

# NORTHFIELD TOWNSHIP

## Township Board

### Minutes

#### October 13, 2020

#### CALL TO ORDER

The meeting was called to order at 7:01 P.M. by Supervisor Chockley at 8350 Main Street and via tele-conference.

#### INVOCATION/PLEDGE

Trustee Beliger provided a brief invocation and led those present in the Pledge of Allegiance.

#### ROLL CALL

Marlene Chockley, Supervisor	Present
Kathleen Manley, Clerk	Present
Lenore Zelenock, Treasurer	Present
Tawn Beliger, Trustee	Present
Janet Chick, Trustee	Present
Wayne Dockett, Trustee	Present
Jacki Otto, Trustee	Present

Also present:

Public Safety Director William Wagner  
Wastewater Treatment Plant Superintendent Dan Willis  
Township Engineer Brian Rubel, Tetra Tech  
Township Manager Steven Aynes  
Township Attorney James Fink, Fink & Fink PLLC  
Township Bond Counsel Steven Mann, Miller Canfield  
Township Finance Advisors, Robert Bendzinski and  
Stephen Hayduck, Bendzinski & Co.  
Members of the community

#### FIRST CALL TO THE PUBLIC

Chockley provided information about the planned Wastewater Treatment Plant overflow basin in response to emails sent to the Board. She said there is no plan to raise taxes related to the basin because sewer service is paid for by users, not with taxes, the plant is not being rebuilt, the problem being addressed by the basin construction has been discussed by Township Boards for decades, and the basin is proposed for the current need to comply with regulations, not future needs. She also provided information about the financing of the project.

Mary Devlin, 9211 Brookside, made comments about the North Village park. Faith Wheeler, 371 Grove, made comments about the sewer basin and the North Village park. Andy Lakatos, 9249 Lakewood Drive, commented on the Wildwood Lake subdivision drain. Ken Dignan, 9310 Hillcrest, and David Gordon, Hellner Road, made comments about the sewer basin project. Adam Olney, 9315 Lakewood Court, made comments about the Wildwood Lake subdivision drain, the sewer basin project, holding in-person meetings during the COVID-19 pandemic, and adding items to the agenda late. Craig Warburton, 450 W. Joy Road, commented on holding in-person meetings during the COVID-19 pandemic, technical difficulties holding the meeting in-person and via Zoom, and marijuana business regulations.

#### BOARD MEMBER RESPONSE

Attorney Fink said the Board is meeting in person to make sure Open Meetings Act requirements are met in light of a recent Michigan Supreme Court ruling which nullified—effective at the end of April—the Governor's powers to issue emergency orders due to the COVID-19 pandemic. He explained that brings into question whether tele-conference sessions meet Act requirements, and while the Legislature is considering action to address this, he recommends that meetings be held both in person and via tele-conference in the meantime.

Board members made comments including:

- Concerns about lack of clarity regarding the facts of the Wildwood Lake drainage issue and lack of notice to the residents in the district.
- The Board passed a motion earlier in the year requiring the park area of the North Village property to be a minimum of six acres exclusive of parking and trails, and no agreement with a developer has been reached.
- Over 2700 REUs on the sewer system are already obligated.
- Concern about the lack of health screening prior to the meeting per the Township's COVID-19 policies.
- Concerns about the cost of the proposed sewer basin, the type of bonds proposed, and the interest rate.

#### CONSENT AGENDA:

- **Reports**
- **Check Disbursement (9/4/20 - 10/8/20)**
- **Correspondence**

► **Motion:** Chockley moved, Beliger seconded, that the consent agenda be adopted as presented.

Zelenock said she wants to make sure the policy made on September 8<sup>th</sup> regarding staff returning to work during the COVID pandemic is being fully implemented, and, if not, what needs to be done.

**Motion carried 7—0 on a roll call vote.**

#### ADOPT BALANCE OF AGENDA

► **Motion:** Chockley moved, Beliger seconded, that the balance of the agenda be adopted, with the order of items 6 and 7 reversed.

**Motion carried 7—0 on a roll call vote.**

#### AGENDA ITEMS

##### 1.

#### Ratify Motions Made During Virtual Meetings

► **Motion:** Chockley moved, Chick seconded, to ratify all motions made by the Northfield Township Board of Trustees during virtual meetings held between May 1, 2020 and October 2, 2020.

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In answer to a question, Attorney Fink said he recommends this action to insure the validity of the actions in light of the recent Supreme Court ruling nullifying the Governor's emergency orders during the COVID-19 pandemic. He said it may not be necessary, but will not hurt. Otto said the Senate has passed Bill 1108 which will insure the validity of meetings held virtually from March through December of 2020, but the House still needs to act and the Governor must sign the bill.

