

**CHARTER TOWNSHIP OF ORION BOARD OF TRUSTEES  
MINUTES, REGULAR MEETING, MONDAY, MAY 20, 2019**

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**1. CALL TO ORDER.** The Charter Township of Orion Board of Trustees held a work session/regular meeting on Monday, May 20, 2019 at the Orion Township Hall, 2525 Joslyn Road, Lake Orion, Michigan. Supervisor Barnett called the meeting to order at 6:00 p.m.

**BOARD MEMBERS PRESENT:** Chris Barnett, Penny Shults, Donni Steele, Brian Birney, Julia Dalrymple, Mike Flood, John Steimel

**BOARD MEMBERS ABSENT:** None

**OTHERS PRESENT:**

Dan Dewey	Patricia Lareau	Jim Butler	Todd Hamula
Tonya Hamilton	Zach Coyle	Lil Hutchison	Aaron Whatley
Scott Kree	Carl Cyrowski	Michael Strols	Jessica Katers
Alisha Stidam			

**2. WORK SESSION (6:00 p.m.):** Fire Station #3 and DPW Building Renovation/Addition.

A presentation was given by Auger Klein Aller and Cunningham-Limp for Orion Township.

Scott Kree gave an overview of the scope of the renovations and addition to the DPW Building.

An overview of Fire Station 3, Administration Addition and Renovation was given.

The Board was in temporary recess from 6:45 p.m. – 7:00 p.m.

Supervisor Barnett reconvened the regular meeting at 7:00 p.m.

**3. INVOCATION AND PLEDGE.** Trustee Birney gave the Invocation, followed by the Pledge of Allegiance.

**4. RECOGNITION: AED Lifesaving Awards.** Supervisor Barnett recognized Oakland County Sherriff Deputy Mike Summers and Orion Township Firefighter Scott Lark for their heroism when performing life saving measures on an Orion Township resident.

Supervisor Barnett also recognized the Orion Township Building Department for their efforts in hosting an Open House engaging our residents on the importance of the building department and the safety that they provide our community.

**5. APPROVAL OF BILLS.** Moved by Clerk Shults, seconded by Trustee Birney to authorize payment of bills in the amount of \$1,054,564.46 and payrolls in the amount of \$153,177.67, for a total disbursement of funds in the amount of \$1,207,742.13, as presented.

AYES: Steimel, Barnett, Shults, Steele, Birney, Dalrymple, Flood

ABSENT: None      NAYS: None      MOTION CARRIED

**6. BRIEF PUBLIC COMMENT.** Public comment was heard.

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**7. APPROVAL OF AGENDA.** Supervisor Barnett noted additional pieces of information for Board Members. Clerk Shults added Item 10.D. Report for Building Inspector Fees under Reports. Trustee Steimel requested moving down Item L. Long Lake Water Quality Control SAD #1 – Schedule Public Hearing on Cost Estimate from Consent to Pending, 9.I. Moved by Trustee Flood, seconded by Trustee Birney to approve the Agenda, as amended.  
MOTION CARRIED

**8. CONSENT AGENDA**

**A. Minutes, Regular Meeting: Monday, May 6, 2019.** Approve, as presented.

**B. Minutes, Public Hearing: SSH & SSH #1 Private Road Maintenance, SAD #3, Monday, May 6, 2019.** Approve, as presented.

**C. Minutes, Public Hearing: Square Lake Water Quality Control SAD #3B, Monday, May 6, 2019.** Approve, as presented.

**D. Hire Deputy Sergeant Position – Oakland County Sherriff’s Office.** Add Deputy/Sergeant Position in order to have adequate supervision on all three shifts, along with weekend coverage for Orion Township Oakland County Sherriff’s Office.

**E. First Reading – Update Possession or Use of Marihuana Ordinance.** Declare the First Reading of Ordinance No. 121, Possession or Use of Marihuana Ordinance held, and direct the Clerk to publish for second reading and possible adoption on June 3, 2019.

**F. First Reading – Update Fireworks Ordinance.** Declare the First Reading of Ordinance No. 143, Fireworks Safety Standards held, and direct the Clerk to publish for second reading and possible adoption on June 3, 2019.

**G. First Reading – Update Noxious Weed Ordinance.** Declare the First Reading of Ordinance No. 79, Noxious Weeds held and direct the Clerk to publish for second reading and possible adoption on June 3, 2019.

