



Township Board of Trustees
Regular Meeting Minutes, Monday, August 20, 2012

1. – 3. CALL TO ORDER. The Charter Township of Orion Board of Trustees held a regular meeting on Monday, August 20, 2012, at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan. Supervisor Van Tassel called the meeting to order at 7:00 p.m.

BOARD MEMBERS PRESENT: JoAnn Van Tassel, Penny Shults, Alice Young, Neal Porter, John Steimel, Michael Flood

BOARD MEMBERS ABSENT: D-Arcy Gonzales

OTHERS PRESENT:

Edward Peters	Aaron Hanke	Eugene McNabb Jr.	Tom Macdonald
Mike Mahan	Emily Engelhart	Fred Kaiser	Logan Kaiser
Eugene McNabb	Donni Steele	Chris Barnett	Valerie Keyes
Mark Latshaw	Brad Klein	Chris Carpenter	Jennifer Carpenter
Mark Crane	Jaclyn Brooks	Marylou Enneking	Michael Cicchini
Mark Thurber			

All rose for the Pledge of Allegiance. Trustee Mike Flood gave the Invocation.

4. APPROVAL OF BILLS. Moved by Trustee Flood, seconded by Trustee Porter, to authorize payment of bills dated July 30, August 1, August 2, August 8, August 14, and August 16, 2012 in the amount of \$1,188,597.32 and payroll dated August 1, August 15, and August 16, 2012 in the amount of \$204,265.86; for a total disbursement of funds in the amount of \$1,392,863.18, as presented. AYES: Van Tassel, Shults, Young, Porter, Steimel, Flood NAYS: None ABSENT: Gonzales MOTION CARRIED

5. BRIEF PUBLIC COMMENT. Public comment was heard.

6. APPROVAL OF AGENDA.

Trustee Porter requested 7.I. Hire Operations Director be changed to 8.J.

Clerk Shults requested 7.J. Parks Manager Job Description be changed to 8.K., addition of Checkers/Brown Road as 8.L. and addition of Tri-Party Funds as 8.N.

Treasurer Young requested additional items be added to 8.G. Request for Job Re-classifications.

Supervisor Van Tassel requested addition of 8.M. Bike Rack and Closed Executive Session to discuss Attorney Opinion Letter, Union Negotiations, Possible Purchase of Property.

Moved by Clerk Shults, seconded by Trustee Steimel, to approve the agenda, as amended.
MOTION CARRIED

7. CONSENT AGENDA

- A. Minutes, Regular Meeting, Monday, July 30, 2012
- B. MMRMA Quarterly Report – Receive and File
- C. Environmental Resources Committee Appointment
- D. Street Closure Request – Clint Court Subdivision Block Party
- E. Paint Creek Trailways 2013 Budget – Receive and File
- F. Award Bid – Indian Lake Road Drainage
- G. Award Bid – Safety Path Program and Water main Extension
- H. Outdoor Assembly Permit – Oktoberfest Event at Canterbury Village
- I. Parks and Recreation Committee Resignation
- J. Request to Sell Concessions – Wildwood
- K. Request to Extend Farmer’s Market Dates

Moved by Trustee Steimel, seconded by Trustee Porter, to approve the Consent Agenda, as amended. AYES: Young, Porter, Steimel, Flood, Van Tassel, Shults NAYS: None ABSENT: Gonzales MOTION CARRIED

8. PENDING BUSINESS

A. Request for Survey – McNabb/Dan’s Excavating. Moved by Trustee Porter, seconded by Trustee Flood, to authorize OHM to prepare a base line topographic survey of existing conditions on Lots 9 through 12 of Mt. Judah Farms Subdivision at a cost not to exceed \$4,800.00 with this expense coming from line item 101-248-810.001. AYES: Porter, Steimel, Flood, Van Tassel, Shults, Young NAYS: None ABSENT: Gonzales MOTION CARRIED

B. PC-2012-07: Conditional Rezoning-Orion Square: Second Reading. Moved by Trustee Flood, seconded by Trustee Porter, to declare that the second reading was held on August 20, 2012 and to approve PC-2012-07, Orion Square Conditional Rezoning and Map Amendment to Zoning Ordinance No. 78 and Conditional Rezoning for property located at 4960 S. Baldwin Road (Sidwell # 09-32-351-005), from General Business 2 (GB-2) to General Business 1 (GB-1) and to authorize the Township Supervisor and Township Clerk to sign the Conditional Rezoning Agreement. This approval is subject to the items in the Planner’s review letter and the RCOC review letter being addressed. AYES: Porter, Steimel, Flood, Van Tassel, Shults, Young NAYS: None ABSENT: Gonzales MOTION CARRIED

