

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:

Aric Klar	Craig Lechowicz	Tricia Novack
Judy Rolph	Rachel Woolcox	Dana Sharp
Joellen Shortley	Sharon Thomas	Mike Acho
Grant Smith	David George	Jim Heinsmer
Robert Matsura	Phil Karmo	
Joan Rogers	Scott Novack	

Supervisor Wall called the meeting to order at 6:00 p.m. and asked for a moment of silence for the brave men and women who have served our Country and then led the Pledge of Allegiance.

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

1. APPROVE AGENDA
1.1 November 28, 2022

Moved by Bartolotta,
Seconded by Markee, RESOLVED, to approve the November 28, 2022, 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 Saturday, December 3rd in Downtown Pontiac for the annual Holiday Extravaganza Parade and Winter FUN Festival. Each year Waterford, White Lake, Auburn Hills, and Pontiac join together to help bring FREE family fun to our communities with family-friendly activities and a giant parade with spectacular floats and a visit from Santa Clause himself. All events are free. Winter FUN Festival is from 8:30 a.m. to 10:30 a.m., followed by the parade beginning at 11:00 a.m. Visit www.holidayextravaganza.org/ for more details.

- 2.2 Join Waterford Parks and Recreation as they bring you the annual Holiday Hoopla and Tree Lighting Event, Saturday, December 10th on Waterford's Civic Center Campus. Free reindeer visit, cookie decorating, crafts, a photo opportunity with Santa, and the lighting of Waterford's official tree! The event is free to attend from 3:00 - 6:00 p.m., with the tree lighting at 5:40 p.m. Make this your new family tradition like so many Waterford families before you!
- 2.3 GFL will continue to collect yard waste through the 2nd full week in December which is December 12-16 this year. All waste must be at the curb in approved containers by 7 a.m. on your collection day. Christmas falls on a Sunday this year, so the collection will not be moved for Christmas this year.
- 2.4 The library will be closed to the public from Monday, November 28nd through Sunday, December 18th while the Children's area is re-carpeted and repainted. During this time library staff will be working our normal business hours to take your reference questions via phone, chat, and email. We will deliver your holds and requested materials at the front entrance. Children's prints and non-print materials will be available only through interlibrary loan, Libby, or Hoopla. Grab Bag service for Teens and Adults and Children's craft kits service will be reactivated. We look forward to welcoming you in late December to see our fresh, new look.
- 2.5 Waterford Township Administrative Offices will be closed on December 23rd, December 26th, December 30th, and January 2, 2023. Emergency Services will still be available during all administrative closures. On behalf of all of us here on Team Waterford, we wish you a safe, happy, and healthy holiday season.
- 2.6 Attention all "Snowbirds"! Don't forget to do a few important items before you leave town for your seasonal home away from Waterford. Assessing: Please contact the Waterford Assessing Department with your forwarding address if you are leaving town for the Winter. Even though you may have your mail forwarded, property tax bills and assessments notices are not forwarded and are returned to the Township. Please call 248-674-6270 to let us know your Winter address. Department of Public Works: Please contact Waterford DPW at 248-674-2278 to schedule to have the water turned off to your home before you leave for the winter. GFL Curbside Collection: Waterford's designated residential curbside waste hauler program with GFL Environmental includes an option for residents to suspend service for up to three consecutive months for an invoice credit in each 12-month period. To use this option, please contact GFL at 248-204-6762.

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 November 14, 2022, Meeting Minutes
- 3.2 November 28, 2022, Bill Payment
- 3.3 Receive the Fire Department's August, September, and October 2022 Report's
- 3.4 Revised 2023 Board Meetings, Workshop Sessions, And Holidays Observed With Office Closings

The following memo was received by Kari Vlaeminck, Deputy Clerk.

Since the approval of the 2023 Board Meetings, Workshop Sessions, and Holidays Observed with Office Closings at the October 11, 2022, regular board meeting, the budget team requested, and Supervisor Wall approved the request to put before the Board to move the December 2023 board meeting from December 6, 2023, to December 13, 2023.

Please consider the following motion "to approve the revised 2023 Board Meetings, Workshop Sessions, and Holidays Observed with Office by moving December 6, 2023, to December 13, 2022".

Board Meetings:

Township Board Meetings are held on the second and fourth Monday of each month at 6:00 p.m. in the Auditorium of Township Hall, 5200 Civic Center Drive, Waterford, Michigan. If Monday is a holiday, the meeting is moved to Tuesday.

Workshop Sessions:

The Township Board work sessions will be held on the fourth Monday of the month, at 4:30 p.m., unless otherwise noted, in conference room 3-1 in Town Hall. If Monday is a holiday, the workshop is moved to Tuesday. If you have any questions, please feel free to call the Clerk's Office.

2023 Township Board Meetings

January 9, 23	July 10, 24
February 13, 27	August 14, 28
March 13, 27	September 11, 25
April 10, 24	October 10 (Tues), 23
May 08, 22	November 13, 27
June 12, 26	December 13 (Wed)

2023 Township Board Work Sessions

January 9, 23	July 24
February 13, 27	August 28
March 13, 27	September 25
April 24	October 23
May 22	November 27
June 26	December 13

2023 Holidays Observed with Office Closings

January 2	Monday	New Year's Day
January 16	Monday	Martin Luther King, Jr. Day
February 20	Monday	Presidents' Day
April 7	Friday	Good Friday
May 29	Monday	Memorial Day
July 4	Tuesday	In observance of Independence Day
September 4	Monday	Labor Day
October 9	Monday	Columbus Day
November 10	Friday	Veterans' Day
November 23	Thursday	Thanksgiving Day
November 24	Friday	Day after Thanksgiving
December 25	Monday	In observance of Christmas Eve
December 26	Tuesday	In observance of Christmas Day

- 3.5 Library Advisory Board - Reappoint J. Kohler, and Appoint D. Sharp
The following memo was received from Supervisor Wall.

I respectfully request the Township Board's approval for the reappointment of Waterford resident JoAnn Kohler, and the appointment of Waterford resident Dana Sharp to the Library Advisory Board for three-year terms January 1, 2023 – December 31, 2025. As you know, the Library Board is responsible for working with the Director to establish long-range planning and goal setting for the Township Library operations.

Ms. Kohler has an extensive background in the field of Education and has already served one term on the Library Advisory Board. She has made important contributions in this role and expressed interest in being reappointed for another term to continue her service to the community.

Ms. Sharp is passionate about community and volunteering and would like to use her education and experience in business administration, marketing, and libraries to make meaningful contributions on Waterford's Library Advisory Board. I had the opportunity to meet with Dana personally and believe she will serve the community well in this role.

Both Ms. Kohler and Ms. Sharp express support, enthusiasm, and a commitment to helping steer the Library in a positive direction to provide a full-range of services to the community. They each bring unique insights and I feel confident their contributions will be to the benefit of the Library and the Waterford community as a whole

Joan Rogers, Library Director also supports these recommendations.

Thank you for your consideration.

3.6 Board of Review - Reappointments and Appointment

The following memo was received from Supervisor Wall.

