

NORTHFIELD TOWNSHIP
Township Board
Minutes
April 9, 2019

CALL TO ORDER

The meeting was called to order at 7:04 P.M. by Supervisor Chockley at 8350 Main Street.

PLEDGE

Trustee Otto provided a brief invocation and led those present in the Pledge of Allegiance.

ROLL CALL

Marlene Chockley, Supervisor	Present
Kathleen Manley, Clerk	Present
Lenore Zelenock, Treasurer	Present
Tawn Beliger, Trustee	Present
Janet Chick, Trustee	Present
Wayne Dockett, Trustee	Present
Jacki Otto, Trustee	Present

Also present:

Public Safety Director William Wagner
Wastewater Treatment Plant Superintendent Dan Willis
Township Manager Steven Aynes
Planning Consultant John Jackson, McKenna
Township Attorney Paul Burns
Recording Secretary Lisa Lemble
Members of the community

ADOPT AGENDA

- **Motion:** Chockley moved, Beliger supported, that the agenda be adopted with the addition of the Washtenaw County Road Commission Dust Control Package as item 9.5.

Board members discussed concerns about items being added late to agendas.

Motion carried 6—1 on a roll call vote, Dockett opposed.

FIRST CALL TO THE PUBLIC

Mary Devlin, 9211 Brookside, Brad Cousino, Planning Commissioner, 2860 Tepeyac Hill Drive, Michael Laird, 7628 Oliver Street, Chris Salata, 2920 Tepeyac Hill Drive, Doug Nelson, 5314 Walnut Creek, Henry Russell, 2863 E. Joy Road, Steven Safranek, 5359 Hilltop Court, and Kathleen Bays, 13872 Edenderry, Green Oak Township, objected to adoption of the proposed marijuana ordinance.

Dana Forrester, 9255 Lakewood Drive, Adam Olney, Udo Huff, 6431 Whitmore Lake Road, and Stacy Sloan, 9972 N. Main Street spoke in favor of the marijuana ordinance.

Wayne Davidson, 8015 Coyle Road, provided information about the business of growing marijuana.

Mary Devlin, 9211 Brookside, and Craig Warburton, 450 W. Joy Road objected to the construction of a sewer retention basin. Udo Huff, 6431 Whitmore Lake Road, asked about

the proposed Wastewater Treatment Plant expenditures listed on the agenda.

Soamer Jamil, 52 Barker Road, objected to the sale of 75 Barker Road due to the loss of public parking.

BOARD MEMBER RESPONSE

Board members made comments on information provided by members of the public in favor of and in opposition to allowing marijuana sales. They also answered questions posed by members of the public, including that the Wastewater Treatment Plant expenditure requests are in the Capital Improvement Plan (CIP), and there is a plan for the North Village Park.

Dockett asked for information about the mailbox, street sweeping, Lt. Greene, 75 Barker Road, and the sewage retention basin. Zelenock thanked the Girl Scouts and the others who helped clean up the Community Garden and thanked Chockley and the other volunteers who worked on the successful grant application for improvements to the Community Center.

TOWNSHIP MANAGER REPORT

Regarding the Wastewater Treatment Plan retention basin, Aynes said if the Board approves construction it will not be built for at least a couple years, the Township's bond advisor and bond attorney are not paid unless bonds are sold, and none of the recent sewer rate increase will be used for that project. He urged the public to let the Board know their priorities for the next fiscal year budget.

Board members discussed what information is necessary to allow them to decide on the retention basin.

CORRESPONDENCE AND ANNOUNCEMENTS

Chockley noted the Master Plan Draft review period extends until May 5th. Board members thanked Chockley and Marta Larson for making known the availability of Community Development Block Grant (CDBG) funding for the Community Center and Tammy Averill and Jennifer Carlisle for their work on the successful grant application.

Beliger reported a complaint from a citizen about people sitting in a car at the Jennings Road athletic field smoking marijuana. Chockley noted a police officer will be making a presentation to the Board regarding the effect of marijuana use in communities at the next meeting.

APPROVAL OF MINUTES

Board members made three corrections.