**Motion carried 5—2 on a roll call vote, Dockett and Beliger opposed.**

**2.  
Minutes of September 22, 2020,  
Board of Trustees Special Meeting**

- ▶ **Motion:** Beliger moved, Otto seconded, that the minutes of September 22, 2020, Special Board Meeting be approved as presented.  
**Motion carried 7—0 on a roll call vote,**

**3.  
Minutes of September 22, 2020,  
Board of Trustees Regular Meeting**

- ▶ **Motion:** Beliger moved, Chick seconded, that the minutes of September 22, 2020, Regular Board Meeting be approved as presented.

Several corrections and changes were made.

- ▶ **Amended motion:** Beliger moved, Chick seconded, that the minutes of September 22, 2020, Regular Board Meeting be approved as amended.  
**Amended motion carried 7—0 on a roll call vote.**

**4.  
Minutes of September 29, 2020,  
Board of Trustees Special Meeting**

- ▶ **Motion:** Chockley moved, Beliger seconded, that the minutes of September 29, 2020, Special Board Meeting be approved as presented.  
**Motion carried 7—0 on a roll call vote.**

**5.  
Approve Payment of Open Bills  
(expected check run date 10-14-2020)**

- ▶ **Motion:** Beliger moved, Chick seconded, to approve payment of Open Bills (expected check run date 10-14-2020) for a total of \$190,605.62 from all funds in the Municipal Investment Fund (MIF) account.  
**Motion carried 7—0 on a roll call vote.**

**7.  
Award Bid for Construction of the  
Wastewater Treatment Plant Equalization Basin  
(item 6 heard after this item)**

Township Engineer Brian Rubel of Tetra Tech reported eleven bids were received on September 17<sup>th</sup>, and the low bid was from Reliance Building Company of Novi for \$3,126,000, which is significantly less than expected,

partly due to a decrease in steel prices. He said Reliance has worked successfully for Tetra Tech, recently built an identical tank in Richmond, Michigan, and excellent references were received.

- ▶ **Motion:** Chockley moved, Beliger seconded, to authorize the awarding of the bid for construction of the Wastewater Treatment Plant Equalization Basin to Reliance Building Company of Novi in the amount of \$3,126,000 with a contingency of 5% to 10% should unforeseen conditions occur that require changes to the contract contingent upon the successful sale and closing of the Capital Improvement Bonds necessary to fund the project.

Dockett said he is voting no because he believes the Township is breaking a promise to the 12 people who live near the plant. He said a restriction in the deed on the property where the tank will be built limits it to single-family use only, and when the Township purchased the land it said it was doing so only to provide a buffer between the plant and the homes.

Zelenock suggested that the contingency be set to match the 6% listed in the bond documents.

- ▶ **Amendment to motion:** Zelenock moved, Chick seconded, to amend the motion to set the contingency at 6% (\$187,560). **Amendment to motion carried 5—2 on a roll call vote, Dockett and Zelenock opposed.**

- ▶ **Amended motion:** Chockley moved, Beliger seconded, to authorize the awarding of the bid for construction of the Wastewater Treatment Plant Equalization Basin to Reliance Building Company of Novi in the amount of \$3,126,000 with a contingency of 6% (\$187,560) should unforeseen conditions occur that require changes to the contract contingent upon the successful sale and closing of the Capital Improvement Bonds necessary to fund the project.  
**Amended motion carried 5—2 on a roll call vote, Dockett and Zelenock opposed.**

**6.  
Design Engineer to Provide Construction  
Engineering for the Wastewater Treatment Plant  
Equalization Basin  
(item 7 heard before this item)**

- ▶ **Motion:** Chockley moved, Beliger seconded, to authorize acceptance of the Tetra Tech Construction Administration Services Proposal in an amount not to exceed \$223,000 for the construction of the Wastewater Treatment Plant Equalization Basin contingent upon review and approval of the necessary contracts and associated documents by the Township Attorney, and further authorize and direct the Township Manager to sign the necessary contract on behalf of Northfield Township.  
**Motion carried 5—2 on a roll call vote, Dockett and Zelenock opposed.**

**8.  
Resolution 20-630:  
Authorizing Issuance of  
2020 Capital Improvement Bonds  
(Limited Tax General Obligation)**

- ▶ **Motion:** Beliger moved, Otto seconded, to Approve Resolution 20-630 authorizing the issuance of capital improvement bonds in an amount not to exceed \$3,865,000 to finance the costs of the wastewater treatment plant equalization tank improvements and further authorize the Township's Manager, Supervisor, Clerk and Treasurer (each designated as an "Authorized Officer") to conduct the competitive sale, award the sale of the bonds to the bidder whose bid produces the lowest true interest cost to the Township, and to take all other steps necessary to accomplish the sale, issuance, and delivery of the bonds.