I respectfully request the following appointments to the Board of Review for two-year terms through December 31, 2024:

Reappoint members Carolyn Leonard, Sandy Pulk, Charles Turnow

Reappoint alternate member Ron Guiseppe

Appoint Terrance Tamm to serve as an additional alternate member

Ms. Leonard, Ms. Pulk, and Mr. Turnow have served previous terms as Board of Review members. Their qualifications and experience have been a true asset to the duties carried out by the Board of Review members and I recommend their reappointments to continue serving in this capacity.

Mr. Guiseppe has also served on the Board of Review for multiple terms, and would like to continue to offer his services as an alternate Board member if and when needed. Based on his experience in this role, I recommend his reappointment as well.

Mr. Tamm recently submitted an application to serve on the Board of Review. He has experience as a realtor and says he'd like to serve on the Board of Review to utilize his skills and knowledge to help Waterford Township and its residents with property tax matters. I request your approval of Mr. Tamm's appointment as an alternate member.

The Township's Board of Review meets to review property assessments, hear assessment appeals, and make any needed corrections to the assessment roll. In addition, they may meet to be advised on assessments, assessment appeals, and to sign documents, certificates, affidavits, etc. The Board is also responsible as its July and December sessions, to hear local appeals and approvals and denials of homestead exemption issues. The Board members participate in at least one training session each year.

Thank you for your consideration.

Moved by Bartolotta,

Seconded by Markee, RESOLVED, to approve the November 28, 2022, consent agenda items 3.1 through 3.6.

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 Bartolotta

Trustee Bartolotta reviewed the November 22, 2022, Planning Commission Meeting. Planning Commissioner Palvich resigned and they are looking for a replacement.

Treasurer Thomas

December 1st is the first day to pay 2022 winter taxes.

Supervisor Wall

The Holiday Extravaganza parade, this Saturday, is a wonderful event. Please try to make it.

Clerk Markee

The Library is operating during regular operating hours. While there is no access inside, staff can take your reference questions via phone, chat, and email. They will deliver your holds and requested materials at the front entrance.

The Oakland County Board of Canvassers cleared Waterford Township on November 18, 2022. Waterford Township will have scheduled elections in 2024.

Trustee Hauswirth

Trustee Hauswirth reviewed the Drayton Plains Nature Center recent board meeting.

Trustee Monohon

The Youth Assistance Shoe drive was a success. Trustee Monohon will be attending a SEMCOG meeting next week and the topic will be "Trails".

5. Open Business**5.1 Possible Adoption of Ordinance 2022-Z-015; Child Daycare Centers**

The following memo was received by Mr. Jeffrey Polkowski, Planning and Zoning Superintendent.

This proposed Zoning Ordinance Text Amendment includes Child Daycare Centers as a Permitted Principal Use in the Zoning Ordinance within the C-1, Neighborhood Business District; C-2, Small Business District; C-3, General Business District; C-4, Extensive Business District; and C-UB, Union Lake Business District. No adjustments are being proposed within the C-UL, Union Lake Business District, as the district does already allow for Child Daycare Centers as a Permitted Principal Use

Planning Staff has recently been reached out to by an applicant who was looking at leasing a property zoned C-2, Small Business District to open a child day care center. Currently C-UL and OV-SP are the only commercial districts that allow for day care centers, these uses are also allowed in the O-1 and O-2 Zoning Districts. Similar type uses are also allowed in the Single Family Zoning Districts as Child Family Day Care Homes and a Child Group Daycare Homes.

Childcare is an essential need in our community, and after some deliberation, Township Planning Staff has made the decision to recommend this ordinance amendment to accommodate this use as it is already available in our community in similarly intensive, and less intensive, Zoning Districts.

There also is some consideration towards the potential auxiliary benefit to single family residential districts. Due to possible nuisances that a Child Group Daycare Home may pose on neighboring homes in Single Family Zoning Districts, this amendment may make childcare in commercial districts more attractive to business owners, shift these uses out of residential districts over time.

Section 1-007 of the Zoning Ordinance defines Child Daycare Centers as:

Child Day Care Center. A State-licensed facility with the capacity to receive more than twelve (12) children for group care for periods of less than twenty-four (24) hours a day, and where the parents or legal guardians are not immediately available to the child.

Possible Adoption of Ordinance 2022-Z-015; Child Daycare Centers Continued.

As already, the case Township-wide, compliance with all state regulations and a license from the Michigan Department of Licensing and Regulatory Affairs must be met before a facility can open. The state sets standards on what Child Daycare Centers would need to do to be able to operate. While there are significantly more comprehensive requirements available on LARA's website, I have attached a condensed step-by-step guide for reference.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2022-Z-015
TEXT AMENDMENT TO ZONING ORDINANCE

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A ("Zoning Ordinance") Business Zoning Districts, C-1, C-2, C-3, C-4, and C-UB District to add Child Day Care Facilities as permitted principal uses in those districts.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 3-703.3 of the Waterford Township Zoning Ordinance that lists permitted principal uses in the C-1 Neighborhood Business District, is amended to include Child day care centers as permitted principal uses in a new section C and to readjust the lettering for the previously included principal uses to read as follows:

- 3-703.3. Permitted Principal Uses.** The following uses shall be permitted as principal uses in the C-1 district:
- A. Convenience stores, limited merchandise stores, and specialty retail stores (See ***Retail Establishments*** in ***Section 1-007***).
 - B. Animal grooming establishments, commercial school establishments, laundry establishments, media production establishments, media communications establishments, personal advice establishments, personal grooming establishments, personal improvement service establishments, and personal service establishments (See ***Commercial Service Establishments*** in ***Section 1-007***).
 - C. Child day care centers (See ***Child Day Care Facilities etail Establishments*** in ***Section 1-007***).
 - D. Drop-off dry cleaning establishments (See ***Dry-Cleaning Establishments*** in ***Section 1-007***).
 - E. Professional medical care offices (See ***Medical Establishments*** in ***Section 1-007***).
 - F. Office establishments (See ***Office Establishments*** in ***Section 1-007***).
 - G. Carryout restaurants and fast food/delicatessen/sandwich shop restaurants (See ***Restaurant Establishments*** in ***Section 1-007***) without drive-thru facilities. (Amended 11/30/2021)
 - H. Entertainment rental establishments (See ***Rental Establishments*** in ***Section 1-007***).
 - I. Fitness centers (See ***Recreational Facilities*** in ***Section 1-007***).
 - J. Used book shops (See ***Resale Establishments*** in ***Section 1-007***).
 - K. Neighborhood public utility facilities, public utility hardware, and area public utility facilities (See ***Public Utility*** in ***Section 1-007***).
 - L. Outfitters (See ***Outfitters*** in ***Section 1-007***). (Effective 8/17/2021)

Possible Adoption of Ordinance 2022-Z-015; Child Daycare Centers Continued.**Section 2 of Ordinance**

Section 3-704.3 of the Waterford Township Zoning Ordinance that lists permitted principal uses in the C-2 Small Business District, is amended to include Child day care centers as permitted principal uses in a new section C and to readjust the lettering for the previously included principal uses to read as follows:

