

Supervisor Tina Papineau called the meeting to order at 7:00 p.m. at the Dryden Township Administration Building, 4849 Dryden Road, Dryden, Michigan.

Everyone stood for the Pledge of Allegiance to the United States of America.

Roll Call:	Supervisor-Tina Papineau	present
	Clerk- Kimberly Diefenbach	present
	Treasurer- Carol Stone	present
	Trustee - Carol English	present
	Trustee - Kim Klobucar	present

Legal Counsel: Attorney Timothy Denney.

Public in attendance: Chief Shawn Peters, Fire Chief Mark Hagemeister, David and Ruthanne Morningstar, Diane Berry, Ronni and Marcus Leija, Matt and Hollie Miller, Carolyn and Patrick Plunkett, Jeff and Beth Sohn, David Weaver, Lisa Yarema, Wade Ventriss, Deb Duvall, Kris Mellen, Janice K. Hojnacki, Justin Evans, Jill French, Jim Diefenbach, Jennifer and Eric Kosemba, Carole Beckett, Patricia Lucas, K. Johnson, Susan House, Norrice Bickes, Bob Doepfer, Ruthanne Flory, Rosemary Evans, Marion Culver, Jeremy and Amanda Chapman, Tom Barkham, Jon Hojnacki, James Johnson, Tom and Jean Goodhew, and Phil Foley.

Public Comment: Supervisor Papineau asked that comments be held until we reached the item of their concern on the agenda.

Two residents voiced their concern over the Elstermann property.

Agenda:

Moved by English, Seconded by Stone, to approve the Agenda with addition of Fire Dept. LCFA meeting. Motion carried.

Approval of Minutes:

Moved by Klobucar, Seconded by English, to approve the Regular Meeting Minutes of May 14, 2019. Motion carried.

**Payment of Bills:** Presented were Vendor and Payroll Summaries for the month of May.

General Fund:	Accounts payable checks No. 44751-44780-May 2019	\$16,409.54
	Gross payroll	<u>\$15,718.71</u>
	Total GF expenses	\$32,128.25
Fire Fund:	Accounts payable checks No. 2801-2824-May 2019	\$ 3,051.33
	Gross Payroll	<u>\$4,457.21</u>
	Total Fire expenses	\$7,508.54

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Police Fund: Accounts payable checks No. 3671-3701-May 2019	\$10,791.71
Gross Payroll	<u>\$24,542.44</u>
Total Police Fund expenses	\$35,334.15

Moved by Stone, Seconded by Klobucar, to approve the payment of the Accounts payable bills, and payroll as presented. Motion carried.

**Treasurer's Report:** A financial Report was presented with the ending balances in the townships various funds as of May 31, 2019. General Fund \$988,930.36, Police Fund \$451,861.32, Fire Fund \$447,560.42; T&A \$3,525 .00, Current Tax \$137.69.

Moved by English, seconded by Klobucar, to accept the Treasurer's Report into the minutes as of May 31, 2019 as presented. Motion carried.

**Correspondence:** Clean Sweep Pesticide and Household Hazardous Waste Collection, Saturday, September 21, 2019. Residents must call for appointment.

**Elected Official/Department Head Updates:**

**Fire Department Report:** Chief Mark Hagemeister presented the Fire Report for May. There were 26 Medical First Responder calls and 7 Fire calls for the month.

- The pavement has been laid in front of Station 1 so the trucks have been moved back to the station.

**Police Department Report:** Sgt. Shawn Peters presented the police report for the month of May.

- Officers responded to a total of 271 calls for service the month.
- Officers conducted a total of 66 traffic stops. Of those traffic stops, 8 citations were issued for traffic violations, 10 traffic crash reports were handled by officers. Only one crash was a personal injury accident.
- Continued construction in the Village of Dryden. Officers have been providing traffic enforcement to the area. Officers have also been continuing to focus on traffic enforcement on a number of the secondary streets as well.
- Memorial Day and weekend went well. The holiday weekend throughout the township was quiet.
- Officer Dave Hill completed this year's D.A.R.E. program with the Dryden Elementary students. A graduation ceremony was held for the 5<sup>th</sup> and 6<sup>th</sup> grade student on May 31<sup>st</sup>. Officer Hill is commended for the outstanding job he does working with the children.
- The two new department rifles are in. They will be outfitted with the needed accessories. Once outfitted and sighted at the range they will be put into service for patrol use.

