

# NORTHFIELD TOWNSHIP

## Township Board

### Minutes

#### November 13, 2018

#### CALL TO ORDER

The meeting was called to order at 7:23 P.M. by Supervisor Chockley at 8350 Main Street.

#### INVOCATION/PLEDGE

Supervisor Chockley 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:

Township Manager Steven Aynes  
Township Attorney Paul Burns  
Recording Secretary Lisa Lemble  
Members of the community

#### ADOPT AGENDA

- ▶ **Motion:** Chockley moved, Chick supported, that the consent agenda be adopted as presented.
- ▶ **Amendment to motion:** Otto moved, Beliger supported, to add the Civic Event Application for Kiwanis Christmas Tree Sales at 75 Barker Road.  
**Motion carried 7—0 on a voice vote**

Zelenock asked that the Financial and Fund Balance Report be pulled from the Consent Agenda.

**Motion to approve the agenda as amended carried 7—0 on a voice vote.**

#### FIRST CALL TO THE PUBLIC

Dana Forrester and James Trunko (9255 Lakewood Drive and owners of Lovely Monkey Tattoo at 9541 Main Street), Adam Olney, Stacy Sloan (9972 N. Main), Julie Kapnick, Angela Avey (Six Mile Road), Craig Warburton (450 W. Joy Road), Meredith Counts (8840 Main Street), Jodi Carbary (9132 Lincoln), and Jim Nelson (7777 Sutton) ~~commented on~~ spoke against the Prohibition of Marijuana Establishments Ordinance, and some of them spoke against opening meetings with prayer. Andy Lakatos (9249 Lakewood) and Margaret Riddell (65141 W. Eight Mile) asked about the 75 Barker Road grant application and commented on the North Village park development.

#### BOARD MEMBER RESPONSE

Board members thanked the public for coming to the meeting, said Washtenaw County has the highest taxes in Michigan, questioned ~~where~~ why the 75 Barker application and the liquor license ordinance is on the agenda, and asked if the 75 Barker tenant has paid their bills, asked for an update on Lt. Greene, commented on opening meetings with prayer, asked about the consequences of approving or not approving the marijuana ordinance, commented on attracting businesses to the Township,

#### TOWNSHIP MANAGER REPORT

Aynes referred to his written report. He provided updates about the 75 Barker Road assessment and the North Village development proposal, and answered a question about the funding source for the 75 Barker project.

#### CORRESPONDENCE AND ANNOUNCEMENTS

Chockley:

- read the names of residents who have written emails and letters regarding allowing marijuana sales in the Township,
- invited interested residents to make application for filling open positions on the Planning Commission, ZBA, and Board of Review,
- thanked the DDA, the Whitmore Lake Schools, and individuals for supporting the Trunk or Treat event, and
- referred to the memos regarding People's Express and Elections

Beliger reported that she spoke with the publisher of the Courant about providing additional copies of the newspaper for interested residents so that enough copies remain at the Township Hall.

#### APPROVAL OF MINUTES

Board members made three minor changes.

- ▶ **Motion:** Chockley moved, Beliger supported, that the minutes of the October 23, 2018 Board meeting be approved as amended.  
**Motion carried 7—0 on a voice vote.**

#### PRESENTATION

John Pfeffer of Pfeffer, Hanniford & Palka reviewed the 2017/18 audit report for the Township. He described the audit requirements for Townships, and thanked the staff for their cooperation. His comments and answers to questions included:

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- They are issuing an unqualified opinion, which is the highest that can be given, which is very important for the State's review and distribution of revenue sharing.
- All taxes were distributed by the Treasurer in the required timely manner.
- The General Fund balance is approximately 80% of next year's expenditures, which is very close to the 85% the Board has established as its goal.
- While tight budgeting and limiting expenditures helped the general fund balance, this practice occasionally resulted in budget line items being overbudget at the end of the year, and two minor overages of that kind are required to be reported to the State of Michigan.
- This year's summary is an improvement over last year.

Dockett said he has always voted against funding the DEA officer for the Township because the officer does not work full-time for the Township and costs the Township money.

**AGENDA ITEMS**

**1.**

**Accept Audit Report**

- ▶ **Motion:** Chockley moved, Beliger supported, that the audit report for fiscal year 2017/18 be accepted as presented. **Motion carried 7—0 on a voice vote.**

**2.**

**Ordinance 18-62: Prohibition of Marihuana Establishments Ordinance**

Burns explained that the initiative legalizing use of marijuana was approved by Michigan voters on November 6<sup>th</sup>, and he read the language included in the referendum which allows the Township to pass reasonable restrictions regarding signs, sales, licensing, violations, etc. He said the ordinance he provided would be an interim ordinance while the Township develops its own regulations. He noted the Township could chose to do nothing and wait to see what rules and regulations which the State will develop. He said if the Township "opts out" of allowing marijuana sales, the Township will receive none of the tax revenue generated by sales.