**H. Award Bid – Indianwood Road Safety Path Phase III.** Authorize the Supervisor to enter into a contract with Superior Excavating to install the Indianwood Safety Path, Phase III, for a cost not to exceed \$614,305.00, and to allow the Budget Coordinator to make the necessary budget adjustments.

**I. Special Permit Application Under Ord. 76 – Good Shepherd Lutheran Church.** Approve the request for a Special One-Day Permit for the Good Shepherd Lutheran Church under Ord. 76, Alcoholic Beverages Regulation for their event to be held on June 8, 2019, pending State approval, and waive the \$300 application fee.

**J. Michigan Municipal League Membership.** Approve joining the Michigan Municipal League at the Associate Membership level, and have the Accounting Controller make the

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necessary budget adjustments.

**K. Purchase Keyless Access Control System for Fire Stations #2 and #4.** Authorize the Fire Department to purchase a keyless access control system for Fire Stations 2 and 4 and approve the proposal by Alarm Security Network, P.O. Box 210448, Auburn Hills, MI 48321 at a total cost of \$28,800 for purchase and installation of a building keyless access control system.

**L. Long Lake Water Quality Control SAD #1 – Schedule Public Hearing on Cost Estimate.** Adopt the Resolution for Long Lake Water Quality Control Special Assessment District #1 (Weed/Algae Control) on Cost Estimate, scheduling the Public Hearing for Monday, July 1, 2019 at 7:00 p.m.

**M. Elkhorn Lake Water Quality Control SAD #6 – Set Public Hearing on Cost Estimate.** Adopt the Resolution for Elkhorn Lake Water Quality Control (Weed/Algae) SAD #6 Cost Estimate, scheduling the Public Hearing for Monday, July 1, 2019, immediately following the 7:00 p.m. Public Hearing for the Long Lake Water Quality Control SAD #1.

Moved by Trustee Flood, seconded by Trustee Birney to approve the Consent Agenda, as presented. AYES: Steele, Birney, Dalrymple, Flood, Steimel, Barnett, Shults  
ABSENT: None NAYS: None MOTION CARRIED

## **9. PENDING BUSINESS**

**A. 2018 Audit Presentation.** Moved by Trustee Flood, seconded by Trustee Birney to accept the 2018 Audit, as presented, and to authorize filing the Audit and Management Letter with the local audit division of the Michigan Department of Treasury.

AYES: Birney, Dalrymple, Flood, Steimel, Barnett, Shults, Steele ABSENT: None  
NAYS: None MOTION CARRIED

**B. Land Division/Boundary Adjustment Appeal Denial of LS-19-06.** Moved by Clerk Shults, seconded by Trustee Flood to approve the appeal of the land division boundary adjustment appeal of the denial of lot split 19-06, in accordance with what was presented for the survey by PEA, Incorporated, dated November 1, 2018.

AYES: Dalrymple, Flood, Steimel, Barnett, Shults, Steele, Birney ABSENT: None  
NAYS: None MOTION CARRIED

**C. First Reading: Recreational Marihuana Ordinance.** Moved by Clerk Shults, seconded by Trustee Flood to approve the first reading of the Ordinance prohibiting marihuana establishments within the Charter Township of Orion, and direct the Township Clerk to publish said ordinance as required by law, and schedule the second reading for the Township Board meeting on June 3, 2019.

AYES: Barnett, Shults, Steele, Birney, Dalrymple, Flood, Steimel ABSENT: None  
NAYS: None MOTION CARRIED

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**D. Award Bid – Wildwood Accessible Pathway.** Moved by Clerk Shults, seconded by Trustee Birney to proceed with the construction of the Wildwood accessible pathway, awarding the construction bid to WCI Contractors, Inc., with a total project cost not to exceed \$164,777.00 and authorize any necessary budget adjustments.

