

LIMA TOWNSHIP BOARD OF TRUSTEES
Lima Township Hall
Regular Meeting Minutes
December 10, 2018

CALL TO ORDER:

The meeting was called to order at 7:02 p.m. by Supervisor Maier. Also present were Clerk Bater, Treasurer Havens, and Trustees Laier and Luick. Public attendees included several township residents, Fire Chief Arbini along with two additional firefighters and the township attorney, Victor Lillich.

AGENDA APPROVAL:

Trustee Laier moved/seconded by Luick: Motion to approve the Agenda as amended. Motion carried

MINUTES APPROVAL:

Trustee Laier moved/seconded by Luick: Motion to approve the Regular Meeting minutes of November 12, 2018 as presented. Motion carried

PUBLIC COMMENT:

Township Attorney, Victor Lillich gave an update on the Bateson litigation.
 Duane Luick commented on a Washtenaw County Road Commission bridge replacement article in The Sun Times news.
 Bill Coltre commented on Steinbach Road.

TREASURER'S REPORT: Submitted by Treasurer, Nanette Havens

TREASURER'S REPORT	November 30, 2018
Beginning Balance CSB	\$ 50,862.30
Deposits	66,933.74
Payroll	(14,973.63)
Accounts Payable	(19,726.63)
Aged Checks (voided)	206.00
CSB Checking Balance 11/30/2018 (.1% int.)	83,301.78
Non-Maturing CD's	645,896.56
Total CSB Checking & CD's	729,198.34
CSB Money Market	83,335.98
Monthly Interest (.25%)	17.12
Closed CD #6 & #8	48,120.38
Total CSB Money Market	131,473.48
Flagstar/Thornton Farms	215,323.69
Thornton Farms - Monthly Interest (.25%)	44.24
Total Flagstar Checking	215,367.93
Funds Available	860,671.82
Total Funds	\$ 1,076,039.75

OATH OF OFFICE:

The oath of office was given to those in attendance.

OLD BUSINESS: None

NEW BUSINESS:

CAFA Fire Code Presentation: Firefighter Eric Stanley spoke to the Board encouraging the Township to establish a minimum requirement fire code safety ordinance for commercial buildings. No action taken

Review of Township Website, Bid for Re-Design and Host Provider Potential Change \$1,995.00. Moved by Luick, supported by Laier for STG to redesign and web host the Township website as proposed. Motion passed

NEW BUSINESS CONTINUED:

Marihuana “Opt-Out” Resolution: Attachment A

RESOLUTION #2018-17 TO CREATE ORDINANCE #33 – PROHIBITION OF MARIHUANA ESTABLISHMENTS

WHEREAS, Recreational marihuana establishments would not be welcomed or appreciated in the Township of Lima based on feedback expressed from individual residents and public groups to the Board of Trustees, and

WHEREAS, A township may choose to prohibit any or all types of recreational marihuana establishments by adopting an ordinance pursuant to Initiated law 1 of 2018, MCL 333.2795 *et seq.*, as may be amended

NOW THEREFORE it is hereby resolved as follows: The Township of Lima shall create Ordinance #33 that will prohibit marihuana establishments of all kinds within its bounties.

This RESOLUTION was offered by Board member Craig Maier, supported by Board member Donald Laier at a meeting on December 10, 2018. The members of the Township Board voted as follows:

“Aye”: Laier, Bater, Maier, Havens, Luick “Nay”: None Absent: None

The TOWNSHIP SUPERVISOR declared the RESOLUTION duly adopted.

CAFA Future Lease Arrangement – CAFA will be asking for lease reduction to \$1/year at some point in future.

Discussion followed, no action taken

Township Hall Window Glass Quote – Harmon Glass Doctor \$1,174.72 – No Action taken pending additional quote

Midwestern Consulting: New Hall – Amendment to Work Authorization Not to Exceed \$3,000 – moved by Maier, supported by Laier to approve MCI to do additional right-of-way and topographic work along Lima Center Road not to exceed \$3,000.00. Motion passed

Drake Certified Public Accountant – 2018 Audit Fee \$6,000 - Letter of Understanding. Moved by Bater, supported by Laier to approved the Clerk signing the 2018 Audit Letter of Understanding for Drake Certified Public Accountant for \$6,000.00. Motion passed

Carlisle/Wortman Associates, Inc. Three Phase Twp. Hall Site Development – Luick moved, supported by Laier to approved the cost of \$1,000.00 to Carlisle/Wortman for Phase I of the Township Hall Site Development Process as proposed. Motion passed.

