

HARTLAND TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING FINAL MINUTES
April 18, 2023 – 7:00 PM

1. Call to Order

The meeting was called to order by Supervisor Fountain at 7:00 p.m.

2. Pledge of Allegiance

3. Roll Call

PRESENT: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell, Trustee Petrucci

Also present were Township Manager Bob West (remote from Canada), Planning Director Troy Langer and Public Works Director Mike Luce.

4. Approval of the Agenda

Move to approve the agenda for the April 18, 2023 Hartland Township Board Meeting as presented.

Motion made by Trustee O'Connell, Seconded by Trustee McMullen.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell, Trustee Petrucci

Voting Nay: None

Absent: None

5. Call to the Public

No one came forward.

6. Approval of the Consent Agenda

Move to approve the consent agenda for the April 18, 2023 Hartland Township Board Meeting as presented.

Motion made by Trustee Petrucci, Seconded by Trustee Germane.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell, Trustee Petrucci

Voting Nay: None

Absent: None

- a. Approve Payment of Bills
- b. Approve Post Audit of Disbursements Between Board Meetings
- c. 04-04-23 Hartland Township Board Regular Meeting Minutes

7. Pending & New Business

- a. Rezoning Application #23-001 (Bergin Road and Old US-23)

The applicant, Tom Kalas of 31350 Telegraph Road, Suite 200, Bingham Farms, MI, came forward. Planning Director Langer gave a brief overview of the rezoning request of 158.8 acres located on the southwest corner of Old US-23 and Bergin Road. The property is currently zoned as Commercial Agricultural (CA), which is generally a residential single-family area with a minimum lot size of two acres. This zoning area has an agricultural component to it, if you wanted to have

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horses and farming. He stated the applicant is requesting to rezone this property to Light Industrial (LI) which would allow a mix of light manufacturing, offices and generally anything that is housed within a building. There are very little outdoor components to this zoning. The Planning Commission (PC) held a public hearing on this request in February and there were some residents that attended and spoke on this rezoning. Director Langer stated that most residents that spoke were against the rezoning, and that the PC recommended to deny the zoning request as it was not consistent with the Future Land Use Plan and for other reasons. He stated that the request was then brought to the Livingston County Planning Commission (LCPC) in March for their review. The LCPC recommended disapproval of the rezoning and it is now before the Board for a final determination. Director Langer pointed out a typographical error in the staff report motion in the board package, regarding to "approve" the rezoning rather than to "deny" the rezoning request as recommended by the PC and the LCPC.

Applicant Kalas gave an overview of the property zoned CA, that permits large single-family lots which are not really marketable, nor economically feasible at this time. He cited high interest rates, and increased material costs where a builder cannot build a 2200 to 2500 square foot house and bring it to market at less than \$750,000 in today's economy. He stated they have owned the property for several years and when they looked at the ordinances, they noticed it was master planned for medium density residential (MDR) where minimum lot size is 12,000 square foot and minimum widths of 80 feet which equates to minimum 80 by 150 lots for single family residential homes. He stated they felt the best zoning for this district was LI where the permitted uses would give them the most flexibility to market and develop this property. He stated this rezoning would not be completely out of line in this area as there are LI zoning and uses to the north and east of the property. He did state that there was CA to the south and west that were listed on the master plan as MDR. He stated that when they look at LI they are looking at uses that are in demand in today's market, such as climate controlled indoor storage. He stated the LI zoning not only allows typical LI uses, but also allows for restaurants, banks with drive-throughs, public buildings, post offices, urgent care facilities, motels, hotels, recreation facilities, and child and adult daycare, all things that are in more demand today. He stated that at the PC public hearing many of the residents were from Meadowview Estates to the west of the property and that there is a parcel of his land that has about 30 acres of wetlands and that the west side of his property is heavily wooded which would provide a nice natural buffer for the residents of Meadowview Estates. This would be in addition to the buffering required of the township ordinances between LI and single family residential. He stated that he has a large parcel of property that under LI would allow for a flexible mixed use type of development and at 158 acres would be way to large of a parcel to develop and absorb single family residential homes, which would not be financially feasible. He stated he was available for questions and is requesting a Board vote to approve the rezoning.