- 3-704.3 Permitted Principal Uses.** The following uses shall be permitted as principal uses in the C-2 district:
- A. Convenience stores, limited merchandise stores, and specialty retail stores (*See **Retail Establishments** in Section 1-007*).
 - B. Animal grooming establishments, building systems repair establishments, commercial school establishments, household service repair establishments, laundry establishments, media production establishments, media communications establishments, personal advice establishments, personal grooming establishments, personal improvement service establishments, personal service establishments, and pet shop establishments (*See **Commercial Service Establishments** in Section 1-007*).
 - C. Child day care centers (*See **Child Day Care Facilities** in Section 1-007*).
 - D. Drop-off dry cleaning establishments (*See Dry-Cleaning Establishments in Section 1-007*).
 - E. Professional medical care offices (*See **Medical Establishments** in Section 1-007*).
 - F. Office establishments (*See **Office Establishments** in Section 1-007*).
 - G. Bar/lounges, carryout restaurants and fast food/delicatessen/sandwich shop restaurants (*See **Restaurant Establishments** in Section 1-007*) without drive-thru facilities. (*Amended 11/30/2021*)
 - H. Entertainment rental establishments (*See **Rental Establishments** in Section 1-007*).
 - I. Used book shops (*See **Resale Establishments** in Section 1-007*).
 - J. Neighborhood public utility facilities (*See **Public Utility** in Section 1-007*) and public utility hardware (*See **Public Utility** in Section 1-007*).
 - K. Area public utility facilities (*See **Public Utility** in Section 1-007*) and regional public utility facilities (*See **Public Utility** in Section 1-007*), provided that any installations located closer than fifty (50) lineal feet from any adjacent residential dwelling shall be screened with landscaping materials as provided for in *Division 2-8* and identified in a landscape plan reviewed and approved by the Zoning Official and Township Engineer, and such landscaping shall not negatively impact accessibility by utility maintenance crews. (*Amended 7/5/2022*)
 - L. Licensed medical marihuana provisioning centers that comply with the applicable regulations in *Section 2-604*. (*See **MEDICAL MARIHUANA USES AND DEFINED TERMS** in Section 1-007*).

Possible Adoption of Ordinance 2022-Z-015; Child Daycare Centers Continued.

M. Outfitters (See *Outfitters* in *Section 1-007*). (Effective 8/17/2021)

Section 3 of Ordinance

Section 3-705.3 of the Waterford Township Zoning Ordinance that lists permitted principal uses in the C-3 General Business District, is amended to include Child day care centers as permitted principal uses in a new section D and to readjust the lettering for the previously included principal uses to read as follows:

3-705.3. Permitted Principal Uses. The following uses shall be permitted as principal uses in the C-3 district:

- A. Convenience stores, department stores, drug stores, limited merchandise stores, merchandise display stores, specialty retail stores, and supermarket establishments (See *Retail Establishments* in *Section 1-007*) without outdoor sales display areas.
- B. Shopping centers (See *Retail Establishments* in *Section 1-007*) without outdoor sales display areas.
- C. Animal grooming establishments, banquet and food preparation establishments, building systems repair establishments, commercial school establishments, household service repair establishments, laundry establishments, media production establishments, media communications establishments, personal advice establishments, personal grooming establishments, personal improvement service establishments, personal service establishments, and pet shop establishments (See *Commercial Service Establishments* in *Section 1-007*).
- D. Child day care centers (See *Child Day Care Facilities* in *Section 1-007*).
- E. Drop-off dry cleaning establishments (See *Dry-Cleaning Establishments* in *Section 1-007*).
- F. Professional medical care offices and medical clinics (See *Medical Establishments* in *Section 1-007*).
- G. Office establishments (See *Office Establishments* in *Section 1-007*).
- H. Restaurant establishments (See *Restaurant Establishments* in *Section 1-007*) without outdoor dining patios or drive-thru facilities. (Amended 11/30/2021)
- I. Entertainment rental establishments and rent-to-own establishments (See *Rental Establishments* in *Section 1-007*).
- J. Entertainment activity centers and theaters (See *Entertainment Establishments* in *Section 1-007*).
- K. Hotels and motels (See *Hotel And Motel* in *Section 1-007*).
- L. Fitness centers and health/recreation facilities (See *Recreational Facilities* in *Section 1-007*).
- M. Antique stores, used book shops, consignment shops, and thrift shops (See *Resale Establishments* in *Section 1-007*).
- N. Veterinary clinics (See *Veterinary Establishments* in *Section 1-007*). A veterinary clinic may include customary pens or cages which are permitted only within the clinic building and limited to overnight observation and shall only be incidental to such clinic use.
- O. Funeral home establishments (See *Funeral Home Establishments* in *Section 1-007*).
- P. Precious metal and gem dealers (See *Section 1-006*) in conformance with *Section 2-602*.

Possible Adoption of Ordinance 2022-Z-015; Child Daycare Centers Continued.

- Q. Public utility facilities and public utility hardware (See **Public Utility in Section 1-007**).
- R. Licensed medical marijuana provisioning centers that comply with the applicable regulations in **Section 2-604**. (See **MEDICAL MARIHUANA USES AND DEFINED TERMS in Section 1-007**).
- S. Electric Vehicle Charging Stations (See **Electric Vehicle Charging Stations in Section 1-007**). (Effective 5/4/2021)
- T. Outfitters (See **Outfitters in Section 1-007**). (Effective 8/17/2021)

Section 4 of Ordinance

Section 3-706.3 of the Waterford Township Zoning Ordinance that lists permitted principal uses in the C-4 Extensive Business District, is amended include Child day care centers as permitted principal uses in a new section H and to readjust the lettering for the previously included principal uses to read as follows:

3-706.3. Permitted Principal Uses. The following uses shall be permitted as principal uses in the C-4 district:

- A. Retail establishments (See **Retail Establishments in Section 1-007**), including such establishments with outdoor sales display areas.
- B. Commercial service establishments (See Commercial Service Establishments in Section 1-007).
- C. Restaurant establishments (See **Restaurant Establishments in Section 1-007**) without drive-thru facilities. (Amended 11/30/2021)
- D. Entertainment establishments (See Entertainment Establishments in Section 1-007).
- E. Cultural facilities (See Cultural Establishments in Section 1-007).
- F. Institutional facilities (See Institutional Facilities in Section 1-007).
- G. Religious facilities (See Religious Facilities in Section 1-007).
- H. Child day care centers (See **Child Day Care Facilities in Section 1-007**).
- I. Recreational facilities conducted completely within a building approved for the use (See **Recreational Facilities in Section 1-007**).
- J. Drop-off dry cleaning establishments (See **Dry-Cleaning Establishments in Section 1-007**).
- K. Medical establishments (See Medical Establishments in Section 1-007). L. Office establishments (See Office **Establishments in Section 1-007**).
- M. Conference facilities (See **Conference Facilities in Section 1-007**).
- N. Convention centers (See **Convention Center in Section 1-007**).
- O. Entertainment rental and rent-to-own establishments (See **Rental Establishments in Section 1-007**).
- P. Hotels and motels (See **Hotel And Motel in Section 1-007**).
- Q. Antique stores, used book shops, consignment shops, and thrift shops (See **Resale Establishments in Section 1-007**).
- R. Funeral home establishments (See **Funeral Home Establishments in Section 1-007**).
- S. Veterinary establishments (See **Veterinary Establishments in Section 1-007**).
- T. Light equipment rental establishments (See **Rental Establishments in Section 1-007**) and new vehicle dealer, used vehicle dealer, and vehicle broker dealer establishments (See **Vehicle Dealer Establishments in Section 1-007**) conducted entirely within the principal building with no outdoor display or storage.