Budget Adjustments for New Property – Moved by Luick, supported by Laier to move \$3,334.87 of un-used funds from Repairs/Maintenance Roads to the new accounts for the Jackson Road Property. Motion passed

CONSENT AGENDA:

- A. ACCOUNTS PAYABLE - \$46,136.46
- B. PAYROLL - \$10,359.26

Moved by Laier, supported by Luick to approve the Lima Township 12/10/2018 Consent Agenda as amended. Motion passed.

DECEMBER 10, 2018 ACCOUNTS PAYABLE		Amount
BETTY ROBBINS	OFFICE & HALL CLEANING NOV. 2018	120.75
CARLISLE/WORTMAN ASSOC., INC.	1035 FLETCHER REZONING - OCT	425.00
CARLISLE/WORTMAN ASSOC., INC.	CREEKSIDE FARMS PUD - OCT	467.50
CARLISLE/WORTMAN ASSOC., INC.	GENERAL CONSULTATION - OCT	297.50
CARLISLE/WORTMAN ASSOC., INC.	GENERAL CONSULTATION - OCT	42.50
CHELSEA AREA CONSTRUCTION AGENCY	DEC OFFICE LEASE	1,046.45
COMCAST	8529 10 221 0105382 INTERNET & CABLE TV	175.55
CRAIG MAIER	23A LIMESTONE - TWP.HALL DR.WAY	275.00
DTE ENERGY	9100 105 6532 3 ELEC - TWP HALL	66.99
DTE ENERGY	9200 080 6217 5 ELEC - CHARGING STATION	147.72
ELAINE BATER	MTA ON-THE-ROAD CONF.T.STONG	133.00
GOVENMENAL BUSINESS SERVICES	NOV.2018 ELEC. (2) TEST DECKS	200.00
HEYDLAUFF'S APPLIANCES	#953755 GE REFRIG, GE RANGE, 4FT. CORD.	1,064.00
IVS COMM	NOVEMBER 2018 OFFICE PHONES #7344752246	87.50

KCI	PP-STATEMENTS ESTIMATED POSTAGE	284.40
MERS	CUSTOMER#811201 EMP RETIRE PLAN	922.12
MICHAEL J. KEHOE, P.C.	GENERAL WORK - NOV.	50.00
MICHAEL J. KEHOE, P.C.	CLAPPERTON MATTER - NOV.	25.00
MICHAEL J. KEHOE, P.C.	CHRING ST. LEASE - NOV.	400.00
MIDWESTERN CONSULTING LLC	NEW TWP. HALL 9/8/18-11/3/18	3,951.59
MIDWESTERN CONSULTING LLC	GALANIS INVESTMENTS SITE PLAN REVIEW 10/6-11/3/18	310.00
MIDWESTERN CONSULTING LLC	NEW TWP. HALL 11/3/18-11/24/18	4,378.14
NANETTE HAVENS	TAX BILL POSTAGE	18.80
PETTY CASH	REPLENISHMENT	48.75
PRINTING SYSTEMS, INC.	QVF ID AND MASTER CARDS	49.70
RENIUS & RENIUS	ASSESSING SERVICES - DEC. 2018	2,454.79
STEIN ELECTRIC CO., INC.	CHRG STATION ELEC. RANGE CIRCUIT BRKER/GRD/PLUG	493.66
UNITED STATES TREASURY	DEP. REQUIREMENT OCT. FORM 941 4TH QTR 2018	702.84
UNITED STATES TREASURY	DEP. REQUIREMENT NOV. FORM 941 4TH QTR 2018	834.80
VERIZON	642097789-01 TWP.HALL BROADBAND 11/29-12/28/18	40.84
VICTOR L. LILLICH, J.D. PAID 12/12/2018	LEGAL SERVICES - 11/01/18-11/30/18	1,118.00
WASHTENAW COUNTY TREASURER	10/18 MTT/STC INVOICE LEDGER CUSTOMER #5013	380.81
WASHTENAW CTY ROAD COMMISSION	2018 FINAL BILLING RD MAINT.PROJ. & DUST CONTL	25,122.76
TOTAL		46,136.46

