

CHARTER TOWNSHIP OF MADISON

Gary Griewahn
Supervisor
Janet Moden
Clerk
Harold Gregg
Treasurer

3804 S. ADRIAN HIGHWAY
ADRIAN, MI 49221
517-263-9313 Fax: 517-263-4569

TRUSTEES

Howard Bales
Matt Carpenter
Ralph Benschoter
Larry Liedel

Madison Township Board Meeting Held Electronically due to Covid-19 restrictions from Gov. Whitmer Minutes of September 8, 2020

The meeting was called to order at 7:00 p.m. by Supervisor Gary Griewahn. Griewahn read a prepared statement explaining the reason for having this meeting held by electronic means and how everyone needed to identify themselves by name before speaking, so the minutes for the meeting would be correct. Silent prayer time was offered. The pledge to the American Flag was said by all.

ROLL CALL:

Present electronically: Griewahn, Gregg, Moden, Benschoter, Carpenter, Liedel and Bales.

APPROVAL OF BOARD MEETING MINUTES OF August 11, 2020:

Motion by Benschoter, supported by Bales, to dispense reading and approve.

Roll Call Vote taken: Griewahn - Yes, Gregg-Yes, Moden-Yes, Benschoter-Yes, Carpenter-Yes, Liedel- Yes and Bales-Yes. Motion Carried 7-0.

AMENDMENTS TO THE AGENDA: Motion by Griewahn, seconded by Liedel to add to Old Business on the agenda subject regarding hiring of an outside attorney to handle the Walmart tax tribunal issue. Roll Call Vote taken: Griewahn - Yes, Gregg-Yes, Moden-Yes, Benschoter-Yes, Carpenter-Yes, Liedel- Yes and Bales-Yes. Motion Carried 7-0.

PETITIONS & COMMUNICATIONS: None

INTRODUCTION OF SPECIAL GUESTS: None

LIMITED PUBLIC COMMENT ON AGENDA ITEMS: Fire Chief Ryan Rank wanted the board to know that in his board report the Revenue amount stated was to high and that it would be corrected and given to the board.

Bales asked a question about the cost of the fire in Drexel Park a few days ago, Ryan responded.

SPECIAL PRESENTATIONS: None

CONSENT AGENDA

Motion to approve by Gregg, supported by Liedel. Roll Call Vote taken: Griewahn-Yes, Gregg-Yes, Moden-Yes, Benschoter-Yes, Carpenter-Yes, Liedel- Yes and Bales-Yes. Motion Carried 7-0.

BUILDING & GROUNDS COMMITTEE MEETING MINUTES:

Meeting was held on August 31, 2020. Minutes of the meeting were read by Trustee Bales, in which he stated that a list of open items were assigned to individuals to attend to and report back to the committee to make decisions on and then make recommendations to the board. This will allow for the board to have a better idea of the money that will need to be budgeted for the purpose of taking care of the issues that we are aware of now. Motion to accept the minutes as read and was seconded by Clerk Moden. Roll Call Vote taken: Griewahn - Yes, Gregg-Yes, Moden-Yes, Benschoter- not on phone at time of vote, Carpenter-Yes, Liedel- Yes and Bales-Yes. Motion Carried 6-0.

PERSONNEL COMMITTEE MEETING MINUTES:

Meeting was held on September 3, 2020. Minutes of the meeting were read by Clerk Moden, in which a request from Fire Chief Ryan Rank to hire Nathan Keil as a full time paramedic/firefighter for the open position on 8 hr. shift Monday thru Friday as part of the Safer Grant. His qualifications were read and discussed. His anticipated date of hire would be September 21st if all his required tests come back positive.

A motion to approve the minutes as read by Clerk Moden, seconded by Liedel. Roll Call Vote taken: Griewahn - Yes, Gregg-Yes, Moden-Yes, Benschoter-Yes, Carpenter-Yes, Liedel- Yes and Bales-Yes. Motion Carried 7-0.

A motion was made by Gregg, seconded by Griewahn to hire Nathan Keil by September 21st as paramedic/firefighter full time in the open Safer Grant position. Roll Call Vote taken: Griewahn - Yes, Gregg-Yes, Moden-Yes, Benschoter-Yes, Carpenter-Yes, Liedel- Yes and Bales-Yes. Motion Carried 7-0.

OLD BUSINESS/UNFINISHED BUSINESS:

Second Reading of Ord #30/State Construction Code:

Supervisor Griewahn held a second reading of Ordinance # 30, regarding the State Construction Code regarding meeting the requirements for the Flood plan for the township and publishing of same. Motion by Griewahn, seconded by Moden to accept the second reading as read. Roll Call Vote taken: Griewahn - Yes, Gregg-Yes, Moden-Yes, Benschoter-Yes, Carpenter-Yes, Liedel- Yes and Bales-Yes. Motion Carried 7-0.

Amend of Marijuana Overlay Setbacks in Ord. #44:

The current ordinance language for General Industrial District (I-2) setbacks does not allow for real property to be less than 250 ft from residential property, while all other setbacks in the ordinance are at 100 ft. All other types of named properties in the Sec. 5.23.01. (i) Buffer Zones (1) are to remain the same.