The Board discussed whether passing this ordinance immediately is necessary and the desire for open discussion prior to taking action. Burns said it is expected that marijuana sellers will press for quick action by the State, and while immediate action by the Township is not necessary, at some point without action the Township could lose control over implementing local regulations.

Board members made comments including:

- in the interest in transparency this should have been a discussion item rather than an action item,
- Board members are interested in listening to the public about the issue,
- there is interest in having control over sales locations,
- the Township's, general law and zoning ordinances would have to be updated to implement local regulations,

- marijuana use and sales are still illegal under federal law,
- given that there are no rules and regulations in place yet supporting prohibition at this time is reasonable.

In answer to questions, Burns said the Township's medical marijuana ordinance does not apply to the new law, by taking no action the Township is "opting in" to allow sales, applications for sales could be made to the Township at any time, but it is not clear what the process would be, the proposed ordinance is a stop gap which can be reversed or altered in the future.

- ▶ **Motion:** Chockley moved, Chick supported, to refer the subject of marijuana establishments to the Planning Commission to develop a zoning ordinance to control them, and for attorney Burns to develop a companion general law ordinance.

Beliger noted that many municipalities in Michigan have already opted out for sales in their communities and 108 (about 75%) opted out of medical marijuana sales. Burns said if an application is made to the Township prior to Board decisions about this he will bring it to the Board.

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

- ▶ **Motion:** Manley moved, Chick supported, to table the resolution on Prohibition of Marihuana Establishments Ordinance until the Board can get further understanding and have further discussion.

**Chick withdrew her support; motion died for lack of second.**

- ▶ **Motion:** Chick moved, Otto supported, to remove the item *Ordinance 18-62, Prohibition of Marihuana Establishments Ordinance*, from the agenda of November 13, 2018.

**Motion carried 7—0 on a voice vote.**

**3.**

**Ordinance 18-63:  
Establish Liquor License Ordinance**

Chockley explained that the Downtown Development Authority (DDA) may distribute up to 50 restaurant liquor licenses in the DDA area, but establishment of an ordinance is necessary to allow that. In answer to questions, Chockley said these are not package liquor licenses, and the fees are intended to cover costs of processing the licenses (for background checks, etc.). Burns said this is a general law ordinance.

The Board discussed costs and fees for processing applications.

- ▶ **Motion:** Chockley moved, Beliger supported, to adopt the Redevelopment Liquor License Ordinance as presented. **Motion carried 6—1 on a roll call vote, Dockett opposed.**

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**4.  
Establish Liquor License Fee**

- ▶ **Motion:** Chockley moved, Beliger supported, to establish a \$500 fee to cover staff time to process liquor license applications and undertake appropriate investigations. **Motion carried 6—1 on a roll call vote, Dockett opposed.**

**5.  
Authorize Grant Application for a Priority Project  
from Washtenaw Urban County  
for the Improvement of 75 Barker  
to Develop a Business Incubator**

Chockley said she is looking for funding sources to improve the building and revitalize the area, and Northfield Township qualifies under the Washtenaw Urban County grant requirements. She said this would allow small businesses, including Kiwanis, to use the space.

Board members expressed concerns about using grant money, funds that would be required from the Township, the specific amounts of the grant and required matching funds, and other strings that might be attached. It was noted the grant can be refused if awarded.

The completed application will be returned to the Board for approval prior to submission.

- ▶ **Motion:** Chockley moved, Chick supported, to allow the Supervisor and others who wish to help to work with Urban County to put in an application for funding to improve 75 Barker Road to put in a business incubator. **Motion carried 5—2 on a roll call vote, Beliger and Dockett opposed.**

**6.  
Contract with University of Michigan for  
Reimbursement of Police Officer Time  
During the DEA Drug Take Back Day**

- ▶ **Motion:** Chockley moved, Otto supported, for Aynes to sign the contract with University of Michigan for Reimbursement of Police Officer Time During the DEA Drug Take Back Day.

Board members expressed concern over the cost based on past participation.

