

CHARTER TOWNSHIP OF BLOOMFIELD
BOARD OF TRUSTEES
STUDY SESSION
July 26, 2010
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PRESENT: Payne, Roncelli, Devine, Buckley, Barnett, Kepes, Savoie
Bill Hampton, Attorney, Secrest Wardle; Kristin Kolb, Attorney, Secrest
Wardle; Patti Voelker, Director, Planning, Building & Ordinance
Department; Fire Chief Dave Piche'; Steve Cook, Captain, Police
Department

Medical Marijuana Ordinance –

Attorney Hampton advised the board that there are two ordinances, which they need to consider: 1) A general ordinance, which would amend Chapter 22 of the Code of Ordinances and would regulate medical marijuana through registration, inspection and penalties. 2) A zoning ordinance that would prohibit distribution and allow medical marijuana with restrictions in residential zones.

At the previous study session, three different approaches were discussed: 1) Total prohibition. 2) Allow dispensaries, but restrict zoning to Research Park – this option was decided against at that meeting. 3) A middle-of-the road approach requiring registration of growers, which could be against state law, but still a good idea. The registration list would be exempt. There is some vulnerability in registering, but the rest of the ordinance is defensible.

The board had concerns with caregivers and attached housing, but discussed the ramifications of allowing medical marijuana use only (no cultivation or growing) confined to detached single-family zoning areas (legal occupant only), with the requirement for registration. Attorney Hampton stated that he would revise the ordinances to address the ideas and concerns of the board.

Emergency One, Inc. (E-One)/Bronto Fire Truck –

Chief Piche' and Attorney Kolb made the presentation. A fire truck was purchased from E-One in 2002 and since that time many problems have occurred with this vehicle. On the first day of service, the truck broke down and was unusable for a year. The truck, outfitted with a Bronto Skylift aerial/articulating device, has been out of service since July 18, 2009, due to safety issues with the aerial platform.

The Township's legal counsel requested a full refund or replacement for the fire truck. E-One and Bronto declined these proposals. Legal action was also considered, but the statute of limitations has expired and the lemon law only applies to residential vehicles.

E-One has offered the Township a settlement proposal (Bronto is not participating), in which the Township will purchase a new 78' aerial ladder fire truck from E-One for

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\$722,203.00, less a settlement discount of \$151,663.00 and a trade-in credit of \$350,000.00, for a total out-of-pocket cost of \$220,540.00. If the proposal were approved, the Bronto fire truck would have to be sent to E-One immediately. The new truck would be received in approximately six months, but, if necessary, the Fire Department would be able to use one of twelve ladder trucks available through Mutual Aid. The board inquired how budgeting for this item would be handled. Supervisor Payne responded that the monies would be "spread" across two fiscal years if possible and areas of the budget will be reviewed to see if "cut backs" may be made.

Chief Piche' advised the board that currently the Township has an Insurance Services Office (ISO) rating of 4, which is a public protection classification rating and is based on current fire defenses. This number will not be affected by the fire truck change.

MOTION by Barnett and SUPPORT by Kepes to APPROVE the Settlement Proposal with E-One AND AUTHORIZE the Supervisor to Sign the Agreement.

AYES: Barnett, Buckley, Devine, Kepes, Payne, Roncelli, Savoie
NAYS: None

Meeting adjourned at 6:50 p.m.

Per the Michigan Township Association Record Retention General Schedule #25, audio recordings of Board minutes may be destroyed one day after the date that the meeting minutes are approved by the public body (MCL 15.269).

JANET RONCELLI
TOWNSHIP CLERK

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