

NORTHFIELD TOWNSHIP

Township Board

Minutes

February 26, 2019

CALL TO ORDER

The meeting was called to order at 7:02 P.M. by Supervisor Chockley at 8350 Main Street.

PLEDGE

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

ADOPT AGENDA

- **Motion:** Chick moved, Otto supported, that the agenda be adopted as presented.
Motion carried 7—0 on a voice vote.

FIRST CALL TO THE PUBLIC

No comments.

BOARD MEMBER RESPONSE

Zelenock reminded everyone that taxes are due—with penalties and interest—no later than ~~March 8th~~ February 28th. Dockett thanked the WWTP employees for the plumbing repairs they did at 75 Barker Road. He also said it is interesting that it appears that the amount of sewage treated this year is less than last year.

PRESENTATIONS AND UPDATES

Huron River Watershed Council (HRWC) Middle Huron Partners and Stormwater Advisory Group

Ric Lawson, planner with the HRWC, said this group has been successful in reducing phosphorus levels in the watershed since they began monitoring in the 1990s, they have received awards for their educational programs, and they develop plans for repairing sections of the watershed.

He referred to the 5-year work plan and new contract, noting that Northfield Township is their last partner to renew their participation. In answer to questions he said:

- There are monitoring stations in Northfield Township.
- All of their educational materials are available to the Township, and they can help the Township with grant proposals.
- 20 of 23 partners have committed to the new 5-year plan, and two have declined.
- The fee for participation is separate from the HRWC membership fee, and while there is no penalty for not participating, the HRWC resources may be helpful in meeting State permit requirements.
- Much of HRWC operating costs come from private donations.

Kiwanis of Whitmore Lake Regarding Proposal for 75 Barker Road

Margaret Riddell, Kiwanis, recalled that the Board approved use of 75 Barker Road for the Kiwanis resale shop over a year ago, and since then they have been trying to find out what they need to do to legally use the space. She said Kiwanis has provided \$28,000 in the past two years to benefit children, and they see use of the building by Kiwanis as a win-win for the Township for a variety of reasons.

George Brown said he has been a Kiwanian for 47 years, the organization has been an important part of the community, and they would like to be able to continue to serve.

TOWNSHIP MANAGER UPDATE

Aynes referred to his report prepared for the February 12th meeting. He noted property assessments were mail to property owners along with the Township newsletter.

He also presented the Notice of Assessment for 75 Barker indicating the property is being put back on the tax rolls and a notice from Lockwood Companies indicating they are essentially withdrawing their development proposal.

CORRESPONDENCE AND ANNOUNCEMENTS

- Dockett referred to the amount of money the Township spent on the Lockwood proposal and said the Township should not be in the development business. Zelenock agreed that moving forward the Township needs to make sure there is a clear plan in ~~space~~ place.
- Beliger read a letter to the Board from Mary ~~Tummins~~ Tummonds in support of Kiwanis using the 75 Barker Road property.
- Chockley encouraged the public to participate in the survey that is in the newsletter.
- Chockley noted property owners may appeal their assessment to the March Board of Review.

**APPROVAL OF MINUTES
(and request for legal opinion
on greenbelt donation)**

- ▶ **Motion:** Chockley moved, Manley supported, that the minutes of the January 8, 2019, Special Board Meeting be approved as presented.
Motion carried 7—0 on a voice vote.
- ▶ **Motion:** Chockley moved, Chick supported, that the minutes of the January 8, 2019, Regular Board Meeting be approved as presented.
Motion carried 7—0 on a voice vote.
- ▶ **Motion:** Otto moved, Dockett supported, that a legal review be made of the \$2,000 donation to the Ann Arbor Greenbelt program, and the check be held until a final determination is made by Mr. Burns' office.
Motion carried 7—0 on a roll call vote.

Chockley noted two minor corrections to the February 14, 2019, minutes.

- ▶ **Motion:** Chockley moved, Beliger supported, that the minutes of the February 14, 2019, Special Board Meeting and Regular Board Meeting be approved as amended. **Motion carried 7—0 on a voice vote.**

ACTION AGENDA ITEMS

1.

**Huron River Watershed Council (HRWC)
Middle Huron Partnership Contract Renewal**

- ▶ **Motion:** Chockley moved, Manley supported, to approve, and to authorize the Supervisor to sign, the 5-year professional services contract not to exceed \$3,750 with the Huron River Watershed Council for the Middle Huron Partnership, pending attorney review and approval.

