

**CHARTER TOWNSHIP OF VAN BUREN BOARD OF TRUSTEES
APRIL 14, 2014 WORK STUDY MEETING, TENTATIVE AGENDA**

PLEDGE OF ALLEGIANCE:

ROLL CALL:

| | | | |
|------------------|-------|--------------------|-------|
| Supervisor Combs | _____ | Trustee McClanahan | _____ |
| Clerk Wright | _____ | Trustee Miller | _____ |
| Treasurer Budd | _____ | Engineer Nummer | _____ |
| Trustee Hart | _____ | Attorney McCauley | _____ |
| Trustee Jahr | _____ | Secretary Cline | _____ |

UNFINISHED BUSINESS:

NEW BUSINESS:

1. Discussion on:
 - a. Request for establishing Industrial Development District #24.
 - b. Request for an Industrial Facilities Exemption Certificate for Costco Wholesale Corporation.
2. Discussion on repeal of Zoning Ordinance 03-01-11 – Uses Contrary to Federal, State or Local Laws.
3. Discussion on amendment to General Code of Ordinances Section 58-292 - Controlled substances Possession; penalties for violation of section.
4. Discussion on amendment to General Code of Ordinances Section 58-293 – Use.
5. Discussion on amendment to General Code of Ordinances Section 58-296 – Narcotic paraphernalia; possession, sales, gift.
6. Discussion on amendment of Local Development Finance Authority Bylaws.
7. Discussion on contracted services for Fire Reporting System CLEMIS.

CLOSED SESSION:

ADJOURNMENT:

Charter Township of Van Buren

Agenda Item: WS #1

WORK STUDY MEETING

DATE: APRIL 14, 2014

BOARD MEETING DATE:

MAY 6, 2014

REQUEST FOR BOARD ACTION

Consent Agenda _____ New Business X _____ Unfinished Business _____ Public Hearing X _____

PUBLIC HEARING:

1. Consider request to establish Industrial Development District #24
2. Consider request for an Industrial Facilities Exemption Certificate for Costco Wholesale Corporation.

ITEM (SUBJECT)

AGENDA ITEM:

1. Consider adoption of Resolution 2014-09 to establish Industrial Development District #24
2. Consider adoption of Resolution 2014-10, authorizing an Industrial Facilities Exemption for Costco Wholesale Corporation, and authorize the Supervisor and Clerk to execute the Tax Abatement Agreement.

DEPARTMENT

Assessing

PRESENTER

Linda M. Stevenson, Assessment Coordinator

PHONE NUMBER

734-699-8946

INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER)

Ted Johnson and Peter Kahn

Agenda topic: Industrial Facilities Exemption-Costco Wholesale Corporation

ACTION REQUESTED

1. Consider adoption of Resolution 2014-09, to establish Industrial Development District #24
2. Consider adoption of Resolution 2014-10 authorizing an Industrial Facilities Exemption of Costco Wholesale Corporation

BACKGROUND -- (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)

1. Costco Wholesale Corp. has submitted an application for an Industrial Facilities Exemption on both Real and Personal Property.
2. In accordance with the State of Michigan guidelines all other taxing authorities have been notified via certified mail. Public Hearing notices have been published in the legal newspaper of record.
3. Under the Township's Board approved Tax Abatement Policy; Costco Wholesale Corp. qualifies for an eight (8) year abatement.
4. The request is for \$40,000,000 for Real Property and \$4, 088,000 for Personal Property.
5. The facilities (depot) will consist of approximately 347,720 total square feet which will include a dry depot, wet depot, office, engine room/electrical room and guard booth. Off-site improvements will include a new traffic signal, improvements to Belleville Road, and a new access driveway and sidewalk. There will be mass and fine grading, concrete and asphalt pavement along with site utilities.
6. A map of the requested district along with a separate Real and Personal Property Abatement Analysis is included.
7. Resolutions, Application, Agreement, etc. are all attached.

BUDGET IMPLICATION (see analysis)

IMPLEMENTATION NEXT STEP

Appropriate documents forwarded to State Tax Commission

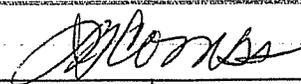
DEPARTMENT RECOMMENDATION

ATTORNEY RECOMMENDATION

(May be subject to Attorney/Client Privilege and not available under FOIA)

ADDITIONAL REMARKS

APPROVAL OF SUPERVISOR



INDUSTRIAL DEVELOPMENT DISTRICT REQUEST





Via E-mail and Overnight Mail

Linda M. Stevenson
Assessment Coordinator
46425 Tyler Rd.
Van Buren Twp., MI 48111

**Re: Request to establish an Industrial Development District
Belleville Road**

Dear Ms. Stevenson:

Costco Wholesale Corporation, Inc. hereby respectfully requests that an Industrial Development District be established that includes the property identified on Exhibit A attached hereto. Enclosed please find the required \$500 non-refundable fee for the request and an owner's authorization signed by the owners of the subject property.

Please contact David Reifman at (312)368-2162 or david.reifman@dlapiper.com with any questions regarding this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Kahn", is written over the typed name.

