
CHARTER TOWNSHIP OF BEDFORD

115 S. Uldriks Drive, Battle Creek, MI 49037

December 13, 2018 - 7:00 PM

MINUTES

1. CALL TO ORDER

Supervisor Johnson called the regularly scheduled Board meeting to order at 7:00pm.

2. PLEDGE OF ALLEGIANCE

The audience and Board members recited the Pledge of Allegiance.

3. The **OATH OF OFFICE** was administered to Trustee Dingman. The trustee position expires November 20, 2020.

4. ROLL CALL

Randolph Johnson, Supervisor; Joyce Feraco, Clerk; Chrisandra Dezotell, Treasurer; Joseph Cipic, Trustee; Connie Gibson, Trustee; Sally Shaw, Trustee; Kraig Dingman, Trustee.

5. RES. 12/13/18/54

Moved by Supervisor Johnson, supported by Trustee Gibson and resolved by the Board of Trustees of the Charter Township of Bedford to accept the resignation of Randolph Johnson as Police Commissioner, due to his being elected to the position of Supervisor.

ROLL CALL:

Cipic-yes; Shaw-yes; Gibson-yes; Dingman -yes; Johnson-abstain; Feraco -yes; Dezotell-yes; 6 yes, 0 no, 1 abstain; Motion carried.

6. RES. 12/13/18/55

Moved by Supervisor Johnson, supported by Trustee Cipic and resolved by the Board of Trustees of the Charter Township of Bedford to appoint Trustee Dingman as Police Commissioner, due to Randolph Johnson being elected to the position of Supervisor and resigning from the Police Commissioner position. This position will work as a liaison between the township board and the police department and will establish a committee to work on matters affecting the Township and its residents. All recommendations/concerns will be brought to the board for consideration.

ROLL CALL:

Shaw-yes; Gibson-yes; Dingman -yes; Johnson-yes; Feraco -yes; Dezotell-yes; Cipic-yes; 7 yes, 0 no, Motion carried.

7. APPROVAL OF THE DECEMBER 13, 2018 AGENDA

Moved by Supervisor Johnson, supported by Trustee Shaw and resolved by the Board of Trustees of the Charter Township of Bedford to approve the December 13, 2018 agenda, as submitted.

ROLL CALL:

Gibson-yes; Dingman -yes; Johnson-yes; Feraco -yes; Dezotell-yes; Cipic-yes; Shaw-yes; 7 yes, 0 no, Motion carried.

8. APPROVAL OF THE NOVEMBER 8, 2018 MINUTES

Moved by Supervisor Johnson, supported by Trustee Cipic and resolved by the Board of Trustees of the Charter Township of Bedford to approve the November 8, 2018 minutes, as submitted.

ROLL CALL:

Dingman –yes; Johnson-yes; Feraco –yes; Dezotell-yes; Cipic-yes; Shaw-yes; Gibson-yes; 7 yes, 0 no, Motion carried.

9. APPROVAL OF THE DECEMBER 12, 2018 MINUTES

Moved by Supervisor Johnson, supported by Trustee Shaw and resolved by the Board of Trustees of the Charter Township of Bedford to approve the December 12, 2018 minutes, as submitted.

ROLL CALL:

Johnson-yes; Feraco –yes; Dezotell-yes; Cipic-yes; Shaw-yes; Gibson-yes; Dingman –yes; 7 yes, 0 no, Motion carried.

10. SUPERVISOR'S ADDRESS

Supervisor Johnson thanked everyone for their support and talked about wanting to promote Bedford through relationships with the Chamber of Commerce and other municipalities. Residents will notice some changes as we spruce up and make a better Bedford.

11. CITIZENS TIME – agenda items only

A resident welcomed the new Board members and wished the Board well as we move forward.

