

NORTHFIELD TOWNSHIP

Township Board

Minutes

December 11, 2012

CALL TO ORDER

The meeting was called to order at 7:02 P.M. by Supervisor Engstrom at 8350 Main Street. She thanked the previous board and contractors who were at the November 19th meeting to welcome the new Board members.

PLEDGE

Supervisor ~~Mozurkewich~~ Engstrom led those present in the Pledge of Allegiance.

ROLL CALL

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

Also present:

Wastewater Treatment Plant Superintendent
Tim Hardesty
Public Safety Director William Wagner
Police Lt. Tim Greene
Senior Center Director Susan Laity
Recording Secretary Lisa Lemble
Members of the community

CONSENT AGENDA:

- **Minutes: November 13th and 19th**
- **Bills**
- **Other**

- **Motion:** Engstrom moved, Braun supported, that the items in the consent agenda be approved as presented. **Motion carried 6—0 on a voice vote.**

ADOPT BALANCE OF AGENDA

The resignation of Tracy Thomas from the Planning Commission and appointment of Township Board representatives to the Planning Commission and Zoning Board of Appeals were added, and items 1 and 8 were switched in order. Chick noted that item 13 was placed on the agenda by Otto.

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

FIRST CALL TO THE PUBLIC

Six members of the public commented on the issues of reducing salaries for elected officials, hiring of a Township Manager, banning the use of electronic devices by Board members during meetings, and the rehiring of attorney Dennis Gabrian,

REPORTS

Department Heads

Fire. Public Safety Director William Wagner reviewed his written report for the month of November.

- **Motion:** Manning moved, Otto supported, that the resignation of Captain Jay Keine be accepted with regret. **Motion carried 6—0 on a voice vote.**

Township Manager. Interim Township Manager William Wagner reviewed his written report and provided updates on soil testing at 75 Barker Road and repairs to the Public Safety Building.

Police. Lt. Greene reviewed his written report.

Senior Center. Laity referred to her written report and asked for guidance on repainting and carpet replacement on the side of the building previously rented by Northfield Human Services. It was agreed that Wagner will look into getting estimated costs.

Wastewater Treatment Plant. Hardesty referred to his written report.

- **Motion:** Manning moved, Braun supported, that a contract with Fonson Construction in an amount not to exceed \$20,000 be approved for repair of a sewer line on Kenton Drive. **Motion carried 6—0 on a call vote.**

Downtown Development Authority

Engstrom noted there is nothing to report at this time. The Board agreed that there is no need to put this on future agendas until there is business to report on.

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Zoning Board of Appeals

Ken Dignan, ZBA Chair, reported that on November 26th the ZBA determined that the operations of Regal Recycling and the new buildings they constructed are legal substitutions of previous operations and buildings there.

Planning Commission

No report available.

**CLOSED SESSION TO DISCUSS
CONFIDENTIAL/PRIVILEGED COMMUNICATION**

- ▶ **Motion:** Manning moved, Chick supported, that the Board go into closed session to discuss confidential/privileged information with Township attorneys. **Motion carried 6—0 on a roll call vote.**
- ▶ **Motion:** Manning moved, Thomas supported, that the Board return to open session.
Motion carried 6—0 on a voice vote.

BUSINESS ITEMS

1.

Renewal of Auditor Contract

- ▶ **Motion:** Manning moved. Braun supported, that the three year contract proposed by Pfeffer, Hanniford & Palka be accepted for fiscal years 2013, 2014, and 2015. **Motion carried 6—0 on a voice vote.**

2.

**Policy Disallowing Electronic Devices
at Board Table**

Chick said she brought this up because laws about public meetings have not always kept up with technology and Board members texting each other or otherwise communicating during meetings would be a violation of the Michigan Open Meetings Act. The Board discussed the pros and cons of having such devices available during meetings. Chick said she will prepare a policy for the Board to consider at the next meeting.

3.

Hiring of Howard Fink as Township Manager

Chick explained that she asked Howard Fink, who the prior Board voted to hire as Township Manager, to appear at this meeting. The Board discussed with Fink the role of a Manager and the duties expected of him in Northfield Township.

- ▶ **Motion:** Engstrom moved, Braun supported, that Mr. Howard Fink be hired as Township Manager for Northfield Township pending contract negotiations, contract approval, and a background check. Contract negotiations are to be carried out for the Board by the current Township Manager.

Manning asked for a friendly amendment to have the Township attorney handle negotiations. Engstrom agreed to add the Township Attorney as a participant in the negotiations.

- ▶ **Motion:** Engstrom moved, Braun supported, that Mr. Howard Fink be hired as Township Manager for Northfield Township pending contract negotiations, contract approval, and a background check. Contract negotiations are to be carried out for the Board by the current Township Manager and the offices of Paul Burns, Township attorney.