Board members briefly discussed the proposed contract, noting the fees are estimated, questioning whether there is any value or return for the Township or if these services are needed for the Township's DEQ wastewater discharge permit, and the benefits to the community as a whole and to the environment.

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

2.

People's Express Contract Renewal

- ▶ **Motion:** Chockley moved, Manley supported, to approve the contract with People's Express for \$10,000, and to authorize the Supervisor and the Manager to sign the contract, pending review and approval by the Township attorney.

Board members questioned whether People's Express makes any contributions to the Township noting they do not pay taxes, questioned how People's Express can afford to own property in the Township but not have enough money to operate their services, questioned whether Washtenaw County is providing the same service, noted

that this is a valuable service to many senior citizens, and said the Township is fortunate to have a transportation company like this.

Zelenock noted she serves on the board of People's Express so she will be abstaining from the vote.

Motion carried 4—2—1 on a roll call vote, Dockett and Beliger opposed, Zelenock abstaining.

3.

How to Proceed with 75 Barker Road

Chick reviewed the history of the Board's investigation of the options for repairing, razing, or selling the property. The Board and Aynes made comments and discussed options, including:

- Kiwanis could be allowed to use the building with a temporary certificate of occupancy until the building is sold.
- The DDA recommended some time ago razing the building to provide more parking.
- The DDA could be allowed to put out an RFP for sale or lease of the building.
- Kiwanis could be allowed to apply for zoning compliance, site plan approval (which can be done administratively), and do whatever is necessary (renovations) to get a certificate of occupancy.
- On January 9, 2018, the Board passed a motion to allow Kiwanis to use the building once they get a certificate of occupancy and sign a lease, and the Board should allow that to proceed.
- Aynes provided a list from the architect of the items in his report that would be necessary to get a certificate of occupancy, but Kiwanis cannot apply to make those improvements without first having a lease with the Township to give them the authority to do the work.
- The building is not dangerous, and Kiwanis should be allowed to use it.
- The building has been degrading for years without required repairs or renovations being done.
- Kiwanis is interested in bringing life to the building, it feels like they belong there, and there is no reason they should not be allowed to use it for either a regular rental fee or a percentage of their sales.
- The building should be torn down with the Township retaining the property, but if it is sold the money should be used to repair the other properties the Township owns.
- A certificate of occupancy would be required for Kiwanis per the zoning ordinance.
- The Township spent money last year to bring the building into compliance with some codes (exit lighting, etc.), but the building official will not issue a certificate of occupancy until he believes it meets code.

Straw votes indicated the Board preferred selling the building to tearing it down or having the DDA write an RFP for it.

- ▶ **Motion:** Chockley moved, Manley supported, to prepare to sell 75 Barker Road, listing it for sale with a commercial Realtor for a period of six months. **Motion carried 6—1 on a roll call vote, Zelenock opposed.**

Zelenock said she voted against the motion because the Township failed to carry through on the motion it passed on January 9, 2018, to lease the space to Kiwanis. After discussion, it was agreed that the Township should work with Kiwanis to carry out that motion.

**4.
Police Union Contract Amendments**

- ▶ **Motion:** Chockley moved, Beliger supported, to approve the Collective Bargaining Agreements with the Police Officers Association of Michigan and the Command Officers Association of Michigan for the four year term of July 1, 2018 to June 30, 2022, and authorize Bill Wagner and Steven Aynes to sign the contract, with the change in the medical insurance to Simply Blue HSA Silver PPO \$2,700. **Motion carried 6—1 on a roll call vote, Dockett opposed.**

**5.
Release of 2019 Master Plan Draft
for 63-Day Public Review Period**

- ▶ **Motion:** Chick moved, Otto supported, to authorize the release of the Master Plan draft for the 63-day public review period.

Planning consultant Paul Lippens briefly reviewed the four minor changes to the current draft requested by Planning Commissioners at their last meeting and answered questions from Board members. Dockett noted Northfield Township is not a charter township as stated on the cover page. Lippens said the document is ready for review by the public.

