

BOARD MEMBERS PRESENT:

Gary Wall, Supervisor
Kim Markee, Clerk
Steve Thomas, Treasurer
Anthony Bartolotta, Trustee
Marie E. Hauswirth, Trustee
Janet Matsura, Trustee
Mark Monohon, Trustee

OTHERS PRESENT:

Robert Matsura	Gary Johns	Barb Miller
Grant Smith	Joellen Shortley	Andrew Clarz
Donna Wall	Ken Winsford	Jeffery Polkowski
Adam Markey	Robert Zora	Cheryl Morency
James Courtney	Robin McGregor	Lila Ball
Linda Croll	Mary Craite	Terry Ball
Dennis Gruno	James Linoel	Richard K. O'Grady
D. Laviolette	Brent Gobler	Dale Adams
Brent Hiltner	Kyle Kramer	

Supervisor Gary Wall called the meeting to order at 6:00 p.m. and asked for a moment of silence and led the Pledge of Allegiance.

Roll call vote was taken. All board members were present.

1. APPROVE AGENDA
1.1 September 25, 2023

Moved by Bartolotta,
Seconded by Markee, RESOLVED, to amend the September 25, 2023, agenda, as printed. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon
Nays: None
Absent: None

Motion carried unanimously.

2. ANNOUNCEMENTS

2.1 Join us on select dates through October 12th for lunchtime food trucks at Waterford's Civic Center campus. All events are from 11:00 a.m. to 2:00 p.m. and are open to the public! Tables and seating are available or bring a blanket and picnic on our lush lawn. Next up: Motor City Pasty - Upper Peninsula Pasties on September 28th. Check out menus and links to each truck's website at www.waterfordmi.gov/specialevents.

2.2 For students in grades K-5 who live in Waterford Township. If they sign up for their first library card at the Waterford Township Public Library, they receive a coupon in person that can be redeemed for a free book from the Children's Department. Students under 18 can get a library card at the request of their parent or legal guardian (guardianship papers required). Register your child for a library card by coming into the library or completing the form on the website. Registering online will give you a temporary library card good for 30 days. www.waterfordmi.gov/library

2.3 Join Waterford Parks and Recreation at the spectacular Hess-Hathaway Park on Sunday, October 1st, from noon to 5 p.m. for the 37th annual Harvest Happening Event! This time-honored fall festival features games and activities, hayrides, food, crafters, entertainment, a pumpkin patch, historic house tours, inflatables, make-and-take crafts, and so much more! Bring the whole family and make this your annual fall tradition! For event details and pricing, visit www.waterfordmi.gov/parks and look for the Special Events tab.

2.4 On Saturday, October 7, 2023, from 9:00 a.m. - 4:00 p.m., the St. Perpetua Council 13600 Knights of Columbus will do a Charitable Funds Solicitation to assist Michigan citizens with Intellectual/Developmental Disabilities. They will be soliciting on Airport Road at Highland Road (M-59) and Crescent Lake Road at Highland Road (M-59).

2.5 Waterford Township is updating its Parks and Recreation Master Plan. This plan will help guide parks and recreation in the Township in the upcoming years. The survey should take you no more than 10 minutes to complete. Your input is greatly appreciated!

2.6 Waterford Township DPW will perform Fall hydrant flushing from September 5 through mid-October. Flushing is done between 6:00 p.m. and 10:00 p.m., Monday through Thursday. Hydrant flushing begins in the North end of the Township, and crews work their way South. Customers may see brown water from their faucets and/or toilets. Flush it by running cold water in the bathtub or laundry tub until it clears. Please contact the Waterford Township Department of Public Works at 248-674-2278 with any questions.

2.7 Passports can now be applied for at the Waterford Township Clerk's Office. The Clerk's Office was recently approved to accept Passports by the U.S. Department of State and any U.S. Citizen planning international travel may apply for their passports Monday – Friday, 9:00 a.m. to 4:00 p.m. by appointment at the Waterford Town Hall Clerk's Office, 5200 Civic Center Dr., 2nd Floor Entrance, Waterford, Michigan 48329. You may schedule your appointments at www.waterfordmi.gov/passports, or call 248-674-6266 with any questions you may have. You should allow 13 weeks prior to your trip, or you may have to expedite your application for an additional fee of \$60.00 that could take up to 9 weeks to process. Passport photos are also available for \$15.00. If you are planning to travel internationally and need a passport, please visit the Waterford Township Clerk's Office.

2.8 Waterford Township Offices will be closed on Monday, October 9, 2023, in observance of Columbus Day. All emergency services will be available. The Board of Trustees meeting will be held on Tuesday, October 10, 2023.

3. Consent Agenda

Board Members may remove items from the Consent Agenda for discussion purposes or for the purpose of voting in opposition. Public comment for items removed from the consent agenda may be received in the same manner immediately following the Consent Agenda.

- 3.1** September 11, 2023, Meeting Minutes
- 3.2** September 11, 2023, Work Session Minutes
- 3.3** September 25, 2023, Bill Payment
- 3.4** Receive the Library's June and July 2023 Reports
- 3.5** Receive the Parks and Recreation May through June 2023 Reports
- 3.6** Receive the Treasurer's Office August 2023 report
- 3.7** 2024 Township Board Meetings, Work Sessions, and 2024 Holidays Observed With Office Closings

Moved by Bartolotta,

Seconded by Thomas, RESOLVED, to approve consent agenda items 3.1 through 3.7 correcting the September 11, 2023, meeting minutes, page one to read "Board Members **Present** Absent". A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

4. Board Liaison Reports (Verbal)

Trustee Matsura

The Hess-Hathaway Park Advisory Committee meeting was held on Thursday, September 14, 2023.