12. SPECIAL ORDER OF BUSINESS

RES. 12/13/18/56

Moved by Supervisor Johnson, supported by Treasurer Dezotell and resolved by the Board of Trustees of the Charter Township of Bedford to proclaim:

WHEREAS, motor vehicle crashes involving alcohol (with at least one driver with a blood alcohol concentration of .08 grams per deciliter or above) accounted for almost thirty percent of all motor vehicle traffic fatalities in 2017 (killing 10,874 people, an increase again over 2016) and injure hundreds of thousands more every year in the United States;
and

WHEREAS, the mid' December through end of December holiday period is traditionally one of the most deadly times of the year for alcohol-impaired driving;
and

WHEREAS, in 2017 one person was killed every 48 minutes in a drunk-driving crash in the United States;
and

WHEREAS, according to the National Traffic Safety Administration, 885 people lost their lives in traffic crashes involving a drunk driver during the month of December 2017;
and

WHEREAS, organizations across the nation are joining together to promote a Holiday Season Impaired Driving Prevention Campaign in December 2018 and the "Drive Sober or Get Pulled Over" national public awareness campaign and law enforcement initiatives during the December 13 - 31, 2018 time period;

NOW, THEREFORE, I, Randolph Johnson, do hereby proclaim December 2018 as Holiday Season Impaired Driving Prevention, and recognize the December 13-31, 2018 "Drive Sober or Get Pulled Over" Enforcement campaign in the Charter Township of Bedford, Calhoun County, Michigan. We call upon everyone to promote awareness of the impaired driving problem, to promote safer and healthier behaviors regarding the use of alcohol and other drugs, and to promote the awareness campaign this holiday season and throughout the year.

ROLL CALL:

Feraco –yes; Dezotell-yes; Cipicic-yes; Shaw-yes; Gibson-yes; Dingman –yes; Johnson-yes;
7 yes, 0 no, Motion carried.

THE PUBLIC HEARING FOR THE 2019 BUDGET WAS OPENED AT 7:14 PM

The budget is in the amount of \$2,494,066.00. The Public Hearing was advertised in the Battle Creek Shopper.

13. COMMUNICATIONS - ATTACHED DOCUMENTS

- *Draft - November 8, 2018 Minutes
- *Draft - December 12, 2018 Minutes
- *Check Register
- *Siegfried Crandall CPA correspondence referencing preparation and method for the 2018 audit.
- *Lifecare report
- *BC Area Transportation Study
- *Draft – Solar Ordinance
- *BCPD – incident data reports

14. REPORTS

{A) FINANCE

RES. 12/13/18/57

Moved by Supervisor Johnson, supported by Treasurer Dezotell and resolved by the Board of Trustees of the Charter Township of Bedford to approve payment of expenses totaling \$248,400.16.

ROLL CALL:

Dezotell-yes; Cipicic-yes; Shaw-yes; Gibson-yes; Dingman –yes; Johnson-yes; Feraco –yes;
7 yes, 0 no, Motion carried.

RES. 12/13/18/58

Moved by Trustee Shaw, supported by Trustee Cipic and resolved by the Board of Trustees of the Charter Township of Bedford to approve a 27th pay period for 2018. The calendar year every 9-10 years adds an additional pay period to the year. The last compensation for the pay period for Bedford Township was done in 2009 which was Resolution 12/10/09/51.

ROLL CALL:

Cipicic-yes; Shaw-yes; Gibson-yes; Dingman –yes; Johnson-yes; Feraco –yes; Dezotell-yes; 7 yes, 0 no, Motion carried.

RES. 12/13/18/59

Moved by Treasurer Dezotell, supported by Trustee Shaw and resolved by the Board of Trustees of the Charter Township of Bedford

Whereas, the Township Board adopted a budget for the township in accordance with the provision of The Charter Township Act pertinent thereto covering the calendar year;

Whereas, as a result of changes in the anticipated revenues and unanticipated expenditures, it appears in the best interest of the Government of the Township to modify the aforesaid budget to consider the allocations and reallocation of department funds of the unencumbered surplus funds while still maintaining a balanced budget between total revenues and anticipated expenditures, and now, therefore, in accordance with Section 28 of The Charter Township Act, it is hereby resolved that the previously mentioned budget be hereby modified as follows:

2018 DEPARTMENT BUDGET EXPENDITURES

THE FOLLOWING DEPARTMENTS WILL:

	<u>INCREASE</u>	<u>DECREASE</u>
Township Board	77,550.00	
Admin Fund		1,500.00
Supervisor	3,176.00	
Elections	13,870.00	
Assessor	2,366.00	
Planning Commission	494.00	
Rentals		6,070.00
Clerk	2,304.00	
Building Department	12,509.00	
Mechanical Inspector	2,685.00	
Building Inspector	4,739.00	
Electrical Inspector	4,715.00	
Plumbing Inspector	774.00	
Treasurer	2,379.00	

Cemetery	10,744.00	
Fire Department	68,000.00	
Parks and Recreation		9,000.00
Fund Balance		189,745.00
TOTALS	\$ 206,315.00	\$206,315.00

ROLL CALL:

Gibson-yes; Dingman -yes; Johnson-yes; Feraco -yes; Dezotell-yes; Cipicic-yes; Shaw-yes;
7 yes, 0 no, Motion carried.

(B) PUBLIC HEALTH AND SAFETY

POLICE: Battle Creek Police Officer Gentry reviewed the activity reports and was available for questions.

FIRE: Chief Cochensparger thanked everyone for their support and gave a brief overview of their activities. He thanked everyone for coming out to see Santa at the event last week.

(C) BUILDING AND GROUNDS

Kevin reported that they are getting things done in the building to freshen things up.

(D) BUILDING OFFICIAL – Mark Hires stated that this time of year things are slowing down, but will pick back up for spring construction projects.

(E) CHAIRMAN OF PLANNING COMMISSION - Barry Beamish gave a review of current items in front of the Planning Commission, marijuana facilities, buffer zones for facilities and solar energy. Encouraged residents to continue to come to the meetings to be involved.

(F) BLIGHT OFFICER – Bill Scutt is continuing all efforts to review complaints and properties needing attention. Over 80 cases have cleared this year, with only a few remaining open and pending.

(G) LEGISLATIVE AND INTERGOVERNMENTAL RELATIONS

Prosecutor Gilbert announced that he was there doing his annual visit and reminded everyone that he is available and willing to work with us on anything that we need.

State Representative Elect Haadsma introduced himself and thanked everyone for their support, left his business card and advised everyone that he is available to help with any issues. Business cards are available in the Clerks' office.

Commissioner Frisbie announced that a new Managing Director of the Calhoun County Road Department has been hired. The 911 Dispatch budget has been passed. The cost will be going down and we can expect a refund in the near future. He congratulated Marty Uldriks on his upcoming retirement from the Dispatch center, after 22 years.

15. UNFINISHED BUSINESS

CLOSED PUBLIC HEARING AT 7:48 PM

RES. 12/13/18/60

Moved by Supervisor Johnson, supported by Trustee Shaw and resolved by the Board of Trustees of The Charter Township of Bedford:

Whereas, each township office has heretofore submitted to the Supervisor and itemized an estimate of anticipated expenditures for the township activities under his charge for the next calendar year of the township, and

Whereas, on the basis of the foregoing, the receiving officer has prepared a complete itemized budget proposal and has submitted the same to the Township Board, and

Whereas, a Public Hearing has been held by the township Board on said proposed budget preceded by the less than one week published notice as required by section 26 of the Charter Township Act, and

Whereas, all persons present at said Public Hearing were afforded an opportunity to be heard on said proposed budget, and

Whereas, such proposed budget, as modified, in the opinion of the Township Board, is in the best interest of the Government of the Township and is reasonable and proper.

Now, therefore, be it hereby resolved, that said budget is inclusive with each department for the 2019 budget year and has been modified for the next calendar year of the Township. It is hereby adopted to govern the expenditure of the township funds during said period except to the extent of any subsequent board resolution. This budget may be subsequently allocated or reallocated in the best interest of Township Government.

Be it further resolved, that the township levy millage tax for General Operation upon the taxable real and personal property within the township upon the current tax roll for collection by the Township Treasurer in the current December tax statement for the purpose of raising the necessary supplemental funds to meet the expenditures itemized in the aforesaid budget, be it further resolved, that no money shall be drawn from the treasury of the township and no obligation for the expenditure of money shall be incurred except pursuant to the budget or amended budget for a particular department, general function project, or principal activity, which limitation shall not, however, prevent the redistribution and reallocation of funds within a particular department, general function, project or principal activity without the amendment of the budget. The 2019 General Fund Budget is in the amount of \$2,494,066.00.