**Motion carried 7—0 on a voice vote.**

- ▶ **Motion:** Dockett moved, Chick supported, that the contract with University of Michigan for Reimbursement of Police Officer Time During the DEA Drug Take Back Day not be done in future years.

Zelenock said she would like to check with Chief Wagner about whether items not accepted in the “red box” in the Township offices might be accepted at these events.

**Motion carried 6—1 on a roll vote, Zelenock opposed.**

**7.  
Authorize Township Attorney to Review File for  
175 Barker Road (People’s Express) for a  
Determination Regarding Storage of Vehicles**

- ▶ **Motion:** Chockley moved, Beliger supported, to authorize the Township attorney to Review File for 175 Barker Road for a Determination Regarding Storage of Vehicles.

There was discussion about whether People’s Express should pay the cost of this review, and whether there is any legal need for the review,

**Motion carried 7—0 on a voice vote.**

**8.  
Payment of Open Bills**

- ▶ **Motion:** Chockley moved, Manley supported, to approve payment of open bills (expected check run date 11-14-18) for a total of \$118,569.50 from all funds in the Municipal Investment Fund (MIF) account. **Motion carried 7—0 on a voice vote.**

**9.  
Check Disbursement Report for Paid Bills**

- ▶ **Motion:** Chockley moved, Otto supported, to accept the check disbursement report for paid bills (check date from 10-08-18 to 11-08-18) for a total of \$648,553.90 from all funds in the Municipal Investment Fund (MIF) account. **Motion carried 7—0 on a roll call vote.**

**10.  
Civic Event Application for Kiwanis  
Christmas Tree Sales at 75 Barker Road**

- ▶ **Motion:** Beliger moved, Chick supported, to authorize the Civic Event Application for Kiwanis Christmas Tree Sales at 75 Barker on Fridays, Saturdays, and Sundays, starting 11/24/18 ending 12/16/18, pending provision of certificate of insurance. **Motion carried 7—0 on a voice vote.**

- ▶ **Motion:** Chockley moved, Chick supported, to allow Civic Event Applications to be approved administratively.

Board members expressed concerns about who will handle these and how, and if the motion is approved, that Board members be notified of the actions in writing.

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

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**11.  
Financial and Fund Balance Report**

- ▶ **Motion:** Zelenock moved, Chockley supported, that funds allocated in the budget to land preservation be moved to Legal and Professional moving forward.  
**Motion carried 7—0 on a voice vote.**

**CONSENT AGENDA**

- ▶ **Motion:** Chockley moved, Manley supported, to accept the remaining consent agenda items (1—5).  
**Motion carried 7—0 on a voice vote.**

**TRUSTEE/LIAISON REPORTS**

Chockley referred to written reports, and verbal reports were provided as follows:

- Otto reported that on October 15<sup>th</sup> the ZBA postponed one case for additional information and approved a front yard setback to allow construction of a garage.
- Chick read her Planning Commission report which was distributed via email and made available on the Township ~~officers~~ offices front counter.

Beliger said she hopes Roman and Iaquinto are reappointed to the Planning Commission because she values their insights.

- ▶ **Motion:** Chick moved, Beliger supported, that for current sitting appointees on Township boards or commissions, when an opening occurs and their term ends and they want to be reappointed, that instead of having to submit a complete application they simply have to submit a letter of interest.

Dockett said new people should be appointed rather than having the same people serve for long periods of time. Chockley said people being appointed need to be trained to avoid liability for the Township.

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

- Beliger reported that November 29<sup>th</sup> is the next meeting, and at the meeting last Sunday they met at the new park and discussed locations for the gazebo, picnic tables, etc., and they are discussing a park naming contest.
- Zelenock answered questions about the work being done by Barry Lonick for the Land Preservation Committee.
- Zelenock answered questions about the Treasurer's report.

**SECOND CALL TO THE PUBLIC**

Margaret Riddell, Stacy Sloan, Angela Avey, Adam Olney, Jodi Carbary, made comments about the grant application for 75 Barker Road and the proposed marijuana ordinance,

**BOARD MEMBER COMMENTS**

Board members responded to comments from the public about the 75 Barker Road grant application and the marijuana ordinance, wished everyone a Happy Thanksgiving, urged support of local businesses, noted the new Kiwanis Christmas Tree sales days/hours this year, thanked Veterans, noted a new pumper truck was received by the Fire Department, thanked the public for their input and said the Board wants to hear from them,

**ADJOURNMENT**

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

The meeting adjourned 10:55 P.M.

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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 November 27 2018.

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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/](http://www.twp-northfield.org/government/township_board_of_trustees/)