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LEONI TOWNSHIP BOARD OF TRUSTEES MEETING  
MINUTES  
July 9, 2019

The Leoni Township Board of Trustees held a Regular Board Meeting Tuesday, July 9, 2019 at 6:00 P. M. in the Leoni Township Hall, 913 Fifth St., Michigan Center, Michigan.

Call to Order 6:07 pm, Pledge of Allegiance  
Members Present: Supervisor Howard Linnabary, Clerk Kerry Pickett, Treasurer Patrick Clemente, and Trustees Jerry Cox, Kurt Cole and Nora Sharpe-McGee arrived at 6:09

Members Absent:  
Attendance Approximately: 46

**BRIEF PUBLIC COMMENT:**

Public Comment Opened 6:07 pm  
Public Comment Closed 6:44 pm.

**APPROVAL OF AGENDA**

*Motion by, Linnabary, support by Cole to approve the agenda and remove from the agenda item c. on Consent Agenda, Old Business numbers 1 & 2 and Discussions number 1. and to added to the agenda Old Business #4. Opt in and Out of Recreational Marijuana and New Business #17. Ordinance Enforcement.*

*Roll call vote: 6 yays, Cox, McGee, Clemente, Linnabary, Pickett, Cole  
0 nays* ***Motion Carried***

**APPROVAL OF ACCOUNTS PAYABLE**

*Motion by Linnabary, support by Cole, to approve Accounts Payable in the amount of \$435,827.61*

*Roll call vote: 6 yays, Cox, McGee, Clemente, Linnabary, Pickett, Cole  
0 nays* ***Motion Carried***

**CONSENT AGENDA**

*Motion by McGee, support by Cox to approve Consent Agenda A & B with the amendment to June 11<sup>th</sup> minutes #12. Add extend moratorium from 2 months to 6 months or zoning text amendment, whichever comes first.*

***Motion Carried by Voice Vote***

**OLD BUSINESS:** 3.) F&V 3 Approved Contractors for Private Lift Stations/Grinder Cans.

**NEW BUSINESS:** 1.) F&V Approval for Pump #1 Repair \$8,228.00

*Guy Conti suggested that we can allocate the funds required from the Sewer fund rather than the General Fund.*

*Motion by Linnabary, support by Cox to approve the pump repair for \$8,228.00 from the Sewer Fund.*

*Roll call vote: 6 yays, Cox, McGee, Clemente, Linnabary, Pickett, Cole*  
*0 nays* ***Motion Carried***

2.) Lester Bros. Invoice for I94 Sewer Main Break \$34,409.74

Cole revealed that there were discrepancies in the dollar amounts between the Lester Brothers contract quotes to the township and the bills that were presented by F & V. Recommended that the Board review the two.

*Motion by Linnabary, support by Clemente to pay the invoice to Lester Brothers for \$34,409.74 out of the Sewer Fund with the understanding that the township will discuss and review with Lester Brothers for any possible credits that may apply to our account.*

*Roll call Vote* 5 yays, Linnabary, Pickett, Clemente, McGee and Cox  
1 nay Cole

***Motion carried***

3.) All City Services Invoice for I94 Sewer Main Break \$16,455.00

*Motion by McGee, support by Cox to approve payment of All City Services Invoice for \$16,455.00 from the Sewer Fund with the understanding that the township will review with All City Services for any possible credits that may apply to our account..*

*Roll call vote: 6 yays, Cox, McGee, Clemente, Linnabary, Pickett, Cole*  
*0 nays* ***Motion Carried***

4.) Napoleon Feed Mill Soil Testing Invoice for \$20,705.85

F&V explained that this soil testing is required every 2 years to be in compliance.

Cole asked if we could look at potential to have farmers pay for this testing. F&V stated they have never heard of farmers paying for this service. This is a savings to the township because otherwise we would have to dump at a landfill which could be upward of a quarter of a million dollars expense to township.