ROLL CALL:

Dingman –yes; Johnson-yes; Feraco –yes; Dezotell-yes; Cipcic-yes; Shaw-yes; Gibson-yes
7 yes, 0 no, Motion carried.

16. PETITIONS AND NEW BUSINESS

RES. 12/13/18/61

Moved by Supervisor Johnson, supported by Trustee Gibson and resolved by the Board of Trustees of the Charter Township of Bedford to appoint the various individuals to The Board of Review:

Board of Review:

Mary Harvey	1/1/2019-12/31/2020	2 year term
Barb Jones	1/1/2019-12/31/2020	2 year term
John Foltz	1/1/2019-12/31/2020	2 year term

Alternates: Diana O’Leary

ROLL CALL:

Johnson-yes; Feraco –yes; Dezotell-yes; Cipcic-yes; Shaw-yes; Gibson-yes; Dingman-yes; 7 yes, 0 no, Motion carried.

RES. 12/13/18/62

Moved by Supervisor Johnson, supported by Trustee Cipcic and resolved by the Board of Trustees of the Charter Township of Bedford to appoint the various individuals to the Planning Commission:

Planning Commission Members:

Claudia Brown	1/1/2019-12/31/2021	3 year term
Stacy Greenwood	1/1/2019-12/31/2021	3year term

ROLL CALL:

Feraco –yes; Dezotell-yes; Cipcic-yes; Shaw-yes; Gibson-yes; Dingman-yes; Johnson-yes 7 yes, 0 no, Motion carried.

RES. 12/13/18/63

Moved by Supervisor Johnson, supported by Trustee Cipcic and resolved by the Board of Trustees of the Charter Township of Bedford to re-appoint the individual to the Board of Appeals:

Board of Appeals Member:

Joanie Goodale	1/1/2019-12/31/2021	3 year term
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ROLL CALL:

Dezotell-yes; Cipcic-yes; Shaw-yes; Gibson-yes; Dingman-yes; Johnson-yes; Feraco –yes; 7 yes, 0 no, Motion carried.

RES. 12/13/18/64

Moved by Supervisor Johnson, supported by Treasurer Dezotell and resolved by the Board of Trustees of the Charter Township of Bedford to approve the conditional use for 3769 W. Michigan for use as a medical marihuana provisioning center.

ROLL CALL:

Cipicic-yes; Shaw-yes; Gibson-yes; Dingman-yes; Johnson-yes; Feraco –yes; Dezotell-yes;
7 yes, 0 no, Motion carried.

RES. 12/13/18/65

Moved by Supervisor Johnson, supported by Trustee Cipicic and resolved by the Board of Trustees of the Charter Township of Bedford to approve the conditional use for 875 North Avenue for use as a medical marihuana provisioning center.

Discussion followed regarding denial based on current information only. The Planning Commission Chair went on record to keep their application open until additional information can be received.

ROLL CALL:

Gibson-no; Dingman-no; Johnson-no; Feraco –no; Dezotell-no; Cipicic-no; Shaw-no;
0 yes, 7 no, Motion defeated.

RES. 12/13/18/66

Moved by Supervisor Johnson, supported by Trustee Cipicic and resolved by the Board of Trustees of the Charter Township of Bedford to approve the conditional use for 897 North Avenue for use as a medical marihuana provisioning center.

ROLL CALL:

Dingman-yes; Johnson-yes; Feraco –yes; Dezotell-yes; Cipicic-yes; Shaw-yes; Gibson-yes;
7 yes, 0 no, Motion carried.

RES. 12/13/18/67

Moved by Supervisor Johnson, supported by Trustee Cipicic and resolved by the Board of Trustees of the Charter Township of Bedford to accept the introduction of Ordinance 12/13/18/67 to amend the zoning ordinance to implement regulations regarding commercial solar energy systems.

ROLL CALL:

Johnson-no; Feraco –no; Dezotell-no; Cipicic-no; Shaw-no; Gibson-no; Dingman-no;
0 yes, 7 no, Motion defeated.