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

**6.
Zoning Ordinance Text Amendment to Allow First
Floor Residential Uses in WLD-D and WLD-NV
with Conditional Use Approval**

- ▶ **Motion:** Chick moved, Beliger supported, to approve the request of Mary Czech-Aldrin, 9615 Main Street, to amend Section 36-340 of the Northfield Township zoning ordinance to include in uses permitted in the WLD-D (Whitmore Lake Downtown District) and the WLD-NV (Whitmore Lake Downtown-North Village District) residential uses on the first floor subject to conditional use approval.

Chockley questioned the need to require conditional use approval for home occupations since a conditional permit would already have been required for the residential use. Lippens said the purpose of the zoning district is to encourage retail development of the downtown area

Motion carried 7—0 on a voice vote.

**7.
Rezoning of 9230 Main Street
from SR-2 to WLD-W**

- ▶ **Motion:** Chick moved, Otto supported, to approve the request of Karen Alexa, 9230 Main Street (formerly Mickey's Pizza), to rezone the property from SR-2 (Single-Family Residential-2) District zoning designation to WLD-W (Whitmore Lake Downtown-Waterfront) District zoning designation.

In answer to a question, Chick said the purpose of this is to bring the zoning into conformance with the uses in the area. Dockett noted that he has known this family for years, and he will be supporting the motion.

Motion carried 7—0 on a voice vote.

**8.
Ordinance 19-63: Amendments to Zoning
Ordinance Sign Regulations**

- ▶ **Motion:** Beliger moved, Chick supported, that the Township Board adopt Ordinance 19-63: Amendments to Zoning Ordinance Sign Regulations.

In answer to questions, Lippens said there were several red-lined versions produced, but there were so many changes it was agreed to essentially repeal the ordinance and write a new one. He noted the main purpose of this revision was to remove content-based regulations from to comply with new State law and make enforcement more legally defensible. He said this has been reviewed by the Township attorney after considerable review and discussion by Commissioners. He said the intent was not to change the number or size of signs allowed on individual properties.

Chockley questioned allowing 36 sq. ft. of signage in areas along the lake, including for residences. Lippens said signage can be regulated by district, but not by use, per the Michigan Supreme Court ruling. He said requirements could be added to tie sign size to lot frontage or some other criteria. Dockett said there should be no sign regulations.

Motion carried 5—2 on a roll call vote, Zelenock and Dockett opposed. Ordinance adopted.

**9.
Planning Commission Appointment**

- ▶ **Motion:** Chockley moved, Otto supported, to reappoint Sam Iaquinto to the Planning Commission for a three year term ending December, 2021. **Motion carried 7—0 on a voice vote.**

**10.
Accept Resignation of
Police Officer Corey Johnston**

- ▶ **Motion:** Chockley moved, Otto supported, to accept the resignation of Police Officer Corey Johnston with regret.

Dockett said there may be a problem with the seniority system, and he asked for someone to provide information about the status of an officer who resigned.

Motion carried 7—0 on a voice vote.

**11.
Draft Ethics Policy**

- ▶ **Motion:** Otto moved, Chick supported, to table discussion of the draft ethics policy to the next meeting. **Motion carried 7—0 on a voice vote.**

CONSENT AGENDA

- ▶ **Motion:** Chockley moved, Otto supported, to accept the Fire, Police, Wastewater Treatment, Community Center, Code Enforcement, and Financial and Fund Balance Reports.

In answer to a question from Dockett, Zelenock said the fund balance is currently at 75%.

Motion carried 6—0 on a voice vote, Manley not present.

TRUSTEE/LIAISON REPORTS

- ▶ **Motion:** Chockley moved, Beliger supported, to accept the Trustee/Liaison Reports. **Motion carried 6—0 on a voice vote, Manley not present.**

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 March 12, 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/

SECOND CALL TO THE PUBLIC

George Brown, Shady Beach and Margaret Riddell, 65141 W. Eight Mile Road asked questions about the potential sale of 75 Barker Road.

BOARD MEMBER COMMENTS

- The Board indicated generally positive interest in an inquiry about using North Village park for a music event in the summer.
- Zelenock asked that the Planning Commission provide an update to the Board by their next meeting about when the Commission will be reviewing and updating the development application procedures.
- Chockley:
 - asked that civil infraction misdemeanor and payment in lieu of parking downtown issues be added to the list of zoning ordinance amendments to be worked on.
 - said the 75 Barker Road parking lot should be repaired.
 - reported the grant application for the Community Center is moving forward.

ADJOURNMENT

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

The meeting adjourned at 10:23 P.M.