

Plainfield Charter Township

Regular Meeting

March 15, 2010

A work session of the regular board meeting of Plainfield Charter Township Board was called to order by Supervisor Meek on March 15, 2010 at 6:30 PM at the Township Offices, 6161 Belmont Avenue NE, Belmont MI. Members present: Supervisor Meek, Clerk Harvey, Treasurer Stover, Trustees Borek, Hagedorn and Weldon. Trustee Matthews arrived at 6:37 PM. Superintendent Robert Homan, Township Attorney Eric Brandt, Water Department Director Rick Solle and Parks and Recreation Department Director John Short. The Board reviewed the agenda items, consent agenda, and accounts payable. The meeting ended at 7:10 PM.

- 1) The Regular Meeting of the Plainfield Charter Township Board was called to order at 7:30 PM at the Township Offices, 6161 Belmont Avenue NE, Belmont, MI by Supervisor Meek. Members present: Supervisor Meek, Clerk Harvey, Treasurer Stover, Trustees Borek, Hagedorn, Matthews and Weldon. Also present: Township Superintendent Robert Homan, Township Attorney Eric Brandt, Water Department Director Rick Solle and Parks and Recreation Department Director John Short.
- 2) Invocation was given by Mr. Matthews.
- 3) Pledge of Allegiance was lead by Mrs. Borek.
- 4) Mr. Weldon moved with support from Mrs. Borek to approve the Agenda. Supervisor Meek requested a voice vote. Ayes: 7. Nays: None. Absent: None.

Consent Agenda:

- a) Approve March 1, 2010 regular meeting minutes.
 - b) Receive the following reports: Financials for Year Ending 12-31-09 and February 2010, Investments, Building Permits, Fire Department, Ordinance Enforcement, Water Department, and Passports.
 - c) Schedule public hearing for 7:30 P.M., April 5, 2010 for Private Road Variance to permit a shared residential driveway at 7912 Belmont Avenue NE, Township Code Section 28-258.
 - d) Schedule hearing for demolition of 4789 Grand River Driver per the Dangerous Buildings Ordinance.
 - e) Approve contract with Dixon Engineering in the amount of \$2,400 for inspection of Pine Island Water Tank.
 - f) Approve the request from Assumption Family Life Center for a Special Liquor License for their annual fundraising auction.
- 5) Supervisor Meek stated that that it appeared that many of the people in the audience were here concerning the Belmont Road project and that that was not on the agenda to be discussed and he opened the public hearing for the 5 Year Parks and Recreation Master Plan: Ms. Diane Marklievetz shared her concern that there is erosion taking place on the land that used to be the golf course and that the wetlands close to the river were reverting back to a natural state and it might be difficult to reclaim if that is the intent. Mr. Tim Rau began to discuss the Belmont Road project and was told that this is a public hearing to discuss the Parks and Recreation 5 Year Master Plan and we were not talking about Belmont Road by Supervisor Meek. Mr. Tom Briggs asked what governmental unit owned the parking just north of the Rogue River on Packer and Mr. Harvey informed that was part of the Kent County Rogue River Park. Ms. Nyliff shared her desire to have a dog park. Mr. Mark Wells stated he plays softball and wants the Township to have rigid policies concerning dogs being loose in the parks. Mr. Ken Chester stated there was an empty lot on East Oakview that the Township owns and suggested it be sold as it is too small to be a park; he was told by Mr. Short that this lot could not be sold because of they way the Township acquired the property. Mr. Dave Heyboer, President of

the Friends of the White Pine Trail, shared his support for a good Master Plan. Mr. Meek closed the public hearing and Mr. Hagedorn moved with support from Mr. Weldon to accept the Parks and Recreation 5 Year Master Plan. Supervisor Meek called for a roll call vote. Ayes: Stover, Matthews, Borek, Harvey, Weldon, Hagedorn and Meek. Nays: None. Motion carried.