Zoning Administrator's Report: Jill Bristow's report is on file for May.

**Unfinished Business/New Business:**

Industrial Development District

Opened public hearing at 7:13 pm

Public comments: Patricia Lucas from LDC explained that an Industrial Development District is developed so that Industrial Facilities Tax Exemption (IFT) can be created for businesses that manufacture items used for building. Lapeer Steel produces beams, railings and other metal building supplies.

Lapeer Steel would employ 14 people. The average salary is \$21.50.  
Supervisor Papineau closed the public hearing.

Motion made by Klobucar to deny the formation of an Industrial Development District. Seconded by Stone.

Roll call vote: Klobucar-yes  
Stone-yes  
English-yes  
Papineau-no  
Diefenbach-no

Motion carried. 3- yes 2-no

Gianneti Fireworks Motion made by Diefenbach, seconded by Klobucar to grant a fireworks permit to Angelina Gianneti. Fireworks date will be Saturday, July 6 with a rain date of Saturday, July 13<sup>th</sup> at 5220 Hosner. Motion carried.

Road work: Motion made by Stone, seconded by English to contract with Lapeer County Road Commission to do ditching work on various roads for \$10,000 using allocation money the Township will pay \$5,000. Motion carried.

Union Contract: Motion made by Stone, seconded by Diefenbach to accept the May 29, 2019 tentative agreement with the Police Officers Association of Michigan.

1. Article V Union Dues.

Authorization for dues/fees Deduction

Section 1. A bargaining unit employee may sign an authorization for deduction of dues/fees for membership in the Union. The authorization for deduction of dues/fees may be revoked by the bargaining unit member upon written notice to the Employer, with copy to the Union.

Section 2. The amount of dues/fees shall be designated by written notice from the Union to the Employer. If there is a change in the amount of dues/fees, such change shall become effective the month following transmittal of the written notice to the Employer. The Employer shall deduct the dues/fees once each month from the pay of the employees that have authorized such deductions.

Section 3. Deduction of dues/fees shall be remitted to the Union at 27056 Joy Rd., Redford, MI, 48239-1949. In the event a refund is due an employee for any sums deducted from wages and paid to the Union, it shall be the responsibility of such employee to obtain the appropriate refund from the Union.

Section 4. If an authorized deduction for an employee is not made, the Employer shall make the deduction from the employee's next pay after the error has been called to the Employer's attention by the employee or Union.

Section 5. The Union will protect, save harmless and indemnify the Employer from any and all claims, demands, suits and other forms of liability by reason of action taken by the Employer for the purpose of complying with this article of the agreement.

Section 6. Unless otherwise provided in this article, all matters pertaining to a bargaining unit employee establishing or reestablishing membership in the Union, including requirements established by the

Union for providing paid services to non-union bargaining unit employees, shall be governed by the internal condition mandated by the Union pursuant to its authority under section10(2) of the Public Employment Relations Act.

- 2. 10.2: Increase 401(a) Plan Employer contribution from 12% to 13%.
- 3. 24.1: Increase wages 3% across the board each year of contract.
- 4. 25.1: Three (3) year contract, July 1, 2019-June 30, 2022.
- 5. 15.2: If a part-time officer is called in to replace an existing shift of a full-time shift with less than 24 hours' notice, the part-time officer will receive 1 ½ pay.

Roll call vote: English-yes  
 Klobucar- yes  
 Stone-yes  
 Papineau-yes  
 Diefenbach-yes

Motion carried. 5-yes 0-no.

Fireworks discussion

Public comments: Citizens concerns: Fireworks are frightening their animals. They would like to see an ordinance that restricts the use of fireworks to only the days required by the State of Michigan. They would like to know when a decision will be made. Does it fall under the current noise ordinance?