The caretaker position at the park has been filled by Evan Herdman Jr. He moved in August 1, 2023, and has been busy repairing equipment and making park improvements. The committee reviewed his report and expressed satisfaction with his performance.

The animals are in good shape. The park has added a mini horse and a donkey. They are both 5 months old. They are not yet out of protective quarantine and are still acclimating to their new environment. We anticipate adding some lambs and ducklings in the spring.

The Community Gardens are doing great this year! The pond has not filled naturally yet but has more water and some waterfowl have returned.

Harvest Happening will be held Saturday, October 1st from 12:00 p.m. to 5:00 p.m. rain or shine. So come out for entertainment, food, hayrides, the pumpkin patch and more!

Trustee Bartolotta

Crescent Lake Board met and completed a budget. The Cable Channel is looking to update the page. If you have suggestions, please contact Gary Allison.

Supervisor Wall

This past Saturday was the 32nd Meals on Wheels Walk and Roll at the Waterford Senior Center. Over 70,000 meals are served to home bound seniors in Waterford Township. There are another 500 holiday meals served on Thanksgiving and Christmas cooked by Pops, Green Apple, and The Royal Diner; they prepare the meals, and our drivers deliver the meals on the holidays. In addition, 13,000 meals are served on-site at the Waterford Senior Center. The Waterford Senior Center annual budget is \$429,000 a year. There are 60 volunteers that contribute 15,000 hours a year preparing, packaging, and delivering the meals. This past Saturday approximately 250 people attended the event, and 145 local businesses and individuals sponsored the event.

Trustee Hauswirth

The Greens Way Committee met on September 21st and the Board voted to hold meetings bi-monthly, fixing the graffiti along the river walk.

The Drayton Plains Advisory Committee met and walked the grounds. The grounds are in good shape. There is a water level issue and will be reaching out to the Water Resource Commission.

Trustee Monohon

Annual Waterford Youth Assistance Shoe Drive is still happening. Drop off your gently used shoes to Town Hall.

5. Open Business**Possible Adoption of Zoning Ordinance 2023-Z-017; 3470 Airport Rd - Rezone from R-1B, Single - Family Residential to C-1, Neighborhood Business**

The following memo was received by Mr. Jeffrey Polkowski, Director of Development Services.

The subject property has been used as a personal grooming establishment for over 50 years. The applicant is looking to bring the property's zoning in line with its historic use. Having a commercial use on residentially zoned property can present difficulties when attempting to sell the property.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed rezoning at the regularly scheduled meeting on August 29, 2023, and resolved unanimously to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the August 29, 2023 regular meeting for this Zoning Ordinance amendment, should the Board want to consider adopting the requested rezoning, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the September 25, 2023 meeting. However, if the Board does not want to adopt the requested rezoning, the appropriate motion would be to not introduce the Ordinance and deny the zoning amendment.

Should you have any questions prior to Monday's meeting please do not hesitate to reach out to me.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2023-Z-017

Possible Adoption of Zoning Ordinance 2023-Z-017; 3470 Airport Rd - Rezone from R-1B, Single - Family Residential to C-1, Neighborhood Business Continued.

ZONING ORDINANCE MAP AMENDMENT

An ordinance to amend the Waterford Township Zoning Ordinance by rezoning a parcel of property with conditions on its use and development as authorized by MCL 125.3405 and amending the Zoning Map.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

The portion of the parcel of property that is assigned tax parcel number 13-08-230-003, legally described below, with current address of 3470 Airport Rd, is rezoned from **R-1B, Single-Family Residential** to **C-1, Neighborhood Business** with the Zoning Map that is adopted by and made part of the Waterford Township Zoning Ordinance in Section 3-101, to be changed and amended to reflect this rezoning.

Section 2 of Ordinance

The effective date of this ordinance shall be on the 8th day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

CERTIFICATION

I certify that this Zoning Ordinance Map Amendment Ordinance was adopted by a majority vote of the members of the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on September 25, 2023.

CHARTER TOWNSHIP OF WATERFORD

Date

Kimberly Markee, Township Clerk

Moved by Markee,
Seconded by Bartolotta, RESOLVED, to adopt Zoning Ordinance 2023-Z-017; 3470 Airport Rd - Rezone from R-1B, Single - Family Residential to C-1, Neighborhood Business based on the Planning Commission's favorable recommendation at their August 29, 2023, meeting. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon
Nays: None
Absent: None

Motion carried unanimously.

5.2 Possible Adoption of Ordinance 2023-Z-018, 4159 Foley St; Rezone a Portion from M-1, Light Industrial to R-1A, Single-Family Residential

The following memo was received by Mr. Jeffrey Polkowski, Director of Development Services.

The subject property's residential use and industrial zoning both date back to the mid-20th century. The applicant is looking to rezone the portion of the property that is used for residential purposes so that his home is no longer considered a non-conforming use. Non-conforming uses cannot expand, undergo substantial improvement, or be rebuilt if they sustain substantial structural damage.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed rezoning at the regularly scheduled meeting on August 29, 2023, and resolved unanimously to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the August 29, 2023 regular meeting for this Zoning Ordinance amendment, should the Board want to consider adopting the requested rezoning, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the September 25, 2023 meeting. However, if the Board does not want to adopt the requested rezoning, the appropriate motion would be to not introduce the Ordinance and deny the zoning amendment.

