

**NORTHFIELD TOWNSHIP
Township Board
Minutes
November 28, 2017**

CALL TO ORDER

The meeting was called to order at 7:00 P.M. by Supervisor Chockley at 8350 Main Street.

INVOCATION/PLEDGE

Chick provided a brief invocation and Chockley led those present in the Pledge of Allegiance.

ROLL CALL

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

Also present:

Public Safety Director William Wagner
Township Manager Steven Aynes
Township Attorney Brad Maynes
Controller Yvette Patrick
Members of the community

ADOPT AGENDA

- **Motion:** Chockley moved, Chick supported, that the agenda be adopted, moving the Medical Marijuana item to follow item 5.

Some Board members objected to changing the order of agenda items due to lack of notice to the public.

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

FIRST CALL TO THE PUBLIC

Mary Devlin, 9211 Brookside, commented on the issue of Dockett's pay. Jody Carbary, 9132 Lincoln Drive, Mary Sharp, 8578 Nollar, Adam Olney, 9315 Lakewood Court, Wayne Davidson, 670 Highland, Steven Ries, 9132 Lincoln, David Gordon, 5558 Hellner, and Robert Buono, 9138 Lincoln, spoke in favor of allowing medical marijuana dispensaries in the Township. Linda Keen, who works in the Township, expressed concern about allowing dispensaries.

BOARD MEMBER COMMENTS

Board members made brief comments about medical marijuana and thanked those who commented about it.

CORRESPONDENCE AND ANNOUNCEMENTS

Board members noted that dozens of comments had been submitted by mail and email about medical marijuana dispensaries, shared a warning from the Treasury Department about fraudulent demands for payments that are circulating, and invited residents to submit applications to serve on the Planning Commission, Zoning Board of Appeals, and Board of Review.

AGENDA ITEMS

**1.
PRESENTATION:
Fiscal Year 2016-17 Audit**

John Pfeffer of Pfeffer, Hanniford & Palka provided a brief review the audit of the fiscal year ending June 30, 2017. He praised the staff and Controller Yvette Patrick for their assistance and high quality of work. He said:

- his firm is issuing an unqualified opinion, which is the highest available,
- the Township's financial condition is still very strong, despite large expenditures for roads, land, and equipment,
- the fund balance can probably be increased to 85% of the annual budget, which is Board policy, in about a year, although he tends to recommend that the balance be maintained at 100%.

Pfeffer answered questions about setting aside funds for specific purposes, alternatives for handling payments to the Township, and how funds committed for a fire equipment were handled.

**2.
Audit Report Approval**

- **Motion:** Zelenock moved, Beliger supported, to accept the audit report as presented.
Motion carried 7—0 on a roll call vote.

**3.
Release of Request for Proposals (RFP)
for North Village**

Planning Consultant Paul Lippens, McKenna Associates, said this process is designed to get feedback from private developers about the way the site can be developed in line with the way the Township prefers. The Board discussed whether to use "Northfield Township" or "Whitmore Lake" to refer to the community.

- **Motion:** Chick moved, Beliger supported, to approve the RFP for North Village, as amended, with the community name throughout the document being changed to "Whitmore Lake, Northfield Township" and to proceed with release.

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In answer to questions, Lippens said the RFP would be released as soon as possible, provided information about how questions from developers would be handled, and said the submittal deadline might be adjusted.

- ▶ **Amendment to motion:** Beliger moved, Chick supported, to amend the motion to permit administrative revisions of the timeline by the Township Manager. **Motion carried 6—1 on a voice vote, Dockett opposed.**
- ▶ **Amended motion:** Chick moved, Beliger supported, to approve the RFP for North Village, as amended, with the community name throughout the document being changed to “Whitmore Lake, Northfield Township,” to proceed with release, and to permit administrative revisions of the timeline by the Township Manager.

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

**4.
Conditional Use Approval
for Ann Arbor Dog Training Club**

- ▶ **Motion:** Chick moved, Beliger supported, to approve the conditional use for the Ann Arbor Dog Training Club, with conditions stated in the Planning Commission report recommendation for approval. **Motion carried 7—0 on a roll call vote.**

**5a.
Downtown Strategic Action Plan Approval**

- ▶ **Motion:** Chockley moved, Chick supported, to accept the recommendation of the Downtown Planning Authority and the Planning Commission to approve the Downtown Strategic Plan as policy and incorporate the plan into the next Master Plan update. **Motion carried 6—1 on a roll call vote, Dockett opposed.**

**5b.
Medical Marijuana Dispensaries**

Board members referred to hundreds of comments from the public about this, noted the issue is whether to allow medical marijuana facilities rather than whether to legalize marijuana, and cited reasons for and against allowing dispensaries in Northfield Township (tax revenue, limits on controls the Township would have over dispensaries, convenience for residents, the illegal federal status of marijuana, etc.).

Planning consultant Paul Lippens provided information about what ordinances would be needed, and Public Safety Director Wagner discussed potential safety and law enforcement issues. Board members noted the issue could be put on a ballot for voters to decide and recreational use of marijuana could be approved in Michigan in 2018.