C. PC-2004-23 (2012): Village Square PUD Amendment – Concept Plan. Moved by Clerk Shults, seconded by Trustee Flood, to approve PC-2004-23(2012), Village Square PUD Amendment Concept Plan date stamped July 26, 2012 located at 3590 S. Baldwin Road (Sidwell #'s 09-29-301-083 & 09-29-301-006). This approval is subject to the following: 1. The removal of the two drive-through sites and labeling the area as future commercial; 2. Clarifying the landscape buffers prior to final PUD approval; 3. Addressing the comments in the review letters by R. Donald Wortman (Township Planner) of Carlisle/Wortman Associates, Inc., and Dave Schroeder (Township Engineer) of Orchard, Hiltz & McCliment; 4. Mandate that the resolution is that the ownership be unified control or that it be a joint authority of the owners. AYES: Steimel, Flood, Van Tassel, Shults, Young, Porter NAYS: None ABSENT: Gonzales MOTION CARRIED

D. Ord. 143, Fireworks Safety Standards: Second Reading. Moved by Clerk Shults, seconded by Treasurer Young, to declare the second reading held and adopt Ord. 173, Fireworks Safety Standards. AYES: Flood, Van Tassel, Shults, Young, Porter NAYS: Steimel ABSENT: Gonzales MOTION CARRIED

E. Political Use of Township Property. Moved by Clerk Shults, seconded by Trustee Porter, to authorize Township Attorney to draft an opinion letter regarding the use of Township property to expressly advocate voting for or against a candidate or ballot proposal. AYES: Van Tassel, Shults, Young, Porter NAYS: Steimel, Flood ABSENT: Gonzales MOTION CARRIED

F. Senior Advisory Council By-Law Amendments. Moved by Clerk Shults, seconded by Trustee Flood, to refer the proposed Senior Advisory Council By-Law Amendments back to the Ad Hoc Committee to make corrections and bring back to the Board for possible adoption on September 4, 2012. MOTION CARRIED

G. Request for Job Re-classifications. Trustee Steimel requested to be recused from voting on the Job Re-classifications due to a family member benefiting financially.

Moved by Clerk Shults, seconded by Treasurer Young, to honor Trustee Steimel's request to abstain from voting on the Job Re-Classifications because of his stated reason that it involves a family member. AYES: Young, Van Tassel, Shults NAYS: Flood, Porter ABSTAIN: Steimel ABSENT: Gonzales MOTION FAILED

Moved by Clerk Shults, seconded by Trustee Porter, to allow Trustee Steimel to abstain from voting on the issue directly related to his family member. AYES: Porter, Flood, Van Tassel, Shults, Young NAYS: None ABSTAIN: Steimel ABSENT: Gonzales MOTION CARRIED

H. 2013 Pay Rates.

Department of Public Works. Moved by Clerk Shults, seconded by Supervisor Van Tassel, to approve the reclassification of Marsha Carroll, Office Coordinator, from Level 5 to Level 6 and to approve the reclassification of Liz Jedlicki, Billing Clerk, from Level 3 to Level 4, effective January 1, 2011. MOTION AMENDED

Moved by Clerk Shults, seconded by Supervisor Van Tassel, to amend previous motion to reflect an effective date of August 23, 2012. AYES: Flood, Van Tassel, Shults, Young NAYS: Porter, Steimel ABSENT: Gonzales MOTION CARRIED

Clerk's Department. Moved by Treasurer Young, seconded by Clerk Shults, to approve the reclassification of Julia Steimel, from Level 3 to Level 4, Records Coordinator, effective August 23, 2012. AYES: Van Tassel, Shults, Young, Flood NAYS: Porter ABSTAIN: Steimel ABSENT: Gonzales MOTION CARRIED

Treasurer's Department. Moved by Treasurer Young, seconded by Trustee Flood, to approve the reclassifications of Kim Boesl from Level 6 to Level 7, Assistant to the Treasurer, and Shannon Gries from Level 4 to Level 5, Accountant III, effective August 23, 2012. AYES: Shults, Young, Flood, Van Tassel NAYS: Porter, Steimel ABSENT: Gonzales MOTION CARRIED

Moved by Trustee Porter to approve the recommended pay rates for 2013. MOTION FAILED - NO SUPPORT

Moved by Trustee Steimel, seconded by Trustee Flood, to use the numbers recommended in the memo from the Supervisor dated August 20, 2012 for 2013 budgeting purposes. MOTION CARRIED.

