

Open space bills trapped in committee

By Tim Richard
staff writer

A dozen bills allowing neighborhoods to set up special assessment districts to reserve open space are bogged down in the Senate Local Government Committee.

"They're not going any place until January," said Rep. David Honigman, R-West Bloomfield, who already has won House passage of House Bills 4120 to 4131.

Realtors, home builders and

apartment owners associations opposed the bills, fearing they would expand government's power to condemn private property for public use.

THE FIVE-MEMBER Senate committee saw its quorum dissolve as members drifted off to other meetings. At the end of a two-hour session, only vice chairman Edgar Fredricks, R-Holland, was left as Honigman answered the critics' arguments. A brief meeting failed to

draw a quorum.

"I agree with everything these guys say," Honigman told Fredricks, "but I don't see what it has to do with my bills. Every argument they made is with the existing (condemnation) law."

The bills would allow groups within a local unit of government to petition their elected officials for special assessment districts for a much longer list of purposes — pristine woodlands, bogs, landscaped areas, camps, botanical gardens, waterfront access and so on.

"They will also allow businesses to expand parking lots," Honigman told the panel. "Rep. Mike Bennane (D-Detroit) added an amendment to allow urban neighborhoods to buy vacant crack houses."

He added: "There's a feeling in rapidly growing areas that the entire township shouldn't pay for something that benefits only us (one neighborhood)."

ROBERT LONG, supervisor of Commerce Township, said the population has expanded from 9,600 to 27,000 in his 22 years in office be-

cause "people like the open appearance. Two areas would like to preserve open space."

"We have, almost every meeting, petitions for some kind of service — chloride, blacktop, lights, weed control."

One (neighborhood) has 17 homes around a three-acre parcel. They are unanimous in wanting to acquire it. The don't want a park. They want open space," Long said.

Honigman said that under his bills, if 20 percent of the property owners object, the improvement would have to be supported by at least 51 percent of the owners. He said a governing board may, if it wishes, require a "supermajority" of 70 percent approval from owners.

A dozen bills are needed because separate laws govern home rule cities, fourth-class cities, home rule villages, general law villages, general law townships and charter townships, as well as metropolitan districts.

JACK SCHICK, of the Apartment Association of Michigan, saw problems.

"If a community wishes parks and parking facilities, the community at large should vote for them and not just a special area," he said.

"We are worried about the liberalness of the definition of park."

"Just who benefits is another concern."

"They (the bills) might be good for the representative's (Honigman's) area, but not to the northern and western sides of the state."

His chief objection was that a local government could find itself invoking the use of its power of condemnation (eminent domain) with a longer list of special assessment districts. If lawsuits resulted, the entire community could wind up paying, he said.

JACK WALKER, of the Michigan Association of Realtors, said MAI hasn't taken a position but he was bothered by "what appears to be an extension of police power" (eminent domain).

"I see nothing that says there has to be a willing seller," Walker said.

Lynn Egbert, executive vice president of the Michigan Association of Home Builders, said special assessment districts for open space could work to the detriment of those who want to see further development.

Egbert also raised questions about who would own the preserved open space and who would be liable if someone were injured on it.

Honor roll released

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man, Jason Perry, Brian Platz, Amy Post, Kevin Price, Jennifer Rachner, Kimberly Reece, Ryan Regan, Carrie Rice, Lisa Rives, Jessica Holnick, Michelle Rott, Mariah Sabnis, Timothy Salley, Elani Samson, Lauren Schneiderman, Susan Schultz, Vikki Seamon, Steven Sears, Bashir Sedki, Daniel Serlin, Talyana Shulman, Scott Simpson, Michael Smith, Michelle Starrs, Rhonda Steinbock.

James Stewart, Susan Sundberg, Sarah Swan, Brian Temple, Teresa Theodore.

Dale Turken, Otis Underwood, Angela Valade, Alexander Vasserman, Matthew Wandel, Shelly Wasserman, John Weh, Hillary Weider, Farrell Weisbach, Julie Whiteman, Lisa Whitener, Lori Wiegand, Todd Wolfe, Andrea Wolff, Kenneth Yoshida, Joseph Zeff, Robert Zeno, Matthew Zielke, Rhonda Zurilla.



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