**6.
Zoning Administrator In-Office Cost Evaluation**

The Board discussed the option of having Zoning Administrator Vidya Krishnan hold regular office hours in the Township for four hours per week. Township Manager Aynes and Planning Consultant Paul Lippens said it is possible this could save the Township money because much of the work Krishnan currently bills for could be done during this time and travel time would be reduced.

- ▶ **Motion:** Chockley moved, Manley supported, that the Board direct the Township Manager to contract with McKenna for zoning administration work for four hours per week in the office plus drive time. **Motion carried 6—1 on a roll call vote, Dockett opposed.**

**7.
Prioritize Goals from Board Retreat**

The Board reviewed the Strategic Pillars document Otto and Chockley had developed and discussed the goals and objectives as ranked by Board members before the meeting. It was agreed to have staff handle the updating of the priorities in the document per the Board discussion.

**8.
Treasurer Recommendation
to Transition to Huntington Bank**

- ▶ **Motion:** Zelenock moved, Chick supported, that the Township’s bank be changed to Huntington Bank subject to legal review

Zelenock reviewed her memo providing the reason for her recommendation to make this move and answered questions from Board members about interest, fees, services, and employee time and mileage expenses.

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

**9.
Resolution 17-576:
Investment and Depository Designations**

- ▶ **Motion:** Zelenock moved, Otto supported, to update the Township’s Investment and Depository Designation, Resolution 17-576, to include Huntington Bank. **Motion carried 6—1 on a roll call vote, Dockett opposed.**

**10.
Acceptance of Foreclosed Parcel**

- ▶ **Motion:** Chockley moved, Zelenock supported, to accept the quit claim deed of parcel B-02-17-232-015.

In answer to questions, Chockley said there is no acquisition cost, but there may be a small amount due for taxes.

Motion carried 7—0 on a roll call vote.

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11.

Attorney Response Regarding Mr. Dockett's Pay

- ▶ **Motion:** Chockley moved, Zelenock supported, to waive attorney-client privilege regarding the Township attorney memo. **Motion carried 6—0—1 on a voice vote, Dockett abstaining.**
- ▶ **Motion:** Beliger moved, Otto supported, to approve early release of Mr. Dockett's paycheck.

There was discussion about why this should be done given that the Township's attorney recommends against it, the amount of time that has been spent on this issue, and whether a precedent would be set for doing the same thing for other employees. Maynes said the timing of issuing paychecks can be decided on a case-by-case basis.

Motion carried 5—1—1 on a voice vote, Manley opposed and Dockett abstaining.

- ▶ **Motion:** Otto moved, Beliger supported, that in the future Dockett be paid via check on a quarterly basis at the same time as the other Trustees.

It was noted that the payroll company used will charge about \$22 per check.

Motion carried 6—0—1 on a voice vote, Dockett abstaining.

12.

Washtenaw County Community Mental Health and Public Safety Preservation Millage

Beliger referred to information she had provided about the millage—which passed County-wide, but did not pass in Northfield Township—and recommended that the funds received by the Township from this millage be returned to the Township's taxpayers.

- ▶ **Motion:** Beliger moved, Dockett supported, that the Township return the refund received from the Proposition 1 millage, also known as the 24% that shall be allocated to jurisdictions in the County which maintain their own police force, which shall be returned to the taxpayers of Northfield Township through legal, expedient, and efficient means.

There was discussion about the legality of the motion, the cost of returning the taxes to taxpayers, how the money would be returned (reducing the millage rate, etc.), whether there would be unforeseen consequences, whether it should be put on a ballot, and whether it is too soon to make a decision since the tax will not be levied until December, 2018 and the money will not be received by the Township until 2019.

Motion failed 2—5 on a roll call vote, Manley, Otto, Chockley, Chick, and Zelenock opposed.

It was noted that this could be brought up again in the future, and the Board directed the Township attorney to provide an opinion about whether and how these funds could be returned to taxpayers.

SECOND CALL TO THE PUBLIC

David Gibbons, 8985 Garfield Drive, apologized to Beliger for comments he made on Facebook and commented on the marijuana dispensary issue and the tax consequences of paying people as employees vs. independent contractors. David Gordon commented on the length of Board agendas and meetings, medical marijuana dispensaries, fire millages, the county millage, and the focus of the Board being on urban vs rural areas of the Township. Adam Olney and Jody Carbary commented on medical marijuana dispensaries and the county millage.

BOARD MEMBER COMMENTS

Board members thanked those who spoke for their comments, urged people to support local businesses, wished everyone a Merry Christmas, noted tax bills will be issued December 1st, noted Kiwanis will be starting its annual Christmas tree sales, reported on options for prescription delivery in the Township, and suggested ways to shorten Board meetings and to increase communication with the public. Aynes responded to questions related to medical marijuana dispensaries.

ADJOURNMENT

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

The meeting adjourned at 10:52 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 December 12, 2017.

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/