

**REGULAR MEETING  
LENOX TOWNSHIP BOARD OF TRUSTEES  
APRIL 4, 2022**

- |                                      |                                   |
|--------------------------------------|-----------------------------------|
| <b>1. CALL TO ORDER:</b>             | 6:30 PM                           |
| <b>MEMBERS PRESENT:</b>              | Reeder, Kandell, Honold, Clifford |
| <b>MEMBER EXCUSED:</b>               | Gurley                            |
| <b>ATTORNEY PRESENT:</b>             | Addis, Kelley                     |
| <b>RESIDENTS AND GUESTS PRESENT:</b> | 12                                |
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MEETING AGENDA**

Supervisor Reeder explained that corrections were necessary to the Agenda, being under New Business, **d.** Sidewalk Waiver Request, the correct Parcel ID should be 19-06-36-400-018. One item was to be removed, being **p.** Township Seal Proposal.

Motion: Honold Support: Kandell

Motion to approve the Agenda, correcting the Parcel ID on **d.** adding a second sidewalk waiver request to **e.**, and removing **p.** Township Seal Proposal.

Roll Call Vote: Honold- Aye, Kandell- Aye, Clifford- Aye, Reeder- Aye. Motion passes.

**4. APPROVAL OF MINUTES**

Motion: Kandell Support: Honold

Motion to approve the minutes of March 7, 2022, and March 29, 2022.

Roll Call Vote: Kandell- Aye, Honold- Aye, Clifford- Aye, Reeder- Aye. Motion passes.

**5. PUBLIC ANNOUNCEMENTS**

Trustee Clifford reported that a Memorial Day Parade has been scheduled in the Village of New Haven on Monday, May 30, 2022, beginning at 10:00 AM at the New Haven Community Center.

**6. PUBLIC COMMENT**

Jeff Yaroch, State Representative 33rd District, thanked the Board for opening the building to allow him to continue his Listening Tour. He stated that this would be his last year representing the 33 District, as he is term limited. He will continue to work hard to represent the constituents in his District until the end of this year.

**7. CONSENT AGENDA**

All items listed under this Consent Agenda are considered routine by the Township Board and will be enacted by one motion. According to established Township meeting rules, there will be no separate discussion of these items, unless a member of the Board or public so requests at or prior to the meeting, in which event the chair of the meeting may remove such item(s) from the Consent Agenda for discussion and consideration under Agenda Item No. 8, below. Approval of the Consent Agenda shall be by a majority roll call vote of those present and voting. Under the Consent Agenda are items a. Public Safety Report, b. EMS Report, c. DPW Report, d. Code Enforcement Report, e. Assessing Department Report, f. Engineer Report, g. Planner Report, h. Library Report, i. Senior Center Report, j. Supervisor's Report, k. Treasurer's Report, l. Orders and Bills, m. Trustees Report, n. Clerk's Report.

Motion: Honold Support: Clifford

Motion to approve the Orders and Bills and invoices totaling \$911,886.26.

Roll Call Vote: Honold- Aye, Clifford- Aye, Reeder- Aye, Kandell- Aye. Motion passes.

## **8. ITEMS REMOVED FROM CONSENT AGENDA**

There were no items removed from the Consent Agenda at this meeting.

## **9. UNFINISHED BUSINESS**

### **A. TOWNSHIP VEHICLE PURCHASE PROPOSAL**

Supervisor Reeder reported that he obtained an additional vehicle quote in addition to the quote that he offered last week.

Trustee Clifford submitted two bids for vehicles that have extended cabs, as he feels that may be helpful in the case that the Water Department needs to use it.

Motion: Reeder Support: Honold

Motion to purchase of a 2022 Ford F-150 regular cab pickup truck from Dorian Ford at the cost of \$40,051.80.

Roll Call Vote: Reeder- Aye, Honold- Aye, Clifford- Nay, Kandell- Aye. Motion passes.