Possible Adoption of Ordinance 2022-Z-015; Child Daycare Centers Continued.

- U. Vehicle lease or rental agencies (See **Vehicle Lease Or Rental Agency** in **Section 1-007**), including such uses with outdoor vehicle inventory storage.
- V. Precious metal and gem dealers (See **Section 1-006**) in conformance with **Section 2-602**.
- W. Public utility facilities, public utility buildings, and public utility hardware (See **Public Utility** in **Section 1-007**).
- X. Licensed medical marihuana provisioning centers that comply with the applicable regulations in **Section 2-604**. (See **MEDICAL MARIHUANA USES AND DEFINED TERMS** in **Section 1-007**).
- Y. Electric Vehicle Charging Stations (See **Electric Vehicle Charging Stations** in **Section 1-007**). (Effective 5/4/2021)
- Z. Outfitters (See **Outfitters** in **Section 1-007**). (Effective 8/17/2021)

Section 5 of Ordinance

Section 3-707.3 of the Waterford Township Zoning Ordinance that lists permitted uses as special approval uses in the C-UB Urban Business District, is amended to add a new subsection H and to readjust the lettering for the previously included principal uses to read as follows:

- 3-707.3. Permitted Principal Uses.** The following uses conducted completely indoors, with no outdoor service or drive-thru- service facilities, shall be permitted as principal uses in the C-UB district:
- A. Convenience stores, department stores, drug stores, limited merchandise stores, merchandise display stores, specialty retail stores, and supermarket establishments (See **Retail Establishments** in **Section 1-007**).
 - B. Shopping centers (See **Retail Establishments** in **Section 1-007**).
 - C. Animal grooming establishments, banquet and food preparation establishments, building systems repair establishments, commercial school establishments, household service repair establishments, laundry establishments, media production establishments, media communications establishments, personal advice establishments, personal grooming establishments, personal improvement service establishments, personal service establishments, and pet shop establishments (See **Commercial Service Establishments** in **Section 1-007**).
 - D. Cultural facilities (See **Cultural Establishments** in **Section 1-007**).
 - E. Religious facilities (See **Religious Facilities** in **Section 1-007**).
 - F. Child day care centers (See **Child Day Care Facilities** in **Section 1-007**).
 - G. Drop-off dry cleaning establishments (See **Dry-Cleaning Establishments** in **Section 1-007**).
 - H. Professional medical care offices and medical clinics (See **Medical Establishments** in **Section 1-007**).
 - I. Office establishments (See **Office Establishments** in **Section 1-007**).
 - J. Bar/lounges, brewpubs, cabaret/night clubs, cafeterias, carryout restaurants, and fast food/delicatessen/sandwich shop restaurants (See **Restaurant Establishments** in **Section 1-007**).
 - K. Entertainment rental establishments and rent-to-own establishments (See **Rental Establishments** in **Section 1-007**).
 - L. Entertainment activity centers and theaters (See **Entertainment Establishments** in **Section 1-007**).
 - M. Private clubs and philanthropic institutions (See **Institutional Facilities** in **Section 1-007**).
 - N. Fitness centers and health/recreation facilities (See **Recreational Facilities** in **Section 1-007**).

Possible Adoption of Ordinance 2022-Z-015; Child Daycare Centers Continued.

- O. Antique stores, used book shops, consignment shops, and thrift shops (See **Resale Establishments** in **Section 1-007**).
- P. Public utility facilities and public utility hardware (See **Public Utility** in **Section 1-007**).
- Q. Outfitters (See **Outfitters** in **Section 1-007**). (Effective 8/17/2021)
- R. Lofts on the second floor of buildings in which the first floor is occupied by commercial uses that are permitted principal uses, permitted uses after wellhead protection compliance, or permitted uses after special approval in the C-UB, Urban Business zoning district (See **Dwelling, Loft** in **Section 1-007**). Effective 4/5/2022

Section 6 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 Text Amendment 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 November 28, 2022.

Date

Kimberly Markee, Township Clerk

Moved by Bartolotta,
Seconded by Markee, RESOLVED, to adopt Ordinance 2022-Z-015; Child Daycare Centers. A roll call vote was taken.

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

Motion carried unanimously.

5.2 Introduction of Ordinance 2022-Z-016; Text Amendment: Parking Lot Landscaping and SPL References

The following memo was received by Mr. Jeffrey Polkowski, Planning and Zoning Superintendent.

Attached for your review and consideration, please find a proposed Zoning Ordinance Text Amendment.

When the SPL was originally integrated into the Zoning Ordinance last year, several sections had accidentally been left out during the lengthy migration process.

This proposed Zoning Ordinance Text Amendment simply incorporates the previously adopted parking lot landscaping requirements that were left out and corrects language and reference information from the SPL integration.

Possible Adoption of Ordinance 2022-Z-016; Text Amendment: Parking Lot Landscaping and SPL References.

Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed Zoning Ordinance amendment at the regularly scheduled meeting on October 25, 2022 and resolved unanimously, to forward a favorable recommendation to the Township Board.

Motions

Based upon the Planning Commission's favorable recommendation at the October 25, 2022 regular meeting for this Zoning Ordinance amendment, should the Board want to consider adopting the requested Zoning Ordinance amendment, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the November 28, 2022 meeting. However, if the Board does not want to adopt the requested Zoning Ordinance amendment, the appropriate motion would be to not introduce the Ordinance and deny the 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. 2022-Z-16
TEXT AMENDMENT TO ZONING ORDINANCE**

An Ordinance to amend the Waterford Township Zoning Ordinance No. 135-A ("Zoning Ordinance") to amend the Interim Site Planning and Landscape Design Standards Manual (SPL Manual) incorporation.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Section 1 of Ordinance

Section 2-405.A through 2-405.H shall be renumbered to 2-405.1 through 2-405.8 for document numbering consistency:

- F Off-street parking areas shall be designed to conform to **Section 2-409.4**.

Section 2 of Ordinance

Section 2-405.F of the Zoning Ordinance shall be modified to be renumbered to 2-405.6 and to remove specific dimensional requirements and to instead reference Section 2-409.4 Parking Space Standards, Layouts, and Construction and shall now read as follows:

6. Off-street parking areas shall be designed to conform to **Section 2-409.4**.

Section 3 of Ordinance

Section 2-406.A and 2-406.B shall be renumbered to 2-406.1 and 2-405.2 for document numbering consistency.

Section 4 of Ordinance

Section 2-409.1 of the Zoning Ordinance shall be modified to reference Section 2-409.6 instead of Section 2601 and shall read as follows:

Possible Adoption of Ordinance 2022-Z-016; Text Amendment: Parking Lot Landscaping and SPL References.

2-409.1. Off-Street Parking Requirements. In all districts space for off-street parking of self-propelled motor vehicles used by occupants, employees, and/or patrons of building and uses hereafter erected, altered, or extended after the effective date of this Ordinance, shall be provided as herein prescribed. All required off-street parking areas along with the prescribed number of spaces shall not be encroached upon so long as the main building use remains, unless an equivalent number of spaces are provided elsewhere in conformance with this Ordinance. Off-street parking existing at the effective date of this Ordinance shall not be reduced in size or number of spaces less than that required under this ordinance for any existing building or use which it serves. Loading space as required in **Section 2-409.6** shall not be construed as supplying offstreet parking space. The amount of required off-street parking space shall be stated on application for a building permit to build a new building or use or enlarge an existing one.