- **Motion:** Chockley moved, Chick supported, that the minutes of the March 26, 2019, regular Board Meeting be approved as amended. **Motion carried 7—0 on a voice vote.**

ACTION AGENDA ITEMS

1.

Review Marijuana Ordinance

The Board discussed options for proceeding, including postponing action until the State publishes its regulations, opting out until that time, opting out completely, extending the sunset clause previously set by the Board, recommending changes for the Planning Commission to make, and discussing the proposal in a joint working session of the Planning Commission and Township Board.

John Jackson, Township Planner with McKenna, reviewed the proposed ordinance, including the uses, zoning districts, and number of permits to be allowed, the approval process (conditional use permit required), and the licensing process.

Board members made comments including concern about operations being in AG-zoned areas which are used mainly residentially, the amount of staff time required for processing applications, the total number of permits that would be allowed, the distance required between marijuana facilities and public uses (schools, religious institutions, etc.), and potential stress placed on the sewer plant. Chick noted the Planning Commission approached this ordinance to mirror regulation of alcohol.

Additional comments from Board members included:

- Strenuous objection to allowing any marijuana facilities in the community due to it being illegal at the federal level and the effect on children and the community as a whole.
- Concern about the processing of applications.
- Concern about allowing facilities in any residential district or the Whitmore Lake district.
- Recommended that the Planning Commission look at the Grand Rapids ordinance.
- Said it should not be approached the same as liquor licenses because most of those require the alcohol to be consumed on-site.
- Said the proposal is extreme for something that has so many unknowns about it.

Chief Wagner said:

- He would prefer to wait for the presentation by the DEA representative scheduled for the next meeting before he comments because he is not an expert on this, and whatever the Board decides the Police Department will enforce the law.
- He would be more concerned if Northfield Township is one of only a few communities in the area that opts in because in that case the marijuana-related calls they already get would increase.
- He is also concerned about the odor.
- It is not clear who will responsible for inspection of facilities.

- ▶ **Motion:** Beliger moved that the Township opt out of allowing any marijuana facilities indefinitely.

Burns said he would prefer an opportunity to prepare a proper amendment to Ordinance 18-62.

Motion withdrawn.

- ▶ **Motion:** Beliger moved, Chockley supported, that the Township attorney prepare a proposed amendment to ordinance 18-62 regarding the sunset provision to be provided for the next Board agenda.

Burns said he will prepare two ordinances—for permanent opting out and for an extension of the sunset provision.

Motion carried 6—1 on a roll call vote, Chick opposed.

Chick asked that someone from the City of Ann Arbor be asked to make a presentation at the next Board meeting in addition to the DEA officer.

- ▶ **Motion:** Chockley moved, Chick supported, to invite the Planning Commission to the April 23rd Board meeting to discuss the proposed marijuana ordinance.
Motion carried 7—0 on a voice vote.

2.

Reaffirm Prior Vote on Ordinance 19-63: Amendments to Zoning Ordinance

- ▶ **Motion:** Beliger moved, Chick supported, to reaffirm the prior vote on Ordinance 19-63: Amendments to Zoning Ordinance, sign regulations.

Chockley explained that this action is necessary because publication requirements were not met when it was first approved. Beliger expressed concern that sign limitations are too restrictive based on the temporary sign allowed at 75 Barker Road. Planning consultant John Jackson explained that permanent signs may be much larger. Dockett said he is opposed to most sign restrictions.

Motion carried 4—3 on a roll call vote, Beliger, Dockett, and Zelenock opposed. Ordinance adopted.

3.

Wastewater Treatment Plant Maintenance Requests

Willis noted that the prices listed are firm, not estimates.

- ▶ **Motion:** Chockley moved, Zelenock supported, to approve the Wastewater Treatment Plant maintenance requests:
 - Replace return sludge control valve system for a cost of \$89,319,
 - Replace Scada controls for pump stations for a cost of \$76,525,
 - Replace Main Street pump station force main pipeline for a cost of \$66,300, and
 - Replace Eight Mile Road pump station VFD for a cost of \$15,120.

for a total of \$247,264.

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In answer to a question from Dockett, Willis said the funds are in their budget for the current year.

Motion carried 7—0 on a roll call vote.