Treasurer Horning had a concern as to having a rezoning request for flexibility, yet there is no proposed overall plan for the parcel to see what LI uses you would be considering. She stated that this property is not zoned LI and the Future Land Use Map does not show it as LI and she would be inclined to honor the PC and the LCPC decisions to deny the rezoning. Trustee Petrucci stated that he has issues with property owners that purchase property without checking local zoning for adjacent properties and then complain when an allowed development is built on an adjacent property. That being said, he also would have issues with property owners that did check the local zoning of adjacent property and purchased the property only to have the Township change the zoning of the adjacent property to get something built next to them they never expected. There are good things in LI but there are things that we would not want, nor would the residents in this area want, at this location. He stated down the road he would consider a mixed use for this property with some commercial on US 23 and residential behind it, but would not support LI here. He stated there is LI in our Township that has not been sold and is available.

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Move to deny the rezoning as outlined in the Staff Memorandum and Resolution.

Motion made by Treasurer Horning, Seconded by Trustee O'Connell. Roll call vote taken.
Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee
McMullen, Trustee O'Connell, Trustee Petrucci Motion passes: 7-0-0
Voting Nay: None
Absent: None

b. Special Event Permit #23-005 Hartland Polo Classic

Applicant Emmalynn Wheaton, Executive Director of the Hartland Chamber of Commerce came forward. Director Langer gave a brief overview of the Chamber's request to host the Hartland Polo Classic benefitting the Hartland Chamber Scholarship and Community Giveback programs. They have requested two days, Saturday, June 17 and Sunday, June 18 for the event. This is the same event that has previously been held at the Polo Club and will now be held at Heritage Park. The event will have liquor sales which requires a Special Event Permit from the Township. Ms. Wheaton came forward and provided more details regarding the specifics of the event, such as the live polo event, catered food, music, dancing and a bar. The Liquor License will come from the State of Michigan and be provided to the Township along with the insurance certificate. Trash removal and extra bathroom facilities will also be provided. She stated they were expecting about 400 to 600 guests for this event. The second day will be more of a family friendly version of the event with a live polo match, food trucks, a kids play zone, and a beer tent covered under the liquor license. A brief discussion was held on potential field damage and the deposit that will be required to cover the cost of field repairs if necessary.

Move to approve Special Event Permit #23-005 as outlined in the Staff Memorandum dated April 11, 2023.

Motion made by Trustee O'Connell, Seconded by Clerk Ciofu.
Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee
McMullen, Trustee O'Connell, Trustee Petrucci
Voting Nay: None
Absent: None

c. Investment Policy Update

Treasurer Horning gave a brief overview of the changes proposed to the Investment Policy, updating the list of banks by removing banks no longer in business or qualified under the requirements, and adding qualified banks that we may use in the future. She stated that we are looking into investing our sewer funds because we now have finite dates as to when the bonds are callable. Finance Director Susan Dryden Hogan provided the chart of bond payments and with Treasurer Horning's list of funds and where they are currently held, they approached the investment firm of Robinson Capital to develop a program that would allow us to invest in securities and bonds that we can't go out and do on our own but follow PA 20. We will be keeping the funds safe, but by balancing liquidity with maturity dates we will be able to get higher interest rates. Trustee Germane inquired as to how long we have had the Investment Policy and Treasurer Horning gave a brief history of the Investment Policy and stated that we update it every year now.

Move to approve the update to the 2023 Investment Policy as presented.

Motion made by Trustee Germane, Seconded by Trustee O'Connell.
Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee
McMullen, Trustee O'Connell, Trustee Petrucci
Voting Nay: None

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Absent: None

d. Hartland Senior Center Contract

Treasurer Horning gave a brief update stating this is renewal of the standard contract with the Senior Center. Manager West stated this will extend the contract for another three years. Trustee Germane inquired as to whether the contract amount is what we have in the budget and Manager West stated it was. Trustee Germane inquired as to if the cost of living continues to rise would we be able to increase this amount during the term of this contract. Manager West stated we could do this if warranted, we would just need to process a budget amendment.