## **10. NEW BUSINESS**

### **a. FIRE DEPARTMENT MUTUAL AID AGREEMENT**

Public Safety Director Jeff White reported that the Fire Department Mutual Aid Agreement before the Board is a routine contract that was previously authorized between Lenox Township and Selfridge ANG Base. This Agreement is above and beyond the confines of MABAS or Multiple-Alarm Agreements and must be in place in the event of a large-scale incident within the community or on the base itself.

Motion: Kandell Support: Clifford

Motion to authorize the Public Safety Director Jeff White to sign the five-year Fire Department Mutual Aid Agreement with Selfridge Air National Guard Base as he has recommended.

Roll Call Vote: Kandell- Aye, Clifford- Aye, Honold- Aye, Reeder- Aye. Motion passes.

### **b. FIRE DEPARTMENT FIRE STATION #2 FURNACE REPLACEMENT**

Public Safety Director Jeff White explained that recently the furnace at Fire Station #2 began malfunctioning and had to be replaced. He requested that the Board ratify the emergency repair work at the cost of \$5,900.00.

Motion: Clifford Support: Honold

Motion to accept the bid from Comfort -Temp Heating and Cooling of a replacement furnace on an emergency basis for Fire Station #2 at the cost of \$5,900.00.

Roll Call Vote: Clifford- Aye, Honold- Aye, Reeder- Aye, Kandell- Aye. Motion passes.

White reported that the new Fire Department SUV is now in service and will be an incredibly cost-effective way to support the Fire Department in emergencies. He thanked the Board for their support of this endeavor that will assist the entire community.

### **c. GREAT LAKES WATER AUTHORITY (GLWA) HIGHLAND PARK BAD DEBT RESOLUTION**

Clerk Kandell read the proposed Resolution:

**WHEREAS**, Lenox Township receives water services from the Great Lakes Water Authority (GLWA) and is a paying member of GLWA; and

**WHEREAS**, the State of Michigan has a direct role in GLWA providing water services to the City of Highland Park; and

**WHEREAS**, the State of Michigan requested Detroit Water and Sewerage Department (DWSD) provide emergency water services to the City of Highland Park because the State of Michigan determined that Highland Park's water treatment plant was creating a public health risk to its residents; and

**WHEREAS**, on November 12, 2012, the State of Michigan stated that the repairs to the water treatment plant were to be completed within three to four days: and

**WHEREAS**, neither the State of Michigan nor the City of Highland Park made the necessary repairs to the water treatment plant which remains shuttered to this day; and

**WHEREAS**, the City of Highland Park has paid less than 1% of their water service charges since 2012; and

**WHEREAS**, since 2012, Highland Park has accumulated \$54,233,700.00 in debt to the GWLA for both water and sewer services. If this pattern of non-payment continues, the outstanding debt will rise to \$60,977,600.00 by the end of fiscal year 2023; and

**WHEREAS**, the City of Highland Park's debt has now been apportioned and passed along to the 87 other GLWA member communities, including the Lenox Township; and

**WHEREAS**, of the \$54,233,700.00 debt Highland Park has incurred since 2012, \$70,400.00 has been paid by Lenox Township ratepayers; and

**WHEREAS**, an additional \$11,560.00 in Highland Park debt is expected to be paid by the Lenox Township ratepayers by the end of FY2023; and

**NOW, THEREFORE BE IT RESOLVED**, that the Lenox Township Board of Trustees hereby requests the State of Michigan and Great Lakes Water Authority cease to require the 87 paying members of the GLWA to pay a portion of Highland Park's ongoing debt to the Great Lakes Water Authority.

**BE IT FURTHER RESOLVED**, Lenox Township is seeking alternatives, and exploring all options, to paying any portion of Highland Park's debt for FY 2022, FY 2023 and beyond.

**BE IT FURTHER RESOLVED**, that Lenox Township hereby requests the State of Michigan to become directly involved in resolving this dispute.