RES. 12/13/18/70

Moved by Supervisor Johnson, supported by Trustee Cipic and resolved by the Board of Trustees of the Charter Township of Bedford to send Ordinance 12/13/18/67 back to the Planning Commission to add back in the residential factors and have ready for the Board to introduce at the February 14, 2019 meeting.

ROLL CALL:

Feraco –yes; Dezotell-yes; Cipic-yes; Shaw-yes; Gibson-yes; Dingman-yes; Johnson-yes;
7 yes, 0 no, Motion carried.

RES. 12/13/18/68

Moved by Trustee Gibson, supported by Trustee Shaw and resolved by the Board of Trustees of the Charter Township of Bedford to amend the Medical Marihuana Zoning Ordinance to establish buffer zones between facilities of 500 feet.

ROLL CALL:

Dezotell-yes; Cipic-yes; Shaw-yes; Gibson-yes; Dingman-yes; Johnson-yes; Feraco –yes;
7 yes, 0 no, Motion carried.

Introduction of proposed Ordinance 12/13/18/69 – complete ordinance included in packet

RES. 12/13/18/69

Moved by Supervisor Johnson, supported by Trustee Shaw and resolved by the Board of Trustees of the Charter Township of Bedford accept the introduction of Ordinance 12/13/18/69 imposing a temporary moratorium on marihuana establishments within the Township under the authority of Section 6 of the Michigan Regulation and Taxation of Marihuana Act,

ROLL CALL:

Cipic-yes; Shaw-yes; Gibson-yes; Dingman-yes; Johnson-yes; Feraco –yes; Dezotell-yes;
7 yes, 0 no, Motion carried.

ORDINANCE SUMMARY
Ordinance No. 12/13/18/69

Moratorium on Marihuana Establishments

Bedford Charter Township has adopted an ordinance imposing a temporary moratorium on marihuana establishments within the Township under the authority of Section 6 of the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, *et seq.* Pursuant to MCL 42.22, a summary of the Ordinance follows:

1. Findings. The Township Board recognizes that 59 percent of voters in Bedford Charter Township voted in favor of the Michigan Regulation and Taxation of Marihuana Act, Ballot Proposal 1 of 2018. The Township Board desires to adopt an ordinance regulating marihuana establishments but requires additional time to determine the best and safest path for the protection of the public health, safety and welfare. The Ordinance recites other findings.
2. Moratorium. The Ordinance imposes a 6 month moratorium during which marihuana establishments are prohibited within the Township.
3. Severability. The Ordinance is declared to be severable.
4. Repeal. Conflicting Ordinances are repealed.
5. Savings. Pending prosecutions are saved.
6. Effective Date. The Ordinance takes effect immediately upon the date of this publication.
7. Inspection. The public may inspect or obtain a true copy of the Ordinance between the hours of 7:30 a.m. to 12:00 p.m. and 12:30 p.m. to 4:30 p.m. Monday through Thursday. at the Charter Township of Bedford Hall located at 115 South Uldriks Drive, Battle Creek, Michigan 49037.

17. CITIZENS TIME

Residents voiced concerns over the medical marihuana facilities taking too much time to come in and that there are too many; also concern over tree trimming done by Consumers.

18. TRUSTEES PERSONAL PRIVILEGE

Trustee Gibson thanked everyone for their support of the Board, and helping us to move forward for a better Bedford. There are a lot of good people and a lot of good things happening, happy folks are showing up. The board is always open for conversation.

19. ANNOUNCEMENT BY CHAIR, CHAIRPERSON OR ELECTED OFFICIAL

Supervisor Johnson reminded everyone to have confidence in our Planning Commission and the Board, things are changing , we're working to improve services and welcome everybody's input. The office is always open feel free to stop by anytime; no appointment needed. He final thought was none of us is as smart as all of us together.

20. ADJOURNMENT

Moved by Supervisor Johnson, supported Trustee Shaw
Voice vote by all members to adjourn the board meeting at 8:25pm.

Next Board meeting is January 10, 2019 at 7:00pm.

RANDOLPH JOHNSON, SUPERVISOR

JOYCE FERACO, CLERK