Peter Kahn
Costco Wholesale Corporation

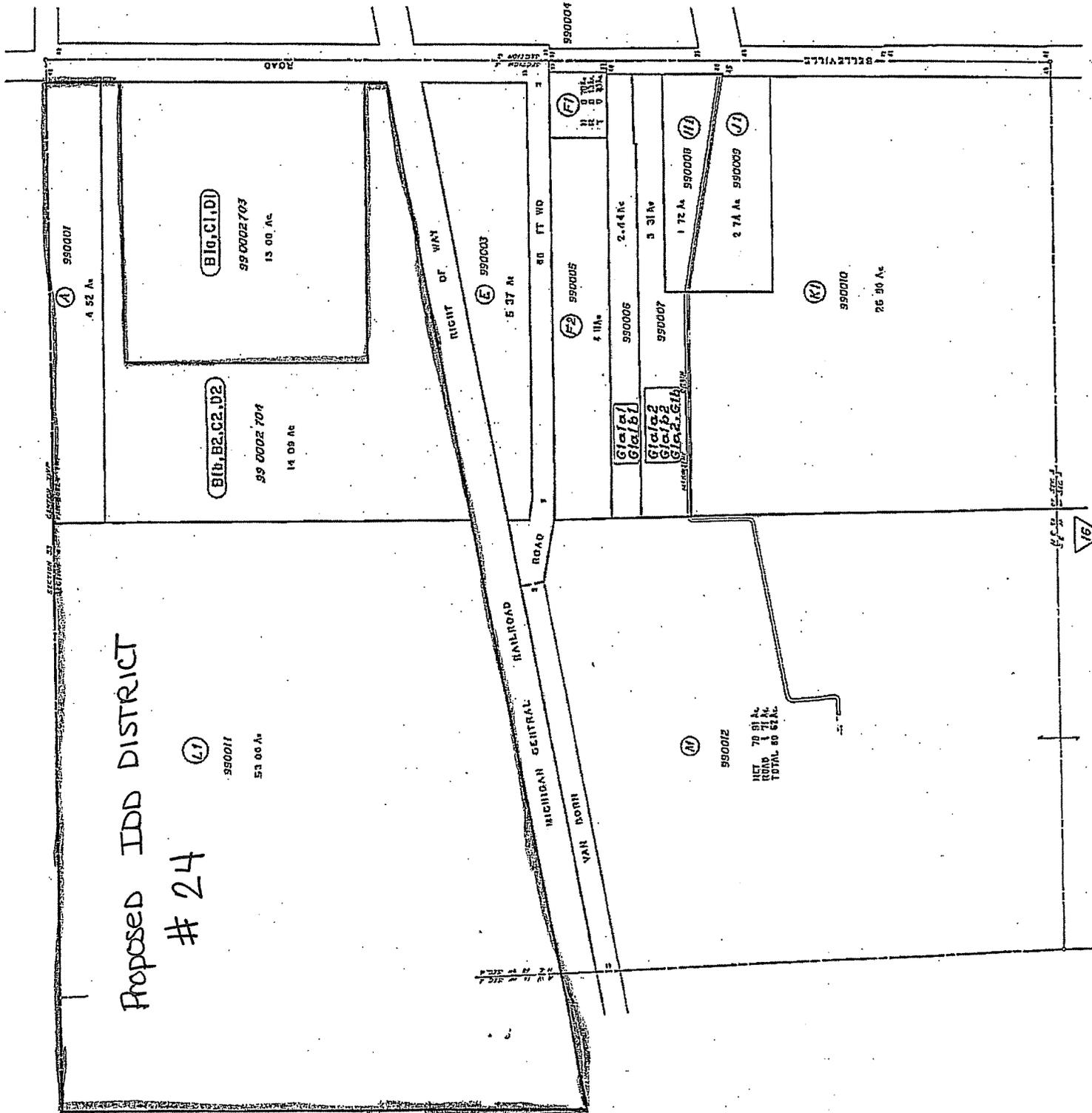
cc: Seth Katz (via e-mail)
Mike Stratis (via e-mail)
David Reifman (via e-mail)

EXHIBIT A

LEGAL DESCRIPTION

Land in the Township of Van Buren, Wayne County, Michigan, being part of the northeast quarter and part of the northwest quarter of Section 4, Town 3 South-Range 8 East, described as: Commencing at the northeast corner of Section 4 Town 3 south-Range 8 East; thence along the north line of Section 4 S 87°23'05"W 63.00 feet to the west right of way line of Belleville Road and the POINT OF BEGINNING; thence along said right of way line S 01°45'04"E 213.09 feet; thence S 87°14'31"W 801.00 feet; thence S 01°45'04"E 706.99 feet; thence N 87°14'31"E 801.00 feet to the west right of way line of Belleville Road; thence along said right of way line S 01°45'04"E 62.10 feet to the north right of way line of Norfolk Southern Railroad; thence along said right of way line S 76°48'26"W 2980.86 feet; thence N 02°27'37"W 1528.96 feet to the north line of Section 4; thence along said section line N 87°21'51"E 327.22 feet to the north quarter corner of Section 4; thence continuing along the north line of Section 4 N 87°21'51"E 498.17 to the south quarter corner of Section 33 Canton Township Town 2 South-Range 8 East; thence continuing along the north line of Section 4 N 87°23'05" E 2115.51 feet to the west right of way line of Belleville Road and the point of beginning. Containing 71.56 acres and being subject to any and all easements or restrictions of record.

Proposed IDD DISTRICT
24



N.E. 1/4 SECTION 4
VAN BUREN TOWNSHIP
 T. 3 S. R. 8 E.
 WAYNE COUNTY, MICHIGAN
 SCALE 1 INCH = 200 FEET

DEPARTMENT of MANAGEMENT and BUDGET
 ASSESSMENT and EVALUATION DIVISION
 © 2000 COUNTY OF WAYNE, STATE OF MICHIGAN

ALL RIGHTS RESERVED. NO PART OF THIS MAP MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.

