

NORTHFIELD TOWNSHIP

Township Board

Notes

August 13, 2013

CALL TO ORDER

The meeting was called to order at 7:03 P.M. by Supervisor Engstrom at 8350 Main Street.

PLEDGE

Supervisor Engstrom led those present in the Pledge of Allegiance.

ROLL CALL

Marilyn Engstrom, Supervisor	Present
Shelle Manning, Clerk	Absent with notice
Kathy Braun, Treasurer	Present
Janet Chick, Trustee	Present
Wayne Dockett, Trustee	Present
Jacki Otto, Trustee	Present
Tracy Thomas, Trustee	Present

Also present:

Township Manager Howard Fink
Wastewater Treatment Plant Superintendent
Tim Hardesty
Public Safety Director William Wagner
Police Lt. Tim Greene
Senior Center Director Jennifer Brown
Recording Secretary Lisa Lemble
Members of the community

CONSENT AGENDA:

- **Minutes**
- **Bills**

Dockett made a correction to the minutes of July 9, 2013, (he said he did not agree with the firing of the assistant assessor so he protested by not voting) and he asked that bills be pulled for discussion. Engstrom set discussion of Bills as item 17.

- **Motion:** Thomas moved, Chick supported, that the minutes of July 9, 2013, be approved as corrected.
Motion carried 6—0 on a voice vote.

ADOPT BALANCE OF AGENDA

- **Motion:** Thomas moved, Chick supported, that the balance of the agenda be adopted as presented.
Motion carried 6—0 on a voice vote.

FIRST CALL TO THE PUBLIC

Horseshoe Lake Bridge. Lisa Craft, Trustee of the Horseshoe Lake Corporation, said there was a surplus of about \$300,000 after sewers were installed at Horseshoe Lake. She said one of the bridges that allow her to reach her property is down, and if the other one goes out she will be stranded. She said she is petitioning for some of that sewer fund monies to be used to replace the bridge.

Board Workshops. Jim Nelson, 7777 Sutton Road, asked that the Board consider broadcasting the workshop meetings they have scheduled. He said he found the meeting on July 23rd to be very informative and said it is likely most Township residents were not aware of most of the information discussed. He said most of the State and Federal government operations are not transparent so the people count on local government to be that.

REPORTS

Department Heads

Fire. Chief Wagner read his report for July. Dockett referred to the request for funding to purchase a boat for use for water rescues, and he said he will not support that because the Township does not need a boat. He suggested partnering with Green Oak Township for training and sharing responsibility for those types of operations. He thanked Sam and Anne Iaquinto for all of the help they provided with the recent drowning. Chief Wagner said lake rescue is a basic type of service that should be provided to the community. He said Northfield Township does training with Green Oak, but in the case of two drownings in the last two years Northfield Township personnel were the first on the scene, and in the case two years ago they could do nothing to help the person who was yelling for help from the middle of the lake. He said he has written grants, and he has tried to partner with Washtenaw County's marine division, but nothing has come from that. He said he will continue to do what he can do to get a boat to use for both rescue and patrol. Chick said prevention in the form of patrols leads to people acting more safely.

There was discussion about the details of purchasing and maintaining a boat, where it would be kept, and the associated costs. Dockett said in addition to a boat there would have to be a trailer, something to tow it with, insurance, etc. Wagner said his estimate of costs includes a trailer, and the cost of insurance would be split between Police and Fire. He said the department already owns several vehicles that can pull a boat.

- **Motion:** Chick moved, Engstrom supported, to direct Public Safety Director Wagner to provide three estimates for the purchase and outfitting of a Police patrol boat, including a five year expense sheet.
Motion carried 5—1 on a voice vote, Dockett opposed.

Police. Lt. Greene read the Police Department report summary for the month of July. He recommended approval of the Provisional State and Local Task Force agreement with the DEA. Dockett said the cost of having the officer provided by this agreement is at best a wash financially, and may actually cost the Township money. Chief Wagner said this officer has already brought in \$344,000 to the Township in drug forfeitures and the Township is still waiting for an additional \$600,000 in forfeiture funds. Dockett said the Board has been waiting for those funds for several years.

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In answer to a question from Dockett, Lt. Greene said the original agreement was for two years, but the current agreement is for only one year.

