



# CHARTER TOWNSHIP OF BEDFORD

115 S. Uldriks Drive, Battle Creek, MI 49037

May 13, 2021 - 7:00 PM

## TOWNSHIP BOARD MEETING MINUTES

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### 1. CALL TO ORDER

### 2. PLEDGE OF ALLEGIANCE

### 3. MOMENT OF REFLECTION

### 4. ROLL CALL

William Scutt, Supervisor; Joyce Feraco, Clerk - absent; Erica Miller, Treasurer; Barry Beamish, Trustee; Kraig Dingman, Trustee; Mark Hires, Trustee; Joni Jones, Trustee.

### APPOINTMENT OF TEMPORARY CLERK

Moved by Trustee Jones, supported by Trustee Dingman, and resolved by the Board of Trustees of the Charter Township of Bedford to appoint Trustee Hires as the temporary clerk in the absence of Clerk Feraco. This is required by MCL 42.5

#### VOICE VOTE

6 – Yes – Scutt, Miller, Beamish, Dingman, Hires, Jones

0 – No

1 – Absent – Feraco

Motion carried.

### 5. APPROVAL OF THE MAY 13, 2021 AGENDA

Moved by Trustee Beamish, supported by Trustee Jones, and resolved by the Board of Trustees of the Charter Township of Bedford to approve the May 13, 2021 agenda, as submitted.

#### ROLL CALL

6 – Yes – Scutt, Miller, Beamish, Dingman, Hires, Jones

0 – No

1 – Absent – Feraco

Motion carried.

### 6. APPROVAL OF THE APRIL 8, 2021 MINUTES

Moved by Trustee Hires, supported by Treasurer Miller, and resolved by the Board of Trustees of the Charter Township of Bedford to approve the April 8, 2021 minutes as submitted.

#### ROLL CALL

6 – Yes – Scutt, Miller, Beamish, Dingman, Hires, Jones

0 – No

1 – Absent – Feraco

Motion carried.

## 7. SUPERVISOR'S ADDRESS

Supervisor Scutt stated that he had received a resignation letter from Building and Zoning Administrator Sally Shaw. She will be leaving in the middle of July. He wished her well.

The fire department has received the new fire department medical vehicle from the City of Battle Creek and it is now in use.

The first weekend of the Farmers Market had a great turnout. The new location seems like it is going to work well. Last year the first weekend there were only three (3) vendors; this year there were eleven (11)! Some of the vendors even sold out of their goods.

There has been an increase in residents helping to clean up the township. Thanks to all who are taking more pride in our township. We are Building a Better Bedford!

## 8. PUBLIC COMMENT ON AGENDA ITEMS ONLY

A resident expressed his concern that his camera has been turned off for the meeting.

## 9. COMMUNICATIONS

- Draft April 8, 2021 minutes
- April check disbursement reports
- Year-to-date budget report
- BCPD activity reports
- Bedford Fire Department activity reports
- Poverty Asset Level Test
- Poverty Exemption Application
- Letter from Planning Commission re: Medical Marijuana Zoning Ordinance 2/8/18/07 and Amendment 12/13/18/68
- Letter from Planning Commission re: variance request for 22300 Bedford Road
- Fleis & VandenBrink Proposal for Needs Assessment and Feasibility Planning Services
- Draft personnel policy manual

## 10. REPORTS

### A. FINANCE

#### RES. 5/13/21/24

Moved by Trustee Beamish, supported by Trustee Dingman, and resolved by the Board of Trustees of the Charter Township of Bedford to approve payment of expenses totaling \$417,005.11

#### ROLL CALL

6 – Yes – Scutt, Miller, Beamish, Dingman, Hires, Jones

0 – No

1 – Absent – Feraco

Motion carried.