A motion was made by Supervisor Griewahn to remove the words “or residential zoned property.” in Ordinance #44, Section 5.23.01, (i) Buffer Zones (1.). Roll Call Vote taken: Griewahn - Yes, Gregg-Yes, Moden-Yes, Benschoter-Yes, Carpenter-Yes, Liedel- Yes and

Bales-Yes. Motion Carried 7-0. This will be the first reading of the change, it will now be published on the township website and posted in three places at the township for public viewing.

Status of the Baldwin Lift Station: Everything is complete. We are withholding 5% invoice payment, to see if the grass grows appropriately in the reseeding/reconditioning of the property before final payment. Discussion was held about the township getting a landscaper to come in and do it and deduct the cost from the final payment. Trustee Liedel suggested that we not put this company on our approved contractor's list for any future work for the township.

Status of the Kennedy Lawsuit: Per Fred Lucas, township legal counsel, delivered a check to close the settlement for \$85,000 to the township. The township will owe \$10,500 instead of \$25,000 to Tokyo Marine insurance company to totally close the project.

Status of the Pump House property:

Fred stated that he had a letter of intent to buy the Pump property at \$150,000, which would also include the attached lots. After much discussion and questions a motion was made by Bales, seconded by Carpenter to have Lucas send a letter to the prospective buyer stating that the board accepts his offer of \$150,000 good for 30 days, with contingencies that if another offer comes before there is money paid, that the township can accept another offer without prejudice. Roll Call Vote taken: Griewahn - Yes, Gregg-Yes, Moden-Yes, Benschoter-Yes, Carpenter-Yes, Liedel- Yes and Bales-Yes. Motion Carried 7-0.

Walmart Tax Tribunal: Per Fred Lucas, legal counsel it was suggested that the township get a specialized attorney to represent the township in the State Tax Tribunal with Walmart who is asking for a 2 million dollar reduction in their property assessment for tax purposes. Since this will also effect the County as well, Fred talked with the County Administrator about going with the township on the cost of the attorney which would be approx. \$200/hr and a specialized appraiser, John Whitmer would cost approx. \$5k to \$7.5K. The County is interested in helping with the legal costs.

A motion by Liedel, seconded by Griewahn, that the township hire Hallahan & Assoc. legal group to represent us at the tax tribunal with regard to the Walmart attempt to get 2 million dollar assessment reduction in property taxes, and to also hire John Whitmer as our appraiser as part of our defense in this case. Roll Call Vote taken: Griewahn - Yes, Gregg-Yes, Moden-Yes, Benschoter-Yes, Carpenter-Yes, Liedel- Yes and Bales-Yes. Motion Carried 7-0.

NEW BUSINESS:

Zoning Inspector Terry Henry presented a land split to the board for approval. The land in question is owned by Conrad Gautz at 4518 Graham Hwy, zoned agricultural and is to be split into 2 parcels, one being for a new home to be built. The size of the parcels meets the zoning requirements.

Motion by Bales, seconded by Gregg, to accept the recommended land split. Roll Call Vote taken: Griewahn - Yes, Gregg-Yes, Moden-Yes, Benschoter-Yes, Carpenter-Yes, Liedel- Yes and Bales-Yes. Motion Carried 7-0.

PA 116 MDO-128-3100-00, 5000 Lyons Hwy – Wyckoff property

Clerk Moden presented #03-2020 - PA116 Application for Farmland Agreement for 34 acres of farm ground on Lyons Hwy that has been approved with comments by the Lenawee County Planning Commission. There are no buildings on the property owned by Christopher Wyckoff. Motion by Moden, seconded by Liedel to accept the PA116 application at MDO-128-3100-00. Roll Call Vote taken: Griewahn - Yes, Gregg-Yes, Moden-Yes, Benschoter-Yes, Carpenter-Yes, Liedel- Yes and Bales-Yes. Motion Carried 7-0.

ELECTED OFFICIALS COMMENTS: Issue with Perpetual Garage Sales in the Township Clerk Moden brought up the status of the tabled board matter of complaints about people who are having ongoing all summer long garage sales, with the question being, are these really resale businesses in disguise that are operating in zoned residential areas. There have been several complaints by neighboring parties that this is becoming a blight issue, and a parking and traffic issue for residents. Currently the clerk is working on collecting information as to how neighboring townships and cities handle this issue, before we bring back to the board for review. The issue is still tabled until that happens.

PUBLIC COMMENTS: Resident Janice Raymond of 3154 Planeview Dr. asked the board if they could help her get results and answers from the Lenawee County Health regarding an ongoing problem of raw sewage on the ground surface from neighboring property. They had received an email from the Health Dept on June 25th stating the contractor would be out the following week to replace it, and currently nothing has happened, nor has there been any communication from the Health Dept.

Fire Chief Ryan Rank stated that he had a meeting scheduled with Martha Hall, head of the Health Dept and he will bring it up with her and let her know that the issue was brought to the township board. He will email the results to the residents.

ANNOUNCEMENTS: None

ADJOURNMENT/RECESS:

Motion to adjourn by Gregg, supported by Benschoter. Roll Call Vote taken: Griewahn- Yes, Gregg-Yes, Moden-Yes, Benschoter-Yes, Carpenter-Yes, Liedel- Yes and Bales-Yes. Motion Carried 7-0.

Meeting adjourned at 8:17 p.m.

Respectfully,

Janet M. Moden
Madison Township Clerk