Section 5 of Ordinance

Section 2-409.4.D of the Zoning Ordinance shall be modified to include a reference to graphic examples of layouts, updated dimensions in the table and shall now read as follows:

D Plans for the layout of off-street parking facilities shall be in accordance with the following minimum requirements. See *Figure VII-68* through *Figure VII-72* for graphic examples of parking area layouts:

OFF STREET PARKING LOT LAYOUT					
PARKING				TOTAL WIDTH OF ONE TIER OF PARKING PLUS AISLE <i>(in feet)</i>	TOTAL WIDTH OF TWO TIERS OF PARKING PLUS AISLE <i>(in feet)</i>
PARKING PATTERN ANGLE	SPACE WIDTH <i>(in feet)</i>	SPACE LENGTH <i>(in feet)</i>	AISLE WIDTH (IN FEET)		
0 (parallel)	8	21'	12' one-way 22' two-way	20' one-way 30' two-way	28' one-way 38' two-way
45	9	18'	14' one-way 22' two-way	33' one-way 41' two-way	52' one-way 60' two-way
60	9	18'	18' one-way 22' two-way	38' one-way 42' two-way	58' one-way 62' two-way
90	9	18'	22'	40'	58'

Section 6 of Ordinance

Section 2-604.3.B(11) of the Zoning Ordinance shall be modified to remove reference to the SPL Manual and shall now read as follows:

- (11) Conformity to the applicable provisions of the Engineering Standards established under *Section 5-003* and with *Division 2-4*, and *Division 2-8*

Section 7 of Ordinance

Section 2-604.4.G of the Zoning Ordinance shall be modified to remove reference to the SPL Manual and shall now read as follows:

Possible Adoption of Ordinance 2022-Z-016; Text Amendment: Parking Lot Landscaping and SPL References.

- G Conformity to the applicable provisions of the Engineering Standards established under *Section 5-003* and with *Division 2-4*, and *Division 2-8*

Section 8 of Ordinance

Section 2-802.6 of the Zoning Ordinance shall remain the same except to indicate that the Ginko shall only be male and shall read as:

Gingko (Male)

Section 9 of Ordinance

A new Section 2-802.9 shall be added and will read as follows:

2-802.9 Parking Area Landscaping Requirements

- A A minimum twenty (20) foot wide greenbelt as designed and regulated in **Section Error!** *Reference source not found.* shall be located between any off-street parking areas or vehicular use areas and any adjacent public right-of-way excluding alleys.
- B Parking interior landscaping shall be provided in parking areas in accordance with the following requirements:
 - (1) Any off-street parking areas containing ten (10) or more parking spaces shall have within the parking area interior landscaping according to the following schedule: Use Parking Interior Landscaping Per Parking Space (in sq. ft.)
Commercial/Office 20 Residential (Multiple) 15 Industrial 10

Use	Parking Interior Landscaping Per Parking Space (in Sq. ft.)
Commercial/Office	20
Residential/Multiple	15
Industrial	10

- (2) Each separate landscaped area shall be no less than ninety (90) square feet and shall have a minimum dimension of at least five (5) feet. No more than three (3) landscaped units of ninety (90) square feet may be combined in plans designed to meet the minimum requirements.
- (3) Bumper stops, curbing or wheel chocks shall be provided in conjunction with any driveway, parking aisle or parking space (paved or unpaved) a minimum distance of five (5) feet from any required fence, wall or other screening, or any adjacent building which is constructed on the property line in order to prevent any vehicle from damaging or encroaching upon such required screening or adjacent buildings. Either concrete or asphalt may be used with specifications and plans approved by the Township Engineer.
- (4) All parking interior landscaping shall conform to the following requirements:
 - (A) One (1) twelve (12) foot high, two (2) inch caliper deciduous tree shall be required for every one hundred (100) square feet or fraction thereof of required parking interior landscaping area.
 - (B) The parking interior landscaping area shall be curbed and shall contain grass, ground cover, four (4) inch deep wood chips, or four (4) inch deep crushed stone.

Possible Adoption of Ordinance 2022-Z-016; Text Amendment: Parking Lot Landscaping and SPL References.

Section 10 of Ordinance

Section 5-004 Site Planning and Landscape Design Standards Manual shall be deleted in its entirety.

Section 11 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 Text Amendment 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 _____, 2022.

Date

Kimberly Markee, Township Clerk

Moved by Bartolotta,
Seconded by Hauswirth, RESOLVED, to adopt Ordinance 2022-Z-016; Text Amendment: Parking Lot Landscaping and SPL References. A roll call vote was taken.

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

Motion carried unanimously.

6. Introduction
6.1 Introduction of Ordinance 2022-004; Medical Marihuana Facility Licensing Ordinance Amendment

**CHARTER TOWNSHIP OF WATERFORD
ORDINANCE NO. 2022-004**

MEDICAL MARIHUANA FACILITY LICENSING ORDINANCE AMENDMENT

An Ordinance to amend the Medical Marihuana Facility Licensing Ordinance codified in Division 12 of Article III in Chapter 10 of the Waterford Charter Township Code to modify the permitted hours of operations for provisioning centers and to change the security guard requirements for all Facilities.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

Introduction of Ordinance 2022-004; Medical Marihuana Facility Licensing Ordinance Amendment Continued.

Section 1 of Ordinance

The Waterford Charter Township Code is amended to clarify the requirements for security guards by changing Subsection 10-301(b)(15)(a) to read as follows:

Sec. 10-301. License application requirements.

- (a) Unchanged
- (b) (1)-(14) unchanged

(b) (15) A comprehensive facility operation plan that complies with all license standards, terms, and conditions in Section 10-306 and that includes at least all of the following:

a. A security plan and narrative depicting and fully describing the manner and equipment by which the applicant will comply with the requirements of this Ordinance and any other applicable law, rule, or regulation, and the details of all security arrangements to protect the facility and the safety of its employees and members of the public who are lawfully on the premises of the facility. Each facility must be protected by one private security guard or private security police personnel covered by a license issued under Public Act 330 of 1968, as amended, that are lawfully armed with a firearm and present during business hours.

(b) (15) (b)- (i) unchanged

(c) (16)- (25) unchanged

(c)- (f) unchanged.

Section 2 of Ordinance

The Waterford Charter Township Code is amended to clarify the security guard requirement by changing Subsections 10-306(e)(4) and 10-306(l)(4) to read as follows:

Sec. 10-306. License standards terms and conditions.

(a)- (d) unchanged

(e) (1)-(3) unchanged

(e)(4) *Security Guard.* Each facility must be protected during the hours of operation by private security guard or private security police personnel covered by a license issued under Public Act 330 of 1968, as amended, that are lawfully armed with a firearm.

(f)-(k) unchanged

(l)(1)-(3) unchanged

(l) Provisioning centers are subject to the following requirements and restrictions:

(l)(1)-(3) unchanged

(l)(4) Must have one licensed and lawfully armed private security guard or private security police present during business hours.

Introduction of Ordinance 2022-004; Medical Marihuana Facility Licensing Ordinance Amendment Continued.

Section 3 of Ordinance

The Waterford Charter Township Code is amended to clarify the hours of operation for provisioning centers by changing Subsections 10-306 (l)(1) to read as follows:

Sec. 10-306. License standards terms and conditions.