Should you have any questions prior to Monday's meeting please do not hesitate to reach out to me.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2023-Z-018

ZONING ORDINANCE MAP AMENDMENT

An ordinance to amend the Waterford Township Zoning Ordinance by rezoning a parcel of property with conditions on its use and development as authorized by MCL 125.3405 and amending the Zoning Map.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

The portion of the parcel of property that is assigned tax parcel number 13-08-230-003, legally described below, with current address of 4159 Foley St, is rezoned from **M-1, Light Industrial to R-1A, Single-Family Residential** with the Zoning Map that is adopted by and made part of the Waterford Township Zoning Ordinance in Section 3-101, to be changed and amended to reflect this rezoning.

Section 2 of Ordinance

The effective date of this ordinance shall be on the 8th day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

Possible Adoption of Ordinance 2023-Z-018, 4159 Foley St; Rezone a Portion from M-1, Light Industrial to R-1A, Single-Family Residential Continued.

CERTIFICATION

I certify that this Zoning Ordinance Map Amendment Ordinance was adopted by a majority vote of the members of the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on September 25, 2023.

CHARTER TOWNSHIP OF WATERFORD

Date

Kimberly Markee, Township Clerk

LEGAL DESCRIPTION ATTACHMENT TO ORDINANCE 2023-Z-018

A portion of Lot 70, WATERFORD ACRES SUBDIVISION, a subdivision of part of the N 1/2 of Section 5, Town 3 North, Range 9 East, Waterford Township, Oakland County, Michigan, according to the plat thereof as recorded in Liber 33, Page 27, Oakland County records, being more particularly described as: Beginning at the most southerly corner of said Lot 70, thence N 53°03'54" W (recorded as N 53°05'00" W), 203.00 feet; thence N 41°40'26" E, 112.39 feet; thence S 45°47'15" E (recorded as S 45°48'07" E), 197.30 feet; thence S 38°14'56" W, 87.04 feet (recorded as 87.10 feet); to the Point of Beginning. Containing 0.46 Acres and subject to all easements and encumbrances of record .

Moved by Bartolotta,
Seconded by Markee, RESOLVED, to adopt Zoning Ordinance 2023-Z-018, 4159 Foley St; Rezone a Portion from M-1, Light Industrial to R-1A, Single-Family Residential based on the Planning Commission's favorable recommendation at their August 29, 2023, meeting. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon
Nays: None
Absent: None

Motion carried unanimously.

6. New Business

6.1 Planning Commission Recommendation on Change of Use for parcel #13-13-426-023, 2060 Dixie Hwy

The following memo was received by Mr. Jeffrey Polkowski, Director of Development Services.

The above applicant has proposed to change from a licensed Medical Marihuana Provisioning Center to a mixed-use Medical Marihuana Provisioning Center and Licensed Marihuana Retailer. This would allow them to offer retail sales of marihuana, marihuana products, and accessories to adults, 21 years or older, without requiring them to be registered medical marihuana patients. As we well as continue their Medical Marihuana Provisioning Center use.

This applicant is:

MJ Highland, 2060 Dixie Hwy; PID # 13-13-426-023

Planning Commission Recommendation on Change of Use for parcel #13-13-426-023, 2060 Dixie Hwy**Planning Commission Recommendation and Findings**

The Planning Commission reviewed these proposed Change of Use requests at the special meeting scheduled on September 12, 2023, and resolved unanimously to forward a favorable recommendation to the Township Board.

Should you have any questions prior to Monday's meeting please do not hesitate to reach out to me.

6.1.1 Adult Use Establishment Application, 2060 Dixie Hwy**6.1.2 Final Decision Resolution Conditionally Approving Adult Use Marihuana Establishment License Application, MJ Highland, 2060 Dixie Hwy**

CHARTER TOWNSHIP OF WATERFORD
FINAL DECISION RESOLUTION APPROVING
ADULT USE MARIHUANA ESTABLISHMENT LICENSE APPLICATION
AND APPROVAL OF PLANNING DIVISION CHANGE OF USE APPLICATION

RECITALS:

A. This Resolution is adopted as a Final Decision by the Charter Township of Waterford ("Township") Board of Trustees ("Board") on an application for a Township Adult Use Marihuana Establishment License ("License") under the Township Adult Use Marihuana Establishment Licensing Ordinance codified as Sections 10-310 through 10-329 in Division 13 of Article III in Chapter 10 of the Waterford Charter Township Code, with all references to Sections in this Resolution being to Sections of that Code.

B. This Final Decision is for the following Adult Use Marihuana Establishment License Application ("Application"):

License Applied For:	Retail Establishment
Named Applicant:	MJ Highland
Establishment Location:	2060 Dixie Highway
Filing Date:	9/5/2023

C. The Applicant has a Township Medical Marihuana Facility License. The Application for an Adult Use Marihuana Establishment was reviewed by Township personnel as provided in Section 10-321(a).

D. Based on the reviews and determinations made by the Clerk, the Public Works Official, the Treasurer, Assessor and Code Enforcement Officer, the Application was in compliance with the minimum requirements of Section 10-318(3) and (4).

E. Based on these determinations, the Clerk's Office notified the Zoning Official that the Planning Commission could proceed with a site plan review of the Planning Division application for a change of use as provided in Zoning Ordinance Section 4-004.1.

