

NORTHFIELD TOWNSHIP
Township Board
Minutes
October 8, 2019

CALL TO ORDER

The meeting was called to order at 7:06 P.M. by Supervisor Chockley at 8350 Main Street.

PLEDGE/INVOCATION

Beliger 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 (left at 9:10 P.M.)
Jacki Otto, Trustee	Present (left at 9:15 P.M.)

Also present:

Public Safety Director William Wagner
Wastewater Treatment Plant Superintendent Dan Willis
Township Manager Steven Aynes
Planning Consultant Paul Lippens, McKenna Associates
Township Attorney Jeff Alber
~~Township Attorney Bradford Maynes~~
Recording Secretary Lisa Lemble
Members of the community

ADOPT AGENDA

- **Motion:** Chockley moved, Manley seconded, that the agenda be adopted as presented. **Motion carried 6—0 on a voice vote, Otto out of the room.**

FIRST CALL TO THE PUBLIC

Mary Devlin, 9211 Brookside, Mary Czech, 9615 Main Street, John Gura, 7659 Edmund, Barbara Wutka, 5985 Leland, Stan Wutka, 5985 Leland, Dana Forrester, 9255 Lakewood, Craig Warburton, 450 W. Joy Road, James Trunko, 9255 Lakewood, and Dylan Atkinson, 17 Anna Drive, commented on the proposed marijuana ordinances.

Craig Warburton also commented on the involvement of some Board members in the local effort to ban marijuana businesses in the Township.

BOARD MEMBER RESPONSE

Dockett noted the Building Department operating in the red was discussed earlier this year, but the Board has not addressed it since then.

- **Motion:** Dockett moved, Zelenock seconded, to add the Building Department study on the next Board agenda as one of the first three agenda items.

Aynes noted the Board has directed that other things be on the next agenda and other items have been tabled recently.

Motion carried 7—0 on a voice vote.

Board members responded to specific comments from members of the public about the marijuana ordinances.

ADOPT CONSENT AGENDA

- **Motion:** Chockley moved, Manley seconded, that the consent agenda be adopted as presented.

In answer to a question from Dockett, Aynes said the sale of some Township-owned lots to a resident is almost complete, and interest has been expressed in another lot by another buyer. Willis answered a technical question from Dockett and responded to a comment about extreme rainfall events.

Motion carried 7—0 on a voice vote.

CORRESPONDENCE AND ANNOUNCEMENTS

- Absentee ballot applications are available in the lobby and on-line, and election inspectors are needed for the November election.
- Kiwanis is holding a Chili Cook-off on November 2nd from 11:00 A.M. to 2:00 P.M..
- The Police Department Open House will be Sunday from 1:00 P.M. to 4:00 P.M.
- The Whitmore Lake Chamber of Commerce will be holding a fundraiser from 4:30 P.M. to 7:00 P.M. on October 16th to raise scholarship money for high school students.

AGENDA ITEMS

1.

**Approve Payment of Open Bills
(expected check run date 01-09-2019)**

- **Motion:** Chockley moved, Otto seconded, to approve payment of Open Bills (expected check run date 10/9/19) for a total of \$102,433.19 from all funds in the Municipal Investment Fund (MIF) account.

Dockett said attorney fees seem considerably higher than normal. It was noted the fees cover two months.

Motion carried 7—0 on a roll call vote.

2.

Resolution 19:612: Adoption of 2019 Master Plan

Planning consultant Paul Lippens noted this is the five year update required by State law.

In answer to questions, Lippens said:

- The implementation matrix referred to in a 2017 memo is addressed by integration into the plan.
- He does not remember how many comments were made by the public, but there were public engagement

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sessions, opportunities to comment on-line and by email, and public hearings. (Chick said all comments were considered and many integrated).

Board member comments included:

- The updated photos are very good, although a couple could still be improved.
- The plan is a good body of work.
- A suggestion to explain what leapfrogging is in the municipal service expansion policy section on page 35.
- On pages 35 and 74 there should be mention of the SAW grant and capital improvements.
- The KaBoom! grant should be mentioned on Page 68 where the non-motorized path is discussed.
- The language about the Capital Improvement Plan should be corrected to show that the Board approved a plan.
- On page 35 language should be corrected to state that all sewer tap fees were increased, not just fees for new businesses.
- The phrase “Foster the responsible use of land, preserve farmland and natural features, and to make best use of existing public services, utilities and infrastructure” is listed in essentially all areas, but should be removed from the Village Center and edited in the Residential section.
- The plan does not state how many working farms are in the Township or what percentage of land is farmed. [Zelenock said that is not data that is easily collected].

Concerns about delaying approval were discussed because of the effect it might have on at least one potential rezoning applicant. Lippens said the Master Plan is not an issue in that application.

It was agreed that Lippens will make the changes discussed and submit a revised draft for consideration at the next meeting.

- ▶ Chockley moved, Chick seconded, that Lippens make the changes discussed by the Board at this meeting and provide a revised copy for consideration by the Board at the next meeting.
Motion carried 7—0 on a voice vote.

Board members said this is overall a good document and thanked Planning Commissioners and Lippens for their work on it.

3.