- **Motion:** Chick moved, Thomas supported, that the Northfield Township Board approve the Provisional State and Local Task Force Agreement between the Drug Enforcement Administration and Northfield Township Police Department, effective October 1, 2013, through September 30, 2014.

Dockett said he will not vote for this because he believes this officer costs the Township money. Chick asked if documentation about the costs can be provided. Wagner said he can do that.

Motion carried 5—1 on a roll call vote. Dockett opposed.

Wastewater Treatment Plant. Hardesty referred to the recent certifications received by two employees, and he said the Township is fortunate to have them on staff.

He asked for direction from the Board about the damages incurred by the Johnsons at 9226 Hillcrest. Ms. Johnson read a letter from her insurance company that she received yesterday stating they have concluded that the damages were the result of failure of the main sewer line outside of her property so the damages are not covered by her policy.

Hardesty said he consulted with his predecessor who told him that in the past homeowners have been reimbursed for the full cost of repairs less any insurance payments. Chick said the Township should be willing to do something. Dockett said he thought some of the estimates provided were quite high. Ms. Johnson pointed out that the insurance adjuster's information provides values for both replacement and current value of items.

Fink said he believes the Township is within its rights to consider compensation in this case because the event occurred before the Township considered adoption of MCL code as it relates to sewer backups. He said the Board needs to consider whether to provide compensation, and if so whether replacement cost or actual value should be provided. He recommended considering replacement cost.

Thomas said he thinks the number should be closer to replacement value for retail items. He recommended reimbursing the Johnsons \$4,413 for the cash value of items plus \$840 for the cost of replacing the bathroom.

- **Motion:** Thomas moved, Dockett supported, that the Township enter into a settlement of the claim for damages at 8226 Hillcrest in the amount of \$5,300.00 conditioned upon execution of release of claims and non-admission of any liability on the Township's behalf.

In answer to a question from Dockett, Hardesty said the funds will come from the Wastewater Treatment Plant.

Motion carried 6—0 on a voice vote.

Dockett thanked Hardesty for a repair at 75 Barker Road, and he congratulated Messrs. White and McDonald on their recent accomplishments.

Senior Center. Brown referred to her written report. She also reported that someone recently inquired about renting the Center for a private event, and she proposed preparing a draft agreement and proposed fees for consideration by the Board. Fink said he thinks something reasonable can be developed.

Brown also noted that this Friday's outdoor movie night at the Library will include the showing of Monsters, Inc. and free popcorn. Otto said she has heard from families that they really like these events.

Manager's Report. Fink referred to his written report. Regarding the Barker Road non-motorized path he said it has been confirmed that a permit is required for construction within the railroad right-of-way. He said this has been received and he will be signing it on the Township's behalf. He said he will be requesting that the permit fees be waived. Dockett said the railroad is owned by the State of Michigan, so that is who the permit should be coming from, not MDOT. Fink said he believes this is coming from both MDOT and the State per a letter from Boss Engineering. Dockett said he does not believe anything from Boss Engineering. Fink said he is not happy with progress to date, but he believes the construction will be done this year, although it will continue into fall.

Regarding ordinance codification, Fink said a two foot high stack of documents needs to be codified, and he would like to hire a temporary employee to scan them rather than having the originals leave the Township offices. He recommended that Chief Wagner's daughter be hired for this and noted it would cost only a few hundred dollars.

In answer to questions from Dockett, Fink said he plans to advertise for an assistant to the Manager after this meeting, but he guesses the start date for that person would be in about October. He added, however, that the office is very understaffed, with everyone working extremely hard to get everything done that is needed. He said hiring an assistant for him (who will also assist in other departments) and increasing the Deputy Clerk's hours will not address all of the staffing needs that are required. He said at some point the Board may want to review the staffing plan for the planning and zoning department.

Dockett said he thinks Fink is a big spender who wants to hire a lot more people. He suggested that Fink not hire an assistant until the Clerk is not being paid an additional \$400/week. Fink said that would be fine with him.

In answer to a question from Chick, Fink said the assistant will work part-time. He noted the budget allows for an expenditure of up to \$35,000. He said the position will be scheduled for less than 32 hours to avoid reaching the level where benefits would have to be paid.

- **Motion:** Otto moved, Engstrom supported, that Supervisor Fink be authorized to hire a temporary employee for document scanning and website cleanup not to exceed \$400.

Motion carried 6—0 on a voice vote.