**BE IT FURTHER RESOLVED**, that Lenox Township asks the State of Michigan to develop a long-term infrastructure solution to address the water and sewer issues in Highland Park.

**BE IT FURTHER RESOLVED**, that Lenox Township calls on the State of Michigan and the State Legislature to pass legislation that will prevent future occurrences of unpaid debt by any member of GLWA being allocated for payment to paying members of the GLWA without their consent or approval.

**BE IT FURTHER RESOLVED**, Lenox Township demands reimbursement of \$71,740.00, and any future or other funds, paid by Lenox Township customers toward the Highland Park water debt.

Motion: Kandell Support: Reeder

Motion to approve Resolution 22-01 in Opposition to Lenox Water/Sewer Ratepayers' Continued Payment for Highland Park Water Debt as recommended.

Roll Call Vote: Kandell- Aye, Reeder- Aye, Honold- Aye, Clifford- Aye. Motion passes.

#### **d. GREAT LAKES WATER AUTHORITY (GLWA) WATER SERVICE CONTRACT AMENDMENT**

Township Engineer Sermed Saif explained that Water Service contracts are re-opened every four years to review the historical water usage analysis and examine the wholesale contract. He was able to retain contract values with no change for Lenox Township.

Motion: Clifford Support: Kandell

Motion to accept the Great Lakes Water Authority Water Service Contract Amendment as presented by Sermed Saif.

Roll Call Vote: Clifford- Aye, Kandell- Aye, Reeder- Aye, Honold- Aye. Motion passes.

#### **e. SIDEWALK WAIVER REQUESTS, 19-06-36-400-018, 37887 26 MILE ROAD AND 19-06-34-400-009, 32989 26 MILE ROAD**

Township Planner Steve Cassin explained that there are two sidewalk waiver requests for properties on 26 Mile Road. Both businesses have received Site Plan Review Approval in the last few months. He has no opposition to the waivers being granted to these properties, as the sidewalks currently serve no useful purpose. Cassin requested that the property owners or developers sign an agreement to construct sidewalks when sidewalks are developed along that road on neighboring properties.

1. The first request is from 19-06-36-400-018, Shell Gas Station, 37887 26 Mile Road.

Motion: Kandell Support: Clifford

Motion to follow Planner Cassin's recommendation to approve the sidewalk waiver for the Shell Gas Station at 37887 26 Mile Road, upon the execution of an agreement that states that they are exempt from sidewalks until such a time that future development takes place on neighboring parcels.

Roll Call Vote: Kandell- Aye, Clifford- Aye, Reeder- Aye Honold- Aye. Motion passes.

2. The second request is from 19-06-34-400-009, Northpointe Storage, 32989 26 Mile Road.

Motion: Kandell Support: Clifford

Motion to follow Planner Cassin's recommendation to approve the sidewalk waiver for the future Northpointe Storage at 32989 26 Mile Road, upon the execution of an agreement that states that they are exempt from sidewalks until such a time that future development takes place on neighboring parcels.

Roll Call Vote: Kandell- Aye. Clifford- Aye, Reeder- Aye, Honold- Aye. Motion passes.

**f. PLANNED UNIT DEVELOPMENT (PUD) AGREEMENT – MICHAEL E. TORRES**

Planner Cassin explained that he and the Township Attorney team have been working exhaustively to create a Planned Unit Development (PUD) Agreement that provides the Township's and the property owners flexibility in creating large-scale developments for a Medical Marihuana provider. The property owners have been granted 18 provisional grow certificates, a provisioning center, and a processing center, that could be housed in up to approximately one million square feet of indoor space. The Site Plan was approved and would be included in the Planned Unit Development Agreement as an exhibit.

Attorney Kelley remarked that the agreement was created with minimal deviations from the Township Ordinances and the Zoning Ordinances.

Motion: Kandell Support: Clifford

Motion to accept the Planned Unit Development Agreement with Michael E. Torres, as presented by the Township Planner Steve Cassin.