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|----------|
| 0-17-41 |
| 12-20-43 |
| 1-4-45 |
| 11-23-54 |
| 2-10-05 |
| 7-15-03 |
| 3-23-01 |
| 7-2-74 |
| 7-25-90 |
| 12-97 |
| 3-2-01 |



DRAFT

CHARTER TOWNSHIP OF VAN BUREN
RESOLUTION 2014-09
ESTABLISHING AN INDUSTRIAL DEVELOPMENT DISTRICT - #24

Resolved by _____, seconded by _____ that

Whereas, pursuant to Act No. 198 of the Public Acts of 1974, as revised, the Board of Trustees of the Charter Township of Van Buren has the authority to establish "Industrial Development Districts" within the boundaries of the township; and

Whereas, a proposal was made regarding the establishment of an Industrial District consisting of the industrial property description attached (Exhibit A) and hereinafter referred to as "Van Buren Township Industrial Development District; No. 24"; and

Whereas, a notice has been published in the Independent Newspaper and sent to all taxing jurisdictions and the property owners via certified mail of the Board's pending action on this resolution and of their right to a hearing on the establishment of proposed Van Buren Township Industrial District No. 24; and

Whereas, on xxxxx xx, 2014 at 7:00 p.m. EST, a public hearing was held on the establishment of Van Buren Township Industrial Development District No. 24 at which time residents and taxpayers of the Charter Township of Van Buren had an opportunity to be heard (a copy of statements both written and oral made at such hearing being on file with the office of the Township Clerk);

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF VAN BUREN, as follows that

1. An Industrial Development District is hereby established, such district to consist of the industrial property described in Exhibit A attached hereto; and
2. Such Industrial Development District is hereby designated as the "Van Buren Township Industrial Development District No. 24".

Yeas:
Nays:
Absent:

I, Leon Wright, Clerk of the Charter Township of Van Buren, County of Wayne, State of Michigan, do hereby certify that this is a true and correct copy of the resolution adopted by the Board of Trustees of the Charter Township of Van Buren at their regular meeting of xxxxx xx, 2014.

Leon Wright, Township Clerk
Charter Township of Van Buren

Exhibit "A"
LEGAL DESCRIPTION
IDD DISTRICT #24

Parcel # 83-013-99-0001-000; 83-013-99-0002-704; 83-013-99-0011-000

LAND IN THE TOWNSHIP OF VAN BUREN, WAYNE COUNTY, MICHIGAN, BEING PART OF THE NORTHEAST QUARTER AND PART OF THE NORTHWEST QUARTER OF SECTION 4, T3S R8E, DESC AS: COMMENCING AT THE NE CORNER OF SEC 4 T3S R8E; TH ALONG THE N LINE OF SEC 4 S87D 23M 05S W 63.00 FT TO THE W RIGHT OF WAY LINE OF BELLEVILLE RD AND THE POB; TH ALONG SAID RIGHT OF WAY LINE S 01D 45M 04S E 213.09 FT; TH S87D 14M 31S W 801.00 FT; TH S01D 45M 04S E 706.99 FT; TH N87D 14M 31S E 801.00FT TO THE WEST RIGHT OF WAY LINE OF BELLEVILLE RD; TH ALONG SAID RIGHT OT WAY LINE S01D 45M 04S E 62.10 FT TO THE NORTH RIGHT OF WAY LINE OF NORFOLK SOUTHERN RAILROAD; TH ALONG SAID RIGHT OF WAY LINE S 76D 48M 26S W 2980.86 FT; TH N 02D 27M 37S W 1528.96 FT TO THE NORTH LINE OF SECTION 4; TH ALONG SAID SECTION LINE N 87D 21M 51S E 327.22 FT TO THE NORTH QUARTER CORNER OF SECTION 4; TH CONTINUING ALONG THE NORTH LINE OF SECTION 4 N 87D 21M 51S E 498.17 TO THE SOUTH QUARTER CORNER OF SECTION 33 CANTON TOWNSHIP TOWN 2 SOUTH-RANGE 8 EAST; TH CONTINUING ALONG THE NORTH LINE OF SECTION 4 N 87D 23M 05S E 2115.51 FT TO THE WEST RIGHT OF WAY LINE OF BELLEVILLE RD AND THE POB. CONTAINING 71.56 ACRES AND BEING SUBJECT TO ANY AND ALL EASEMENTS OR RESTRICTIONS OF RECORD.

**CHARTER TOWNSHIP OF VAN BUREN
RESOLUTION 2014-10**

Resolved by _____, seconded by _____, that

Whereas, Costco Wholesale Corporation is the nation's largest wholesale club operator who wishes to construct a distribution facility in Van Buren Township; and

Whereas, Costco Wholesale Corporation intends on investing approximately \$44,088,000 (\$40,000,000 in Real Property and \$4,088,000 in Personal Property) in Van Buren Township at a site on Belleville Road north of Van Born Road, and;

Whereas, Costco Wholesale Corporation has filed an application for an Industrial Facilities Exemption Certificate with respect to the construction of an approximately 347,720 square foot distribution facility (also known as a "depot"); and

Whereas, the investment will add approximately 126 new jobs to Van Buren Township; and

Whereas, completion of the facility is calculated to and will at the time of issuance of the certificate have the reasonable likelihood to create and prevent the loss of employment in Van Buren Township; and

Whereas, the Board of Trustees of the Charter Township of Van Buren hereby approves an eight (8) year Industrial Facilities Exemption Certificate on real and personal property for Costco Wholesale Corporation.

Therefore, be it resolved that, the Board of Trustees of the Charter Township of Van Buren finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 as amended and Act No. 255 of the Public Acts of 1978 shall not have the effect of substantially impeding the operation of the Charter Township of Van Buren, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in the Charter Township of Van Buren.

Yeas:
Nays:
Absent:

I hereby certify that the foregoing is a true and correct resolution adopted by the Board of Trustees of the Charter Township of Van Buren at its regular meeting of XXXXXX, XX, XXXX..

