staff writer

In its biggest "urban sprawl" argument in a decade, a regional planning agency gave the green light to road expansion for a megamall in Auburn Hills.

The executive committee of the Southeast Michigan Council of Governments voted approval by a 3-1 margin Friday to the project.

"We have the highest unemployment rate in the county and twice the state average," said Pontiac Mayor Walter Moore, noting 5,000 permanent jobs and 1,400 construction jobs would be brought to central Oakland County. But Moore found it "ironic" that he was on the same side of the issue as Auburn Hills Mayor Robert Grusnick.

"We need the tax base," said Howard Caldwell, an administrator with the Pontiac School District, which stands to gain \$5.8 million in property taxes from the \$250 million, 230-store complex of discount retail outlets.

SEMOG, a seven-county regional planning agency, had to vote only on the technical question of whether to approve 3.2 miles of east-west road straddling I-75 freeway for inclusion in the Federal Aid Urban Road System.

An attorney for Western Development Corp. said three of the region's Big Four — Oakland executive Dan Murphy, Wayne executive Ed McNamara and Macomb board chairman Mark Stenburgh — supported the site. Detroit Mayor Coleman Young was reportedly out of the county.

Ironically, it was a statement of policy from the Big Four — endorsing land conservation and opposing "urban sprawl" — that ignited the debate a month ago.

AND IT WAS other suburbs, not central cities, whose spokespersons fought the FAUS designation.

"The infrastructure is not there. This would be urban sprawl, stimulated much further into the future," objected Lawrence Terman, attorney for the tiny neighboring city of Lake Angelus. The Bloomfield Hills attorney said the project would absorb the sewer capacity of 330 houses.

"People will be up in arms," said Larry Pernick, a Democratic Oakland County commissioner from Southfield, "when they're told we don't have money for roads, and here we're spending millions for something (the mall) that isn't there. We need an expansion of the road system just to serve the jobs that are already there (in Southfield, Rochester Hills and Troy)." A Rochester Hills spokesman agreed with Pernick's call for more study.

Replied JoAnn Soronen, Farmington Hills councilmember: "If this

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— Larry Pernick
D-Southfield
county commissioner

money doesn't go to this project, it won't necessarily go to another project in southeastern Michigan."

She referred to reports that the \$10 million in work for Lake Angelus and Harmon roads would come from federal demonstration grants and a state economic development fund, not from general road funds.

A SEMCOG staff report also supported the project, saying it meets all criteria for inclusion in the FAUS system.

WESTERN DEVELOPMENT vice president Tim Hindert said the FAUS designation was good planning.

"The Oakland County Road Commission said Lake Angelus Road should be a major road in 1953. I was born at Kalamazoo in 1954, so I had nothing to do with that decision," Hindert said.

He added the project would generate an annual \$25 million in state taxes and \$10 million in local taxes, and that much tree planting and wetlands preservation would be done.

Auburn Mills would have a primary market radius of 40 miles, making it a potential competitor with everything along I-75 from downtown Detroit to Flint.

Western Development is a multi-billion company based in Washington, D.C., whose projects include Gurnee Mills in Chicago, Sawgrass Mills in Florida and Ontario Mills in California.

The "mills" concept is to attract stores that sell at 20 to 60 percent below retail. It would include nine anchor and five major stores.

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Double trouble: Will county fund exec/court war?

By Pat Murphy
staff writer

Ready, aim, fire — legal battles, that is.

Oakland County commissioners are setting the stage for a legal showdown in the jurisdictional battle between the county executive and the circuit court.

"We just hope it isn't too expensive," said commissioner G. William Caddell, chairman of the finance committee of the Oakland County Board of Commissioners.

"But it (the dispute) has to be resolved by a third party," said Caddell, "probably the (Michigan) Supreme Court."

The finance committee Thursday voted to recommend providing up to \$10,000 for legal fees for both the executive and the courts to get a definitive answer on a basic question: Does the county executive have the authority to relocate the probation department — or any

other court function — over the objections of circuit court judges who direct its day-to-day operations?

The committee's recommendation will be reviewed Thursday during the regular meeting of the board of commissioners.

COUNTY EXECUTIVE Daniel T. Murphy says he wants to move the probation department to ease space problems. He says he has that authority under Public Act 139.

In July, Murphy advised the court's chief judge, Robert C. Anderson, the probation department would be moved to 195 Oakland Ave., considered a "high crime area" in Pontiac.

In September, reportedly after frequent attempts at negotiation failed, the judges countered with an administrative order blocking the relocation of any court function. The administrative order was drafted by the circuit court and ap-

proved by the State Court Administrator.

Until last week the board was neutral in the dispute, although individual commissioners may have privately taken sides.

But the board was drawn into the turf war when Murphy asked the finance committee for legal fees — at the rate of \$125 per hour, up to \$10,000 — to do legal battle with the judges.

Insisting that Murphy had acted unilaterally, perhaps "arrogantly," by not consulting with judges before deciding to move the probation department, commissioner Lawrence R. Pernick, D-Southfield, introduced a new motion authorizing an equal amount of money for judges to hire the counsel.

BOTH RESOLUTIONS passed. But not without some commissioners saying it was a colossal waste of tax money and others insisting it was a prudent expenditure of mon-

ey to resolve a constitutional issue.

Some commissioners, including John G. Pappageorge, R-Troy, said they wanted some other solution — like asking the executive and courts to avoid expensive litigation by negotiating the matter.

Providing legal fees for both sides is akin to "giving both sides money and telling them to go to it," said commissioner John E. Olsen, R-Huntington Woods.

Commissioner Marilyn E. Gooling, R-Bloomfield Hills, said she objected to the finance committee initiating a request for legal fees for the judges.

"I want to hear from them (the judges) about whether or not they want legal fees," she said. "If they ask for it, I'll vote for it."

Court administrator Judith Cunningham, who confers with judges, said she is confident they would want the same financial consideration that was extended to the executive.

Anti-drug grand jury underway

By Pat Murphy
staff writer

As President George Bush was outlining his war on drugs, Oakland County was already deploying its special forces.

It was coincidental, said county prosecutor Richard Thompson, but on Sept. 8 — the morning after Bush went on nationwide television to outline his anti-drug campaign — jurors for a special grand jury were being sworn in by Presiding Judge Robert C. Anderson.

By order approved by a majority of the county's 14 circuit court judges, 17 jurors have been assigned to look into Oakland's unsolved murders and "illegal drug delivery network," said Thompson. "They've been meeting quietly ever since," he said.

It is the county's first grand jury in 17 years.

"Witnesses have been subpoenaed and the grand jury has been meeting on a sporadic basis," he said.

Thompson declined to speculate about if, or when, anybody will be indicted. "Under Michigan law, the

operations of a grand jury are secret," he said. Witnesses, jurors and staff personnel are not allowed to discuss testimony or other proceedings.

THE GRAND JURY is convening "somewhere in the county complex," Thompson said. The third floor of the executive office building was recently remodeled, reportedly to accommodate the jury.

The prosecutor proposed a grand jury in February and, after extensive negotiations, received \$50,000 from the County Board of Commis-

sioners in July.

Assistant prosecutor Lawrence Bunting, a member of Thompson's executive staff, is coordinating the grand jury's day to day operations.

Bunting has three assistant prosecutors assigned to narcotics prosecution at his disposal. He can also call on other assistants to assist on murder cases.

Thompson said the grand jury is empaneled for up to six months, after which he can petition the court for a six-month extension. It must disband after a year, he said.

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