

CHARTER TOWNSHIP OF VAN BUREN
BOARD MEETING MINUTES
DECEMBER 5, 2017

Supervisor McNamara called the meeting to order at 7:01 p.m. in the Board Room. Present: Supervisor McNamara, Treasurer Budd, Clerk Wright, Trustee Frazier, Trustee Martin, Trustee Miller and Trustee White. Others in attendance: Secretary Montgomery, Developmental Services Deputy Director Best, Executive Assistant Selman, Public Services Director Taylor, Public Safety Deputy Director (Police) Wright and an audience of twenty-five (25).

Supervisor McNamara requested the removal of New Business item #8 [Discussion on the 1st amendment to the Intergovernmental Agreement between Van Buren Charter Township and the City of Belleville for Emergency Dispatch and Lockup Services] and #9 [Discussion on the Intergovernmental Agreement between Van Buren Charter Township and the City of Belleville for Fire Protection and Medical Response Services] explaining the items have been delayed for approval by the City of Belleville.

APPROVAL OF AGENDA: Budd moved, Frazier seconded to approve the amended agenda. Motion Carried.

CONSENT AGENDA: White moved, Miller seconded to approve the Consent Agenda as presented. [Work Study Session minutes of November 20, 2017, Closed Session minutes of November 20, 2017, Board Meeting minutes of November 21, 2017, Prepaid List of November 30, 2017, Voucher List of December 5, 2017, Approval of Resolution 2017-30 the Annual Wayne County Maintenance Permit A-18045, Approval of Resolution 2017-31 the Annual Wayne County Special Events Permit A-18086, Approval of Resolution 2017-32 the Annual Wayne County Pavement Restoration Permit A-18100]. Motion Carried.

CORRESPONDENCE: Residents commented on unresolved issues relating to Cobblestone Ridge and requested the Board monitor the progress of development to ensure compliance of the agreement between the Township and the developer. Representative of the Local Development Financing Authority thanked the Board for the recent acknowledgment of all committee and commission members during the Special Board, Joint Committee and Commission meeting held November 30, 2017. Supervisor McNamara praised the Public Safety Department on their quick response to an incident involving an alleged predator and a Van Buren Township teen. Presentation by Waste Management on the 5th Amendment to the Van Buren Township-Waste Management Host Community Agreement. Waste Management Operations Director, John Myers, provided a brief history of the landfill and highlighted changes in the 5th amendment. Established in 1990, it is anticipated that the current landfill will reach capacity in 2025 and will close. Waste Management is proposing to expand the landfill into the Woodlands Golf Course, south of the existing facility, extending the capacity out to 2056. Currently the Township receives approximately \$5 million annually from landfill tipping fees and grants. Changes to the current agreement include: expansion to the south, tipping fee increases at 2% annually, tax capture on landfill use of expansion area, \$350K landscape buffer fund, \$8 million one-time payment, \$20K Senior services grant annually, \$5K Service center grant annually, 1 million liability insurance, closure of golf course with lease of clubhouse to the Township for \$1.00 a year until 2040, golf escrow account funds estimated at \$315K, housing reimbursement at 150% of market value to 5 property owners, rescind deed restrictions, \$250K public improvement grant annually, elimination of free curbside pick-up five years after approval and competitive rates to continue curbside pick-up service.

Presentation by Planning and Economic Development Deputy Director Best. Deputy Director Best provided a fact-based analysis to the Board that included a summary value under 5th amendment, cost analysis for household waste, recycling, and yard waste pick up without the 5th amendment, projected Township revenue analysis with and without the 5th amendment, projected annual host fees anticipated under the 5th amendment, history of each amendment to the Host Community Agreement since its inception, and an assessment of the positive impact of the Township's Standard and Poors rating under the 5th amendment.

PUBLIC HEARING: Miller moved, Budd seconded to open the public hearing at 7:46 p.m. to receive public comment on Resolution 2017-33 the 5th Amendment to the Van Buren Township-Waste Management Host Community Agreement. Motion Carried.

Public comments included: Odor concerns, odor monitoring, request to have a dedicated 24/7 non-automated contact person assigned to odor complaints, buffer options to included trees, acceptable liability coverage, request for a better agreement, allocation of funds received from Waste Management to cover and/or off-set the future cost of curb-side pick-up, additional notification to the public before voting, acknowledgement of the maintenance of the landfill, request for Board to review alternate options for disposal, concern over elimination of free curb-side pick-up when current contract states for life, request for Board review of alternate options to the 5th amendment, compensation to property owners vs. compensation to all residents of the Township, property value impact, cost of curbside pick-up to residents and deed restrictions on land usage of current agreement.

Board members discussed resident concerns and vowed to take them into consideration before making a decision. Comments are encouraged. Residents may submit comments via mail, email, telephone or in person by contacting any Board member. The 5th amendment agreement, documents pertaining the agreement, the agreement summary, and the fact based-analysis is available at Township Hall, 46425 Tyler Rd., Van Buren Township, MI 48111.