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In answer to a question from Otto regarding his suggestion that departments consider ways to use technology to improve communications with residents, Fink said the intent is not to use this for sensitive information.

Zoning Board of Appeals

Otto reported that:

- the ZBA met on July 15th and discussed training that could be offered in-house to the ZBA, Planning Commission, and Board members.
- Tim Anderson was chosen as Chair.
- Larry Roman is continuing as the Planning Commission's representative to the ZBA.

There was discussion about filling the position vacated by Kenneth Dignan's appointment to the Planning Commission. Engstrom welcomed letters of interest from members of the community. Fink recommended setting a deadline for submissions. September 4th was agreed to as a deadline. In answer to a question from Dockett, Engstrom said she believes Dignan has submitted an official resignation from the ZBA. Fink said he will do a full review of State statutes regarding appointments to all Boards (who may bring candidates to the Board, how they are appointed, etc.) and provide a report to the Board for the September 10th meeting along with complete information about candidates for the ZBA position.

Planning Commission

Chick reported that on August 7th the Planning Commission approved a site plan for Regal Recycling with conditions.

Parks and Recreation

Nothing new to report.

BUSINESS ITEMS

1.

Engagement with Investment Policy Advisor

Brian Green of Morgan Stanley/Graystone noted that he had discussed Township investments with the Board at the July workshop session. He spoke generally about the timing of selling the Township's investments, and he said he agrees with the *Resolution Establishing a Policy on Township Investment and Depository Designations*, although he would recommend some tweaks, including adding CDs to it.

Fink explained that one way to engage an investment advisor would be a fiduciary obligation that would cost the Township \$30,000 which would get the Township meaningful advice. He said a straight brokerage relationship which involves the payment of fees for any transactions is another possibility. He recommended engaging at the brokerage level because he does not think the Township has \$30,000 for the fiduciary level which is recommended by the Township's attorney. He said he has

faith that Green will work for the Township the same with either agreement.

- **Motion:** Braun moved, Chick supported, that the Township transfer its investment portfolio from MultiBank to Morgan Stanley/Graystone.
Motion carried 6—0 on a voice vote.

**2.
Investment Policy Resolution**

Fink said the proposed policy is taken mostly from State code, and while he noted that Brian Green has indicated he would like to tweak it slightly, he recommended that it be adopted in its current form and be amended later.

- **Motion:** Thomas moved, Otto supported, that the Northfield Township Board of Trustees adopt a *Resolution Establishing a Policy on Township Investment and Depository Designations*, with the addition in Subsection J of Certificates of Deposit among the listed items permissible for the Board to authorize the Treasurer to invest in.

Dockett said the public should know that the Township will lose \$400,000 by doing this, but he thinks this is the best deal available. In answer to a question from Chick, Green said any changes to the policy in the future would require a vote of the Board.

Motion carried 6—0 on a roll call vote. Resolution adopted.

**2A.
Sewer Assessment District**

[Originally Item 10].

a. Engagement of Miller Canfield as Bond Counsel.

- **Motion:** Otto moved, Engstrom supported, that Miller Canfield be engaged as bond counsel for the Sewer Assessment District.

Dockett asked how members of the district will know what the costs for the district are and how they are arrived at. Fink said the engineer—Brian Roubel in this case—will develop a construction cost, including bond counsel costs. He said the amount of the bond can only be determined when the project is bid, so there is currently only an estimate. Dockett asked how members will know after the project is done what the full cost was and whether there are any funds left. Fink said if that is a concern a resolution could be passed calling for that information to be provided, but he and Roubel can report back at the end of the project on the actual costs compared to the estimates because that is ultimately their job.

Motion carried 6—0 on a voice vote.

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b. Engagement of Bendzinski & Associates as Financial Advisors.

- ▶ **Motion:** Otto moved, Engstrom supported, that Bendzinski & Associates be engaged as financial advisors for the sewer assessment district for Northfield Township.
Motion carried 6—0 on a voice vote.

c. Engagement of Tetra Tech as Engineering Consultants.

- ▶ **Motion:** Otto moved, Chick supported, that Tetra Tech be engaged as engineering consultants for the sewer assessment district for Northfield Township.
Motion carried 6—0 on a voice vote.

2B.

Resolution to Set Public Hearing and State Intentions to Move Forward on Sewer Assessment District for Whitmore Lake

[Originally Item 11].