(l) Provisioning centers are subject to the following requirements and restrictions:

(1) The hours they are open to the public are limited to 9:00 a.m. to 10:00 p.m., Monday through Saturday, and 10:00 a.m. to 6:00 p.m. on Sunday.

Section 4 of Ordinance

Should any part of this ordinance be declared invalid by a Court, it shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

Section 5 of Ordinance

This Ordinance shall take effect immediately upon publication.

CERTIFICATION

I certify that this Ordinance was adopted by the Board of Trustees of the Charter Township of Waterford at a regular meeting held on December 12, 2022.

CHARTER TOWNSHIP OF WATERFORD

December , 2022

By: _____
Kimberly F. Markee, Township Clerk

Moved by Thomas,
Seconded By Bartolotta, RESOLVED, to Introduce Ordinance 2022-004; Medical Marihuana Facility Licensing Ordinance Amendment. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

7. New Business**7.1 CDBG PY2022 West Oakland Transportation Authority Contract**

The following memo was received from Scott Alef, Community Development Grant Coordinator.

On August 15, 2022, the Township Board of Trustees approved the new CDBG 2022-2026 Consolidated Plan. Incorporated into the annual plan was an allocation of up to 15% of the annual allocation to be used to support the West Oakland Transportation Authority the services of transporting senior and disabled Waterford residents.

The annual allowance for PY2022, which runs between July 1, 2022 and June 30, 2023; allows for a total of \$54,913 for Public Services expenditures. HUD has given final approval for the funding allocations which allows the Township to contract with WOTA for services.

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

WHEREAS, On May 13, 2022, the U.S. Department of Housing and Urban Development has allocated \$366,089 in Community Development Block Grant funding to Waterford Township for Program Year 2022 which runs between July 1, 2022 and June 30, 2023.

WHEREAS, Waterford Township has identified \$54,913 of the allocated CDBG PY2022 funds to be dedicated to the West Oakland Transportation Authority for the Seniors/Disabled Persons Curb-to-Curb Transit Public Service.

WHEREAS, On September 24, 2022, the U.S. Department of Housing and Urban Development accepted the Waterford Township, MI submitted Consolidated Plan for 2022 to 2026.

NOW, THEREFORE, BE IT RESOLVED, The Township of Waterford approves the CDBG PY 2022 West Oakland Transportation Authority grant contract with an authorized budget of \$54,913.

Moved by Bartolotta,

Seconded by Markee, RESOLVED, to authorize the CDBG Public Year 2022, July 1, 2022 through June 30, 2023, West Oakland Township Authority Contract. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

7.2 **Interlocal Agreement for Oakland County to Approve Designated Assessor**

The following memo was received from

CHARTER TOWNSHIP OF WATERFORD

RESOLUTION APPROVING INTERLOCAL AGREEMENT FOR OAKLAND COUNTY TO APPROVE DESIGNATED ASSESSOR FOR THE PERIOD JANUARY 1, 2023 THROUGH DECEMBER 31, 2027

WHEREAS, an Interlocal Agreement for Oakland County to Approve the Designated Assessor for the Period January 1, 2023 through December 31, 2027, was presented by Oakland County for approval by the Township Board of Trustees.

WHEREAS, the attached Interlocal Agreement for Oakland County to Approve the Designated Assessor for the Period January 1, 2023 through December 31, 2027, includes changes from the Agreement presented by the County that have been recommended by the Township Assessor.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the attached Interlocal Agreement for Oakland County to Approve the Designated Assessor for the Period January 1, 2023 through December 31, 2027, with the changes recommended by the Township Assessor is approved and the Township Supervisor is authorized to sign it on behalf of the Township.

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting on November 28, 2022.

Date

Kim Markee, Township Clerk
Charter Township of Waterford

Moved by Bartolotta,
Seconded by Hauswirth, RESOLVED, to adopt the Resolution approving Interlocal Agreement for Oakland County to Approve Designated Assessor for the Period January 1, 2022, through December 31, 2027. A roll call vote was taken.

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

Motion carried unanimously.

7.3 **Library - Request For Amendment To 2022 Budget - Ubbes Estate Final Distribution**

The following memo was received from Joan Rogers, Library Director.

I am requesting the following amendment to the Library Donations budget to reflect receipt of the final distribution of the proceeds from the bequest of the Estate of John M. Ubbes.

Earlier this year we were notified that the Library was named as one of the devisees of this estate. We recently received \$147,692.86 as the final distribution for a total of \$230,192.40.

We plan to use these funds for capital improvements.

27101-67408-L0002 Contributions \$ 147,692.86

Recommended Board Action:

To amend the 2022 Library Donations Budget to receive the final distribution of the bequest to revenue line: 27101-67408-L0002.

Moved by Markee,

Seconded by Bartolotta, RESOLVED to amend the 2022 Library Donations Budget to receive the final distribution of the Ubbes Foundation contribution of \$147,692.86 to the revenue line: 27101-67408-L0002. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

7.4 **Michigan State Housing Development Authority, Michigan Homeowner Assistance Fund**

The following memo was received from Rachel Wolcox, DPW Staff Analyst/Safety Coordinator.

The Waterford Township Department of Public Works is seeking approval from the board to become a participating provider for the Michigan State Housing Development Authority's (MSHDA) Michigan Homeowner Assistance Fund (MIHAF). This fund was established through the American Rescue Plan Act of 2021 and is to help homeowners mitigate financial hardships associated with the coronavirus pandemic. Homeowners can apply for assistance with numerous household expenses including water/sewer bills.

The Provider Participation Agreement will allow Waterford homeowners that experienced financial hardship related to the coronavirus pandemic to receive funding for delinquent water/sewer bills. This agreement will not put any additional burden or cost on our department that we can see, but will help Waterford homeowners with their financial obligations.

Requested Board Action
Approve Supervisor Wall to sign the Provider Participation Agreement with the Michigan State Development Authority for their Michigan Homeowner Assistance Fund.

Michigan State Housing Development Authority, Michigan Homeowner Assistance Fund Continued.

Moved by Thomas,

Supported by Markee, RESOLVED, to approve Supervisor Wall to sign the Provider Participation Agreement with the Michigan State Development Authority for their Michigan Homeowner Assistance Fund. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

7.5 Proposed Special Assessment District for the Eradication or Control of Aquatic Weeds

The following memo was received from Jeffrey M. Polkowski, Superintendent of Planning and Zoning.

It was presented to Waterford Township by a group of concerned lakefront owners several years ago that Crescent Lake contained a detrimental amount of invasive aquatic plants and weeds known to threaten the biodiversity of lakes, threaten navigation and recreational activities, decrease property values, and also harbor bacteria and other nuisance algae that are not beneficial to a lake's ecosystem. In an attempt to address this concern this same group circulated a petition requesting Waterford Township initiate proceedings to establish a Special Assessment District (S.A.D.) to fund the eradication or control of aquatic weeds and plants in accordance with Act 188 of the Public Acts of 1954, as amended (Act 188). Ultimately, a S.A.D. program was approved by the Board in 2013 with the final treatment to occur in 2018.

After the final weed control treatment this same group circulated a petition requesting Waterford Township initiate proceedings to establish another S.A.D. that was approved by the Board in 2018 with the final treatment to occur in 2023.