Leon Wright, Clerk
Charter Township of Van Buren

Charter Township of Van Buren

Agenda Item: WS# 2

REQUEST FOR BOARD ACTION

WORK STUDY MEETING DATE:

APRIL 14, 2014

BOARD MEETING DATE:

Consent Agenda _____

New Business X

Unfinished Business _____

Public Hearing _____

| | |
|---|------------------------------------|
| ITEM (SUBJECT) | Zoning Ordinance 03-01-11, # _____ |
| DEPARTMENT | Ordinance |
| PRESENTER | Planning Director Mullen |
| PHONE NUMBER | 734-699-8913 |
| INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER) | |

Agenda topic

| | |
|---|---|
| ACTION REQUESTED | |
| Discuss Zoning Ordinance 03-01-11 | |
| BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS) | |
| Information from the attorney has been provided to the Board on March 17, 2014. | |
| BUDGET IMPLICATION | |
| IMPLEMENTATION NEXT STEP | |
| DEPARTMENT RECOMMENDATION | Repeal |
| COMMITTEE/COMMISSION RECOMMENDATION | |
| ATTORNEY RECOMMENDATION | Repeal |
| (May be subject to Attorney/Client Privilege and not available under FOIA) | |
| ADDITIONAL REMARKS | Please see attached documentation for additional information. |
| APPROVAL OF SUPERVISOR | <u><i>Mullen</i></u> |

CHARTER TOWNSHIP OF VAN BUREN
COUNTY OF WAYNE, STATE OF MICHIGAN
ZONING ORDINANCE 03-01-11

AN ORDINANCE TO AMEND THE ZONING ORDINANCE 6-2-92 AS AMENDED OF THE
CHARTER TOWNSHIP OF VAN BUREN TO REVISE REGULATIONS
PERTAINING TO:

USES CONTRARY TO FEDERAL, STATE OR LOCAL LAWS

THE CHARTER TOWNSHIP OF VAN BUREN ORDAINS:

Section I. Ordinance Amendment.

Pursuant to this Ordinance, there shall be created in the Charter Township of Van Buren Zoning Ordinance a revised Section 4.01: General, reading as follows, upon the effective date of this Amendment:

SECTION 4.01 GENERAL

No building or structure or part thereof, shall thereafter be erected, constructed, reconstructed, altered or maintained and no use shall be permitted for any building, structure, or land or part thereof except in conformity with the provisions of this Ordinance. Uses for enterprises that are contrary to federal, state or local laws or ordinances are prohibited.

Section 2. Conflicts. If any provisions of the Zoning Ordinance conflicts with this amendment to the Zoning Ordinance, the most restrictive provision shall apply.

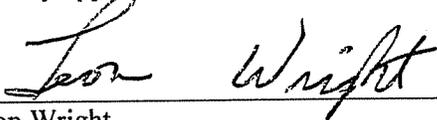
Section 3. Severability. This Ordinance and the various parts, sentences, paragraphs, sections, and clauses thereof are hereby declared to be severable. Should any part, sentence, paragraph, section, or clause be declared unconstitutional, null, or void by a court of competent jurisdiction, such declaration shall not have any effect on the validity of the remaining parts, sentences, paragraphs, sections, and clauses of this Ordinance.

Section 4. Effective Date: This Ordinance shall be effective upon publication in a newspaper of general circulation within the Township.

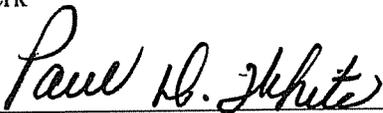
This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Van Buren, County of Wayne, State of Michigan, at a Regular Meeting, called and held on the 15th day of March, 2011.

YEAS: Budd, Hart, Jahr, Ostrowski, Partridge and White.
NAYS: None.
ABSENT: Wright (excused).

I hereby approve the foregoing Ordinance.



Leon Wright
Clerk



Paul D. White
Supervisor

Adopted: 3/15/11
Published: 3/10/11 & 3/24/11
Effective: 3/24/11

Charter Township of Van Buren

REQUEST FOR BOARD ACTION

Agenda Item: WIS #3

WORK STUDY MEETING DATE:

APRIL 14, 2014

BOARD MEETING DATE:

Consent Agenda _____ New Business X Unfinished Business _____ Public Hearing _____

| | |
|---|--------------------------------|
| ITEM (SUBJECT) | Ordinance 58-292, # _____ |
| DEPARTMENT | Ordinance |
| PRESENTER | Public Safety Director Laurain |
| PHONE NUMBER | 734-699-8930 |
| INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER) | |

Agenda topic

| | |
|--|---|
| ACTION REQUESTED | |
| | Discuss Ordinance 58-292 Controlled substances – Possession; penalties for violation of section. |
| BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS) | |
| | Information from the attorney has been provided to the Board on March 17, 2014. Red-lined version attached. |
| BUDGET IMPLICATION | |
| IMPLEMENTATION NEXT STEP | |
| DEPARTMENT RECOMMENDATION | Approval |
| COMMITTEE/COMMISSION RECOMMENDATION | |
| ATTORNEY RECOMMENDATION | Approval |
| | (May be subject to Attorney/Client Privilege and not available under FOIA) |
| ADDITIONAL REMARKS | Please see attached documentation for additional information. |
| APPROVAL OF SUPERVISOR | <u><i>[Signature]</i></u> |

Sec. 58-292. Controlled substances—Possession; penalties for violation of section.