The Board discussed whether this motion was necessary given the action of the prior Board. Fink said he consulted his attorney about this and his position is that this new Board must also approve his hiring because this is the Board he will be working with. He said from a legal standpoint the previous Board cannot enter in the negotiations, so this Board must approve the negotiations and contract.

Amended motion carried 6—0 on a voice vote.

- ▶ **Motion:** Engstrom moved, Braun supported, to extend William Wagner's contract as Interim Township Manager until the new township Manager's contract is approved by the Board.

There was discussion about how long this might last. It was agreed to provide a specific date.

- ▶ **Motion:** Engstrom moved, Braun supported, to extend William Wagner's contract as Interim Township Manager until no later than March 1, 2013.
Motion carried 6—0 on a voice vote.

4.

Rehiring of Dennis Gabrian as Labor Attorney

Chick noted that Police contract negotiations are ongoing and Fire negotiations are coming up, and both will require the services of a labor attorney.

- ▶ **Motion:** Chick moved, Manning supported, that Dennis Gabrian be hired as Northfield Township's labor attorney effective December 11, 2012.

Engstrom asked for comment from Township attorney Paul Burns. Burns said he has known Gabrian for many years and has no issues with him continuing as the Township's labor attorney. There was discussion about

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whether to wait to allow Board members to get more information about this.

Motion carried 4—2 on a voice vote, Engstrom and Braun opposed.

**5.
Resolution of Support
for Non-Motorized Pathway**

Wagner explained that the previous Township Board directed that the contract with Boss Engineering be ended and that he investigate moving the path to the north side of the road. The Board discussed the merits of the both locations for the path. Wagner also explained that there is currently a \$34,000 contract with Boss Engineering of which about \$30,000 has been paid. He said the remaining part of the contract is supervising surveying and staking of Phase 2B. He said the Board needs to decide at this point which side of the road is preferred for the path, and whether to approve a Resolution to go along with a grant request for Phase 3.

Wagner noted it was previously thought that two easements would be necessary to complete Phase 2B, but an alternate way to complete the path has been found without them. He also noted that Phase 2A was supposed to include taking the path over the railroad track, but that part of the project will be added to Phase 2B, and the \$9,000 cost for that will be shifted to Phase 2B.

- **Motion:** Engstrom moved, Chick supported, that the *Resolution of Support for Non-Motorized Path* for Phase III of the Barker Road Non-Motorized Path be approved as presented.

Motion carried 6—0 on a roll call vote

- **Motion:** Engstrom moved, Chick supported, that Boss Engineering be retained as the engineer for Phase II of the Barker Road Non-Motorized Path.

Motion carried 6—0 on a voice vote.

**6.
Meeting Schedule for 2013**

Manning noted that the schedule she is presenting calls for meetings on the second Tuesday of each month, plus meetings on the fourth Tuesdays of May and June. Otto said as a new Board it might be appropriate to add meetings on the fourth Tuesdays in January and February.

- **Motion:** Manning moved, Otto supported, that the Northfield Township meeting dates for 2013 as amended. **Motion carried 6—0 on a voice vote.**

**7.
Holiday Schedule for 2013**

- **Motion:** Manning moved, Chick supported, that the Northfield Township 2013 Holiday schedule be approved as presented.

Motion carried 6—0 on a voice vote.

**8.
Reinstating Roberts Rules as Guidelines**

Otto said her research shows that some Townships conduct their meetings according to Robert's Rules of Order and others use them as guidelines. She said she feels there should be a general understanding for the benefit of the Board and the public of how meetings are to be conducted.

- **Motion:** Otto moved, Chick supported, that the business of the Board shall be conducted in accordance with Robert's Rules of Order Revised insofar as such rules are not in conflict with these rules and the statutes of the State of Michigan.

The Board discussed the options of adopting Robert's Rules, a variation on them, a policy of some kind, or taking no action. Wagner said he will find out which version of Robert's Rules is used by Plymouth Township.

Otto withdrew her motion.

- **Motion:** Otto moved, Manning supported, that the decision on use of Robert's Rules of Order be tabled to January 22, 2013.

Motion carried 6—0 on a voice vote.

**9.
Civic Event Permit for
Michigan Pond Hockey**

- **Motion:** Engstrom moved, Manning supported, that the Civic Event Permit for Michigan Pond Hockey Sports Charities be approved as presented contingent upon completion of the items in Williams Wagner's Manager Report.

In answer to a question, Iaquinto said he has no problem complying with the items as discussed by him and Wagner.

Motion carried 6—0 on a voice vote.

**9a.
Resignation of Tracy Thomas
from the Planning Commission**

Thomas noted that he sent his resignation to the Planning Commission Chair, but he did not understand it should also go to the Board.