F. The Planning Commission completed their review of the MJ Highland Planning Division application on September 12, 2023, and provided their recommendation to the Board of Trustees to approve the change of use for the subject parcel #13-13-426-023 from a sole Medical Marihuana Provisioning Center to a mixed-use Medical Marihuana Provisioning Center and Adult Use Marihuana Establishment. The Board of Trustees agreed with the findings and conclusions of the Planning Commission under the Zoning Ordinance and on September 25, 2023, approved the change of use request.

Planning Commission Recommendation on Change of Use for parcel #13-13-426-023, 2060 Dixie Hwy

G. By a motion passed by the Board on September 25, 2023, the Application was approved, and the Board adopted this Resolution as its written Final Decision on the Application.

IT IS THEREFORE RESOLVED that the Application is approved with all standards, terms, and conditions in Section 10-325 to be incorporated by reference, and that a License may be granted by the Clerk if the Applicant demonstrates compliance with the requirements in Section 10-322(h) within the required timeframe.

Joellen Shortley, Township Attorney, addressed the Board of Trustees.

Clerk Markee asked when they will be opening for Adult Use. Mr. Rob Zorro stated they hope to be open during construction. Trustee Bartolotta inquired if they had employees. Mr. Zoro stated they have a couple employees on staff and clarified the name for Trustee Bartolotta.

Moved by Bartolotta,
Seconded by Matsura, RESOLVED, to adopt the Resolution approving MJ Highland's adult establishment marihuana application for 2060 Dixie Highway and approving the change of use application for parcel 13-13-426-023 from a medical marihuana provisioning center to a mixed use medical marihuana provisioning center and adult use marihuana establishment. A Roll Call Vote Was Taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

6.2 Oakland County Interlocal Agreement - Early Voting Centers

The following memo was received by Clerk Markee.

Proposal 2022-2 was passed by the voters of Michigan on November 8, 2022. This proposal gives Michigan Voters new constitutional rights including voting early where voters will place their ballot into a tabulator like they do on Election Day for nine days prior to Election Day. The Early Voting Center (EVC) will need voting booths, tabulators, printers, and workers which will require a substantial amount of money.

Waterford Township could reduce these costs by coordinating with Oakland County and The City of Lake Angelus. Oakland County will provide tabulators, printers, early voting poll book laptops, and other necessary voting equipment and supplies. The labor costs for nine days, eight hours per day, would be split between Waterford Township paying 80% and The City of Lake Angelus paying 20% given that Waterford Township has 59,598 registered voters and The City of Lake Angelus has 322 registered voters.

The current planned locations for the Early Voting Centers are The Waterford Township Library and The Waterford Oaks Activity Center (as the County backup facility). If the Board of Trustees agrees to enter into this interlocal agreement with Oakland County, please make the following motion:

Oakland County Interlocal Agreement - Early Voting Centers

"Motion to approve the interlocal agreement with Oakland County to provide Early Voting Center Services and authorize Clerk Kim Markee to sign the agreement on behalf of Waterford Township."

Moved by Markee,

Seconded by Hauswirth, RESOLVED, to approve the interlocal agreement with Oakland County to provide Early Voting Center Services and authorize Clerk Kim Markee to sign the agreement on behalf of Waterford Township. A Roll Call Vote Was Taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

6.3 Delinquent Residential Waste Hauler Billings Request For 2023 Winter Tax Transfer

The following memo was received by Supervisor Wall.

Pursuant to Section 9-067 of Article III **Delinquent charges inclusion on tax bills and tax roll:** GFL Environmental USA, the designated residential waste hauler servicing Waterford Township curbside residential customers, has requested that the Township place the amount of any delinquent invoices and late payment penalties for each residential premises that have not been paid, on the tax roll and December tax bill as provided in Section 1-014 of the Waterford Township Code of Ordinances.

Attached please find an affidavit signed by the authorized representative from GFL Environmental, USA detailing this request as required by the code of ordinance.

In addition to these delinquent amounts totaling \$739,840.93, a six (6%) percent penalty will also be included per the above-referenced ordinance. The delinquent amount will likely be slightly less due to adjustments, corrections, and payments made between the time the report was generated and final numbers are submitted to the Treasurer for the transfer.

Adoption of the attached resolution will approve the tax transfer request for delinquent charges and 6% penalty and authorize the Waterford Township Treasurer to have the amount transferred to the Oakland County Tax system for inclusion on the tax roll and 2023 Winter tax bill for those addresses with delinquent billings.

Thank you for your consideration.

**CHARTER TOWNSHIP OF WATERFORD
RESOLUTION TO APPROVE TRANSFER OF DELINQUENT
DESIGNATED RESIDENTIAL WASTE HAULER CHARGES
TO TAX ROLL AND WINTER 2023 TAX BILLS**

Delinquent Residential Waste Hauler Billings Request For 2023 Winter Tax Transfer Continued.**RECITALS**