Steven Mann, Township bond counsel, and Robert Bendzinski and Stephen Hayduk, Township finance advisors, provided answers to questions, including:

- the County can provide bond financing, but typically does that only for municipalities that cannot access this type of financing.
- The 2.25% interest rate is conservative, and it is likely the bonds will sell at a lower rate. The higher interest rate of 5% shown is the maximum allowed as a marketing mechanism, but, if used, that higher rate would actually bring down the cost of the bonds, and under State law they have to award to the lowest true interest cost.

The also described the difference between general obligation bonds and revenue bonds, and the reason the interest rate is higher for revenue bonds.

**Motion carried 5—2 on a roll call vote, Dockett and Zelenock opposed. Resolution adopted.**

There was discussion about the appropriate time for sending out the postcard which must be sent to residents prior to the Township taking on significant debt. Zelenock asked that this be on the next agenda for discussion.

**9.  
Bendzinski & Co. Proposal to be  
Dissemination Agent for Northfield Township**

- ▶ **Motion:** Chockley moved, Beliger seconded, to approve the acceptance of the proposal provided by Bendzinski and Co. to Act As Dissemination Agent to the Township of Northfield to update information in the Official Statement provided to the Bond purchasers upon review and approval of the necessary contracts and associated documents by the Township Attorney and further authorize and direct the Township Manager to sign the necessary contract on behalf of Northfield Township.

[Dockett left the room].

Zelenock explained this bond is a public offering, rather than a private offering, which requires a tremendous amount of reporting in a timely manner, so this motion would authorize Bendzinski & Co. to do that required reporting.

**Motion carried 5—1 on a roll call vote, Zelenock opposed, Dockett out of the room.**

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**RECESS**

Chockley called for a brief recess.

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[Dockett returned].

**10.  
Resolution 20-631:  
Opt Out of Health Insurance Hard Caps**

- ▶ **Motion:** Beliger moved, Chockley seconded, to adopt Resolution No. 20-631, A Resolution of the Northfield Township Board of Trustees to Opt Out of the Restrictions Mandated by Public Act 152 of 2011 on Public Employer's Payments for Medical Benefits Plans. **Motion carried 7—0 on a roll call vote. Resolution adopted.**

**11.  
Health Insurance Plans**

- ▶ **Motion:** Chockley moved, Beliger seconded, to continue with the two health insurance plans currently offered to our employees: The Simply Blue HSA Silver (\$3,000 deductible), and Simply Blue Bronze HSA (\$6,650 deductible). **Motion carried 7—0 on a roll call vote.**

**12.  
Determination of HSA Contributions**

- ▶ **Motion:** Chockley moved, Otto seconded, to continue to offer to Township employees an employee contribution to their HSAs at the rates recommended by the Personnel Committee:

HSA contribution - Silver	Current	Proposed	Increase
Single	\$ 1,300	\$ 1,500	\$ 200
Employee & Spouse	\$ 2,625	\$ 3,000	\$ 375
Family	\$ 3,950	\$ 4,500	\$ 550
HSA contribution - Bronze	Current	Proposed	Increase
Single	\$ 2,070	\$ 2,250	\$ 180
Employee & Spouse	\$ 4,150	\$ 4,500	\$ 350
Family	\$ 6,200	\$ 6,650	\$ 450

Chockley noted these amounts were reduced in 2017 and have not been increased since then.

**Motion carried 7—0 on a roll call vote.**

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**13.  
Hazard Pay for Police & Fire**

- ▶ **Motion:** Chockley moved, Chick seconded, that the \$21,136.00 received from the CARES Act grant be distributed to the Police officers and Firefighters as shown in the table on the next page. This will be distributed from lines 216-000-548 and 207-000-548 of the respective fire and police budget.

Chief Wagner explained this is hazard pay received from the federal government and distributed by the State of Michigan for work performed during the COVID-19 pandemic.

**Motion carried 7—0 on a roll call vote.**

**14.  
Sale of Police Vehicles**

- ▶ **Motion:** Chockley moved, Beliger seconded, to approve Chief Wagner to sell the listed police vehicles. Funds from the sold vehicles will be deposited into the appropriate fund for each vehicle. Any unsold vehicles can be scrapped for metal.
  - 2004 Chrysler Pacifica (Forfeit vehicle)
  - 2010 Ford Crown Vic (Police vehicle)
  - 2013 Ford Explorer (Police vehicle - court car)
  - 2013 Ford Explorer (Police vehicle)
  - 2014 Ford Taurus (Police vehicle)
  - 201 5 Ford Taurus (Police vehicle)
  - 2001 Ford FA50 (forfeit vehicle - junk)

There was a brief description of the sale process, including the Chief's right to reject a sale.