A person shall not knowingly or intentionally possess a controlled substance or an official prescription form or a prescription form unless the controlled substance, official prescription form, or prescription form was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, or except as otherwise authorized by this division. A person who violates this section as to:

- (1) Lysergic acid diethylamide, peyote, mescaline, dimethyltryptamine, psilocyn, psilocybin, or a controlled substance classified in schedule 5 of section 7220 of Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.7220, MSA 14.15(7220)), is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both.
- (2) Marijuana, is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both, unless possessed in accordance with and pursuant to the Michigan Medical Marijuana Act (MCL 333.26421 et seq.) and the rules of the Michigan Department of Community Health promulgated thereunder and any subsequent amendments to said Act or rules.
- (3) A prescription form other than an official prescription form, is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both.

(Ord. No. 1-28-86, § 9.12(b), eff. 2-5-86)

State law reference— Similar provisions, MCL 333.7403, MSA 14.15(7403).

CHARTER TOWNSHIP OF VAN BUREN
County of Wayne, State of Michigan

Ordinance No.: _____
(Township Board Meeting Date)

An ordinance to amend Section 58-292 of the Township General Code of Ordinances, as amended.

The Charter Township of Van Buren hereby ordains that Section 58-292 of the Township General Code of Ordinances be amended as follows:

Sec. 58-292. Controlled substances—Possession; penalties for violation of section.

A person shall not knowingly or intentionally possess a controlled substance or an official prescription form or a prescription form unless the controlled substance, official prescription form, or prescription form was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, or except as otherwise authorized by this division. A person who violates this section as to:

- (1) Lysergic acid diethylamide, peyote, mescaline, dimethyltryptamine, psilocyn, psilocybin, or a controlled substance classified in schedule 5 of section 7220 of Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.7220, MSA 14.15(7220)), is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both.
- (2) Marijuana, is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both, unless possessed in accordance with and pursuant to the Michigan Medical Marijuana Act (MCL 333.26421 et seq.) and the rules of the Michigan Department of Community Health promulgated thereunder and any subsequent amendments to said Act or rules
- (3) A prescription form other than an official prescription form, is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both.

State law reference— Similar provisions, MCL 333.7403, MSA 14.15(7403).

This amendment shall become effective upon publication in a newspaper of general circulation within the Charter Township of Van Buren.

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Van Buren, County of Wayne, State of Michigan, at a regular meeting, called and held on the _____th day of _____, 2014 and ordered to be given publication in the manner prescribed by law.

Yeas (in favor of amendment): _____

Nays (opposed to amendment): _____

Absent: _____

I hereby approve the foregoing Ordinance.

Linda Combs,
Supervisor, Charter Township of Van Buren

Leon Wright,
Clerk, Charter Township of Van Buren

Date Adopted: _____

Date Published: _____

Date Effective: _____

Charter Township of Van Buren

Agenda Item: WS#4

REQUEST FOR BOARD ACTION

WORK STUDY MEETING DATE:

APRIL 14, 2014

BOARD MEETING DATE:

Consent Agenda

New Business

Unfinished Business

Public Hearing

| | |
|---|--------------------------------|
| ITEM (SUBJECT) | Ordinance 58-293, # _____ |
| DEPARTMENT | Ordinance |
| PRESENTER | Public Safety Director Laurain |
| PHONE NUMBER | 734-699-8930 |
| INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER) | |

Agenda topic

ACTION REQUESTED

Discuss Ordinance 58-293 Same – use.

BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS)

Information from the attorney has been provided to the Board on March 17, 2014.
Red-lined version attached.

BUDGET IMPLICATION

IMPLEMENTATION NEXT STEP

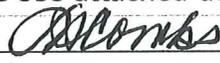
DEPARTMENT RECOMMENDATION Approval

COMMITTEE/COMMISSION RECOMMENDATION

ATTORNEY RECOMMENDATION Approval

(May be subject to Attorney/Client Privilege and not available under FOIA)

ADDITIONAL REMARKS Please see attached documentation for additional information.

APPROVAL OF SUPERVISOR 

Sec. 58-293. Same—Use.

A person shall not use a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, or except as otherwise authorized by this division. A person who violates this section as to:

- (1) Lysergic acid diethylamide, peyote, mescaline, dimethyltryptamine, psilocyn, psilocybin, or a controlled substance classified in schedule 5 of section 7220 of Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.7220, MSA 14.15(7220)), is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both
- (2) Marijuana, is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than ~~\$100~~500.00, or both, unless used in accordance with and pursuant to the Michigan Medical Marijuana Act (MCL 333.26421 et seq.) and the rules of the Michigan Department of Community Health promulgated thereunder and any subsequent amendments to said Act or rules.

(Ord. No. 1-28-86, § 9.12(b), eff. 2-5-86)

State law reference— Similar provisions, MCL 333.7404, MSA 14.15(7404).

CHARTER TOWNSHIP OF VAN BUREN
County of Wayne, State of Michigan

Ordinance No.: _____
(Township Board Meeting Date)

An ordinance to amend Section 58-293 of the Township General Code of Ordinances, as amended.

The Charter Township of Van Buren hereby ordains that Section 58-293 of the Township General Code of Ordinances be amended as follows:

Sec. 58-293. Same—Use.

A person shall not use a controlled substance unless the substance was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice, or except as otherwise authorized by this division. A person who violates this section as to:

- (1) Lysergic acid diethylamide, peyote, mescaline, dimethyltryptamine, psilocyn, psilocybin, or a controlled substance classified in schedule 5 of section 7220 of Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.7220, MSA 14.15(7220)), is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both, unless used in accordance with and pursuant to the Michigan Medical Marijuana Act (MCL 333.26421 et seq.) and the rules of the Michigan Department of Community Health promulgated thereunder and any subsequent amendments to said Act or rules.
- (2) Marijuana, is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both.

State law reference— Similar provisions, MCL 333.7404, MSA 14.15(7404).

This amendment shall become effective upon publication in a newspaper of general circulation within the Charter Township of Van Buren.