### B. PUBLIC HEALTH AND SAFETY

**POLICE:** Battle Creek Police Sgt. Cory Champlin

Sgt. Champlin mentioned that call volumes and response times were normal. He followed up on a question from Trustee Beamish the previous month regarding response time to

Level Park Hardware. The longer response time was due to the Bedford officers already being on another call on the other side of the township. Supervisor Scutt has requested additional patrols on Virginia, Washington, Algonquin, and Boyes due to speeders. Sgt. Champlin will pass that along as well as request speed signs in those areas. Speed bumps were brought up by a resident; that is a lengthy process that would involve a traffic study. Hopefully the extra patrols and speed signs will alleviate the problem.

**FIRE:** Assistant Chief Woodward

The department is now using a 2016 retired police SUV from the City of Battle Creek to run medical emergencies. The new engine that was delivered in April is now in service. Residents should note that we have had very little precipitation lately; be careful when burning and note that burn permits may halt temporarily next week until we get some rain. For the month of April, the department went on 80 calls; 78% of them were medical runs. For year-to-date, they have been on 292 calls and 76% of those were medical.

**C. BUILDING AND GROUNDS** – Kevin Dezotell – no report

**D. BUILDING OFFICIAL** – Trustee Mark Hires

The building department is getting very busy with plan reviews. There are additions and new builds going on throughout the township.

**E. BLIGHT OFFICER** – Supervisor Bill Scutt

There had been a tremendous cleanup around the township. This month 26 blight cases were closed, which shows a marked improvement over prior years.

**F. PLANNING COMMISSION** – Chairperson Stacy Greenwood

The Planning Commission reviewed the current medical marijuana ordinance as well as a variance request and their recommendations are included in the board packet. There has been very little activity in the last couple of weeks, therefore the May 25 meeting is being rescheduled for June 22. This will be an in-person meeting and the Commission is planning on reviewing the existing zoning ordinance to see if any changes are required.

**G. LEGISLATIVE AND INTERGOVERNMENTAL RELATIONS**

None present.

**11. UNFINISHED BUSINESS**

**12. PETITIONS AND NEW BUSINESS**

**RES. 5/13/21/25**

Moved by Treasurer Miller, supported by Trustee Hires, and resolved by the Board of Trustees of the Charter Township of Bedford to approve the Poverty Asset Level Test included in the board packet. This is a requirement by the State of Michigan.

**ROLL CALL**

6 – Yes – Scutt, Miller, Beamish, Dingman, Hires, Jones

0 – No

1 – Absent – Feraco

Motion carried.

**RES. 5/13/21/26**

Moved by Trustee Jones, supported by Treasurer Miller, and resolved by the Board of Trustees of the Charter Township of Bedford to approve the Poverty Exemption Application included in the board packet. This is a requirement by the State of Michigan.

**ROLL CALL**

6 – Yes – Scutt, Miller, Beamish, Dingman, Hires, Jones

0 – No

1 – Absent – Feraco

Motion carried.

**RES. 5/13/21/27**

Moved by Trustee Dingman, supported by Trustee Beamish, and resolved by the Board of Trustees of the Charter Township of Bedford to accept the Planning Commission review of Medical Marijuana Zoning Ordinance 2/8/18/07 and Amendment 12/13/18/68 and the recommendation that no changes need to be made at this time.

**ROLL CALL**

6 – Yes – Scutt, Miller, Beamish, Dingman, Hires, Jones

0 – No

1 – Absent – Feraco

Motion carried.

**RES. 5/13/21/28**

Moved by Trustee Hires, supported by Trustee Beamish, and resolved by the Board of Trustees of the Charter Township of Bedford to approve the variance request for Midwest V, LLC located at 22300 Bedford Road. The variance reduces the number of required parking spaces from 71 to 35.

**ROLL CALL**

6 – Yes – Scutt, Miller, Beamish, Dingman, Hires, Jones

0 – No

1 – Absent – Feraco

Motion carried.

**RES. 5/13/21/29**

Moved by Trustee Jones, supported by Trustee Beamish, and resolved by the Board of Trustees of the Charter Township of Bedford, under the recommendation of Clerk Feraco, to approve hiring Tara McLinden as the new Deputy Clerk.