- **Motion:** Engstrom moved, Braun supported, that the verbal resignation of Tracy Thomas from the

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Northfield Township Planning Commission be accepted. **Motion carried 6—0 on a voice vote.**

**10.
Appointments to Planning Commission**

- **Motion:** Engstrom moved, Braun supported, that Sam Iaquinto be appointed to the Northfield Township Planning Commission for a three year term ending December 31, 2015.

Thomas asked if there were other candidates. Manning noted there were letters in the Board packets from four others—Randall Rusch, Robert Erickson, Jeffery Vega, and Athena Trentin—who were interested in being appointed. Engstrom said she received an email from Iaquinto on November 27th and also received an email from Roman. She added that she discussed the candidates with the Planning Commission Chair and she made her choices based on their experience.

Otto asked that if Iaquinto and Roman are appointed by the Board that their requests for appointment to attached to the minutes.

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

- **Motion:** Engstrom moved, Chick supported, that Larry Roman be appointed to the Northfield Township Planning Commission for a three year term ending December 31, 2015.
Motion carried 6—0 on a voice vote.
- **Motion:** Engstrom moved, supported, that John Mayleben be appointed to the Planning Commission to complete the term of Tracy Thomas ending December 31, 2013.

There was discussion about whether Mayleben can be appointed now since he is currently serving on the Planning Commission. Manning said it can be done now by adding an effective starting date.

- **Amended motion:** Engstrom moved, Thomas supported, that John Mayleben be appointed to the Planning Commission to complete the term of Tracy Thomas ending December 31, 2013 with an effective date of January 1, 2013.

Amended motion carried 6—0 on a voice vote.

**10a.
Appointment of Township Board
Representatives to the Planning Commission
and Zoning Board of Appeals**

- **Motion:** Engstrom moved, Braun supported, that Janet Chick be appointed as the Township Board representative to the Northfield Township Planning

Commission until November 20, 2016.
Motion carried 6—0 on a voice vote.

- **Motion:** Engstrom moved, Thomas supported, that Jacqueline Otto be appointed as the Township Board representative to the Northfield Township Zoning Board of Appeals until November 20, 2016.
Motion carried 6—0 on a voice vote.

**11.
Appointment to Zoning Board of Appeals**

- **Motion:** Engstrom moved, Chick supported, that Ken Dignan be appointed to the Northfield Township Zoning Board of Appeals for a three year term ending December 31, 2015.

In answer to a question from Otto, Engstrom said Dignan submitted an email indicating his interest in this appointment. Otto asked that this email be attached to the minutes.

Motion carried 6—0 on a voice vote.

- **Motion:** Engstrom moved, Braun supported, that Tim Anderson be appointed to the Northfield Township Zoning Board of Appeals for a three year term ending December 31, 2015.

There was discussion about whether Anderson's term is expiring. Manning said she will check on this and let the Board know if they need to change this appointment.

Motion carried 6—0 on a voice vote.

**12.
Establishing a Policy on Appointing
Replacements for Elected Officials**

Otto said she would like to insure transparency if a Board position is vacated mid-term, and she suggested that the Board institute a policy or procedure that requires time for public input. Manning said State law requires that the Board act within 45 days to fill a vacancy on the Township Board. She said she would be willing to prepare a policy for the Board to consider at a future meeting. Thomas said he would be in favor of such a policy.

- **Motion:** Otto moved, Chick supported, that the issue of establishing a policy on appointing replacements for elected officials be tabled to the meeting of January 22, 2013.
Motion carried 6—0 on a voice vote.

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**13.
Policy for Appointments to
Township Committees and/or Commissions**

Otto asked if there is a policy in place. Manning said while there is a tradition of the Supervisor making proposals, there is no policy. There was discussion about whether candidates should be required to submit resumes or be interviewed. Otto said she is interesting in insuring an open and transparent process that considers all of those who are interested and qualified and which shows the public that the Board has done its due diligence.

Chick suggested that interested candidates could be invited to a meeting and given the opportunity to speak.

SECOND CALL TO THE PUBLIC

Two members of the public made brief comments.

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 January 8, 2013.

Michele K. Manning, Clerk

BOARD MEMBER COMMENTS

In answer to a question from Wagner, Manning confirmed that bills from the concrete company for the Barker Road path and for the 75 Barker Road environmental work have already been approved.

ADJOURNMENT

► **Motion:** Manning moved, Braun supported, that the meeting be adjourned.

Motion carried 6—0 on a voice vote.

The meeting adjourned at 10:32 P.M.

Official minutes of all meetings, as well as expanded notes, are available on the Township's website at http://twp.northfield.mi.us/boards/twp_board