Move to approve the Senior Center Contract for three additional years per the attached.

Motion made by Clerk Ciofu, Seconded by Trustee Petrucci.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell, Trustee Petrucci

Voting Nay: None

Absent: None

e. Heritage Park Memorandum of Agreement with Recreation Partners 2023-2028

Manager West gave a brief overview of the Heritage Park Agreement stating the original agreement was for ten years when the park was opened in 2013. He stated this is the first renewal and it basically removed language related to construction parameters in the original agreement and is for five years. Manager West is also requesting a \$2000 annual increase to be split between the three recreation partners. Manager West stated that the recreation partners are in agreement with the contract. This will require a budget amendment as we did not realize this agreement was expiring in this fiscal year. Trustee Germane stated he did not have the original agreement and wanted to confirm that other than removing things that were no longer applicable in the previous contract, the Township's obligations have not changed other than what will be paying the partners. Manager West confirmed this. Clerk Ciofu stated that HAYAA Lacrosse was missing in a couple of sections and Manager West stated this would be corrected. Trustee Germane inquired as to whether the partners are spending their own funds on the maintenance of the field. Manager West stated there was a base rate for the Township to maintain them and any items such as fertilizer and field striping would be the recreation partner's expense. Trustee Germane also inquired as to the start date of the agreement being in March whether we have missed a payment. Manager West stated that we made the March payment as a good faith gesture that we would complete the contract. Trustee Petrucci inquired as to whether we needed to vote on the budget amendment and Manager West stated that by approving the motion, the Board is also approving the Financial Impact listed on the Agenda Memorandum.

Move to approve the 2023-2028 Heritage Park Memorandum of Agreement with Recreation Partners.

Motion made by Treasurer Horning, Seconded by Trustee Petrucci.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell, Trustee Petrucci

Voting Nay: None

Absent: None

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f. 2023 Citizen Survey Agreement

Manager West stated this will be our third Citizens Survey. This was scheduled for last year but was postponed due to the signing of the police contract. This survey is to gauge the climate of the citizens in our community. He stated we will be modifying some of the previous years questions and adding questions related to items such as fire protection services and road improvements. This will increase the 2022 budgeted cost and additional \$2000. Manager West is recommending approval of this Survey as he feels this will be a benefit to the Township. He did state we put this out for bid, but we would lose our event benchmarks if we continuously switch vendors. There is value in remaining with the same firm so they can benchmark our survey to previous surveys to see how we have improved. Supervisor Fountain inquired as to when the survey would be distributed. Manager West stated that we would go out in the fall about a month after school starts when vacations are over and people are getting settled into their school routine, as recommended by the survey company. We will continue to work with our partners in developing questions for the survey.

Move to approve the agreement with Cobalt Services to conduct the 2023 Hartland Township Citizen Survey as presented.

Motion made by Trustee Germane, Seconded by Trustee O'Connell.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell, Trustee Petrucci

Voting Nay: None

Absent: None

g. 2023 Chloride Purchase

Public Works Director Mike Luce presented the standard contract for road chloride with Livingston County and Chloride Solutions. Chloride Solutions applies chloride to the unpaved roads after the County grades them. He stated we do this four times a year, with the first three applications funded by the General Fund, and the fourth by the Road Millage Fund. Chloride Solutions is the preferred contractor for Livingston County and there will be a very minor increase over last year's price. Manager West stated that because there are multiple agreements that need original signatures, he is requesting authorization for Director Luce to sign on behalf of Hartland Township Board.

Move to authorize the Public Works Director to act on behalf of the Township Board to facilitate the purchase and application of roadway chloride with the forthcoming contract from Chloride Solutions in an amount not to exceed \$108,500.