**ROLL CALL**

6 – Yes – Scutt, Miller, Beamish, Dingman, Hires, Jones

0 – No

1 – Absent – Feraco

Motion carried.

**RES. 5/13/21/30**

Moved by Trustee Hires, supported by Trustee Dingman, and resolved by the Board of Trustees of the Charter Township of Bedford to accept the proposal of Fleis & VandenBrink to provide needs assessment and feasibility planning services for Fire Station 2, Fire Station 3, and the Township Hall.

Board discussion ensued.

**ROLL CALL**

5 – Yes – Scutt, Miller, Beamish, Dingman, Hires

1 – No – Jones

1 – Absent – Feraco

Motion carried.

**13. PUBLIC COMMENT**

A resident congratulated the current board for winning the election and stated that he and his wife are pleased with the actions of the board so far. He mentioned that the Harmonia Cemetery is an historic jewel and is pleased that more attention is being given to it. Thank you to the people who have been picking up trash on Cross between Hussey and the park. He has noticed more pride of ownership in the houses in his neighborhood. He also invited everyone to attend the Farmers Market, which had a great opening weekend.

A resident expressed his concern over the closed sessions and the lawsuit filed against the township. He is also frustrated that his ability to look the board in the eye has been removed by taking away his ability to have his camera on.

**14. TRUSTEES' PERSONAL PRIVILEGE**

Trustee Beamish thanked Sally for her work in the Building Department and wished her well in her retirement.

Trustee Jones also thanked Sally for her years of service. She thanked Tracy and Bill for working on the policy manual and she encouraged the other board members to review it before the next meeting.

**15. ANNOUNCEMENT BY CHAIR, CHAIRPERSON OR ELECTED OFFICIAL**

Deputy Clerk George announced that we have 7,243 registered voters in the township; 717 of them participated in the May 4<sup>th</sup> school election. The vast majority voted by absentee ballot, which makes us grateful that we established the Absent Voter Counting Board (AVCB). The AVCB was very busy on Election Day and the precincts were very slow. We anticipate the number of absentee voters to continue to rise due to the no reason absentee voting legislation that was passed in 2018.

**16. MOVE TO CLOSED SESSION**

**RES. 5/13/21/31**

Moved by Trustee Beamish, supported by Treasurer Miller, and resolved by the Board of Trustees of the Charter Township of Bedford to move to closed session to consult with the township's attorneys regarding trial or settlement strategy in connection with the Uldriks v. Township

litigation, and that an open meeting would have a detrimental financial effect on the litigating or settlement position of the township.

**ROLL CALL**

6 – Yes – Scutt, Miller, Beamish, Dingman, Hires, Jones

0 – No

1 – Absent – Feraco

Motion carried.

After additional information from Attorney McFarlane, the following verbiage was added to the resolution and another vote was taken at his recommendation.

Resolved by the Board of Trustees of the Charter Township of Bedford to move to closed session to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against Assistant Fire Chief Martin Uldriks. Mr. Uldriks requested a closed session through his attorney.

**ROLL CALL**

6 – Yes – Scutt, Miller, Beamish, Dingman, Hires, Jones

0 – No

1 – Absent – Feraco

Motion carried.

**MOVE TO CLOSED SESSION – 8:04 p.m.**

**RETURN FROM CLOSED SESSION – 8:41 p.m.**

**17. NEW BUSINESS**

**RES. 5/13/21/32**

Moved by Trustee Beamish, supported by Trustee Dingman, and resolved by the Board of Trustees of the Charter Township of Bedford to accept the recommendation of Fire Chief Larry Cochensparger to terminate Martin Uldriks as Assistant Chief effective January 1, 2021.

**ROLL CALL**

5 – Yes – Scutt, Miller, Beamish, Dingman, Hires

1 – No – Jones

1 – Absent – Feraco

Motion carried.

**18. ADJOURNMENT**

The meeting was adjourned at 8:44 p.m. The next Board meeting is June 10, 2021 at 7:00 p.m.

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William Scutt, Supervisor

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Joyce Feraco, Clerk