Payroll 12/10/2018	Check #	Gross Pay	Federal Tax	Social Security	Medicare	State Tax	MERS	NET PAY
Elaine L. Bater	1305	2,497.75	72.00	-	36.22	72.51	124.89	2,192.13
Thomas E. Caplis	1306	445.20	-	27.60	6.46	-	-	411.14
William V. Coltre	1307	852.48	20.00	52.85	12.36	22.06	-	745.21
Marlene Consiglio	1308	366.30	-	22.71	5.31	-	-	338.28
Edwin Greenleaf	1309	270.60	-	16.78	3.92	-	-	249.90
Nanette L. Havens	1310	2,768.35	25.00	-	40.14	26.77	138.42	2,538.02
Else Heller	1311	805.00	46.00	-	11.67	32.50	40.25	674.58
Donald A. Laier	1312	287.08	-	-	4.16	-	14.35	268.57
Duane D. Luick	1313	287.08	-	-	4.16	-	14.35	268.57
Craig A. Maier	1314	2,497.75	232.00	-	36.22	86.68	124.89	2,017.96
Kenneth W. Prielipp	1315	180.40	-	11.18	2.62	-	-	166.60
Elizabeth Sensoli	1316	270.60	-	16.78	3.92	11.50	-	238.40
Howard Sias	1317	270.60	-	16.78	3.92	-	-	249.90
		11,799.19	395.00	164.68	171.08	252.02	457.15	\$ 10,359.26

CORRESPONDENCE: None

REPORTS:

Zoning Report for November, 2018: Tom Caplis – Absent

- Compliance Permits: 2
 - 9900 Jackson Rd. – School Bldg. foundation for St. Vlad.
 - 433 Bee Tree Lane – New Home (replacement)
- Enforcements (Violations written or investigated) 1
 - Violation notice sent concerning failure to get a permit for a patio wall.

Chelsea Area Construction Agency (CAC): Greg McKenzie

- Soil Erosion Legislation is being voted on during Lame Duck Session
- No CACA meeting minutes in packets this month, but Board should have some in packets for next month
- 90 new home permits have been issued

Capital Improvements: Ed GreenLeaf - Absent

CAPT/DART: Ed GreenLeaf - Absent

Cemeteries: Ed GreenLeaf – Absent

SEMCOG: Duane Luick

- Nothing to report

Chelsea District Library: Elizabeth Sensoli – Absent. Supervisor Maier relayed her emailed report.

- Friend of the Year: Julie Pecka, Volunteer of the Year: Bill Coleus. Both were honored at Appreciation Party on December 1st.
- Teen Hygiene Drive 12/1–12/30/18. Donate full-sized, unopened hygiene supplies for homeless children and teens
- Adult Computer Training – December, January and February
- Artful Aging Exhibition – 12/3-12/30/18. First Floor Lobby. The arts play an important part in healthy aging.

Planning Commission: Nanette Havens

- 1035 N Fletcher Rd–re-zoning: Findings Report from Twp. Planner was too intensive for recommending application approval.
- Public Hearing for ALCO – re-zoning from AG-2 to LI. application tabled until next month.

Western Washtenaw Recycling Authority (WWRA): Nanette Havens

- Material tonnage is up, aluminum is up, plastic is holding, cardboard & paper is down.
- New budget was set for 2019 with some adjustments.
- Jason Maciejewski held his last meeting (elected County Commissioner) – new Chairperson is needed.
- Taking delivery of new truck. Several pieces of equipment were purchased in 2018 so no equipment is expected for 2019.