Roll Call Vote: Kandell- Aye, Clifford- Aye, Honold- Aye, Reeder- Aye. Motion passes.

**g. PARKS AND RECREATION ORDINANCE**

Planner Cassin detailed the proposed Parks and Recreation Ordinance, that takes into account many rules for park use. There are also provisions that would allow the Township to create a Parks and Recreation Committee, which would be required if Lenox should decide to apply for State of Michigan grants; he is recommending approval.

Motion: Honold Support: Clifford

Motion to follow the Township Planner's recommendation and approve the Lenox Township Parks and Recreation Ordinance.

Roll Call Vote: Honold- Aye, Clifford- Aye, Kandell- Aye, Reeder- Aye. Motion passes.

**h. ZONING ORDINANCE, SECTION 329, HOME OCCUPATION REGULATIONS AMENDMENT**

Planner Cassin shared that several revisions were necessary to Section 329 in the Zoning Ordinance. Public Safety Director and the Township Attorney recommended changes including monitoring property owners requesting and utilizing exorbitant amounts of electricity from utility companies without the correct approvals.

Motion: Kandell Support: Clifford

Motion to accept the Zoning Ordinance Amendment for Section 329, Home Occupation Regulations, as suggested by Planner Cassin.

Roll Call Vote: Kandell- Aye, Clifford- Aye, Honold- Aye, Reeder- Aye. Motion passes.

**i. 2022 MACOMB COUNTY DEPARTMENT OF ROADS DUST CONTROL PROGRAM**

Deputy Supervisor Mark Grabow detailed the 2022 Macomb County Dust Control Program. The County would apply two treatments of well brine to the Township's gravel roads at no cost to Lenox. If additional applications are requested, the Township would be required to pay the entire cost of the well brine at \$29,376.00 for each application, which is an increase of \$5,000 for the brine this year over last year. The Department of Roads would provide all labor costs and equipment for road grading without charge. There are over 54 miles of gravel roads in Lenox, the Department of Roads estimates applying 3,000 gallons of well brine per mile. There was no choice in vendors this year to apply the dust control, Macomb County was the only participant.

Motion: Kandell Support: Honold

Motion to approve the 2022 Macomb County Department of Roads Dust Control Program, with Macomb County providing all costs for two applications. Lenox Township would hold in abeyance the amount for additional applications, at \$29,376.00 each.

Roll Call Vote: Kandell- Aye, Honold- Aye, Clifford- Aye, Reeder- Aye. Motion passes.

**j. ASSESSMENT ADMINISTRATION SERVICES, LLC. CONTRACT RENEWAL**

Assessment Administration Services, LLC, has been providing cost effective solutions for municipalities since 2009. They have 20 staff members, with a total of 200 years of combined Assessing experience that provides assessing functions to 21 municipalities in six counties in southeastern Michigan. The Lenox Township Assessing Department recently achieved a perfect score on the Audit of Minimum Assessing Requirements (AMAR). The contract proposal is for three years, the first year, \$112,500, the second year, \$115,875, and the third year, \$119,350.

Motion: Clifford Support: Kandell

Motion to extend the contract with Assessment Administration Services, LLC., for three years beginning May 1, 2022, and expiring April 30, 2025.

Roll Call Vote: Clifford- Aye, Kandell- Aye, Honold- Aye, Reeder- Aye. Motion passes.

**k. PARKING LOT LIGHT POLE REPLACEMENT**

Clerk Kandell stated that DPW Superintendent Cam Trombly was unavailable for this meeting but had reported that a light pole in the parking lot broke off and fell down in the recent windstorm and must be replaced. He obtained three quotes, as follows:

Supreme Electric, Richmond, MI	\$3,960.00
Phillips Sign Company, Harrison Twp., MI	\$4,319.50
Lite Electric, Macomb, MI	\$7,200.00

Trombly recommended Supreme Electric as the low bidder, however, he informed the Board that lead time for this project is 14-16 weeks from the time of the order, due to supply chain issues.