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Van Buren, County of Wayne, State of Michigan, at a regular meeting, called and held on the _____th day of _____, 2014 and ordered to be given publication in the manner prescribed by law.

Yeas (in favor of amendment): _____

Nays (opposed to amendment): _____

Absent: _____

I hereby approve the foregoing Ordinance.

Linda Combs,
Supervisor, Charter Township of Van Buren

Leon Wright,
Clerk, Charter Township of Van Buren

Date Adopted: _____

Date Published: _____

Date Effective: _____

Charter Township of Van Buren

REQUEST FOR BOARD ACTION

Agenda Item: WS #5

WORK STUDY MEETING DATE:

APRIL 14, 2014

BOARD MEETING DATE:

Consent Agenda _____ New Business X Unfinished Business _____ Public Hearing _____

| | |
|---|--------------------------------|
| ITEM (SUBJECT) | Ordinance 58-296, # _____ |
| DEPARTMENT | Ordinance |
| PRESENTER | Public Safety Director Laurain |
| PHONE NUMBER | 734-699-8930 |
| INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER) | |

Agenda topic

| | |
|--|---|
| ACTION REQUESTED | |
| | Discuss Ordinance 58-296 Narcotic paraphernalia; possession, sales, gift. |
| BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS) | |
| | Information from the attorney has been provided to the Board on March 17, 2014. Red-lined version attached. |
| BUDGET IMPLICATION | |
| IMPLEMENTATION NEXT STEP | |
| DEPARTMENT RECOMMENDATION | Approval |
| COMMITTEE/COMMISSION RECOMMENDATION | |
| ATTORNEY RECOMMENDATION | Approval |
| | (May be subject to Attorney/Client Privilege and not available under FOIA) |
| ADDITIONAL REMARKS | Please see attached documentation for additional information. |
| APPROVAL OF SUPERVISOR |  |

Sec. 58-296. Narcotic paraphernalia; possession, sales, gift.

It shall be unlawful for any person to have, possess, sell, offer to sell, dispense or give away any pipe, device or contrivance adapted for the use of smoking or inhaling marijuana (*Cannabis sativa L.*), hashish or opium, or other dangerous or hallucinatory drugs as defined by Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.7101 et seq., MSA 14.15(7101) et seq.), as amended, unless in accordance with and pursuant to the Michigan Medical Marijuana Act (MCL 333.26421 et seq.) and the rules of the Michigan Department of Community Health promulgated thereunder and any subsequent amendments to said Act or rules.

(Ord. No. 1-28-86, § 9.12(d), eff. 2-5-86)

State law reference— Drug paraphernalia, defined, MCL 333.7451, MSA 14.15(7451).

CHARTER TOWNSHIP OF VAN BUREN
County of Wayne, State of Michigan

Ordinance No.: _____
(Township Board Meeting Date)

An ordinance to amend Section 58-296 of the Township General Code of Ordinances, as amended.

The Charter Township of Van Buren hereby ordains that Section 58-296 of the Township General Code of Ordinances be amended as follows:

Sec. 58-296. Narcotic paraphernalia; possession, sales, gift.

It shall be unlawful for any person to have, possess, sell, offer to sell, dispense or give away any pipe, device or contrivance adapted for the use of smoking or inhaling marijuana (*Cannabis sativa L.*), hashish or opium, or other dangerous or hallucinatory drugs as defined by Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.7101 et seq., MSA 14.15(7101) et seq.), as amended, unless in accordance with and pursuant to the Michigan Medical Marijuana Act (MCL 333.26421 et seq.) and the rules of the Michigan Department of Community Health promulgated thereunder and any subsequent amendments to said Act or rules.

State law reference— Drug paraphernalia, defined, MCL 333.7451, MSA 14.15(7451).

This amendment shall become effective upon publication in a newspaper of general circulation within the Charter Township of Van Buren.

This Ordinance is hereby declared to have been adopted by the Township Board of the Charter Township of Van Buren, County of Wayne, State of Michigan, at a regular meeting, called and held on the _____th day of _____, 2014 and ordered to be given publication in the manner prescribed by law.

Yeas (in favor of amendment): _____

Nays (opposed to amendment): _____

Absent: _____

I hereby approve the foregoing Ordinance.

Linda Combs,
Supervisor, Charter Township of Van Buren

Leon Wright,
Clerk, Charter Township of Van Buren

Date Adopted: _____

Date Published: _____

Date Effective: _____

Charter Township of Van Buren

REQUEST FOR BOARD ACTION

Agenda Item: WS #6

WORK STUDY MEETING DATE:

APRIL 14, 2014

BOARD MEETING DATE: MAY 6, 2014

Consent Agenda

New Business

Unfinished Business

Public Hearing

| | |
|---|--|
| ITEM (SUBJECT) | Approval of Amendment to LDFA Bylaws |
| DEPARTMENT | Planning and Economic Development Department |
| PRESENTER | Arthur Mullen |
| PHONE NUMBER | 699.8913 |
| INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER) | |

Agenda topic

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|---|--|
| ACTION REQUESTED | |
| Approval of Amendment to Existing LDFA Bylaws | |
| BACKGROUND -- (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS) | |
| <p>The LDFA Board of Directors, at its February 11, 2014 meeting, voted to approve an amendment of its bylaws, changing from monthly to bi-monthly meetings. The Board of Directors believes that monthly meetings were not required as the construction phase of project is completed and negotiations are proceeding in regards to addressing its tax capture. The Board committed to holding additional meetings as needed. Copies of the redlined draft bylaws, adopted bylaws, and ratified minutes from the March meeting are attached.</p> <p>The new meeting calendar is provided for township and general public information and posting on the township website and at Township Hall.</p> | |

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| BUDGET IMPLICATION | None |
|---------------------------|------|