Dave Horton said he owns property in the district and he asked if taxes will be uncapped as a result of this project. Fink said the Assessor has said values will not be uncapped, but he will not put it in writing because something like that can be easily misinterpreted. He said he will confirm this with the attorney, but he noted that supplying sewer service could increase the value of properties, and while that would increase taxes, it would not be as the result of uncapping.

Horton asked if the \$870,000 cost includes the interest over the length of the bond. Brian Roubel of Tetra Tech said \$870,000 is the estimated initial cost, and if a property owner chooses to pay their assessment over time interest would be incurred. He said he believes an estimate of costs which includes interest was also provided, and he can check on that tomorrow.

- ▶ **Motion:** Engstrom moved, Chick supported, that the *Resolution to Set Public Hearing and State Intentions to Move Forward on Sewer Assessment District for Whitmore Lake* be adopted with a date of September 10, 2013 for the public hearing.
Motion carried 6—0 on a roll call vote. Resolution adopted.

3.

Township Donations Fund and Line Item Resolutions

- ▶ **Motion:** Otto moved, Engstrom supported, that the *Resolution Creating a New Fund, Line Items, and Appropriations for Township Donations for the Year 2013 Not Included in the Current Budget* be adopted.

Chick suggested adding a line item for Events/Community Projects. Fink said that can be done.

Motion carried 6—0 on a roll call vote. Resolution adopted.

**4.
Sewer Use Ordinance**

In answer to a question from Dockett, Superintendent Hardesty said according to law there are conditions under which the Township would still be liable, specifically situations about which the Township was aware but did not correct.

- ▶ **Motion:** Otto moved, Chick supported, that the *Resolution Establishing a Policy on Sewer Billing Policy Adjustments and Sewer Backups Resulting in Loss of Property* be adopted as presented.
Motion carried 5—1 on a roll call vote, Dockett opposed. Ordinance adopted.

**5.
75 Barker Road Sign Issue**

Dockett reported he received a letter from Tina Lupi, the renter at 75 Barker Road, saying she has been waiting months for a resolution regarding repair of the sign on the property. He said there was an existing sign that the Township removed, and he believes the Board should take action to get her sign back up. Engstrom recalled the Board had discussed this and decided a review of the zoning ordinance was necessary first. Dockett said that is not necessary. Otto said the Township needs to follow its own ordinances. Chick said it should still be possible to get the sign put up within ordinance requirements.

Fink said the previous sign was non-conforming with Township ordinances. He said the Board could vote to direct him to put the sign where it was before in violation of Township ordinances, but to come into compliance a smaller sign is required. Dockett said Lupi's signs are small enough to meet Township ordinances.

Fink said he will bring a proposal to the next Board meeting or workshop for cost, size, and placement.

**6.
Policy Change Regarding Accident, Death, and Disability Coverage**

- ▶ **Motion:** Otto moved, Engstrom supported, that the Liability Insurance policy be updated as necessary.

Dockett said he does not think the Board should be providing Board members with \$250,000 of life insurance.

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

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7.

Resolution Regarding Non-Motorized Path

- **Motion:** Otto moved, Thomas supported, that the resolution on the Non-Motorized Pathway be accepted, and to authorize Fink to sign permits going forward up to completion of the project. **Motion carried 6—0 on a voice vote.**

Revize at the adjusted amount of \$3,440.00.

**Amended motion carried 5—1 on a voice vote,
Dockett opposed.**

8.

Appointment to RC2 SEMCOG Committee

- **Motion:** Otto moved, Chick supported, that Tracy Thomas be Northfield Township's SEMCOG Regional Clearinghouse Review Committee representative. **Motion carried 5—1 on a voice vote, Dockett opposed.**

9.

**Planning Commission Amendment:
Repairs and Maintenance
for Non-Conforming Residential Use**

- **Motion:** Chick moved, Otto supported, that the amendment to Article 65.0 of the Northfield Township Zoning Ordinance, Non-Conformities, Section 65.05D, Repairs and Maintenance, be approved as presented in Board packets. **Motion carried 6—0 on a roll call vote.**
Resolution adopted.

13.

Codification Contract

- **Motion:** Otto moved, Chick supported, that the codification contract from Municode be accepted, with the base cost not to exceed \$11,480, with an additional annual fee, and to authorize Howard Fink to sign the contract. **Motion carried 5—1 on a voice vote, Dockett opposed.**

14.