**4.
Sale of Two Fire Trucks**

- ▶ **Motion:** Chockley moved, Otto supported, to approve the sale of two fire trucks.
Motion carried 7—0 on a voice vote.

**5.
Auctioning of Excess Fire Department Equipment**

- ▶ **Motion:** Chockley moved, Otto supported, to approve the auctioning of excess Fire Department equipment.

There was a brief discussion about the details of the auction.

- ▶ **Amended motion:** Chockley moved, Otto supported, to approve the auctioning of excess Fire Department equipment, and to allow it to be thrown away if it does not sell.
Amended motion carried 7—0 on a voice vote.

**6.
Resignation of Part-time Police Officer
Andrea McKahan**

- ▶ **Motion:** Chockley moved, Beliger supported, to accept the resignation of Part-time Police Officer Andrea McKahan. **Motion carried 7—0 on a voice vote.**

**7.
Pay Raises for Police and Fire
Non-Union Employees**

- ▶ **Motion:** Manley moved, Chick supported, that Angela Bennett's wage be increased to \$23.68/hour retroactive to July 1, 2018. **Motion carried 7—0 on a voice vote.**
- ▶ **Motion:** Chick moved, Chockley supported, that Deputy Chief Bishop's wage be increased from \$22.00/hour to \$23.50/hour retroactive to July 1, 2018. **Motion carried 7—0 on a voice vote.**
- ▶ **Motion:** Chockley moved, Chick supported, that Assistant Chief Steve Lowe's wage be increased from \$20.00/hour to \$21.50/hour retroactive to July 1, 2018. **Motion carried 7—0 on a voice vote.**
- ▶ **Motion:** Chockley moved, Chick supported, that Chief Wagner's salary be increased 4%. **Motion carried 6—1 on a roll call vote, Dockett opposed.**

In answer to a question from Dockett, Wagner said trial is scheduled to start next week for Sgt. Greene in Livingston County and May 13th in Washtenaw County. He said he will keep the Board updated on this.

Wagner also noted that the new fire truck he displayed before the meeting replaces the two trucks being sold.

**8.
Commercial Realtor Contract
for Sale of 75 Barker Road**

- ▶ **Motion:** Beliger moved, Dockett supported, to accept the exclusive right to sell from Thomas Duke Company.

There was discussion about whether to require retention of the parking area for public use.

Motion withdrawn.

- ▶ **Motion:** Beliger moved, Dockett supported, to accept the exclusive right to sell from Thomas Duke Company, with the term of the contract to be six months from the date of signing, excluding Polly Market/Acho Brothers at the \$275,000 listing price.

Motion carried 4—3 on a roll call vote, Zelenock, Chockley, and Chick opposed.

**9.
Parks & Recreation Board Requests for Purchases**

- ▶ **Motion:** Otto moved, Zelenock supported, to accept the Parks & Recreation Committee not-to-exceed \$2,600 proposal for those items for the community garden as listed in the Board packet.
- ▶ **Amendment to motion:** Zelenock moved, Otto supported, to amend the motion to make sure a shed is allowed on the site and complies with Township ordinances.
Amendment to motion carried 7—0 on a voice vote.
- ▶ **Amended motion:** Otto moved, Zelenock supported, to accept the Parks & Recreation Committee not-to-exceed \$2,600 proposal for those items for the community garden as listed in the Board packet, and to make sure a shed is allowed on the site and complies with Township ordinances.

Amended motion carried 5—2 on a voice vote, Beliger and Dockett opposed.

**9.5.
Washtenaw County Road Commission
Dust Control Package**

- ▶ **Motion:** Chockley moved, Zelenock supported, to approve the 2019 Agreement with the Washtenaw County Road Commission for three solid applications of contract brine on all local certified gravel or limestone roads within the Township at an estimated cost to Northfield Township of \$27,532.
Motion carried 7—0 on a voice vote.

**10.
First Draft of 2019-2020 Budget**

Chockley referred to her April 9th memo.

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- ▶ **Motion:** Chockley moved, Zelenock supported, to include a 2.8% cost of living raise for all non-union employees in the 2019-20 budget.

Dockett said he prefers merit raises over cost-of-living raises. There was a discussion about whether this would be retroactive for 2018-19. Aynes said he will be bringing a proposal regarding retroactive pay for the current fiscal year on the next agenda.