**Motion carried 7—0 on a roll call vote.**

**15.  
Authorize Township Manager to Hire/Fire  
Employees Under His Direct Supervision**

- ▶ **Motion:** Otto moved, Chick seconded, pursuant to MCL 42.75a to delegate authority to the Township Manager to hire and fire employees under his direct supervision without further Board action.

There was discussion about whether this is appropriate. In answer to a question, Aynes said this proposal was developed under the direction of the Township's labor attorney. Dockett said he is opposed to this idea, but if the motion proceeds this authority should be for a specific time period. Manley noted the Board can rescind this authority at any time. Zelenock said she supports this to protect the privacy of employees.

- ▶ **Amendment to motion:** Dockett moved that this authority be limited to the next seven days.  
**Motion died for lack of second.**

**Motion carried 6—1 on a roll call vote, Dockett opposed.**

**16.  
Discussion of Sale of 75 Barker**

- ▶ **Motion:** Chockley moved, Otto seconded, to continue to show the building at 75 Barker Road to interested parties and have them make direct offers to the Township.

Board members made comments, including:

- Anyone interested in the building must be aware of the downtown development plan and be prepared to abide by it, and the Township will require that public access to some of the parking be retained.
- Mr. Munger faced many challenges which led to his purchase offer falling through, including the economy in light of the COVID-19 pandemic.
- The building should be torn down to provide additional public parking.

**Motion carried 6—1 on a roll call vote, Dockett opposed.**

**17.  
Wildwood Lake Subdivision Drain**

The Board reviewed the proposal and expressed concern about what notice was given to the subdivision residents and what is causing the need for this work, specifically whether work on the Barker Road path caused or contributed to the problem.

- ▶ **Motion:** Beliger moved, Chockley seconded, to approve Resolution 20-632 to allow the Washtenaw County Water Resources Commission to repair the Wildwood Lake Subdivision Drain at a cost to the Township not to exceed \$5,000.  
**Motion carried 4—3 on a roll call vote, Zelenock, Otto, and Dockett opposed.**

**TRUSTEE/LIAISON REPORTS**

- ▶ **Motion:** Chockley moved, Otto seconded, to receive the Trustee/Liaison Reports.

Comments included:

- When Township meetings are canceled that information should be stated in the reports.
- Parks & Recreation volunteers assembled the shed at the Community Garden.
- The next Parks & Recreation meeting is Thursday at 7:00 P.M.
- The September ZBA minutes have not been approved. There are errors in the draft, but the motions are correct.
- Regarding the November 3<sup>rd</sup> election, 2,943 ballots have been issued, 1,115 have been returned, and there are sufficient poll workers signed up.
- Work on the Community Center parking lot started today.

**Motion carried 7—0 on a voice vote.**

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**SECOND CALL TO THE PUBLIC**

Ken Dignan commented on the sewer plant retention basin bond issue and the old sign on the Community Center site. Faith Wheeler commented on the Wildwood Lake Drain issue, 75 Barker Road building, and the North Village park. Adam Olney commented on the Wildwood Lake Drain issue, the Township's policy for requiring masks during the COVID-19 pandemic. Brenda Warburton and Craig Warburton, 450 W. Joy Road, commented on the technical difficulties with the combined Zoom and in-person meeting.

Chief Wagner announced a pop-up COVID testing event on Saturday at the Middle school from Noon to 4:00 P.M. Ken Dignan reported there were COVID-19 cases at the elementary and secondary schools (one case each) and contact tracing, testing, and quarantining was done. He said as a result the schools went all-virtual this week.

**BOARD MEMBER COMMENTS**

Board members commented on standards for determining the size of a park and what type of facilities should be in the North Village park, how to successfully conduct a hybrid tele-conference/in-person meeting, the sign on the Community Center property, whether to conduct Township meetings in person or via tele-conference, and the cost of the sewer basin and when it will appear on sewer bills, and urged people to vote.

**ADJOURNMENT**

- ▶ **Motion:** Chockley moved, Beliger seconded, that the meeting be adjourned.  
**Motion carried 7—0 on a roll call vote.**

The meeting adjourned at 10:21 P.M.

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Submitted by Lisa Lemble.

Corrections to the originally issued minutes are indicated as follows:

Wording removed is ~~stricken through~~;  
Wording added is underlined.

Approved by the Township Board on October 27, 2020.

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Kathleen Manley, Clerk

Official minutes of all meetings are available on the Township's website at [http://www.twp-northfield.org/government/township\\_board\\_of\\_trustees/](http://www.twp-northfield.org/government/township_board_of_trustees/)