- A.** Pursuant to Waterford Code of Ordinances Section 9-067 **Delinquent charges inclusion on tax bills and tax roll**, GFL Environmental USA, the designated residential waste hauler servicing Waterford Township municipal residential customers, has requested that the Township place the amount of delinquent invoices and late payment penalties for each residential premises that have not been paid, on the tax roll and December tax bill as provided in Section 1-014 of the Code of Ordinances.
- B.** Delinquent charges subject to inclusion on tax bills and the tax roll include amounts due by July 1, 2023, for service periods including October 1 to December 31, 2022; January 1 – March 31, 2023; April 1 – June 30, 2023; and July 1 – September 30, 2023. Residents with delinquent balances were supplied with at least four invoices, and delinquent charges are now nearly 90 days delinquent.
- C.** Attached to this resolution is an affidavit signed by the authorized representative from GFL Environmental, USA detailing the transfer of delinquent charges to the tax roll as required by the Waterford Township Code of Ordinances.
- D.** Per Section 9-067 of the Waste Materials and Residential Single Hauler Ordinance Amendment, a six (6%) percent penalty on those amounts will also be included for collection as any other real property tax.
- E. THEREFORE be it resolved,** The Charter Township of Waterford Board of Trustees approves the request to place the amount of delinquent charges due GFL Environmental, USA the designated residential waste hauler for Waterford Township, on the tax roll and together with a 6% penalty authorizes the Waterford Township Treasurer to have the amounts transferred to the Oakland County tax system for inclusion on the tax roll and 2023 Winter tax bill.

I, the undersigned, the Clerk of the Charter Township of Waterford, County of Oakland, Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a regular meeting of the Township Board of said Township held on the 25th day of September 2023, the original of which resolution is on file in my office. I further certify that notice of said meeting was given in accordance with the provisions of the Open Meetings Act, MCL 15.261 et.seq.

IN WITNESS WHEREOF, I have hereunto affixed my official signature this 26th day of September 2023.

Kim Markee
Clerk, Charter Township of Waterford

Moved by Bartolotta,
Seconded by Thomas, Resolved, to adopt the Resolution to Approve Transfer of Delinquent Designated Residential Waste Hauler Charges to Tax Roll and Winter 2023 Tax Bills . A Roll Call Vote Was Taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon
Nays: None
Absent: None

Motion carried unanimously.

6.4 Request to Approve Michigan Indigent Defense FY 2024 Grant Contract

The following memo was received by Ms. Ahsley Johnson, Michigan Indigent Defense Commission Coordinator.

The Township of Waterford has been awarded a total authorized Budget of \$771,968.42 for the MIDC Fiscal Year (FY24), which runs October 1, 2023 to September 30, 2024. The State FY24 MIDC Grant Contribution is \$739,912.24; the Local Share Contribution is \$32,056.18. This grant contract only utilizes the funds provided under the grant.

At this time, formal approval of the MIDC FY24 Grant Contract and budget is sought. Attached to this memo is exhibit A, Fiscal Year 2024 Grant Contract.

The Court worked closely with the MIDC to derive the FY24 MIDC Budget, and the Court is satisfied that the appropriation will meet indigent defense needs.

As such, the following resolution is respectfully recommended for the Township's consideration:

**CHATER TOWNSHIP OF WATERFORD
RESOLUTION
MICHIGAN INDIGENT DEFENSE COMMISSION
FISCAL YEAR 2024 GRANT CONTRACT**

WHEREAS, The Michigan Indigent Defense Commission (MIDC) has the Township of Waterford grant funding in the amount of \$739,912.24 for the period of October 1, 2023 through September 30, 2024.

WHEREAS, The total program budget is \$771,968.42, which includes the required local share contribution by the Township of Waterford in the amount of \$32,056.18.

WHEREAS, The FY2024 grant award is \$771,968.42, which is more than the previous year's award.

WHEREAS, The award provides funding to the 51st District Court for the purpose of continuing to bring indigent defense systems into compliance with the first four minimum indigent defense standards, MCL 780.993(6); and

WHEREAS, The Michigan Indigent Defense Commission Act (MIDC Act), MCL 780.981, et al., requires local funding units to take over the delivery of indigent defense systems, MCL 780.983(g) and MCL 780.993(10) as specified in standards 1 – 5, 8.

WHEREAS, The Township of Waterford is the local funding unit for the 51st District Court.

WHEREAS, The MIDC Act requires the Township of Waterford to create an annual compliance plan and cost analysis required to deliver indigent defense services in compliance with the approved MIDC standards, MCL 780.993(3).

WHEREAS, The MIDC Act requires the MIDC to appropriate funds and provide grant monies to local funding units for the costs in excess of the local share to continue to provide indigent defense services that comply with the minimum standards established by the MIDC, MCL 780.993(6).

WHEREAS, The grant award funds the following position within 51st District Court: one (1) MIDC Coordinator, one (1) Managed Assigned Counsel.

Request to Approve Michigan Indigent Defense FY 2024 Grant Contract Continued.

WHEREAS, The grant agreement has completed the grant review process in accordance with Township of Waterford procedures.

NOW, THEREFORE, BE IT RESOLVED, The Township of Waterford approves the MIDC FY 2024 Grant Contract with an authorized total budget of \$771,968.42.

I hereby certify that this Proclamation was made by the Charter Township of Waterford Board of Trustees at a regular meeting on September 25, 2023.

Charter Township of Waterford

Date

Kim Markee, Township Clerk

Moved by Markee,

Seconded by Thomas, RESOLVED, to approve the Michigan Indigent Defense Fiscal Year 2024 Grant Contract in the amount of \$771,968.42. A Roll Call Vote Was Taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

6.5 Update Sidewalk Replacement Scope Along M-59

The following memo was received by

The Michigan Department of Transportation (MDOT) through their consultant OHM has been designing access management proposals along the M-59 corridor from Tilden Avenue to Elizabeth Lake Road. MDOT has hired OHM to perform site visits to evaluate each potential access management location and to assess the properties from an operational standpoint, provide recommendations, and oversee the construction of this project. The MDOT project will rehabilitate sidewalks that are intersections, by signals and through driveways.