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| IMPLEMENTATION NEXT STEP | Approve Bylaws |
|---------------------------------|----------------|

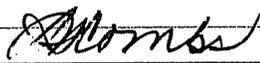
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| DEPARTMENT RECOMMENDATION | Approval |
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| COMMITTEE/COMMISSION RECOMMENDATION | Approval |
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| ATTORNEY RECOMMENDATION | |
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(May be subject to Attorney/Client Privilege and not available under FOIA)

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| ADDITIONAL REMARKS | |
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| APPROVAL OF SUPERVISOR |  |
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LOCAL DEVELOPMENT FINANCING AUTHORITY
OF THE
CHARTER TOWNSHIP OF VAN BUREN

BY LAWS

ARTICLE I

Purpose and powers. The purpose or purposes for which the Authority is organized are as follows: To encourage local development to prevent conditions of unemployment and promote economic growth; to provide for the establishment of local development finance authorities and to prescribe their powers and duties; to provide for the creation and implementation of development plans; to authorize the acquisition and disposal of interests in real and personal property; to permit the issuance of bonds and other evidences of indebtedness by an authority; to reimburse authorities for certain losses of tax increment revenues; and to authorize and permit the use of tax increment financing.

ARTICLE II

Section 1. The business and property of the Authority shall be managed and directed by the board of directors, whom will each take and subscribe to the constitutional oath. The members shall serve four (4) year terms of office from the date of their respective appointment, except as provided for in the ordinance creating the Authority, and shall be non-compensated but reimbursed for actual sanctioned expenses.

Section 2. The board shall include one (1) member appointed by the county board of commissioners of the county in which the Authority is located. The board shall include one (1) member representing a community or junior college in whose district the Authority is located appointed by the chief executive officer of that community or junior college. The board shall also include two (2) members appointed by the chief executive officer of each local government unit, other than the Township which levied twenty percent (20%) or more of the ad valorem property taxes levied against all property located in the Authority district.

Section 3. The Authority shall annually at its first regular meeting designate one of its members as chairperson, one of its members as vice chairperson, and one of its members as corresponding secretary. The officers so elected shall serve a term of one (1) year or any part thereof as may be determined, and until his/her successor is designated. No term of office created under this section shall extend beyond the term of the member designated.

ARTICLE III

Section 1. All regular meetings shall be held in the Township of Van Buren, County of Wayne, Michigan.

Section 2. One regular meeting of the Authority meeting will be held at 2:00 PM on the second Tuesday of each month ~~of each month~~ every other month.

Section 3. Special meetings shall be held whenever called by the direction of the chairperson, director, Supervisor of the Township of Van Buren, or any six (6) members of the Authority on eighteen (18) hours written notice of the time and place of the meeting.

Section 4. Any six (6) members of the Authority shall constitute a quorum, and the affirmative or negative vote of six (6) members shall be necessary for the transaction of any and all business or passage or denial of any resolution. Three unexcused absences, by any member, will result in automatic resignation from the LDFA.

Section 5. At meetings of the Authority, business shall be conducted in accordance with Roberts Rules of Order.

Section 6. Public Comment. Public Comment contains the following imposed regulations:

- The speaker is limited to five (5) minutes;
- The speaker is encouraged to give his/her name and subject to the Developmental Services Department forty-eight (48) hours prior to the public Authority meeting;
- Individuals who have not submitted a request prior to the meeting will submit in writing their name and desire to address the Authority during the meeting;
- There shall be no debate: and
- The speaker is encouraged to provide written copies of his/her comments.

ARTICLE IV

Section 1. The chairperson shall preside at meetings of the Authority and shall do and perform such other duties as may from time to time be assigned to him/her by the Authority. The vice chairperson shall perform the duties of the chairperson in the chairperson's absence and such other duties as shall from time to time be assigned to him by the Authority.

Section 2. Director. The LDFA Authority may recommend the employment and compensation of a director, subject to the approval of the Township Board. A member of the Authority is not eligible to hold the position of director. Before entering upon the duties of his/her office, the director shall take and subscribe to the constitutional oath, and furnish a bond through the Township's existing insurance program by posting a bond in the penal sum determined in the ordinance establishing the Authority, payable to the Authority, approved by the Township Board, and filed with the Van Buren Township Treasurer. The premium of the bond shall be deemed an operating expense of the Authority, payable from funds available to the Authority for expenses of operation. The director shall be the executive director of the Authority. Subject to the approval of the LDFA, the director shall supervise, and be responsible for the preparation of plans and performance of the functions of the Authority in the manner authorized by Act 281. The director shall attend meetings of the Authority, and shall render to the Authority and to the Township Board of Trustees a regular report covering the activities and financial condition of the Authority. If the director is absent or disabled, the Authority may designate a qualified person as acting director to perform the duties of the office. Before entering upon the duties of his/her office, the acting director shall take and subscribe to the oath, and furnish a bond, as required of the director. The acting director shall furnish the Authority with information or reports governing the operation of the Authority as the Authority requires.

Section 3. All purchasing shall be in compliance with its adopted policy.

Section 4. The LDFA may authorize the director or an agent or agents of the Authority to enter into any contract or execute and deliver any instrument on behalf of the Authority within the limits authorized by Act 281. The authorization may be general or confined to specific instances.

Section 5. The LDFA may employ such manual, technical, financial and professional assistance as in its judgment may be necessary and is incidental to carry out the purpose of the Authority when funds are available.

Section 6. The fiscal year shall begin with the first day of January and end on the 31st day of December in each year.

Section 7. The LDFA shall have an annual audit of its business and the result thereof shall be submitted to the governing body of the Township. The audit may be completed as part of the regular audit of the Township. This shall be deemed an operating expense of the LDFA.