Washtenaw Area Value Express (WAVE): Arlene Bareis

- Held meeting on 11/27/2018
- Sign new J.A.R.T. Contract Totaling \$284,5000. JART stands for:
- Operating Assistance \$81,000, Mobility Management \$60,000, Replacement Trust \$138,000, Bike Rake \$5,000
- New Treasurer – Heather Turnbo and she will also be the new Chelsea State Bank Representative
- Ridership is up in October 669 rides over 2017
- Next meeting is January 22, 2019

Clerk's Report: Elaine Bater

- Very busy

CAFA Report: Craig Maier

- Next meeting is Tuesday, December 18, 2018, Chelsea City Chambers , 9:00 a.m.

Supervisor's Reports: Craig Maier

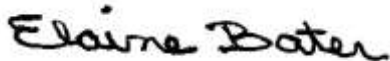
- Reported earlier

PUBLIC COMMENT:

James Smith spoke on a pending property rezoning application and Bill Coltre commented concerning a property on Jerusalem Road.

ADJOURNMENT: Moved by Laier, seconded by Havens to adjourn at 9:31 p.m. Motion carried

Respectfully Submitted



Elaine Bater, Township Clerk

TOWNSHIP OF LIMA
WASHTENAW COUNTY, MICHIGAN
PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS ORDINANCE NO. 33

An ordinance to provide a title for the ordinance; to define words; to prohibit marihuana establishments within the boundaries of Lima Township pursuant to Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended; to provide penalties for violation of this ordinance; to provide for severability; to repeal all ordinances or parts of ordinances in conflict therewith; and to provide an effective date.

TOWNSHIP OF LIMA, WASHTENAW COUNTY, MICHIGAN, HEREBY ORDAINS:

SECTION I
TITLE

This ordinance shall be known as and may be cited as the Lima Township Prohibition of Marihuana Establishments Ordinance.

SECTION II
DEFINITIONS

Words used herein shall have the definitions as provided for in Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended.

SECTION III
NO MARIHUANA ESTABLISHMENTS

Lima Township hereby prohibits all marihuana establishments within the boundaries of the Township pursuant to Initiated Law 1 of 2018, MCL 333.27951, *et seq.*, as may be amended.

SECTION IV
VIOLATIONS AND PENALTIES

1. Any person who disobeys neglects or refuses to comply with any provision of this ordinance or who causes allows or consents to any of the same shall be deemed to be responsible for the violation of this ordinance. A violation of this ordinance is deemed to be a nuisance per se.
2. A violation of this ordinance is a municipal civil infraction, for which the fines shall not be less than \$100 nor more than \$500, in the discretion of the Court. The foregoing sanctions shall be in addition to the rights of the Township to proceed at law or equity with other appropriate and proper remedies. Additionally, the violator shall pay costs which may include all expenses, direct and indirect, which the Township incurs in connection with the municipal civil infraction.
3. Each day during which any violation continues shall be deemed a separate offense.
4. In addition, the Township may seek injunctive relief against persons alleged to be in violation of this ordinance, and such other relief as may be provided by law.
5. This ordinance shall be administered and enforced by the Ordinance Enforcement Officer of the Township or by such other person (s) as designated by the Township Board from time to time.

SECTION V
SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION VI
REPEAL

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION VII
EFFECTIVE DATE

This ordinance shall take effect December 10, 2018.

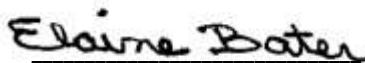
CLERK'S CERTIFICATE:

I, Elaine Bater, being the duly elected Clerk of Lima Township, Washtenaw County, Michigan, state that on December 10, 2018, at a regular meeting of the Lima Township Board of Trustees, the Board adopted the Lima Township Prohibition of Marihuana Establishments Ordinance #33 by resolution.

The following members voted by roll call vote:

Ayes: Laier, Bater, Maier, Havens, Luick
Nays: None
Absent or abstain: None

This Ordinance was declared adopted and became effective on December 10, 2018. Published in The Sun Times under PUBLIC NOTICES – Lima Township Synopsis of Regular Meeting Minutes on December 26, 2018.


Elaine Bater, Lima Township Clerk