Because this stretch of M-59 happens to be the sidewalks in the worst condition throughout the Township, as per the PASER study completed in 2017, the Development Services Department saw this as an opportunity to piggyback off of MDOT's efforts and partner with their contracted sidewalk crew to design sidewalk replacements at a much lower rate than if the Township were to go out to bid on their own.

In November of 2022 the Board of Trustees approved OHM via MDOT, as the vendor for the engineering work to design replacement sidewalks for this project for \$20,774 utilizing ARPA monies. The Township project will address the portion of sidewalks that will not be covered by MDOT's project. OHM will design the specification and bids for the sidewalk reconstruction work.

Update Sidewalk Replacement Scope Along M-59 Continued.

Since the MDOT project is currently scheduled for 2026 construction, staff recommends the Township proceed with the sidewalk work under a separate contract with OHM that will allow construction to take place in 2024. While a portion of this design work has already been completed, this would require the Township to enter into a separate Scope of Service agreement with OHM.

It is also important to point out that this is a slight cost increase from \$20,774 to \$22,500 in order to extend this sidewalk work from Tilden Avenue to Telegraph Road, completing this segment of M-59

After reviewing the Scope of Services by OHM, I would like to recommend that the Board approve the Scope of Services with OHM, for this sidewalk reconstruction project. They responded with a quote that both meets our anticipated budget and addresses all of our goals and objectives.

Township Board Requested Action:

1. **Approve OHM as the vendor for the M-59 Sidewalk Replacement Project for the amount of \$22,500.**
2. **Approve an addition of \$1,726 to expense account number 28290-97005-ARPA1 for the M-59 Sidewalk Replacement Project.**
3. **Authorize the Supervisor to sign the agreement with OHM for professional services to design the specifications and bids for the sidewalk project.**

Moved by Markee,

Seconded by Bartolotta, RESOLVED, to approve OHM as the vendor for the M-59 Sidewalk Replacement Project for the amount of \$22,500 and, to approve an addition of \$1,726 to expense account number 28290-97005-ARPA1 for the M-59 Sidewalk Replacement Project; furthermore, to authorize Supervisor Wall to sign the agreement with OHM for professional services to design the specifications and bids for the sidewalk project. A Roll Call Vote Was Taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

6.6 Special Assessment District for a Canal Dredging Project in Maceday Lake and Related Services

The following memo was received by Mr. Jeffery Polkowski, Development Services Director

The Development Services Department has received the enclosed petition from residents owning property along canals within Maceday Lake that also front on Maiden Street, Iris Drive, Rich Drive, Austinwood Court, Parkwood Court, as well as several homes at the end of these canals on Maceday Lake Road near the northwesterly end of the lake in order to establish a Special Assessment District (S.A.D.) to fund a canal dredging project in accordance with Act 188 of the Public Acts of 1954, as amended

Special Assessment District for a Canal Dredging Project in Maceday Lake and Related Services

The Development Services Department has reviewed the enclosed petitions recently submitted by the group and has verified that signatures representing 88% of the total land area within the proposed district determined to benefit from such a program are in favor of moving forward with the S.A.D. process.

For the Board's benefit, Act 188 states that if a petition is required by the Board for this type of improvement, then it shall contain the signatures of record owners representing more than 50% of the total land area within the proposed special assessment district as finally established by the Board. Further, Waterford Township's own policy, initially instituted for road improvement projects and now used for all requests received under this statute, stipulates that a petition shall have signatures representing at least 60% of the qualifying criterion as defined in the act prior to any further consideration. Due to the complexity of the work typically involved in preparing preliminary plans and subsequently establishing an estimated cost for such improvements, the 60% threshold was established as a safeguard to protect against losing the preliminary investment made by the Township towards the establishment of an S.A.D. on behalf of petitioners.

Per Act 188, the Township can only recoup these preliminary costs associated with the making and or financing of an S.A.D. if said S.A.D. is finally established. If the Board determines that the petitions presented comprise a sufficient number of property owners, the next step in the process is for the Board to direct Township staff to issue a Request for Proposals ("RFP") to provide plans and a cost estimate of the cost of dredging these canals within Maceday Lake. Once the RFP responses have been received, staff is required to file the cost estimates with the Clerk. The Clerk is responsible for providing the responses with the plans and specifications for dredging these canals to the Board to determine whether it tentatively wishes to proceed with the improvement and to tentatively designate an S.A.D.

Should you have any questions, please do not hesitate to reach out to me.

**RESOLUTION TO CAUSE PLANS TO BE PREPARED
FOR CONSIDERATION OF THE INTENT TO FORM
A MACEDAY LAKE
SPECIAL ASSESSMENT DISTRICT FOR
A CANAL DREDGING PROJECT IN MACEDAY LAKE AND RELATED
SERVICES PURSUANT TO 1954 P.A. 188, AS AMENDED**

WHEREAS the record owners of more than fifty (50%) percent of the property affected by a proposed special assessment district for the canal dredging project in Maceday Lake located within the Charter Township of Waterford ("Township") have filed a petition requesting such a district be formed for that purpose; and

WHEREAS before the Township Board can determine if these improvements should be made, it shall cause to be prepared plans and specifications describing the location of the improvement with an estimate of the cost of the improvement.;

NOW THEREFORE BE IT RESOLVED THAT:

The Township Supervisor has determined that the petition presented was sufficient to present to the Township Board.