**Approval of Police Contract
for POAM and COAM**

Engstrom noted that in these contracts the P stands for Patrol and C stands for Command. Chief Wagner said the 3% increase for this year has already been budgeted, and the signing bonus amount would come out of the anticipated \$18,000 addition to the fund balance. He said he, Fink, and the new Township labor attorney represented the Township at the meeting where this was negotiated.

- **Motion:** Chick moved, Otto supported, that the changes to the POAM and COAM Police Contracts be approved as presented in the Township Board packet, and that Manning and Engstrom be authorized to sign the contracts.

Dockett listed the proposed changes, asked several questions, and objected to the signing bonuses and raises. He said he would prefer merit raises. In answer to a question from Dockett, Wagner said he, Fink, and Fire Department personnel did not receive wage increases as a result of this.

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

15.

PCI Contract

Fink said he believes this contract for utilities was written only to benefit PCI. He said he does not have the authority to break a contract, so he recommends that it be allowed to expire in about six months. He said this contract was signed in 2009 and has an automatic renewal clause, and while he does not think it is necessarily bad to use an energy broker, he thinks \$14,000 is a lot to spend for something that he thinks can be done in the office in a matter of a couple of days. In answer to a question from Dockett, Fink said his intention is to send a letter now to PCI giving notice that the Township will be terminating the agreement.

In answer to a question from Dockett, Fink said he has looked into DTE but they are too expensive. Thomas said using this type of company can probably be beneficial with the right terms.

[See item 2A].

11.

**Resolution to Set Public Hearing and State
Intentions to Move Forward on Sewer
Assessment District for Whitmore Lake**

[See item 2B].

12.

Revise Website Contract

Fink noted that there is a possibility the estimated cost could be exceeded slightly depending on the number of pages that are actually migrated.

- **Motion:** Otto moved, Engstrom supported, to authorize Howard Fink to sign the contract with Revize at the adjusted amount of \$2,720.00.

In answer to questions from Dockett, Otto said this is a two year agreement and she explained the one-time and annual charges. She said the \$720 for the second year can be added into the motion.

- **Amended motion:** Otto moved, Engstrom supported, to authorize Howard Fink to sign the contract with

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- **Motion:** Otto moved, Chick supported, that Howard Fink be authorized to send a letter of termination to PCI acknowledging that the Township will no longer need its services at the end of the current contract period and/or expiration.
Motion carried 6—0 on a voice vote.

**16.
Acquiring Tax Sale Properties
from Washtenaw County**

Engstrom said she and Fink looked at the available properties and did not find any that would be attractive to acquire mainly because most of them are considerably under water financially. There was a brief discussion about the merits of some of the properties, including lots in Whitmore Lake Summer Homes Subdivision north of the future Seven Mile Road. It was noted the Township owns quite a few lots in that area and there have been discussions in the past about potential creation of a park in that area.

**17.
Bills**

Fink and Wagner answered several questions from Dockett about various bills. In answer to a question from Dockett, Fink said he believes dues paid to the Washtenaw Area Transportation Study (WATS) will bring returns to the Township because of their representation of the Township regarding transportation projects. He said he agrees that the question of value should always be asked when paying dues, but in this case he believes the value is there.

Submitted by Lisa Lemble.

These notes are an expanded version of the official meeting minutes adopted by the Board of Trustees. Minutes and notes for all meetings are available on the Township's website at http://twp.northfield.mi.us/boards/twp_board

Dockett said Township residents should be aware that it cost \$569, 546.07 to run the Township this month.

SECOND CALL TO THE PUBLIC

None present.

BOARD MEMBER COMMENTS

In answer to a question from Dockett, Fink said he did make inquiries about the title insurance 9142 Main Street, but it was not discussed as scheduled during the workshop session.

Dockett noted that the school millage will recently defeated, he asked everyone to keep those serving in uniform in their thoughts, and he urged everyone to shop locally.

Chick said she believes the Township should work with the 75 Barker Road tenant, but should also follow Township ordinances.

ADJOURNMENT

- **Motion:** Engstrom moved, Chick supported, that the meeting be adjourned.
Motion carried 6—0 on a voice vote.

The meeting adjourned 10:06 P.M.