I. Request to Purchase Truck. Moved by Trustee Flood, seconded by Treasurer Young, to approve the purchase of a 2013 GMC Sierra 2500 HD 4WD extended cab 144.2" work truck from Red Holman GMC through the Oakland County coop purchase plan at a cost of \$25,687.00 with the funds to come from line item 401-958-978. AYES: Porter, Steimel, Flood, Van Tassel, Shults, Young NAYS: None ABSENT: Gonzales MOTION CARRIED

The Board was in recess from 10:10 p.m. to 10:15 p.m.

The Regular Board meeting was reconvened at 10:15 p.m.

J. Hire Operations Director. Moved by Clerk Shults, seconded by Trustee Porter, to postpone action to a future Board meeting. MOTION CARRIED

K. Parks Manager Job Description. Moved by Trustee Porter, seconded by Trustee Flood, to approve the revised and re-titled job description per the Supervisors recommendations. MOTION AMENDED

Moved by Trustee Porter, seconded by Trustee Flood, to amend previous motion to reflect the re-titled position to Parks/Grounds Coordinator, instead of Parks/Grounds Manager. AYES: Shults, Young, Porter, Steimel, Flood, Van Tassel NAYS: None ABSENT: Gonzales MOTION CARRIED

L. Checkers/Brown Road. Moved by Trustee Porter, seconded by Clerk Shults, to authorize the Township attorney to work with the attorney for the developer and to bring a Development Agreement recommendation back to the Board for consideration on September 4, 2012. MOTION CARRIED

Moved by Treasurer Young, seconded by Clerk Shults, to extend the meeting until all agenda items are completed. MOTION CARRIED

M. Bike Racks at Orion Center. Moved by Trustee Porter, seconded by Treasurer Young and Clerk Shults, to approve the Eagle Scout project and allow Caelin Craig to install bike racks at the Orion Center of the type and at the locations shown on the materials received from Lisa Sokol dated August 16, 2012. MOTION CARRIED

N. Tri-Party Funds. Moved by Trustee Flood, seconded by Clerk Shults, to authorize OHM to prepare preliminary cost estimates for possible Tri-Party Fund projects for the following: drainage problem on Rohr Road, Axford from Indianwood to north of entrance at St. Joseph Church, pave original portion of Gregory Road, and take the jog out of Sherri Drive. MOTION CARRIED

9. PUBLIC COMMENT. No public comment was heard.

10. BOARD MEMBER COMMENTS. Board member comments were heard.

11. EXECUTIVE SESSION: Consider Attorney Opinion letter, Union Negotiations, Purchase of Property.

Moved by Clerk Shults, seconded by Trustee Porter, to go into Closed Executive Session to discuss Attorney Opinion Letter, Union Negotiations, and Purchase of Property. AYES: Porter, Steimel, Flood, Van Tassel, Shults, Young NAYS: None ABSENT: Gonzales MOTION CARRIED

The Board was in Closed Executive Session from 11:35 p.m. to 11:56 p.m.

Moved by Trustee Steimel, seconded by Trustee Flood, to reconvene the regular meeting at 11:56 p.m. MOTION CARRIED

Moved by Clerk Shults, seconded by Trustee Flood, to authorize the Supervisor to sign the agreement with Teamsters Union regarding rate of pay for working on Labor Day. AYES: Steimel, Flood, Van Tassel, Shults, Young, Porter NAYS: None ABSENT: Gonzales MOTION CARRIED

Moved by Trustee Flood, seconded by Treasurer Young, to authorize the attorney to complete the agreement with Comp Comm, L.L.C. to conduct a RF study regarding the proposed Verizon cell tower. AYES: Flood, Van Tassel, Shults, Young, Porter, Steimel NAYS: None ABSENT: Gonzales MOTION CARRIED

Moved by Clerk Shults, seconded by Treasurer Young, to authorize the Supervisor to submit a Land Transaction Application to the Department of Environmental Quality. AYES: Shults, Young, Porter, Steimel, Flood, Van Tassel NAYS: None ABSENT: Gonzales MOTION CARRIED

12. ADJOURNMENT. Moved by Treasurer Young, seconded by Trustee Porter, to adjourn. MOTION CARRIED The meeting was adjourned at 11:59 p.m.