The Township Board requests that its staff issue a Request for Proposals to provide plans and an estimate of the cost of a canal dredging project in Maceday Lake to be filed with the Clerk.

Special Assessment District for a Canal Dredging Project in Maceday Lake and Related Services

BE IT FURTHER RESOLVED THAT the responses with the plans and specifications concerning providing canal dredging in Maceday Lake shall be presented to the Board of Trustees by the Clerk, for the Board to determine whether it tentatively wishes to proceed with the improvement and to tentatively designate a special assessment district.

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting on _____.

Charter Township of Waterford

Date

Kimberly Markee, Township Clerk

Ken Lungsford, 4016 Maiden Rd, and Mr. Jeffrey Polkowski, Development Services Director, addressed the Board of Trustees and answered their questions.

Moved by Markee,
Seconded by Matsura, RESOLVED, to approve the Resolution to Cause Plans to be Prepared for Consideration of the Intent to Form a Maceday Lake Special Assessment District for a Canal Dredging Project in Maceday Lake and Related Services Pursuant To 1954 P.A. 188, as Amended. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon
Nays: None
Absent: None

Motion carried unanimously.

6.7 Public Comments limited to Three (3) Minutes per Speaker

Mr. Grant Smith

Waterford Youth Assistance "Shoe Drive" is off and running. He thanked the Shark Club and Christ Lutheran Church for their help.

Russ' Party Store is the next event to drop office shoes on Saturday, October 7, 2023, from 10:00 a.m. to 1:00 p.m.

The Optimist Club will be manning the pumpkin patch at Hess Hathaway's Harvest Happening.

Mr. Dale Adams, 3915 Iris

He shared concerns of the drain on Maiden. He's taxed as lake front property, but they only have 6" of water in the canal. Supervisor Wall stated he would go look at the situation and contact the O.C. Drain Commission.

James Noel, 4000 Maiden Street

Discussed the drains and canal concerns.

7. ADJOURNMENT

Moved by Markee

Seconded by Hauswirth, RESOLVED, to adjourn the meeting at 6:59 p.m. A roll call vote was taken.

Ayes: Wall, Markee, Thomas, Bartolotta, Hauswirth, Matsura, and Monohon

Nays: None

Absent: None

Motion carried unanimously.

Kim Markee, Clerk

Gary Wall, Supervisor

09/20/2023 14:13 | WATERFORD TOWNSHIP
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| P 1
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FOR CASH ACCOUNT: 70000 01000

FOR: Uncleared

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309789	09/25/2023	PRINTED	011730 ARROW PRINTING	325.90			
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309794	09/25/2023	PRINTED	023460 BLACKSTONE PUBLISHING	925.32			
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309806	09/25/2023	PRINTED	051841 PATRICIA DAVIS	101.94			
309807	09/25/2023	PRINTED	053406 DIXON ENGINEERING INC	31,422.50			
309808	09/25/2023	PRINTED	053712 STACY DROUILLARD	325.00			
309809	09/25/2023	PRINTED	063025 EJ USA, INC	493.35			
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309817	09/25/2023	PRINTED	093025 CENGAGE LEARNING INC/GALE	276.85			
309818	09/25/2023	PRINTED	093608 GOYTEE MECHANICAL CO, IN	22,900.00			
309819	09/25/2023	PRINTED	093702 JUDITH GRACEY	1,375.00			
309820	09/25/2023	PRINTED	093705 GRAINGER	969.40			
309821	09/25/2023	PRINTED	093823 GREEN MEADOWS LAWNSCAPE,	19,396.00			
309822	09/25/2023	PRINTED	093863 GREAT LAKES WATER AUTHORITY	66.88			
309823	09/25/2023	PRINTED	093873 GUIDEHOUSE, INC	112.50			
309824	09/25/2023	PRINTED	100026 HOUSEAL LAVIGNE ASSOCIATE	7,437.50			
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309831	09/25/2023	PRINTED	121003 POWER PLAN	412.04			
309832	09/25/2023	PRINTED	121011 J&B MEDICAL SUPPLY	1,874.34			
309833	09/25/2023	PRINTED	121020 JA CARNEY PLUMBING	60.00			
309834	09/25/2023	PRINTED	121566 JOHN AND LILIAN PROPERTY	1,200.00			
309835	09/25/2023	PRINTED	123047 ROBERT JAVERY	441.53			
309836	09/25/2023	PRINTED	137039 MARIA C STROM	10.30			
309837	09/25/2023	PRINTED	141172 KT GROUP	48.00			

09/20/2023 14:13 | WATERFORD TOWNSHIP
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FOR: Uncleared