Motion: Honold Support: Clifford

Motion to accept the bid from Supreme Electric to repair the light pole at the cost of \$3,960.00 as recommended by Cam Trombly.

Roll Call Vote: Honold- Aye, Clifford- Aye, Kandell- Aye, Reeder- Aye. Motion passes.

**l. EMPLOYEE #323 STATUS**

Deputy Supervisor Mark Grabow stated that on March 22, 2022, he received a letter of resignation from Employee #323. He recommended that the Board accept the resignation at this meeting.

Motion: Kandell Support: Honold

Motion to accept the resignation of Employee #323.

Roll Call Vote: Kandell- Aye, Honold- Aye, Clifford- Aye, Reeder- Aye. Motion passes.

**m. INTERIM SENIOR CENTER DIRECTOR**

Clerk Kandell reported that interviews were held, and a candidate was chosen for the Senior Center Director, however, that person recently contacted the Supervisor's Office and has decided to decline the position. Clerk Kandell and Treasurer Honold met with several staff members who expressed enthusiasm to work together to reopen the Senior Center in May. Exercise, Lunch, and Bingo would be done the first day centered around a Mother's Day theme. Board approval would be necessary to move forward utilizing staff members to perform the necessary duties.

Motion: Honold Support: Reeder

Motion to approve allowing the Lenox Township Staff to work together to restart the Senior Center, until a suitable person can be hired.

Roll Call Vote: Honold- Aye, Reeder- Aye, Clifford- Aye, Kandell- Aye. Motion passes.

**n. NEMC TV REPRESENTATIVE**

Clerk Kandell stated that there has always been two people representing Lenox Township for NEMC TV. One of the representatives has left employment with the Township, and Clerk Kandell is unable to fulfill her duties on a regular basis. Supervisor Reeder is willing to become the new NEMC TV representative.

Motion: Kandell Support: Honold

Motion to appoint Supervisor Anthony Reeder to begin serving as the Lenox Township NEMC TV Representative at the NEMC Meetings.

Roll Call Vote: Kandell- Aye, Honold- Aye, Reeder- Aye, Clifford- Aye. Motion passes.

**o. BUDGET WORKSHOP SCHEDULING**

Supervisor Reeder explained that as he is preparing the budget for the coming fiscal year, it is time to schedule budget workshops. He would like to schedule several, in the hopes of gathering all the information needed to approve the new budget before June 30, 2022.

Motion: Kandell Support: Clifford

Motion to schedule Budget Workshops for Tuesday, April 12, May 3, and May 17, 2022, all to begin at 4:00 PM.

Roll Call Vote: Kandell- Aye, Clifford- Aye, Honold- Aye, Reeder- Aye. Motion passes.

**11. PUBLIC COMMENT**

M. Grabow stated that the entire staff should be commended, as their dedication and determination to work together has been getting things done while he has been the Deputy Supervisor. He thanked the Board for putting together a great team, the residents don't always get to see what goes on behind the scenes. He appreciates the opportunity to be a part of the process.

K. Turchi inquired about the light pole in the parking lot, and whether the insurance company had been contacted. She also inquired whether the Fire Department has been trained and provided the proper equipment to fight fires in electric vehicles.

**12. CALL FROM THE BOARD**

Supervisor Reeder called on Deputy Supervisor Mark Grabow to address the concern of the cost of the light pole repair.

Grabow explained that the Township insurance deductible is high, and it would save the taxpayers and the Township money if Lenox were to pay the repair costs outright, instead of making a claim that could risk an increase in insurance premiums.

**13. ADJOURNMENT**

Motion: Honold Support: Gurley

Motion to adjourn the Meeting at 7:29 PM. All Ayes. Motion passes.

Respectfully submitted,

Respectfully submitted,

LuAnne Kandell, Clerk

Carol A. Swantek, Recording Secretary