AYES: Shults, Steele, Birney, Dalrymple, Flood, Steimel, Barnett                      ABSENT: None  
NAYS: None                      MOTION CARRIED

**E. First Reading – PC-2019-11, Firestone Complete Auto Care Center Conditional Rezone Request. Accept the Planning Commissions motion to deny** Moved by Treasurer Steele in support of the Planning Commission’s decision to deny the rezoning of Parcel #09-02-177-013 and 09-02-177-014 based on their recommendation stated in the minutes, including, but not limited to the conditional rezoning that does not match the current master plan, the future use plan and it does not follow the intent of the transitional zoning for this parcel.  
MOTION FAILED DUE TO LACK OF SUPPORT

Moved by Clerk Shults, seconded by Trustee Steimel to approve PC-2019-11, Firestone Complete Auto Care Center Conditional Rezone Request to rezone 25 Indianwood Road and 545 N. Lapeer Rd. Parcel ID #09-02-177-013 and 09-02-177-014 from Restricted Business (RB) and General Business (GB) to General Business (GB) with conditions submitted by the applicant tonight and previously, and with a drafted agreement with those conditions spelled out by the Township attorney. The agreement will be brought back to the Board for approval.

AYES: Dalrymple, Barnett, Shults      ABSENT: None      NAYS: Birney, Flood, Steimel, Steele  
MOTION FAILED

**F. Request for Proposal – Orion Township Consultant and Professional Services.** Moved by Trustee Flood seconded by Trustee Birney to authorize the Township Supervisor to issue a request for proposals for the selection of consultant and professional services for Economic Development Consulting Services, Engineering Services, General Legal and Prosecution Services, Government Representation and Consulting Services, and Planning and Zoning Services.

AYES: Flood, Barnett, Steele, Birney                      ABSENT: None  
NAYS: Dalrymple, Steimel, Shults                      MOTION CARRIED

**G. Heights Road Emergency Sewer Main Repair.** Moved by Clerk Shults, seconded by Trustee Birney to have the Supervisor authorize Superior Excavating to begin rehabilitation work on the Heights Sanitary Sewer and authorize OHM to provide construction oversight and observation of the work in the amount of \$637,335.00 and have the Accounting Coordinator make the necessary budget adjustments.

AYES: Flood, Steimel, Barnett, Shults, Steele, Birney, Dalrymple                      ABSENT: None  
NAYS: None                      MOTION CARRIED

**H. Purchase of Property – Baldwin Road.** Moved by Clerk Shults, seconded by Trustee Birney to authorize the Supervisor to negotiate the purchase of the property at 4348 Baldwin Road for \$125,000.00 and make the necessary budget adjustments.

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AYES: Steimel, Barnett, Shults, Steele, Birney, Dalrymple, Flood                      ABSENT: None  
NAYS: None                      MOTION CARRIED

**I. Square Lake Water Quality Control SAD #3B – Citizen Request to Remove Parcels.**

Moved by Trustee Steimel seconded by Trustee Flood, based on a showing of no increase in taxable value, to remove the four vacant, landlocked parcels (176.09-09-477-008; 177.09-09-477-009, 178.09-09-477-010 and 181.09-09-476-007) from the SAD with the condition that, should access be developed, they will be added back into the SAD at that time.

AYES: Barnett, Shults, Steele, Birney, Dalrymple, Flood, Steimel                      ABSENT: None  
NAYS: None                      MOTION CARRIED

**10. REPORTS**

**A. Police/Fire Reports.** Moved by Trustee Birney, seconded by Trustee Flood to receive and file the Police and Fire Reports, as presented.

MOTION CARRIED

**B. MMRMA First Quarter Report.** Moved by Trustee Steimel, seconded by Trustee Birney to receive and file the MMRMA First Quarter Report, as presented.

MOTION CARRIED

**C. Financial Reports – Revenue & Expenditure, Balance Sheets and Cash Summary.** Moved by Clerk Shults, seconded by Trustee Birney to receive and file the Financial Reports-Revenue & Expenditure, Balance Sheets and Cash Summary, as presented.

MOTION CARRIED

**D. Building Inspector Fees.** Moved by Trustee Flood, seconded by Trustee Steimel to receive and file the Building Inspector Fees, as presented.

MOTION CARRIED

**11. PUBLIC COMMENT.** Public Comment was not heard.

**12. BOARD MEMBER COMMENTS.** Board member comments were heard.

**13. ADJOURNMENT.** Moved by Trustee Steimel, seconded by Trustee Birney to adjourn.

MOTION CARRIED                      The meeting was adjourned at 10:01 p.m.

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Penny S. Shults, Clerk

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Chris Barnett, Supervisor  
Charter Township of Orion

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Transcription: K. Comeau