

HARTLAND TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING FINAL MINUTES
November 05, 2019 – 7:00 PM

1. Call to Order

The meeting was called to order by Supervisor William Fountain at 7:00 PM.

2. Pledge of Allegiance

3. Roll Call

PRESENT: William Fountain, Larry Ciofu, Kathie Horning, Joe Colaianne, Matt Germane,
Glenn Harper, Joe Petrucci

ABSENT: None

Also present were Township Manager James Wickman and Public Works Director Bob West.

4. Approval of the Agenda

Treasurer Horning requested to remove Item 6.i. from the Consent Agenda and to add the additional Appointments of Michelle LaRose as Planning Commission member and Jim Bunn as Zoning Board of Appeals (Alternate) member (1/1/2020 to 12/31/2022) to Item 6.g.

Move to approve the agenda for the November 5, 2019, Hartland Township Board meeting as amended.

Motion made by Treasurer Horning, Seconded by Trustee Colaianne.

Voting Yea: Ciofu, Colaianne, Fountain, Germane, Harper, Horning, Petrucci

Voting Nay: None Motion passes: 7-0-0.

5. Call to the Public

No one came forward.

6. Approval of the Consent Agenda

Move to approve the consent agenda for the November 5, 2019, Hartland Township Board Meeting as amended.

Motion made by Trustee Petrucci, Seconded by Treasurer Horning.

Voting Yea: Ciofu, Colaianne, Fountain, Germane, Harper, Horning, Petrucci

Voting Nay: None Motion passes: 7-0-0.

- a. Approve Payment of Bills
- b. Approve Post Audit of Disbursements Between Board Meetings
- c. Approve Special Meeting Minutes for 10/07/2019
- d. Approve Regular Meeting Minutes for 10/15/2019
- e. Approve LESA Summer Tax Collection Agreement
- f. Approve Township Hall Closure at 4:00pm on Thursday 12/12/2019
- g. Confirm Supervisor's Appointments to Planning Commission & Zoning Board of Appeals (01/01/20 – 12/31/22)
- h. Approve Hartland Schools Agreement for Sidewalk Winter Maintenance (\$4,000)
- i. ~~Approve Preiss Winter Maintenance Proposal (with Hartland Schools)~~
- ji. Approve Budget Amendment for Assessing Legal Fees (\$12,000)
- kj. Approve Budget Amendment & Transfer - General Fund to Capital Projects (\$357,175)

7. Public Hearing

a. Liquor License Application #19-001 – Two Guys Sushi, LLC – Class C

Supervisor Fountain gave a brief overview of the Liquor License approval process in that the State of Michigan allows a Township to get a liquor license for every 1500 residents, and at the last Census in 2010 Hartland Township received three of them. There is one remaining and in May 2019, the Township opened it up to applicants to apply for the liquor license through August, 2019. One applicant came forward that met all of the required criteria. The application then went to a committee of the board for review and the committee made a recommendation to go forward with the Two Guys Sushi application. The next step was a review by the Township Planner regarding Township Ordinances and we are now at the Public Hearing of the process. The Board has the discretion to approve or not approve the application, but if approved it would still have to go through the Liquor Control Commission of the State of Michigan.

Move to open the Public Hearing at 7:06 p.m.

Motion made by Trustee Colaianne, Seconded by Trustee Harper.

Voting Yea: Ciofu, Colaianne, Fountain, Germane, Harper, Horning, Petrucci

Voting Nay: None Motion passes: 7-0-0.

Joe Torrence of Blueberry Hill came forward and stated he is the primary applicant for the liquor license for Two Guys Sushi and wanted to reiterate to the Board not only how good this is for Two Guys Sushi, but also for the Township of Hartland. Mr. Torrence stated he is a 20-year resident of Hartland and he believes the community lacks a restaurant base. He stated sushi is one of the fastest growing food segments and he believes that Two Guys Sushi has a unique concept not found anywhere else in country. Two Guys Sushi will display world class sports memorabilia, many items worthy of being in the Hall of Fame. They have a business plan that is sustainable and good for Hartland and they have overwhelming local community support. He stated they have extremely strong financial backing and they are really looking forward to conducting business here in Hartland. He stated that they were good citizens, plan to be good corporate citizens, and look forward to a long and prosperous relationship with the Township and thanked the Board for this opportunity.

Joe of Bergin Road came forward and stated he just moved here since February and would like to show support to Joe Torrence and his new business.

Jacob Torrence of Blueberry Hill came forward and stated there has been a tremendous outpouring of support on social media for Hatorando Sushi to receive this liquor license and hoped the Board considers the will of the people.

David MacGregor of San Marino came forward and stated he liked the idea of more independent restaurants. He stated that it would be nice to have the option of something that is not a chain restaurant and is a restaurant that is owned by somebody in the community. He stated it would be nice not to have to drive to Brighton to get good sushi.

Move to close the Public Hearing at 7:11 p.m.

Motion made by Trustee Harper, Seconded by Trustee Germane.

Voting Yea: Ciofu, Colaianne, Fountain, Germane, Harper, Horning, Petrucci

Voting Nay: None Motion passes: 7-0-0.