**Treasury Management Service Master Agreement
And Positive Pay Service Agreement
with 1st National Bank in Howell**

- ▶ **Motion:** Zelenock moved, Chick seconded, to authorize the Treasurer to sign the Treasury Management Service Master Agreement and the Positive Pay Service Agreement with 1st National Bank in Howell at a cost of \$30 per month for a total of \$360 per year for the Positive Pay Service for the

Township's seven bank accounts.

Motion carried 7—0 on a voice vote.

4.

**Ordinance 19-66: Marijuana Zoning Regulations
to Amend the Zoning Ordinance**

The Board reviewed the revised draft prepared by Lippens to incorporate changes discussed by the Board at the last meeting. Comments included:

- The language on page 9 should be corrected to “In the AR district, the minimum lot size for Medical Class B, ~~Recreational Class B, Medical Class C, and Recreational Class C~~ growers shall be 10 acres: as discussed at the last meeting.
- There are concerns about possible misinterpretation of hours of operation as listed on pages 9 and 11.
- There was discussion about whether to act on this ordinance now or to wait until after the November 5th vote on the proposed marijuana business ban.
- ▶ **Motion:** Beliger moved, Manley seconded, to include in the 1000 foot radius buffers child care facilities, places of worship, and libraries. **Motion failed 3—4 on a roll call vote, Chick, Zelenock, Dockett, and Otto opposed.**
- ▶ **Motion:** Chick moved, Zelenock seconded, to establish a 500 foot buffer between schools and marijuana businesses.

There was discussion about whether a 1,000 foot buffer, if established by the school district, needs to be taken into consideration. Lippens recalled that Township attorney Burns had said the buffer is up to the Township's discretion.

Motion carried 4—3 on a roll call vote, Chockley, Manley, and Beliger opposed.

- ▶ **Motion:** Chockley moved, Beliger seconded, to table Ordinance 19:66 to November 12, 2019.
Motion carried 7—0 on a voice vote.

[Continued after item 5].

5.

**Ordinance 19-67: Marijuana Permit Regulations to
Add Chapter 23 to the Code of Ordinances**

There was discussion about whether new uses authorized by the State in their emergency rules would be allowed if they are not listed in the Township's ordinance. Lippens said the Township attorney should be consulted.

- ▶ **Motion:** Zelenock moved, Beliger seconded, to have the Township attorney verify that since the additional four uses listed in the new State rules are not listed in the Township ordinances they will not be allowed in the Township at this time. **Motion carried 6—1 on a roll call vote, Dockett opposed.**

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- ▶ **Motion:** Chockley moved, Beliger seconded, to table Ordinance 19:67 until November 12, 2019.
Motion carried 7—0 on a voice vote.

4. (continued)

Ordinance 19-66: Marijuana Zoning Regulations to Amend the Zoning Ordinance

- ▶ **Motion:** Chick moved that micro-businesses be allowed in Limited Industrial, General Industrial, and Agricultural districts, limited to one in each of those districts.

Lippens said he does not recommend that the number licenses be limited by district because that is not a time/place/manner standard.

[Dockett left the meeting].

Lippens said if the Board wants to allow microbusinesses in AR zoning in addition to LI and GI they should make that motion, or the Board could set other types of siting standards, such as to establish a specific separation distance (e.g. one mile) in AR zoning between micro-businesses, or limit the number within a specific distance of US_23, or allow them only on paved roads as was previously discussed.

[Otto left the meeting].

There was a brief discussion of whether these businesses should be allowed in the RTM district. Lippens said he will check his past drafts for discussion about that.

Motion died for lack of second.

The Board also briefly discussed the Pre-Application Questionnaire, the Application, and the scoring criteria. Lippens noted the questionnaire and application are administrative forms, and suggested that he work with Township staff on them.

- ▶ **Motion:** Zelenock moved, Chick seconded, to direct the Township Manager and the Building Department to work with the Township planner on the Pre-application Questionnaire and Marijuana Facility Permit Application.
Motion carried 5—0 on a voice vote.

- ▶ **Motion:** Chick moved, Zelenock seconded, to direct Mr. Lippens to investigate scoring criteria options from other communities and choose two to back to the Board for consideration.

There was discussion about when this needs to be done. It was agreed not to include a deadline in the motion.

Motion carried 4—1 on a roll call vote, Beliger opposed.

TRUSTEE/LIAISON REPORTS

- ▶ **Motion:** Beliger moved, Chick seconded, to approve the Trustee/Liaison Reports as included in the packet.

Chockley asked for Board member to provide input to her on priorities as discussed in her report.

Motion carried 5—0 on a voice vote.

SECOND CALL TO THE PUBLIC

Mary Devlin and Stan Wutka commented on statements made during the First Call to the Public and on the way the August 12th meeting about the referendum language regarding marijuana businesses was conducted. George Brown, 7868 Shady Beach, commented on the proposed marijuana ordinances.

BOARD MEMBER COMMENTS

Board members thanked the public for their participation, reminded residents to vote in November, and urged civil behavior by everyone regarding the marijuana business issue,

ADJOURNMENT

- ▶ **Motion:** Chockley moved, Beliger seconded, that the meeting be adjourned.
Motion carried 5—0 on a voice vote.

The meeting adjourned at 9:40 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 October 22, 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/