*Motion by Linnabary, support by Cole to approve payment to Napoleon Feed Mill for \$20,705.85 from the Sewer Fund.*

*Roll call vote* 6 yays, Linnabary, Pickett, Clemente, McGee, Cox and Cole  
***Motion Carried***

**DISCUSSION:** 2.) School Liaison officer clarification for 2018/2019

Clemente asked for clarification if the payment was supposed to be retroactive for the 2018/2019 school year or for the 2019/2020 year moving forward. Cole understood that it was meant for the present and forward only, not retractorvive. Executive Committee to talk to school superintendants.

**NEW BUSINESS:** 5.) Start renewal process on Gillette's Lake Aquatic Weed Control.

*Motion by Pickett, support by Linnabary to start 5 yr Renewal Notice for Gillett's Lake Aquatic Weed Control.*

*Roll call vote: 6 yays Pickett, Clemente, McGee, Linnabary Cole and Cox*

0 nays

**Motion Carried**

6.) Text Amendment to B4 zoning for Indoor Shooting Ranges as Conditional Use.

*Motion by Cox, support by McGee for Board to approve the resolution to amend B-4 Zoning to allow Sport Shooting Ranges as a conditional use from the language previously submitted by township attorney with the following changes (which may be adjusted by township attorney without change of intent)*

STRIKE LANGUAGE ALLOWING FOR REFERING TO PLANNING COMMISSION AND STRIKE AUTOMATIC RATIFICATION AND RE-ISSUE OF ANY EXISTING CUP'S

ADD:

The word "INDOOR" Sport Shooting Ranges

- Observe all guidelines from most recent edition of "Lead Management and OSHA Compliance for Indoor Shooting Ranges" as in regards to lead and air quality
- Carry a minimum of liability insurance with the limits set by township and re-adjusted from time to time listing Leoni Township as additional insured and certificate holder
- Supply a copy of a site and safety analysis performed by Range Designer or Developer and Certified Range Safety Officer or Certified Chief Range Safety Officer showing a passing status
- Observe "Generally Accepted Operational Practices" adopted by State of Michigan DNR
- Not be accessible for shooting by the public after hours
- NO public shooting without a Certified Range Safety Officer or Certified Chief Range Safety Officer on Duty
- Install and maintain Security Camera System on premises with accurate time and date stamp
- Observe all additional conditions set by Township on the required CUP

To become effective immediately upon publication

*Roll call vote: 5 yays, Cox, McGee, Clemente, Linnabary & Pickett  
1 nay Cole*

**Motion Carried**

7.) Text Amendment to AG zoning for Shooting Ranges as Conditional Use.

*Motion by McGee,, supported by Cox, for Board to approve the resolution to amend AG zoning to allow Sport Shooting Ranges as a conditional use with language previously submitted by township attorney EXCEPT with the striking of language referring to Planning Commission and striking automatically ratifying or reissuing any previous CUP's AND ADDING the following language (which may be adjusted by township attorney without change of intent).*

Outdoor ranges:

- Parcels of 10 acres or more in size
- At least 1 mile from existing schools
- At least 1500 ft from a neighboring township dividing line
- At least 5 miles from any other outdoor lawful sport shooting ranges w/i Leoni
- Must observe all guidelines from EPA's most current edition of "Best Management Practices for Lead at Outdoor Shooting Ranges" to promote lead safety concerning soil and ground water

Indoor Ranges:

- Observe all guidelines from most recent edition of "Lead Management and OSHA Compliance for Indoor Shooting Ranges"

Both Indoor and Outdoor:

- Carry a minimum of liability insurance with the limits set by township and readjusted from time to time listing Leoni Township as additional insured and certificate holder
- Supply a copy of a site and safety analysis performed by a Range Designer or Developer and Certified Range Safety Officer or Certified Chief Range Safety Officer showing a passing status
- Observe "Generally Accepted Operational Practices" adopted by State of Michigan DNR
- Not be accessible for shooting by the public after hours
- NO public shooting without a Certified Range Safety Officer or Certified Chief Range Safety Officer on Duty
- Install and maintain Security Camera System on premises with accurate time and date stamp
- Observe all additional conditions set by Township on the required CUP