Move to approve the Local Approval Resolution for a new quota Liquor License for Two Guys Sushi, LLC

Motion made by Trustee Colaianne, Seconded by Trustee Harper.

Clerk Ciofu stated that he has gone through the business plan and has some questions that are not major. He stated he had some issues with computations of salaries and things like that but overall the percentages fall in line with normal restaurants as far as the percentage that goes to salaries, percentage that goes to cost of goods sold and that type of thing. Clerk Ciofu stated he does not have any problems with the restaurant itself, but has more of a concern with the overall Hartland Community and looking at developing brick and mortar businesses in the Township. Hartland Township has several commercial developments that are still in process of developing things. Clerk Ciofu stated he believes if Hartland Township uses this particular liquor license as an incentive to bring in someone that is going to build an actual brick and mortar building he would feel more comfortable on a longevity issue. He again stated that he has nothing against the restaurant or the concept and that there were a lot of positive things in the business plan, particularly in working with the community. Clerk Ciofu stated that he owned a restaurant in the community for sixteen years and that he felt working with the community was one of the best things his business did and commended the applicant in having this in his business plan. However, Clerk Ciofu would like to hold this liquor license for a brick and mortar building.

Trustee Petrucci stated that it seemed like local governments always want the big national players, the guys that put up the brick and mortar buildings, and have all the money. They want them to come into their townships and they kind of wait for them. He stated Hartland Township has been waiting for almost 7 or 8 years now and not one of the national chains has come in to put up a building. Trustee Petrucci stated that we should also support the small guy, the independent, the guy that lives in Hartland Township. We can talk about putting up brick and mortar buildings, but we also have a shopping center that has two empty spaces that will be filled here. This would make that shopping center more profitable for that owner, so we have to look at that as well. Trustee Petrucci believes that Hartland Township is the kind of community that would support a sushi sports bar and that the sports/sushi bar concept is new and unique. It was not long ago where we had another developer put in a restaurant in Hartland that decided to sell raw meat on a hot rock to his customers. That restaurant has bloomed to everywhere in Michigan and even in the Midwest in the United States and it all started right here in Hartland. So now we have a new concept of sushi owned by independent people who have the financial backing that they need to get into this restaurant he believes it is time the communities like Hartland support these people and he is in favor of this proposal.

Trustee Colaianne supports this for a number of reasons. Trustee Colaianne believes this is a great opportunity for Hartland Township as it is a unique business. Diversification of what we have to offer to our citizens and those that come through our township is very important. He stated that on the Planning Commission they often talk about a sense of place and the changes in the township. He stated some people like change, some people do not like it. But sense of place provides a sense of community, a walkable community, and the opportunities for different commercial establishments. This is a unique opportunity for our community. He also commended the township staff for their work on this issue and he supports this application.

Trustee Germane asked Township Manager James Wickman to report on the process that the State has established for receiving additional liquor licenses in the future for Hartland Township. Manager Wickman reported we would get another license if we grew by 1500

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people. As it turns out on the 2010 census we were just under 15,000 residents. We fully expect that we are over 15,000 residents now, which if confirmed by the 2020 census, means we would expect to get one more license probably in late 2021 or early 2022. Trustee Germane also requested confirmation that if this application were not approved, the applicant could still purchase a liquor license on the open market and transfer it to Hartland. Manager Wickman confirmed this and stated that the Board would have a say in approving the transfer. Trustee Germane stated he is in support of giving the license to the applicant.

Treasurer Horning stated that she believed Clerk Ciofu was talking about brick and mortar building, not just about holding a license for a big name chain restaurant. She stated that we have had local people inquiring about putting in a restaurant in Hartland and building a building, so this is not just about attracting big chain restaurants. Treasurer Horning stated that she is concerned with the developments that have invested in the infrastructure of the community regarding roads, water and sewer that still have areas to be developed. She stated that she loves this business idea for sushi and believes it will thrive, but she agrees with Clerk Ciofu. Treasurer Horning stated she is leery about the census bringing us in another liquor license. Treasurer Horning would like to see this license go to someone else that has to build a building and has all of those expenses underneath them.

Roll call vote taken: Yeas: Colaianne, Fountain, Germane, Fountian
 Nays: Ciofu, Horning
 Motion passes 5-2-0

Clerk Ciofu stated that he had his reasons for voting the way he did, but he supports the overall decision of the Board, and he wished the applicant the greatest of success and he knows that the applicant will find that this is a great community to have a restaurant and that this is a very friendly and supportive community.

Supervisor Fountain stated that the resolution will be forwarded to the Liquor Control Commission and the applicant will have addition work to do with them.

8. Pending & New Business

a. Server & Computer Replacements

Manager Wickman stated Windows 7 will no longer be supported by Microsoft come the new year and that includes security updates and support. As it so happens we have a number of computers that are already aged 5-7 years old which is very good in that we intentionally purchase equipment that will last longer than its useful life and we have achieved this. However we not able to put Windows 10 on those computers and they will need to be replaced. The email server will also need to be replaced and we options that are more economical and will resolve issues with downtime. The fast search server will be included in the upgrade. Most of this cost is PEG eligible, which are funds received from the cable franchise agreement with Comcast that can only be spent on equipment and capital expenses related to public, educational and governmental (PEG) operations.

