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LEONI TOWNSHIP BOARD OF TRUSTEES MEETING
MINUTES
September 10, 2019

The Leoni Township Board of Trustees held a Regular Board Meeting on September 10, 2019 @ 6:00 PM in the Leoni Township Hall, 913 Fifth St., Michigan Center, Michigan.

Call to Order 6:01 pm
Members Present: Supervisor Linnabary, Clerk Pickett, Treasurer Clemente and Trustees Cole, Cox, McGee and Horning
Members Absent: None
Attendance Approximately: 52

BRIEF PUBLIC COMMENT:

Public Comment Opened 6:02 pm
Public Comment Closed 6:14 pm

APPROVAL OF AGENDA

*Motion by Pickett, supported by Cox to approve the agenda with the changes as follows:
Table Items # 7, 12, 13 and 17 mand Item #18 to Change Work Sessions from 8 am to 9am.
Roll call vote: 7 Ayes Linnabary, Pickett, Clemente, McGee, Cole, Horning and Cox
0 Nays*

Motion Carried

APPROVAL OF ACCOUNTS PAYABLE

*Motion by Linnabary, supported by Clemente to approve accounts payable as presented.
Roll call vote: 7 Ayes Linnabary, Pickett, Clemente, McGee, Cole, Horning and Cox
0 Nays*

Motion Carried

CONSENT AGENDA

Motion by McGee, supported by Pickett to approve 8/13/19 meeting minutes with amendments as follows:

Change Old Business Item #1 Discussion and Motion from Berger to Art Moehn and add Berger as the place of purchase of assessing vehicle. Change New Business Item #2 to add maintenance allowance. Change New Business Item #3 to add maintenance allowance. Change New Business Item #6 to add for the remainder of Mike Villarreal's Term. Change New Business Item #11 to change the spelling in the motion from order to odor. Change New Business Item

#14 to change support from Linnabary to Cox. Change the Sewer and Water 7/18/19 minutes from June 67 to June 27.

and all monthly reports with the amendment

Roll call vote:

Motion Carried by voice vote

OLD BUSINESS:

1. Approve Compli Check Environmental Compliance to Provide NESHAP Surveys for Leoni Properties 8777 Grayling, 3549 Bellrose, 8729 Manton, 437 Sheridan for the purpose of detecting hazardous materials before demolition can commence.

Motion by Cole, support by Horning to approve Compli Check to conduct survey in the amount of \$1,670.00

Roll call vote:

7 Ayes Linnabary, Pickett, Clemente, McGee, Cole, Horning and Cox

0 Nays

Motion Carried

2. Ultra Auto Group LLC

Motion by Pickett, support by McGee to table for further documents.

Roll call vote:

Motion Carried by voice vote

PUBLIC HEARING:

1. Gillette's Lake – 5-year Renewal of Weed Assessment Final Roll – Final Public Hearing

PUBLIC COMMENTS

OPENED: 6:40 pm

CLOSED: 6:55 pm

Mr. Tremper spoke and questioned if it is a public access lake, why should he have to pay.

Andrea Klooster, a new lake owner and was wondering what the color shading was on the map and what kind of dangers the chemicals would expose to children swimming and any toxicity or exposure to poison.

Steve Hanson from PLM responded to the questions explaining that the wildlife, fish, birds, and children were completely safe and there have been no measurable effects from the treatments. All chemicals used have been approved by the EPA from the toxicology unit, State of Michigan and the FDA. He also spoke in regards to past concerns about the apparent oxidation to the pontoons that could possibly have been caused by the treatment. He says that is caused directly from the magnesium, calcium, copper and iron which are all within legal limits in the lake and not caused directly from the weed treatment.

NEW BUSINESS

1. Resolution – Gillette's Lake SAD – Approval of final assessment roll

Motion by Pickett, support by Cole to approve the resolution to adopt the final assessment role for the Gillette's Lake District 5 Year Renewal.

Roll call vote:

6 Ayes Linnabary, Pickett, Clemente, Cole, Horning and Cox

1 Abstain McGee

Motion Carried

2. Approve transfer of \$500,000 from General Fund to Public Safety Fund.

Motion by Clemente, support by Cox to approve \$500,000 transfer from general fund to public safety fund.