Once again, petitions have been presented to Waterford Township by this group of concerned lakefront owners with access to Crescent Lake, to request a S.A.D. for aquatic weed control.

The Development Services Department has reviewed the enclosed petitions recently submitted by the group and has verified that signatures representing 70% 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

Proposed Special Assessment District for the Eradication or Control of Aquatic Weeds Continued.

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 providing the control of weed in Crescent 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 providing week control 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 this office.

**RESOLUTION TO CAUSE PLANS TO BE PREPARED
FOR CONSIDERATION OF THE INTENT TO FORM
A CRESCENT LAKE
SPECIAL ASSESSMENT DISTRICT FOR
THE CONTROL OF WEEDS IN CRESECENT 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 control of weeds in Crescent 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 providing the control of weeds in Crescent Lake to be filed with the Clerk.

BE IT FURTHER RESOLVED THAT the responses with the plans and specifications concerning providing weed control in Crescent 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 November 28, 2022.

Charter Township of Waterford

Date

Kimberly Markee, Township Clerk

Proposed Special Assessment District for the Eradication or Control of Aquatic Weeds Continued.

Mr. Heinsmer, President of the Crescent Lake Homeowner's Association, and Township Attorney Shortley addressed the Board. Trustee Bartolotta stated that he would like to see the total cost to the Township. Clerk Markee asked, "Why does Crescent Lake need to be treated differently from other lakes?" Supervisor Wall will forward the Boards questions that need addressing before the December 12, 2022, board meeting.

Moved by Bartolotta,

Supported by Thomas, RESOLVED, to table the Special Assessment District for the Eradication or Control of Aquatic Weeds for Crescent Lake to the December 12, 2022, regular scheduled board meeting. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

7.6 Sidewalk Replacement for M-59

The following memo was received from Jeffrey M. Polkowski, Superintendent of Planning and Zoning.

The Michigan Department of Transportation (MDOT) has been spending the last year working on ideas for improving access management along the M-59 corridor from Telegraph to Elizabeth Lake Road. MDOT has hired OHM performed site visits to evaluate each potential access management location and to assess the properties from an operational standpoint and provide recommendations. MDOT has been making progress discussing the access management that was recommended by OHM and would like to begin approaching the property owners about the changes to their driveways in the corridor that MDOT will be implementing.

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 piggy back off of MDOT's efforts and partner with their contracted sidewalk crew to replace sidewalks at a much lower rate than if the Township were to go out to bid on their own.

MDOT has agreed to this partnership and is willing to amend their original scope with OHM to incorporate this sidewalk replacement work. What is being presented before you is the engineering work to design replacement sidewalks for this project area.

After reviewing the proposal by MDOT/OHM I would like to recommend that the Board approve OHM, as the vendor 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 via MDOT, as the vendor for the M-59 Sidewalk Replacement Project for the amount of \$20,774.**
2. **Approve \$20,774 to expense account number 28290-97005-ARPA1 for the M-59 Sidewalk Replacement Project.**

Sidewalk Replacement for M-59 Continued.

Moved by Bartolotta,

Supported by Thomas, RESOLVED, to approve OHM via MDOT, as the vendor for the M-59 Sidewalk Replacement Project for the amount of \$20,774; furthermore, to approve \$20,774 to expense account number 28290-97005-ARPA1 for the M-59 Sidewalk Replacement Project. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

7.7 **Request Received for Extension of Time for Issuance of a Facility License Under the Medical Marihuana Facilities License Ordinance – MJ Highland**

The following memo was received from Robert P. Zora, Esq. and Michael Acho.

As you know, I was before the Board on November 14th on behalf MJ Highland, LLC requesting approval for a modified, phased site plan for MJ Highland's proposed Provision Center at 2060 Dixie Highway, Waterford Twp., MI 48328. During that meeting, the Township Board directed MJ Highland to the Planning Commission for approval of its phased site plan. The Planning Commission, however, does not meet until December 14, 2022, which in turn is the soonest date MJ Highland may obtain a certificate of occupancy. At the November 14th meeting, the Board also suggested that if MJ Highland requires additional time to obtain city and state inspections and approvals for its revised site plan, it should make that request to the Board during the November 28, 2022 meeting of the Board of Trustees.

MJ Highland is underway on its efforts to get fully licensed by the CRA, but because the Planning Commission does not meet until December 14, 2022, and MJ Highland will not be able to address the Township Board after that date, MJ Highland is making this **request for a 45-day extension (until February 14, 2023) of its Medical Marihuana Provisioning Center conditional approval**, as a precautionary measure before December 31, 2022. An extension may also aid MJ Highland in the event that the CRA is delayed beyond the end of the year with respect to MMFLA inspections.

As an update to the Board, MJ Highland has submitted its Step 2 application to the CRA. The CRA has reviewed MJ Highland's Step 2 application and, at this stage, is only awaiting MJ Highland's certificate of occupancy. Likewise, MJ Highland has submitted its Phase I site plans to the Michigan Bureau of Fire Services (BFS), and as of the date of this letter, MJ Highland is working with the BFS to schedule an inspection before the end of the month. MJ Highland has also submitted its revised site plans to the Planning Commission so that the Phase I site plan will be on the Planning Commission's December 14th agenda. To that end, MJ Highland has scheduled security cameras, alarm systems, cabinets, and other millwork to be installed the week of November 28th and as soon as the Planning Commission grants MJ Highland a certificate of occupancy following all necessary Township inspections, MJ Highland will schedule a final inspection by the CRA.

MJ Highland is working diligently to have its proposed Provisioning Center approved and licensed by December 31st. Nonetheless, out of an abundance of caution, MJ Highland believes that 45-day extension to its conditional approval would be prudent given the upcoming holidays, the mid-December Planning Commission meeting date, and any potential MMFLA

Request Received for Extension of Time for Issuance of a Facility License Under the Medical Marihuana Facilities License Ordinance – MJ Highland Continued.

inspection delays by the CRA. MJ Highland further requests that its extension request be included on the agenda for the November 28th Board meeting.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Mr. Rob Zora addressed the Board of Trustees regarding MJ Highland's Medical Marihuana Facility License.

Moved by Bartolotta,

Seconded by Thomas, RESOVLED, to table the Request Received for Extension of Time for Issuance of a Facility License under the Medical Marihuana Facilities License Ordinance – MJ Highland for the December 12, 2022, regular Board agenda. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

7.8 **Request Received For Extension of Time For Issuance of a Facility License Under The Medical Marihuana Facilities License Ordinance - Quality Roots**

The following memo was received from Aric Klar, CEO Quality Roots, Inc.

I am writing to you all today to give you an update on our project. Quality Roots Waterford will be 99.9% complete on Dec 1 2022.(I have attached below photos taken today Nov, 21,2022). We have called for all final inspections and expect to receive our occupancy from the Township on Dec 1st or 2nd. The 1 issue that is the .1% not complete is the DTE transformer which has been on order since Feb 2022 as work starting commencing on site. I have also included a timeline of those communications and a clearer understanding of the timelines. We have found a solution and have got power from another DTE power pole in the interim to allow us to fully function. From lighting, heat, security all is functioning. We can 100% operate.