Move to approve the budget amendments and purchase of replacement technology, up to \$44,000.

Motion made by Trustee Germane, Seconded by Trustee Harper.

Voting Yea: Ciofu, Colaianne, Fountain, Germane, Harper, Horning, Petrucci

Voting Nay: None Motion passes: 7-0-0.

9. Board Reports

Trustee Colaianne – No report

Trustee Germane – The final phase of the HOOP house at the Teen Center is getting electricity to the furnace to make it operational. The DPW department is assisting in getting quotes for this service and it will be paid for by the Teen Center. Director West stated the many of the contractors are finishing up work on projects before winter and we are one of these last projects. He believes we will get this completed before the end of the year.

Trustee Harper – Commended the Clerk and Treasurer on their willingness to speak their conscious on a vote that was somewhat controversial, and that this indicates the integrity of this Board in that we can disagree on important issues in a respectful manner.

Trustee Petrucci – Reported on an injury at the Fire Department during a training session a couple of weeks ago. It was a somewhat significant hand injury and the firefighter will be off duty for a month or two, but he will be okay.

Clerk Ciofu – No report

Treasurer Horning – No report

Supervisor Fountain – Thanked the Board and the community for the cards and flowers sent for his father's passing and he and his family were touched by the outreach from this community.

[BRIEF RECESS]

10. Information / Discussion

a. Phragmites Mitigation Discussion – David Mindell, Plantwise

Manager Wickman gave a brief overview of the phragmites issue and to clarify some of the various solutions for containing the spread of phragmites, we sought out an expert in the field to discuss this with the Board. Director West introduced David Mindell from Plantwise to the Board and brought the Board up to date with our previous mitigation pilot program plans and cost. Mr. Mindell gave a brief overview of the invasive phragmites species and the effectiveness of current plans for controlling the spread. Items discussed were the decrease of plant and wildlife in areas that phragmites are present, and effectiveness of burning, cutting and chemical applications to control phragmites, with a specific type of aquatic approved chemical spraying being the most effective. Mr. Mindell reviewed the various options outlined in the Hartland Township Phragmites Mitigation Feasibility pilot program memo for both pros and cons of each option. He outlined chemical treatment processes depending on the size of the phragmites area, combination options of mowing/burning/chemical treatments, and discussed time frames of various treatment options. He stated that chemical treatments are only done between mid-August and early October. The Board discussed the necessary qualifications for in-house staff to do chemical treatment, public communication of issue, results of treatment statewide, working with other local communities on combined treatment processes, concerns with being an area of two major watersheds, and post treatment regeneration of local plant life. The Board briefly discussed a plan of action and funding of the plan, potential ordinance requirements, DEQ support for safe chemical applications to mitigate phragmites, other township phragmites locations, and potential insect control of phragmites. Trustee Harper stated he was opposed to any kind of chemical treatment with regards to the uncertainty of long term effects this may have on the community. Director West will update the plan and costs and this bring back to the Board.

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b. September 2019 Financial Report

Manager Wickman reviewed the September 2019 Financial Report and stated the Developer Fees escrow account that can no longer be an escrow account will be renamed Professional Review Costs. The Manager cost center will be renamed Administration. The legal fees for Assessing and the transfer out to Capital Improvements were addressed tonight with the approved budget amendments.

c. Manager's Report

Manager Wickman stated that in the staff discussions regarding single parcel SAD's for REUs, the question arose as to the goal or intent of this process. He thought the goal was to help commercial development in the township. It was agreed this was the intent, but would be looked at on a case by case basis. Township Attorney Homier is still waiting for a response from the County attorney regarding the hosting fees. Manager Wickman stated that one of the goals at the strategic plan retreat was to see if we could reduce REU costs. We are due to increase REU rates in the next few months and it was agreed that we would continue with this plan and make adjustments later if needed. Manager Wickman gave an overview of the conversations held with Hartland Glen regarding water, sewer, and global settlement of issues. Mayberry is on board with the water extension and we need to get Hartland Glen to agree on water REU's. Bella Vita is moving forward with masonry but at a slow pace. The Planning Department is working on the Hacker Road development, the proposed independent senior living center on M-59, and the Burger King renovations. Mayberry delivered their pattern book to Planning last week. He also stated that the next agenda will include snow removal ordinance, and board room technology updates. A brief discussion was held on board room technology updates. The township Christmas Party will be on December 12th. The Board agreed to cancel the November 19th meeting and to move the December 3rd meeting to December 10, 2019 and to potentially cancel the December 17th meeting.

11. Adjournment

Move to adjourn the meeting at 9:05 p.m.

Motion made by Treasurer Horning, Seconded by Trustee Harper.

Voting Yea: Ciofu, Colaianne, Fountain, Germane, Harper, Horning, Petrucci

Voting Nay: None Motion passes: 7-0-0.

Submitted by



Larry N. Ciofu
Clerk