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309852	09/25/2023	PRINTED	163508 FERGUSON WATERWORKS #3386	21,152.94			
309853	09/25/2023	PRINTED	163617 JANET MOSAKOSKI	60.00			
309854	09/25/2023	PRINTED	163858 MUNIS DIVISION	2,800.00			
309855	09/25/2023	PRINTED	174620 MPARKS	34,795.00			
309856	09/25/2023	PRINTED	174721 STATE OF MICHIGAN	60.00			
309857	09/25/2023	PRINTED	174870 STATE OF MICHIGAN	36,752.93			
309858	09/25/2023	PRINTED	183952 NYE UNIFORM COMPANY	2,601.17			
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309862	09/25/2023	PRINTED	193713 ORKIN, LLC	120.00			
309863	09/25/2023	PRINTED	193882 OVERDRIVE, INC.	141.89			
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309870	09/25/2023	PRINTED	213251 LAURA PETRUSHA	60.00			
309871	09/25/2023	PRINTED	213287 PREMIER SAFETY	1,168.15			
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309873	09/25/2023	PRINTED	213395 BOB PIGGOT	60.00			
309874	09/25/2023	PRINTED	213403 PIPELINE MANAGEMENT COMPA	42,176.00			
309875	09/25/2023	PRINTED	213565 OCWRC	529.50			
309876	09/25/2023	PRINTED	213582 JIM POWERS	60.00			
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309882	09/25/2023	PRINTED	251006 SHRADER TIRE & OIL OF MIC	245.14			
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309885	09/25/2023	PRINTED	251307 CHRISTOPHER SHEMKE	375.00			
309886	09/25/2023	PRINTED	251790 STATE WIRE & TERMINAL INC	165.08			
309887	09/25/2023	PRINTED	251849 SUPER SMART SHOPPERS	707.95			
309888	09/25/2023	PRINTED	251964 RS TECHNICAL SERVICES INC	2,338.50			
309889	09/25/2023	PRINTED	253153 SCOTT LAKE IMPROVEMENT AS	20.00			

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FOR CASH ACCOUNT: 70000 01000

FOR: Uncleared

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309897	09/25/2023	PRINTED	263737 TRUGREEN	40.00			
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309903	09/25/2023	PRINTED	273533 UNIFIRST CORP	135.01			
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309907	09/25/2023	PRINTED	291365 LINDE GAS & EQUIPMENT INC	410.63			
309908	09/25/2023	PRINTED	291365 LINDE GAS & EQUIPMENT INC	49.89			
309909	09/25/2023	PRINTED	293605 WORLDWIDE INTERPRETERS IN	1,047.77			
309910	09/25/2023	PRINTED	304930 WATERFORD TOWNSHIP DPW	2,206.48			
309911	09/25/2023	PRINTED	343204 JUSTIN ESSA ZAYID	300.00			
309912	09/25/2023	PRINTED	500498 ENVISION WARE	575.00			
309913	09/25/2023	PRINTED	500569 KENT COUNTY DPW	90.00			

128 CHECKS	CASH ACCOUNT TOTAL	1,275,967.79	.00
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Advance Checks Mailed. Sept 12 -> Sept 21

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FOR CASH ACCOUNT: 70000 01000 FOR: Uncleared

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309747	09/12/2023	PRINTED	043626 CONSUMERS ENERGY	3,333.80			
309748	09/12/2023	PRINTED	044220 CHASE CARD SERVICES	241.74			
309749	09/12/2023	PRINTED	053253 DTE ENERGY	10,391.04			
309750	09/12/2023	PRINTED	073090 GARY BRYAN	100.00			
309751	09/12/2023	PRINTED	073317 SCOTT GOOD	130.50			
309752	09/12/2023	PRINTED	073386 RICH HAEFNER	217.50			
309753	09/12/2023	PRINTED	073684 ALISON SWANSON	2,000.00			
309754	09/12/2023	PRINTED	073996 JENNIFER MAMOLA	52.60			
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309756	09/12/2023	PRINTED	161494 GAIL MORRELL	100.00			
309757	09/12/2023	PRINTED	193074 21C ADVERTISING	1,481.36			
309758	09/12/2023	PRINTED	193074 21C ADVERTISING	1,462.50			
309759	09/12/2023	PRINTED	213565 OCWRC	445.43			
309760	09/12/2023	PRINTED	263230 TALEVATION, LLC	861.75			
309761	09/12/2023	PRINTED	271016 US BANK EQUIPMENT FINANCE	97.66			
309762	09/12/2023	PRINTED	283242 VERIZON WIRELESS	1,242.59			
309763	09/12/2023	PRINTED	283242 VERIZON WIRELESS	149.50			
309764	09/12/2023	PRINTED	293355 WILBUR WHITE JR	2,550.00			
309765	09/19/2023	PRINTED	013685 APPLIED INNOVATION	2,187.90			
309766	09/19/2023	PRINTED	021510 BLUE CROSS BLUE SHIELD	85,605.02			
309767	09/19/2023	PRINTED	043376 CINTAS CORP	35.00			
309768	09/19/2023	PRINTED	043582 COMPREHENSIVE RISK SERV I	9,087.50			
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309771	09/19/2023	PRINTED	073010 SCOTT ALEF	78.25			
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309773	09/19/2023	PRINTED	073330 CHAD HINE	343.00			
309774	09/19/2023	PRINTED	073495 KATHLEEN M LINDSEY	18.36			
309775	09/19/2023	PRINTED	073812 ARON STUCK	150.00			
309776	09/19/2023	PRINTED	073996 JENNIFER MAMOLA	626.98			
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309778	09/19/2023	PRINTED	153602 FOUNDERS SERIES OF LOCKTO	660.00			
309779	09/19/2023	PRINTED	174022 STATE OF MICHIGAN	20.00			
309780	09/19/2023	PRINTED	204507 OAKLAND COUNTY CIRCUIT CO	150.00			
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309783	09/19/2023	PRINTED	274551 UNIVERSAL LIFT PARTS, INC	1,567.96			
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309785	09/19/2023	PRINTED	293044 WATERFORD YOUTH ASSISTANC	50.00			

42 CHECKS

CASH ACCOUNT TOTAL

488,727.67

.00