PUBLIC COMMENT: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Frazier moved, White seconded to approve the second (final) reading of Ordinance 11-21-17 (1) an amendment to the General Code of Ordinances, Chapter 42 (Environmental) Article II (Nuisances), Division 3 (Blight Prevention) Section 42-79. The amendment provides for civil infraction penalties. Roll Call Vote. Yeas: McNamara, Budd, Wright, Frazier, Martin, Miller and White. Motion Carried.

Frazier moved, White seconded to approve the second (final) reading of Ordinance 11-21-17 (2) an amendment to the General Code of Ordinances, Chapter 42 (Environmental) Article II (Nuisances), Division 2 (Trailers & Vehicles) Section 42-55. The amendment provides for civil infraction penalties. Roll Call Vote. Yeas: McNamara, Budd, Wright, Frazier, Martin, Miller and White. Motion Carried.

Frazier moved, White seconded to approve the second (final) reading of Ordinance 11-21-17 (3) an amendment to the General Code of Ordinances, Chapter 46 (Fire Prevention and Protection), Article II (Fire Prevention Code) Section 46-32. The amendment provides for civil infraction penalties. Roll Call Vote. Yeas: McNamara, Budd, Wright, Frazier, Martin, Miller and White. Motion Carried.

Frazier moved, White seconded to approve the second (final) reading of Ordinance 11-21-17 (4) an amendment to the General Code of Ordinances, Chapter 58 (Offenses and Miscellaneous Provisions), Article IV (Offenses against Property), Division 2 (Trespass) Section 58-106. The amendment would allow a police officer, acting at the request of and on behalf of a property owner, to post and enforce no trespassing on behalf of the property owner. Roll Call Vote. Yeas: McNamara, Budd, Wright, Frazier, Martin, Miller and White. Motion Carried.

Miller moved, Martin seconded to approve the second (final) reading of Ordinance 11-21-17 (5) an amendment to Zoning Ordinance 05-02-17 (2) as amended, by repealing the Zoning Ordinance text governing medical marihuana Cultivation Facilities. As part of the opt- Out process, sections of the zoning ordinance regarding medical marihuana

must be amended. Roll Call Vote. Yeas: McNamara, Budd, Wright, Frazier, Martin, Miller and White. Motion Carried. Motion Carried.

Miller moved, Martin seconded to approve the second (final) reading of Ordinance 11-21-17 (6) an amendment to the General Code of Ordinances Chapter 58, Article VI, Division 5, Section 58-299 to provide for repeal regulations governing Medical Marijuana Cultivation Facilities. Van Buren Township is opting-out of PA 281 of 2016. This resolution states the Township’s intention of declining the adoption of an ordinance authorizing any of the five types of medical marihuana facilities authorized by PA 281 of 2016. Roll Call Vote. Yeas: McNamara, Budd, Wright, Frazier, Martin, Miller and White. Motion Carried.

White moved, Frazier seconded to approve the second (final) reading of Ordinance 11-21-17 (7) an amendment to the Zoning Ordinance 05-02-17 (2) as amended, to amend the regulations regarding detention pond location and setbacks for off-street parking and loading areas, access drives and paved surfaces accessory to a distribution center. The amendment reflects a change of 80 to 60 feet from a residential district, permits a stormwater basin and related landscaping to be located in any zoning district, and does not required it to be in the same zoning district as the site from which it receives water. Roll Call Vote. Yeas: McNamara, Budd, Wright, Frazier, Martin, Miller and White. Motion Carried.

REPORTS: The September 2017 Budgetary Report was received. A copy of the report is available for review that the Township Clerk’s Office, 46425 Tyler Rd., Van Buren Township, MI 48111.

ANNOUNCEMENTS: The following announcements were made: All addresses within Van Buren Charter Township are in the process of being changed by the U.S. Postal Services, addresses will be identified as being in Van Buren Township as opposed to Belleville, Winter tax bills have been mailed and taxes are due by February 28, 2017, post marks are not acceptable, a drop box is located in front of Township hall and in the Public Safety Department, be aware of the recent scam involving water bills, Van Buren Water & Sewer does not call customers to request payments or credit card information over the phone, do not provide anyone claiming to work for Van Buren Water & Sewer your personal credit card or social security either I person or over the phone, if you feel you have been a victim of scam contact the Water Department at 734-699-8925 and/or Public Safety at 734-699-8930, comments regarding the 5th amendment to the Host Community Agreement are encouraged, residents may submit comments via mail, email, telephone or in person by contacting any Board member, the 5th amendment agreement, documents pertaining the agreement, the agreement summary, and the fact based-analysis is available at Township Hall, 46425 Tyler Rd., Van Buren Township, MI 48111.

NON-AGENDA ITEMS: Resident comments included: desire for Van Buren Township to have its own zip code, concern over un-approved and/or un-regulated facilities in the Township, and the next meeting of the Western Wayne NAACP will be held 11:30 a.m. (luncheon at 1:30 p.m.) Saturday December 9, 2017 at the Wayne County Community College Western Campus, 9555 Haggerty Rd., Van Buren Township 48111, please RSVP to naacp.michigan@gmail.com.

ADJOURNMENT: Miller moved, Wright seconded to adjourn at 10:08 p.m. Motion Carried.

Leon Wright, Township Clerk

Date: _____

Kevin McNamara, Supervisor

Date: _____