

2019 CHARTER TOWNSHIP OF UNION
Board of Trustees
Regular Meeting

A regular meeting of the Charter Township of Union Board of Trustees was held on February 27, 2019 at 7:00 p.m. at Union Township Hall.

Meeting was called to order at 7:00 p.m.

In the absence of Clerk Cody, **Hauck** moved **Mikus** supported to name Trustee Woerle as acting Township Clerk for the February 27, 2019 meeting. **Vote: Ayes: 5 Nays: 0. Motion carried.**

Roll Call

Present: Supervisor Gunning, Trustees B. Hauck, Trustee Lannen, Trustee Mikus, and Trustee Woerle

Excused: Clerk Cody and Treasurer Rice

Approval of Agenda

Woerle moved **Hauck** supported to approve the Agenda as amended. Moving Item D to Item A and adding second closed session: discuss trial or settlement strategy in connection with the Lux matter. **Vote: Ayes: 5 Nays: 0. Motion carried.**

Presentations

Public Hearings

Public Comment - open 7:03 p.m.
No comments were offered.

Reports/Board Comments

- **Planning Commission and ZBA updates by Township Planner**

Consent Agenda

- A. Communications
- B. Minutes February 13, 2019 – Regular Meeting
- C. Accounts Payable
- D. Payroll
- E. Meeting Pay
- F. Fire Reports

Mikus moved **Woerle** supported to approve the consent agenda as presented. **Vote: Ayes: 5 Nays: 0. Motion carried.**

BOARD AGENDA

A. Discussion/Action: (Gallinat) Introduce Zoning Map Amendment Ordinance 2019-02 rezone a portion of R-3A (Multiple Family Residential District) to B-5 (Highway Business District) located at S. Lincoln Rd. PID 14-020-20-001-05.

Mikus moved Lannen supported introducing Zoning Map Amendment Ordinance 2019-02, rezone a portion of R-3A (Multiple Family Residential District) to B-5 (Highway Business District) located a S. Lincoln Rd. PID 14-020-20-001-05 by holding a public hearing on March 27, 2019 and to publish the notice of public hearing in the newspaper. **Vote: Ayes: 5 Nays: 0. Motion carried.**

B. 1. Discussion/Action: (K. Smith) Approval of Participation Agreement with the Economic Development Authority (EDA) for the rehabilitation and upgrade of Pump Station #14 located on May Street

Woerle moved Lannen supported to approve the participation agreement with the Economic Development Authority (EDA) for the rehabilitation and upgrade of Pump Station #14 located on May Street. **Vote: Ayes: 5 Nays: 0. Motion carried.**

B. 2. Discussion/Action: (K. Smith) Request to award bid for the rehabilitation and upgrade of Pump Station #14, located on May Street to John E Green Company

Lannen moved Woerle supported to approve awarding bid for the rehabilitation and upgrade of Pump Station #14, located on May Street to John E. Green Company in the amount of \$223,077.00. **Vote: Ayes: 5 Nays: 0. Motion carried.**

C. Discussion/Action: (K. Smith) Award Bid for the purchase of office furniture for the Public Service Department Administrative Offices at the Isabella Treatment Facility to Custom Office Systems

Mikus moved Woerle supported to approve awarding bid for the purchase of office furniture for the Public Service Department Administrative Office at the Isabella Treatment Facility to Custom Office Systems in the amount of \$13,552.00. **Vote: Ayes: 3 Nays: 2. Motion carried.**

D. Discussion/Action: (Gallinat) Re-Introduce Ordinance 2019-01 Charter Township of Union Prohibition of Marihuana Establishments Ordinance

Mikus moved Woerle supported to re-introduce Ordinance 2019-01, Charter Township of Union Prohibition of Marihuana Establishments Ordinance by holding a public hearing on March 13, 2019 and to publish the notice of public hearing in the newspaper. **Vote: Ayes: 5 Nays: 0. Motion carried.**

E. Discussion/Action: (DePriest) Approval of the 2019 Poverty Exemption Application for Tax Exemption

Mikus moved Woerle supported to approve the 2019 Poverty Exemption Application for Tax Exemption as presented. **Vote: Ayes: 5 Nays: 0. Motion carried.**

F. Discussion/Action: (DePriest) Approval of Resolution to allow a resident to appeal by letter without a personal appearance by the taxpayer or his or her agent
Lannen moved Woerle supported approve the Resolution to allow a resident to appeal by letter without a personal appearance by the taxpayer or his/her agent. **Vote: Ayes: 5 Nays: 0. Motion carried.**

G. Discussion/Action: (DePriest) Approval of the 2019 Poverty Exemption Application for Tax Exemption
Discussion was held by the Board.

EXTENDED PUBLIC COMMENT - Open 8:53 p.m.
Sheriff Mike Main presented the annual recap of Union Township 2018
Concerned citizen/pilot shared issues regarding Wind Turbines encroachment to airports

MANAGER COMMENTS

- Reminded the Board of the Annual Township/Road Commission scheduled for March 6, 2019 at 3 p.m.

FINAL BOARD MEMBER COMMENTS

Gunning – Attended County MTA meeting, commented on MAC TV meeting broadcast.
Hauck – Road Commission updates and MTA Capital Conference update
Lannen – Attended County MTA meeting and MTA Capital Conference
Woerle - Saginaw Chippewa Indian Liaison update regarding spring 2 % Grant

CLOSED SESSION

9:40 p.m. Mikus moved Woerle supported that the Township Board convene in closed session under section 8(h) of the Open Meetings Act to consider material exempt from disclosure by state statute, section 13(1)(g) of the Freedom of Information Act, being correspondence from its attorney dated January 14, 2019 for the reason that the correspondence is exempt from disclosure under State law due to the attorney-client privilege to discuss Attorney/Client privileged communication regarding Tax Tribunal Cases. **Roll Call Vote: Ayes: Gunning, Hauck, Lannen, Mikus and Woerle Nays: 0. Motion carried.**

10:02 p.m. Woerle moved Mikus supported to come out of closed session. **Roll Call Vote: Ayes: Gunning, Hauck, Lannen, Mikus and Woerle Nays: 0. Motion carried.**

10:07 p.m. Mikus moved Lannen supported that the Board meet in closed session under Section 8(e) of the Open Meetings Act, to consult with our attorney regarding trial or settlement strategy in connection with the case of Lux Family Properties CZA, LLC v. Charter Township of Union - as an open meeting would have a detrimental financial effect on the litigating or settlement position of the Township. **Roll Call Vote: Ayes: Gunning, Hauck, Lannen, Mikus and Woerle Nays: 0. Motion carried.**

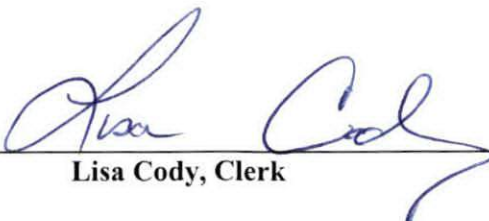
10:14 pm Lannen moved Mikus supported to come out of closed session. **Roll Call Vote: Ayes: Gunning, Hauck, Lannen, Mikus and Woerle Nays: 0. Motion carried.**

Mikus moved **Hauck** supported approval of settlement agreement of case #18-14498-CZ as submitted during closed session. **Vote: Ayes: 5 Nays: 0. Motion carried.**


ADJOURNMENT

Hauck moved **Mikus** supported to adjourn the meeting at 10:17 p.m. **Vote: Ayes: 5 Nays: 0. Motion carried.**

APPROVED BY:



Lisa Cody, Clerk



Ben Gunning, Supervisor

(Recorded by Jennifer Loveberry)