ARTICLE V

Section 1. The Authority shall have power to make, alter or amend the bylaws in whole or in part.

Section 2. These bylaws shall become effective upon approval of the Board of Trustees of the Charter Township of Van Buren. Until such approval, the bylaws shall be temporary bylaws for the Authority.

Bylaws Amended and
Adopted: ~~Feb. 14,~~
~~2012~~ Draft Feb 11, 2014

LOCAL DEVELOPMENT FINANCING AUTHORITY
OF THE
CHARTER TOWNSHIP OF VAN BUREN

BY LAWS

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Section 1. The Authority shall have power to make, alter or amend the bylaws in whole or in part.

Section 2. These bylaws shall become effective upon approval of the Board of Trustees of the Charter Township of Van Buren. Until such approval, the bylaws shall be temporary bylaws for the Authority.

Bylaws Adopted
Feb 11, 2014
Revising Bylaws
adopted Feb. 14, 2012

**CHARTER TOWNSHIP OF VAN BUREN
LOCAL DEVELOPMENT FINANCE AUTHORITY
2014 MEETING SCHEDULE**

The Local Development Financing Authority Meetings are held on the second Tuesday of every other month at 2:00 p.m. Meetings held in the Denton Room of Township Hall, 46425 Tyler Road, Van Buren Township, MI 48111.

January 14, 2014

February 11, 2014

March 11, 2014

May 13, 2014

July 8, 2014

September 9, 2014

November 11, 2014

In compliance with the Americans with Disabilities Act, reasonable accommodations will be made available with advance notice.

For more information, please call the Planning and Economic Development Department office at (734) 699-8913

Charter Township of Van Buren

Agenda Item: WS #9

REQUEST FOR BOARD ACTION

WORK STUDY DATE: APRIL 14, 2014

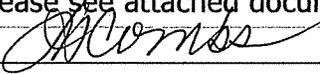
BOARD MEETING DATE:

MAY 6, 2014

Consent Agenda _____ New Business x Unfinished Business _____ Public Hearing _____

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|---|--|
| ITEM (SUBJECT) | Contracted Services – Fire Reporting System CLEMIS |
| DEPARTMENT | Public Safety, Fire Department |
| PRESENTER | Fire Chief Dan Besson |
| PHONE NUMBER | 734-699-8916 |
| INDIVIDUALS IN ATTENDANCE (OTHER THAN PRESENTER) | |

Agenda topic

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|---|---|
| ACTION REQUESTED | |
| Approval | |
| BACKGROUND – (SUPPORTING AND REFERENCE DATA, INCLUDE ATTACHMENTS) | |
| <p>The Van Buren Department of Public Safety – Fire Division formally requests approval to enter into a contract with CLEMIS to upgrade our fire reporting system to meet the state mandated reporting criteria and to improve the administrative and operational functions of the fire department.</p> <p>The intent of the board action is to authorize the Township Supervisor to enter an agreement with the Oakland County Fire Records Management System (aka: CLEMIS).</p> <p>Our current reporting system doesn't meet our current needs and demands. The main footprints of CLEMIS have already been established by the police department and we are adding the fire reporting capabilities to the system. This item was approved in the 2014 Fire Department's Budget Proposal.</p> | |
| BUDGET IMPLICATION | NA |
| IMPLEMENTATION NEXT STEP | Approval |
| DEPARTMENT RECOMMENDATION | Yes |
| COMMITTEE/COMMISSION RECOMMENDATION | N/A |
| ATTORNEY RECOMMENDATION | N/A |
| (May be subject to Attorney/Client Privilege and not available under FOIA) | |
| ADDITIONAL REMARKS | Please see attached documentation for additional information. |
| APPROVAL OF SUPERVISOR |  |

Daniel C. Besson
Fire Chief
O: 734-699-8916 C: 734-673-1019

Van Buren Fire Department
46425 Tyler Rd
Van Buren Twp., MI 48111



Memorandum

To: The Van Buren Township Board
From: Captain Kenneth Floro
Date: 04-08-14

Subject: Intention to replace report writing software

The Van Buren Township Fire Department is required by law to report all calls for service to the State of Michigan and the Federal Government. Additionally, the department is mandated as a condition of our medical license to report all EMS incidents to Wayne County Medical Control, through a state operated reporting system.

Our current reporting software and technology infrastructure performs poorly, is outdated and not compatible with our CAD software, causing numerous problems for personnel attempting to accomplish department goals and objectives. A migration to the CLEMIS Fire Records Management System, which is a web based system, solves all of our current problems and allows for more precise statistical information. The Oakland County Fire Records Management System will provide a technology enhancement that allows for trouble-free report writing and ideal communication between the Dispatch Center and Fire Personnel, as well as simplify state mandated reporting requirements. Additionally, this Fire Records Management system includes field reporting and pre-incident plan functions to assist fire personnel with fire fighting duties and inspection responsibilities.

The system will be fully installed at both fire stations and will be accessible by the Communications Division and records personnel as **"READ ONLY"** files. Additionally, there are plans to implement existing lap top computers in front line apparatus that will further enhance fire personnel's ability to work more efficiently and effectively.

A complete packet outlining our proposed agreement with Oakland County including costs and fees will be available on 04-09-14 and immediately forwarded to all Township Board members for discussion at the 04-14-14 work study meeting.

Respectfully requested,

Captain Kenneth Floro

A handwritten signature in black ink, appearing to read "Ken Floro", is written over the typed name.

Our Mission: The members of the Van Buren Fire Department shall work together in a professional and caring way to protect life and property from the adverse effects of fire, trauma, illness and dangerous conditions. Our services will be provided in a fair, honest, and ethical manner with the highest respect and dignity to all.