The board is looking into other ordinances from neighboring communities. Kim Klobucar said she would like to see a happy medium. Police Chief Peters stated that since the legalization of fireworks there has not been an increase in complaints. The \$1000 penalty for fireworks citations concerns him. No decision have been made.

Distillery

Public Time:

Citizens' concerns: A tasting room/venue would create too much traffic and noise. The hill on General Squier Road limits the sight distance for cars pulling in and out. Would like the times of operation changed. Fear their property values would decrease. Concerns that other distilleries would be opened up in close vicinity of another one. Some would rather see a subdivision go in. Who is the regulatory body over distilleries? The amount that can be produced is too high at 60,000 gallons per year. They would like the ordinance to be tabled so that it can be discussed further. Is a liquor license available?

Citizen remarks: Some would rather see a distillery than a subdivision. Amounts produced are mandated by the state. A winery/distillery would protect farms.

Board discussed that the proposed ordinance limits distilleries/wineries more than the current ordinance does. Any person wishing to open a distillery facility still has to submit plans and meet all the requirements set forth by the Planning Commission and will require a public hearing.

Motion by Stone to approve amendments to the Dryden Township Zoning Ordinance Article II (Definitions) and Article VII Section 7.03. Permitted uses after Special Approval. Seconded by English.

The Township of Dryden ordains as follows:

The following definitions shall be added to Article II (Definitions) of the Dryden Township Zoning Ordinance:

Article II-Definitions

**ADJUNCT FOOD SERVICE.** Consists of snacks, sandwiches, luncheons, or pre-arranged dinners provided on the premises in connection with the operation of wineries, microbreweries,

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distilleries, civic events, private events, and value added agricultural enterprises. Alcoholic beverages may be served provided the responsible entity is licensed to do so. Adjunct food service shall not include the operation of a standard, take-out, or drive-through restaurant.

**Agricultural Tourism Activities.** The continuation of an agricultural practice with accessory uses that are directly related to agriculture such as: processing; storage; retail or wholesale marketing of agricultural products; value-added agricultural products or activities such as education tours of processing facilities; playgrounds or similar school equipment; nature trails; open air or covered picnic area with restrooms; kitchen facilities and gift shops for the sale of agricultural related products.

**MICROBREWERY.** A facility for the production and packaging of malt beverages of low alcoholic content for distribution, retail, or wholesale, on or off premise, with a capacity of not more than 60,000 barrels per year.

**SMALL DISTILLER.** A facility for the distilling, rectifying, blending, and/or bottling hard spirits with a capacity of not more than 60,000 gallons per year.

**TASTING ROOM.** A facility in which products grown or processed on the owner's property may be tasted and sold.

**SMALL WINERY.** An agricultural processing facility used for: (1) the fermenting and processing of fruit juice into wine; or (2) the refermenting of still wine into sparkling wine that does not exceed 50,000 gallons per year.

The following shall be added to Section 7.03 (Permitted Uses After Special Approval) of the Dryden Township Zoning Ordinance:

I. Small distilleries, microbreweries, small wineries, and cider mills on the same premises as an active farm, which involve the sale of wine, hard cider, or other alcoholic beverages which are produced on the site from farm products grown on the premises or on land under the control of the person selling or producing such products, subject to any applicable Federal or State of Michigan law and the following requirements:

1. The minimum lot size is 40 acres.
2. The property shall be located on a county primary roadway and use this roadway as a primary driveway.
3. Ten (10) acres of the subject parcel on which any of the foregoing facilities are located must be in active production of a fruit, grain, vegetable, or other principal ingredient of the beverage to be produced.
4. Any retail sales shall be clearly subordinate to the production of the beverage produced such as boxes/packaging containing wines, beer or liquors; glassware for serving alcoholic beverages; and wine bottle openers. The retail sales area shall be no more than twenty five (25) percent of the floor area devoted to the establishment, but in no case shall it occupy more than two thousand (2,000) square feet of floor area.
5. Adjunct food services may be provided.
6. Assembly event space may be provided.