*Roll call vote: 7 Ayes Linnabary, Pickett, Clemente, McGee, Cole, Horning and Cox
0 Nays Motion Carried*

3. Approve engaging Boswell, Schultz, Sonnenberg & Arnett to conduct our township yearly audit for year ended June 30, 2019

Motion by Clemente, support by McGee to approve the engagement of Boswell, Schultz, Sonnenberg & Arnett to conduct our township yearly audit for year ended June 30, 2019.

*Roll call vote: 6 Ayes Linnabary, Pickett, Clemente, McGee, Horning and Cox
1 Nays Cole Motion Carried*

4. Proposal to hire Watkins Ross to complete our OPEB and GASB 74/75 actuarial report for June 30, 2019 in the amount of \$5,200.00

Motion by Cox, support by Pickett to hire Watkins to complete our OPEB and GASB 74/75 actuarial report for June 30, 2019 in the amount of \$5,200.00.

*Roll call vote: 7 Ayes Linnabary, Pickett, Clemente, McGee, Cole, Horning and Cox
0 Nays Motion Carried*

5. F&V Operations Invoices/Estimates

- a) Konecranes invoice for overhead crane repair \$7,211.00 to be paid from sewer fund maintenance allowance.

Motion by Linnabary, support by Clemente to approve invoice for \$7,211.00 from sewer fund maintenance allowance to Konecranes for overhead crane repair.

*Roll call vote: 6 Ayes Linnabary, Pickett, Clemente, McGee, Horning and Cox
1 Nays Cole Motion Carried*

- b) Karasek Concrete invoice for \$852.00 for additional cost associated with prior WWTP curbing invoice to be paid from sewer fund maintenance allowance.

Motion by Linnabary, support by Clemente to approve \$852.00 for additional curbing costs to Karasek concrete to be paid from sewer fund maintenance allowance.

*Roll call vote: 7 Ayes Linnabary, Pickett, Clemente, McGee, Cole, Horning and Cox
0 Nays Motion Carried*

- c) Alfa Laval estimate for site inspection for G2-95 decanters SN#5024570 & 5024571 to be paid from the sewer fund maintenance allowance NTE \$12,450.00

Motion by Linnabary, support by Cole to approve a site inspection for G2-95 decanters SN#5024570 & 5024571 NTE \$12,450.00 to be paid from the sewer fund maintenance allowance.

*Roll call vote: 7 Ayes Linnabary, Pickett, Clemente, McGee, Cole, Horning and Cox
0 Nays Motion Carried*

6. Fall Clean Up day September 21, 2019 – 9am – 12 pm

Motion by Pickett, support by Cox to approve clean up day at WWTP on September 21, 2019 9am – 12 pm.

Roll call vote: Motion Carried by voice vote

7. Expenditure Control Policy Change

Motion by Linnabary, support by Cole to table for further review.

Roll call vote: Motion Carried by voice vote

8. Approval of The Calmic LLC – New Business Marihuana Grow License

Motion by Pickett, support by Linnabary to approve #92 The Calmic LLC New Grow License Class C.

*Roll call vote: 6 Ayes Linnabary, Pickett, Clemente, McGee, Horning and Cox
1 Nays Cole Motion Carried*

9. Approval of TRU North (DLG & Associates) Medical Marihuana Provisioning Center
(was on the waiting list)

Motion by Linnabary, support by Horning to approve #93 TRU North Provisioning Center.

*Roll call vote 2 Ayes Linnabary, Horning
5 Nays Pickett, Clemente, McGee, Cole, Cox
Motion Failed*

Motion by McGee, support by Cox to approve Sgt. Steve Stowe to submit Plan review for #93 TRU North Provisioning Center for further review by the board.

*Roll call vote: 5 Ayes Linnabary, Clemente, McGee, Cox, Horning
2 Nays Pickett, Cole
Motion Carried*

10. Approval of License Renewals #52 & #53 Better than Nature LLC, #54 RIG Properties, #57 Tree City LLC, #58, #59, #60, #61, #62, #63, #64, #65, #66, #67 & #68 Ventura

No vote is required as to Leoni Township Ordinance No. 2017-3 Section 4, Paragraph A that reads:

Application for each Medical Marihuana Facility license required by this Chapter shall be made in writing to the Township MM Administrative / Compliance Officer, and must be approved by the Board of Trustees, and approved by the State of Michigan, prior to commencing operation. Upon the expiration of an existing license, a license will be automatically renewed by Leoni Township for one (1) year if: (1) there are no uncured administrative violations in the prior year; (2) the applicant has paid the annual licensing fee for the renewal period; (3) any Stakeholder changes have been fully disclosed to Leoni Township; and (4) the applicant has paid and received the renewal of its state license.