Motion carried 5—2 on a roll call vote, Dockett and Beliger opposed.

There was a brief discussion about road maintenance funding. It was agreed that more detail is needed.

- ▶ **Motion:** Beliger moved, Otto supported, to renew the Township Manager's contract with no raise for two years. **Motion carried 4—3 on a roll call vote, Manley, Zelenock, and Chockley opposed.**

Aynes noted this needs to be an official offer prepared by the Township's labor attorney for him to respond to.

- ▶ **Motion:** Chockley moved, Manley supported, to include in the 2019-20 budget the purchase of a car from the Police Department at red book price for use by the Code Enforcement Officer, not to exceed \$10,000.

Beliger said she would prefer to continue paying the Code Enforcement Officer mileage and the \$10,000 be dedicated to road maintenance.

Motion failed 3—4 on a roll call vote, Otto, Zelenock, Dockett, and Beliger opposed.

Chockley recessed the meeting for five minutes.

- ▶ **Motion:** Zelenock moved, Beliger supported, to remove the \$60,000 proposed for the kiosk and designate it for road improvements. **Motion carried 7—0 on a roll call vote.**

There was discussion about other items to potentially include in the budget, including design for the lakefront portion of the downtown park. Dockett asked that it be determined whether it will be possible to have a pier in the park.

**11.
Approve Payment of Open Bills
(expected check run date 04-10-2019)**

- ▶ **Motion:** Chockley moved, Otto supported, to approve the payment of Open Bills (expected check run date 04-10-2019) for a total of \$133,804.78 from all funds in the Municipal Investment Fund (MIF) account. **Motion carried 7—0 on a roll call vote.**

**12.
Accept Check Disbursement Report for Paid Bills
(check date from 03-07-2019 to 04-04-2019)**

- ▶ **Motion:** Chockley moved, Chick supported, to accept the Check Disbursement Report for Paid Bills (check date from 03-07-19 to 04-04-19) for a total of \$940,071.42 from all funds in the Municipal Investment Fund (MIF) account.

In answer to a question from Dockett, Aynes said he confirmed with the Township's insurance agent that a \$1,000 claim will not affect the Township's rate, and the agent is investigating what effect various deductibles would have on the policy cost.

Motion carried 7—0 on a voice vote.

CONSENT AGENDA

- ▶ **Motion:** Chockley moved, Otto supported, to accept the consent agenda as presented. **Motion carried 7—0 on a voice vote.**

TRUSTEE/LIAISON REPORTS

Chick reported that residents of the Horseshoe Lake Association would like the first opportunity to purchase lots that come up for sale within their community.

Otto asked that the resolution for the \$2,000 to the Ann Arbor Greenbelt fund be on the next agenda.

Chick asked that the Board create an economic development committee to work with the DDA to pursue development in the Township. There was discussion about ways to assist the DDA with this.

Dockett objected to Chockley's proposal to participate in the Redevelopment Ready Communities Program.

- ▶ **Motion:** Chockley moved, Otto supported, to accept the Trustee and Liaison Reports as presented. **Motion carried 7—0 on a voice vote.**

SECOND CALL TO THE PUBLIC

Adam Olney, Whitmore lake, made extensive comments in support of the marijuana ordinance and in support of the work of the DDA.

BOARD MEMBER COMMENTS

Board members thanked those who came to speak and those who remained until the end of a long meeting, said the proposed marijuana ordinance and some other agenda items were not handled well by the Board, asked everyone to support local businesses, and noted there was good feedback in the online survey.

ADJOURNMENT

- ▶ **Motion:** Chick moved, Manley supported, that the meeting be adjourned.
Motion carried 7—0 on a voice vote.

The meeting adjourned at 11:46 P.M.

Submitted by Lisa Lemble.

Corrections to the originally issued minutes are indicated as follows:
Wording removed is ~~stricken through~~;
Wording added is underlined.

Approved by the Township Board on _____, 2019.

Kathleen Manley, Clerk

Official minutes of all meetings are available on the Township's website at http://www.twp-northfield.org/government/township_board_of_trustees/

Draft