To become effective immediately after publication

*Roll call vote: 4 yays, Cox, McGee, Linnabary and Pickett  
2 nays Cole and Clemente*

***Motion Carried***

8.) Text Amendment to Heavy Industrial Zoning

*Motion by Cole, support by Cox to table.*

*Voice vote:*

***Motion Carried***

9.) Text Amendment to AG zoning prohibiting new Marihuana  
Agrictulural/Processing

*Motion by Cole, support by Clemente to approve the text amendment from Jackson County Planning Commission wording.*

*Roll call vote: 1 yay, Cole*

*5 nay, Cox, Pickett, Linnabary, McGee and Clemente*

***Motion Failed***

9) Text Amendment to AG zoning prohibiting new Marihuana  
Agrictulural/Processing

*Motion by McGee, support by Cox to adopt Conti's newest version of the text amendment of AG zoning Marihuana Processing and Growing, prohibiting new business but allowing commencement or expansion of current businesses on existing parcels currently owned. (See attached).*

*Roll call vote: 6 yays, Cox, McGee, Clemente, Linnabary, Pickett, Cole  
0 nays*

***Motion Carried***

10.) Accept Resignation of Trustee Mike Villarreal

*Motion by Cox, support by Linnabary to accept Mike Villarreal's resignation.*

*Roll call vote: 5 yays, Cox, McGee, Clemente, Linnabary and Pickett  
1 nay Cole*

***Motion Carried***

11.) Geophysical Mapping Estimate for Leoni & Maxon Cemeteries

*Motion by Pickett, support by Linnabary to approve estimate for Geophysical mapping for \$12,420.00*

*Roll call vote: 6 yays, Cox, McGee, Clemente, Linnabary, Pickett, Cole  
0 nays*

***Motion Carried***

12.) Demo Bids from Lester Bros., Dullock Excavating and Tylutki Excavating

*Motion by Pickett, support by Linnabary to table for more information.*

*Voice vote*

***Motion Carried***

13.) Approve Pam Trammell as secretary for Zoning Board for \$35/meeting

*Motion by Cole, support by McGee to accept Pam Trammell as secretary for Zoning Board.*

*Roll call vote: 6 yays Clement, Pickett, McGee, Cole, Linnabary and Cox  
0 nays*

***Motion Carried***

14.) Land Division Committee Appointment Recommendation by Supervisor  
Building administrator was on Land Division Committee and it is a conflict of interest so  
township supervisor requested that he be replaced.

*Motion by Cox, support by Pickett to elect Linnabary to be new Land Division Committee appointment.*

*Role call vote: 6 yays, Pickett, Clement, McGee, Cole and Cox  
0 nays*

***Motion Carried***

15.) Board of Trustees to recommend to the Planning Commission to review lot coverage  
ceilings and setback ordinance.

*Motion by McGee, support by Cox to recommend to Planning Commission to review all zoning for lot  
coverage ceilings and setbacks, especially AG and Ind. and make recommendations to Board.*

*Role call vote: 5 yays, Clement, Pickett, Linnabary Cox and McGee  
1 nay Cole*

***Motion Carried***

16.) Approval of Assessing Assistant for 12.00 an hour.

*Motion by Linnabary, support by Clemente to approval hire of Assessing Assistant for 16 hours a week at  
12.00 an hour.*

*Role call vote: 5 yays, Pickett, Cox, McGee, Picket and Linnabary  
1 nay Cole*

*Motion Carried*

**BRIEF PUBLIC COMMENT:**

Public Comment Opened 10:07 pm

Public Comment Closed 10:14 pm.

**DISCUSSION:** Pickett discussed her concerns for both sides of the AG shooting range motion and how she was considering changing her vote to no to send this issue back to the Planning Commission for review. McGee discussed how the new motion covered all the State and Federal guidelines required.

Pickett believed her concerns were covered after discussion and stayed with her vote as yay.

Motion by Linnabary, support by Cox to adjourn the meeting.

Meeting adjourned at 10:37 P.M.

Pam Trammell, Deputy Clerk