11. Matthew Baker Re-zone – 8975 Page Ave. – Agricultural to Heavy Industrial

Motion by Linnabary, support by Horning to approve Matthew Baker Re-zone property located at 8975 Page Ave from Agricultural to Heavy Industrial.

*Roll call vote: 2 Ayes Linnabary, Horning
5 Nays Pickett, Clemente, McGee, Cole, Cox
Motion Failed*

12. Lyrical LLC Re-zone – 2 parcels (process of combing to one) Agricultural to Light Industrial, Residential to Light Industrial.

Motion by Linnabary, support by Clemente to table.

Roll call vote: Motion Carried by voice vote

13. Recommendation from the Planning Commission meeting on August 21, 2019 the following changes to the setbacks for lot coverage and lot ceilings as follows:
AG from 10% to 50%, 10% coverage of that will be unrestricted, 40% for crop production only and an additional 25% available for indoor crop production as a conditional use for a potential of 75% total.

Heavy Industrial from 25% to 40%

Light Industrial from 25% to 50%

Motion by Linnabary, support by McGee to table.

Roll call vote: Motion Carried by voice vote

14. Review Ordinance #55 that has been reviewed by Blackman Township to be sent to Township Atty Guy Conti for final Co-Approval for Blackman Leoni.

Motion by Pickett, support by Linnabary to submit to Atty Guy Conti for review and to include language for donation boxes and possible civil infractions to be included.

Roll call vote: Motion Carried by voice vote

15. Approve up to \$2,000 for American Title for title searches for Leoni Township Napoleon Road Cemetery.

Motion by McGee, support by Linnabary to approve up to \$2,000.00 for American Title for title searches for Leoni Township Napoleon Road Cemetery.

*Roll call vote: 7 Ayes Linnabary, Pickett, Clemente, McGee, Cole, Horning and Cox
0 Nays Motion Carried*

16. Approve Zoning Board of Appeals, Planning Commission, and Land Division Boards Per meeting pay to \$50.00 per meeting, with the exception of a non-quorum and approval of minutes only meetings which will be \$25 per meeting, Board of Review will be changed to \$50 per half day and \$100 for a full day. Effective October 1, 2019.

Motion by Pickett, support by McGee to Approve Zoning Board of Appeals, Planning Commission, and Land Division Boards Per meeting pay to \$50.00 per meeting, with the exception of a non-quorum and approval of minutes only meetings which will be \$25 per meeting, Board of Review will be changed to \$50 per half day and \$100 for a full day. Effective October 1, 2019.

*Roll call vote: 6 Ayes Linnabary, Pickett, Clemente, McGee, Horning and Cox
1 Abstain Cole*

Motion Carried

17. Recommendation from Water & Sewer Board to implement a Capital Improvements Plan

Motion by Linnabary, support by McGee to table.

Roll call vote: Motion Carried by voice vote

18. Approve moving Board of Trustees Work Sessions from 8 am to 9 am.

Motion by Pickett, support by Linnabary to move work sessions from 8am to 9 am.

Roll call vote:

Motion Carried by voice vote

DISCUSSION

1. Speed Limit on Stillwell Avenue.

Director Mike Jester with Blackman Leoni Public Safety discussed at the work session to suggest keeping with the limits set by the county and state road requirements.

2. Ordinance Officer Pay Matrix Base Rate.

Discussion on Pay Matrix Rate Increase in addition to years of service of current officer and future rates if the position became open and what that pay would need to be at to be in line with the matrix.

Motion by Clemente, support by Linnabary to increase Ordinance Officer Christopher Jacobson's pay to the current pay matrix scale of (\$17.50/hr.) and then adjust for his years in service of the 10 years of service rate (3.50/hr.) which brings his hourly rate to \$21/hour effective September 10, 2019.

Roll call vote: 7 Ayes Linnabary, Pickett, Clemente, McGee, Cole, Horning and Cox

0 Nays

Motion Carried

BRIEF PUBLIC COMMENT:

Public Comment Opened 8:35 pm

Public Comment Closed 8:39 pm

Motion by Linnabary, support by Pickett to adjourn the meeting.

Meeting adjourned at 8:40 P.M.

Kerry Pickett, Clerk