The only issue is that our plans call for a new transformer. We are hoping that the building department will work with us to ensure that we can receive a final Certificate of Occupancy with the power that is currently brought into this building. But just in case and to stay ahead of the potential delay, we felt it was best to ask one of two things. Number one, if the board/building departments will allow us to add a transformer once available so we can get full Certificate of Occupancy, or number two, if the township would grant us an extension on our conditional approval for a time determined by DTE and their installation timelines. We hope the township can understand where we are coming from and this final piece is completely out of our hands. To reiterate, the current power is 100% efficient for our operations.

We are eager to get our doors open and operate. As you can see, our entire site and store is built out and are days away from completion. Thank you Board of Trustees and look forward to discussing this matter further with you in person.

Request Received For Extension of Time For Issuance of a Facility License Under The Medical Marihuana Facilities License Ordinance - Quality Roots Continued.

Mr. Arik Klar addressed the Board of Trustees regarding MJ Highland's Medical Marihuana Facility License. Attorney Shortley also addressed the Board of Trustees and answered questions.

Moved by Bartolotta,

Seconded by Thomas, RESOVLED, to table the Request Received for Extension of Time for Issuance of a Facility License under the Medical Marihuana Facilities License Ordinance – Quality Roots for the December 12, 2022, regular Board agenda. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

7.9 Possible Adoption of Resolution Extending Period to Issue a Medical Marihuana Facility License

The following memo ordinance was received from Attorney Shortley.

CHARTER TOWNSHIP OF WATERFORD

**RESOLUTION EXTENDING MEDICAL MARIHUANA FACILITY
LICENSE ISSUANCE PERIOD
TO FEBRUARY 17, 2023**

RECITALS:

A. The Township Medical Marihuana Facility Licensing Ordinance took effect on January 4, 2021, which was almost ten months into the Covid-19 pandemic and was a time when many businesses and manufacturing facilities were not operating at full capacity.

B. In the midst of the continuing pandemic, and after an extensive review process, on July 12, 2021, the Township Board conditionally approved five facility applications.

C. Section 10-303(i) of the Ordinance provides that when a final decision is made to approve or conditionally approve an application, it reserves that type of facility license for the Named Applicant and authorizes the Township Clerk to issue it for a period of one (1) year after the Township Board's final decision, or such later date as allowed by the Township Board, if all of the required conditions in the Ordinance are met.

D. As a result of the pandemic and the war in Ukraine, the world is experiencing supply chain disruptions, labor shortages, increased prices, and delays in many business sectors including transportation, manufacturing and construction.

E. Based on written requests, documentation received and testimony from Applicants explaining the need for additional time due to delays caused in the construction industry from supply and labor force issues and delays with the state administrative review process, the Township Board determined at its July 11, 2022, meeting that the time for the Township Clerk to issue a license for the applications conditionally approved on July 12, 2021, should be extended until December 31, 2022.

Possible Adoption of Resolution Extending Period to Issue a Medical Marihuana Facility License Continued.

F. Some Applicants have worked diligently to complete all required license approval conditions by December 31, 2022, however, they have met encountered unexpected delays including electrical supply issues and problems scheduling state inspections during the holidays. Two applicants provided documentation to the Township Clerk explaining these unexpected delays and have requested forty-five (45) additional days to complete all license requirements.

IT IS THEREFORE RESOLVED that the time authorized in Ordinance Section 10-303(i) for the Township Clerk to issue a facility license to the Named Applicants of applications conditionally approved on July 12, 2021, shall be extended to February 17, 2023. All other requirements and conditions for the Named Applicants to satisfy in the Ordinance must be met before the Clerk may issue a license.

CERTIFICATION

I hereby certify that this Resolution was adopted by the Charter Township of Waterford Board of Trustees at a regular meeting on November 28, 2022.

Charter Township of Waterford

Date

Kimberly Markee, Township Clerk

Moved by Bartolotta,
Seconded by Thomas, RESOVLED, to table the possible adoption of the Resolution Extending Medical Marihuana Facility License Issuance Period to February 17, 2023. A roll call vote was taken.

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

Motion carried unanimously.

Moved by Markee,
Seconded by Bartolotta, RESOLVED, to direct the Township Attorney to submit a Medical Marihuana Facility License Ordinance Amendment to address all of the changes being requested to the December 12, 2022, regular board meeting. A roll call vote was taken.

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

Motion carried unanimously.

7.10 Approval of Interlocal Agreement For Water And Sewer Services with Independence Township

The following memo was received by Justin Westlake, DPW Director.

The Waterford Township Department of Public Works has worked for several months to put together the attached interlocal agreement with Independence Township that would allow residents of both communities to connect to each other's water and/or sewer systems without charging a premium for rates. The proposed changes are outlined in the letter from Waterford Township attorney, Joellen Shortley.

As part of this agreement Independence has offered to compensate Waterford Township with a one-time payment of \$14,304 as explained in the attached letter. We are also asking this Board to approve a budget amendment to recognize that revenue.

It is my recommendation that the Township Board enter into this agreement with Independence Township. It is a fair compromise and makes sense for residents of both Waterford and Independence.

Board Action Requested

- 1. Authorize Supervisor Wall to sign the attached interlocal agreement with Independence Township.**
- 2. Authorize a budget amendment to recognize the revenue from the attached agreement with Independence in the amount of \$14,304 to account number: 59002-69400.**

Mr. Justin Westlake, DPW Director addressed the Board of Trustees.

Moved by Bartolotta,

Seconded by Thomas, RESOVLED, to authorize Supervisor Wall to sign the Interlocal agreement with Independence Township; furthermore to authorize a budget amendment to recognize the revenue from the attached agreement with Independence in the amount of \$14,304 to account number: 59002-69400. A roll call vote was taken.

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

Nays: None

Absent: None

Motion carried unanimously.

7.11 Citizen To Address The Board - A. Klar, CEO, Quality Roots, Inc.; Adult Use Cannabis Ordinance

Craig Arnoff clarified the reasoning for the name change.

Mr. Klar addressed the board and spoke in favor of Adult Use Cannabis.

7.12 **Public Comments Limited to Three (3) Minutes Per Speaker**

Mr. Scott Novak, 2849 Lansdowne – Mr. Novak spoke about the speeding issue on Lansdowne and requested sidewalks or a bike path.

Ms. Judy Rolph, 2919 Lansdowne – Ms. Rolf thanked Supervisor Wall for the traffic study. She continued to share concerns about Lansdowne.

Ms. Tricia Novak, 2849 Lansdown – Mrs. Novak discussed digital signs for Lansdowne.

Mr. Grant Smith, Waterford Youth Assistance.

Mr. Smith shared that the 2022 Shoe Drive was a success and collected 2950 pairs of shoes. The Elks Club is holding a hoop shoot contest on Saturday, December 10, 2022, at 1:00 p.m. at Mason Middle School before the tree lighting.

Mr. Craig Arnoff, Attorney for Quality Roots, spoke in favor of Adult Use Marihuana.

Supervisor Wall discussed State House Bill 4722, Short Term Rentals / Airbnb. The bill would require a minimum of 30% of properties as short-term rentals. Please reach out to your Senators.

Clerk Markee directed residents to www.waterfordmi.gov/electedofficials.

ADJOURNMENT

Moved by Bartolotta,

Seconded by Markee, RESOLVED, to adjourn the meeting at 7:32 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