- 6) Mr. Jim Story and Augustino Vitale addressed the Board concerning a Dance Permit that is required by the State of Michigan to allow for a modification to the Liquor License currently held by Vitale's Sports Bar in Comstock Park. Mr. Stover moved with support from Mr. Weldon to approve the Dance Permit and modified Liquor License. Mr. Meek called for a roll call vote. Ayes: Hagedorn, Weldon, Matthews, Harvey, Borek, Stover and Meek. Nays: None. Motion carried. Clerk Harvey stated he would sign the documents as soon as the building inspector and fire inspector signed off on the dance permit and would meet the inspectors at the job site in the morning.
- 7) Clerk Harvey presented the enhanced Farmers Market plan for 2010 and asked the Board for consideration of having the market open Tuesdays and Thursdays this year. Mr. Stover moved with support from Mr. Hagedorn to allow the Farmers Market to be open on Tuesdays and Thursdays for 2010. Supervisor Meek called for a voice vote. Ayes: 7. Nays: None. Motion carried.
- 8) Mr. Weldon moved with support from Mr. Matthews that the Board adopt an emergency ordinance with a possible 6 month extension to impose a moratorium on the issuance of building permits, licenses, or approvals of the sale or distribution of medical marijuana. Supervisor Meek called for a roll call vote. Ayes: Weldon, Borek, Matthews, Hagedorn, Stover, Harvey and Meek. Nays: none. Motion carried.
- 9) There were a few grammatical corrections of the proposed Background Check Policy requested by Mr. Matthews. Mr. Stover wanted to see language that would include many additional individuals that have dealings with the Township including the vendors at the Farmers Market. Mrs. Borek moved with support from Mr. Harvey that the Background Check Policy be adopted with the corrections proposed by Mr. Matthews. Supervisor Meek called for a roll call vote. Ayes: Harvey, Hagedorn, Stover, Borek, Weldon, Matthews and Meek. Nays: None. Motion carried. Mr. Meek read a prepared statement concerning the background checks performed by the Personnel Committee that stated no current employee, board or commission member of Plainfield Township has any felonies or crimes in their background that requires them to be on the Sex Offender Registry.
- 10) Mr. Stover moved with support from Mr. Matthews that the accounts receivable be authorized in the amount of \$418,546.54. Supervisor Meek called for a roll call vote. Ayes: Hagedorn, Stover, Harvey, Borek, Matthews, Weldon, and Meek. Nays: None. Motion carried.
- 11) Supervisor Meek informed the citizens that we would be doing something different tonight and having the citizens comment at this time and will be allowing only 3 minutes to each citizen and stopping at 9:00 pm, in 15 minutes. ~~The Board would then go into closed session. Mrs. Marklievotz asked why \$10,000 was expended for a parks plan that was written last year and used again this year. Mr. Ken Chester shared his concern over the proposed expansion of the Background Check Policy and he said the article in the Profile should be nothing more than a slap on the hand if it was not done deliberately. Mr. Tim Rau shared his concerns about the process by the Kent County Road Commission used to inform the citizens of Plainfield Township and asked for another hearing to allow citizens to share their concerns about the project. Ms. Traci Kornak informed the Board that by cutting off citizen comments the Board would be in violation of the Open Meetings Act. Mrs. Jan Lastocy shared a long list of concerns about the administration of the Township. Mr. Tom Cable explained in detail his issues with the Belmont Road project. Ms. Christine Wernet explained to the Board that the cars are passing the school bus in front of her house on Belmont Road while her children are attempting to get on the bus in the morning and that this has happened 7 times this year and 3 lanes will create a safety hazard that will endanger her children. Michelle Buchanan stated that the Board was here to represent the people and they are not doing it. At this point the microphones were turned off. The following comments are transcribed from hand written notes. Kim Bryant said the road needs to be fixed but not a three lane road. Cathleen who lives on Belshire~~

~~asked the Board to please work with us and do not put in a 3rd lane. John who lives in the 5000 block of Belmont talked about the medical marijuana ordinance and stated the Supervisor was attempting to quash the people from being heard. A citizen of Belmont stated he has lived on Belmont Avenue for over 60 years said "Don't widen it a damned inch." Mr. Dan Dewaard stated he brought his 14 year old daughter to the meeting and now regrets that he did, as she will have to report to the class that people in America are not allowed to be heard at their local town meetings. Another citizen that lives on Rogue River stated that when Jupiter went through that was going to be the answer to all of the traffic problems and a Cul de Sac was to be built on Belmont Road and not enter Jupiter. The Crossing Guard for the Belmont Elementary School stated her life is at risk daily and if 3 lanes go through her husband will be the one that scrapes her body off the pavement. The microphone was turned back on and a citizen was stating she wanted us to work with the citizens. Mr. Wells wanted to thank John Short for the Master Plan and all of the work he does for the parks. Mr. Bessert is recorded as saying "You will not cut me off I will speak loud" and the microphone went dead. Supervisor Meek closed the citizen comments at 9:10 PM.~~

- 12) Mr. Matthews moved with support from Mr. Stover to move into closed session under the provisions of the Open Meetings Act MCL15:268 Section 8 (a) and (h). Supervisor Meek called for a roll call vote. Ayes: Hagedorn, Stover, Borek, Matthews, Weldon and Meek. Nays: Harvey. Motion carried. The Board moved to a closed session at 9:12 PM.
- 13) The Board returned from closed session at 10:22 PM and Supervisor Meek opened the floor for additional citizen comments. ~~Ms. Linda Girlash stated that the meetings that were held concerning the road project were not well publicized and that she had concerns about the lack of transparency ever since the citizens began to ask for additional input.~~ Supervisor Meek closed the citizen comments.
- 14) Ms. Borek moved with support from Mr. Stover that the Board complete items 14 and 15 on the agenda. Supervisor Meek called for voice vote. Ayes: 7. Nays: None. Motion carried.
- 15) Mrs. Borek moved with support from Mr. Weldon, that Supervisor Meek work with the attorney to prepare a letter of reprimand to Mr. Robert Homan concerning the article in the Profile and the response to the complaint from forwarded by the Secretary of State's Bureau of Elections for Board approval prior to any formal discipline or response. Clerk Harvey shared his concerns that this is a serious matter and that we were putting the cart in front of the horse and we needed to wait to determine the disciplinary action appropriate for this matter. Supervisor Meek called for a roll call vote. Ayes: Hagedorn, Stover Borek, Matthews, Weldon and Meek. Nays: Harvey. Motion carried.
- 16) Mr. Stover moved with the support of Mr. Matthews that the Resolution affirming the denial of the Freedom of Information Act request because of attorney client privilege be approved. Supervisor Meek called for a roll call vote. Ayes: Hagedorn, Stover, Harvey Borek Matthews, Weldon and Meek. Nays: None. Motion carried.
- 17) Mr. Stover explained to the citizens that Mr. Jon Rice told us that he would be glad to meet with 4 or 5 concerned citizens at a time but would not be willing to meet with 10 or 12 at a time.
- 18) Supervisor Meek called for adjournment at 10:37 PM.

K. Scott Harvey
Plainfield Charter Township Clerk

George K. Meek
Plainfield Charter Township Supervisor

CERTIFICATION

The undersigned, as the duly elected and acting clerk of the township, hereby certifies that the foregoing is a true and accurate copy of the regular meeting minutes of March 15, 2010 as approved by the Township Board of Plainfield Charter Township, at which a quorum was present.

Plainfield Charter Township Clerk

Date