Motion made by Treasurer Horning, Seconded by Clerk Ciofu.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell, Trustee Petrucci

Voting Nay: None

Absent: None

h. HERO Center Improvements

Manager West gave a brief overview of the HERO Center Improvements stating that he and Director Luce met with Steve Livingway and Trustee Germane to discuss the original allocation of \$50,000 from the American Rescue Plan Act (ARPA) funds for improvements to the HERO Center. He stated we are trying to focus on the building and because of the multiple minor improvements requiring separate contractors, and where we are getting multiple quotes for each

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project, he is requesting that Public Works Director Luce act as the general contractor to facilitate and take care of all HERO Center improvements as requested. He stated we have a draft outline of projects, that may change based on what is discovered during the repairs and that they are requesting a contingency amount should this occur. Supervisor Fountain inquired as to the timeline for the repairs. Manager West stated it is difficult to schedule contractors for a specific time at this point, but the intent is to have the repairs completed in mid-summer. Work will be scheduled around the HERO Center schedule working mostly in the mornings before the Center opens and on weekends. Director Luce commented that the plumbing and electrical are issues that will take more time and will be scheduled on weekends and on HERO Center breaks. Trustee Germane inquired as to the \$5000 difference in the estimate costs in the two project lists in the package and Director Luce stated that the additional \$5000 was the contingency amount partly for landscaping and drainage issues. Trustee Germane also introduced one of the HERO Board members in the audience and invited her forward to speak. Lori Clark came forward and stated she is the Parent Representative on the HERO Board and wanted to introduce herself to the Board and thank them for their support for the Center. She also stated that it was unique that the HERO Center does not charge, which makes the Center special and successful, and stated that the HERO Center recently received a grant from Home Depot in part due to the fact they do not charge.

Move to authorize the Public Works Director to act on behalf of the Township to facilitate the purchase and installation of the HERO Center Improvements in an amount not to exceed \$55,000.

Motion made by Clerk Ciofu, Seconded by Treasurer Horning.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell, Trustee Petrucci

Voting Nay: None

Absent: None

- i. Amended Resolution of Determination of wages and benefits of the Township Supervisor

Move to adopt the Amended Resolution of Determination of Wages and Benefits of the Township Supervisor for the 2023-2024 fiscal year.

Motion made by Treasurer Horning, Seconded by Trustee Germane.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell, Trustee Petrucci

Voting Nay: None

Absent: None

8. Board Reports

Treasurer Horning - No report.

Trustee Germane - No report.

Trustee O'Connell - No report.

Trustee McMullen - No report

Trustee Petrucci - No report

Clerk Ciofu - Stated we were still processing Absent Ballots for the May 2, 2023 Special Election and that yesterday was the last day to register to vote for this election, other than coming into the Clerk's Office with proof of residency to register.

Supervisor Fountain - Stated that Manager West, Director Luce, and several Board members were at last night's Livingston County Infrastructure meeting. There was a brief presentation on the Septage Receiving Station by Commissioner Nakagiri at the Board table and there were very few comments made by anybody at the meeting. He stated he believed that this is the first time this issue has been discussed at the County Board. He stated that Manager West did a very nice job when asked to speak

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and brought our narrative on this issue to the County Board. He thanked Manager West for being very patient and professional through the whole discussion process.

[BRIEF RECESS]

9. Information / Discussion

a. Manager's Report

Manager West gave a brief update on the ARPA Civic Organization Initiative and that the organizations were e-mailed that the contracts were ready and upon signing they would receive their ARPA funds. He stated the Cemetery Clean Up Day was very successful again this year. He informed the Board that a draft solar ordinance is going before the Ordinance Review Committee. He also stated we are taking applications for DPW seasonal employees. Manager West informed the Board that staff are looking at a concept to allow five-year SAD's for gravel roads. Trustee Petrucci inquired as to the orange barrels on M-59 and Director Luce stated it was his opinion that this is for restoration from the road improvements last fall. Trustee Germane inquired about the e-mail sent to the Board from a resident regarding starting our own police force and a brief discussion was held on the matter.

10. Adjournment

Move to adjourn the meeting at 8:05 p.m.

Motion made by Treasurer Horning, Seconded by Trustee McMullen.

Voting Yea: Supervisor Fountain, Clerk Ciofu, Treasurer Horning, Trustee Germane, Trustee McMullen, Trustee O'Connell, Trustee Petrucci

Voting Nay: None

Absent: None

Submitted by



Larry N. Ciofu, Clerk