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7. The on-premise consumption of alcoholic beverage shall be limited to tasting room quantities. Adjunct food services are exempted from this restriction.
8. Off-street parking:
  - a. Small distilleries, microbreweries, small wineries, and cider mills shall provide one (1) parking space for each employee on the largest working shift.
  - b. The off-street parking calculations for the tasting room shall be calculated in addition to the primary uses as “establishments for sales and consumption on the premises of beverages, food, or refreshments” as identified in Section 6.01.L. of this Ordinance.
  - c. Accessory Assembly space shall provide one (1) parking space for every three (3) individuals up to the maximum room capacity.
9. Parking, buildings, and processing areas shall be setback a minimum of one hundred (100) feet from all property lines.
10. A landscape and buffer yard shall be provided on all sides of the property in compliance with Section 4.30. The required buffer shall be at a ratio of one (1) evergreen and one (1) deciduous tree per 50 linear feet.
11. All parking areas shall be surfaced (by asphalt or concrete). The Planning Commission may allow asphalt millings, gravel, or equivalent surface if the below standards are met:
  - a. Gravel or equivalent surfaces so treated as to prevent any dust nuisance.
  - b. Adequate asphalt or concrete parking is provided for the principal commercial recreational use and all employees on the largest shift.
  - c. Adequate drainage, buffering, and maintenance to ensure they are not a nuisance to neighboring properties and all for safe maneuverability of the site.
12. The hours of operation shall be confined to the following hours: Sunday: 1:00 p.m. to 9:00 p.m.; Monday through Thursday: 10:00 a.m. to 9:00 p.m.; Friday to Saturday: 10:00 a.m. to 11:00 p.m.

**J. Agricultural Tourism Activities, subject to the following requirements:**

1. The minimum lot size is 40 acres.
2. The property shall be located on a county primary roadway and use this roadway as a primary driveway.
3. Adjunct food services may be provided.
4. The hours of operation shall be confined to the following hours: Sunday: 1:00 p.m. to 9:00 p.m.; Monday through Thursday: 10:00 a.m. to 9:00 p.m.; Friday to Saturday: 10:00 a.m. to 11:00 p.m.
5. No temporary sanitary facility shall be on the property more than forty-eight (48) hours before or after the special event.
6. No temporary sanitary facility or trash receptacle shall be located within one hundred (100) feet of a lot line unless the principal building and adjacent lot are in single ownership.
7. All parking areas shall be surfaced (by asphalt or concrete). The Planning Commission may allow asphalt millings, gravel, or equivalent surface if the below standards are met:
  - a. Gravel or equivalent surfaces so treated as to prevent any dust nuisance.
  - b. Adequate asphalt or concrete parking is provided for the principal commercial recreational use and all employees on the largest shift.

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- c. Adequate drainage, buffering, and maintenance to ensure they are not a nuisance to neighboring properties and all for safe maneuverability of the site.
  1. A landscape and buffer yard shall be provided on all sides of the property in compliance with Section 4.30. The required buffer shall be at a ratio of one (1) evergreen and one (1) deciduous tree per 50 linear feet.
  2. All property lines shall have a setback of one hundred (100) feet.

Roll call vote-Stone-yes  
English-yes  
Klobucar-no  
Papineau-yes  
Diefenbach-yes

Motion carried: 4-yes  
1-no

Lapeer County Firefighters Association Meeting: Motion made by English to approve \$1000 for the LCFA meeting that is to take place July 31, 2019 hosted by the Dryden Fire Department. Seconded by Klobucar. Motion carried.

Public Comments: Deb Duvall suggested we only allow fireworks on the days mandated by the State and require a permit for any other days in which someone would like to use fireworks outside of the thirteen days. Two residents questioned when the minutes will be available on the website. Kim Diefenbach informed them that she has a class with the webmaster at the end of June and hopes to have them on there by then.

Mr. Doepfer again asked what was going to be done about the Elstermann property. Another resident said the buckets on the property contained sewage. Mr. Denney said he was out to the property and looked in the buckets and there was no sewage in them.

Adjournment: Supervisor Papineau adjourned the meeting at 8:58 p.m.

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Dryden Township Supervisor

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Kimberly Diefenbach,  
CMMC  
Dryden Township Clerk