

# **CHARTER TOWNSHIP OF FLUSHING**

**6524 N. SEYMOUR ROAD  
FLUSHING, MICHIGAN 48433  
BOARD OF TRUSTEES MINUTES**

**DATE: AUGUST 13, 2020**

**TIME: 7:00 P.M.**

**PHONE: 810-659-0800**

**FAX 810-659-4212**

**WEB PAGE: <http://flushingtownship.com>**

**ADMINISTRATION:**

**SUPERVISOR:** Frederick R. Thorsby  
**CLERK:** Wendy D. Meinburg  
**TREASURER:** Terry A. Peck

**TRUSTEES:**

Jenifer Almassy  
Linda Minarik  
William L. Westenbarger  
Sharilynn K. Willette

**TOWNSHIP ATTORNEY:**

**STEVEN W. MOULTON PLLC**  
6258 W. Pierson Road  
Flushing MI 48433  
810-407-7658

**THIS WAS A ZOOM MEETING**

- I. MEETING CALLED TO ORDER** at 7:00 P.M. by **SUPERVISOR FREDERICK R. THORSBY** with Roll Call and the Pledge of Allegiance to the American Flag.
- II. ROLL CALL:** Linda Minarik, Fred Thorsby, Wendy Meinburg, William Westenbarger, Sharilynn Willette and Terry Peck zoomed from the Township Hall. Jenifer Almassy zoomed from an outside location. Attorney Steven Moulton also zoomed from Township Hall.

**MEMBERS ABSENT:** None

**OTHER INDIVIDUALS PRESENT:** One (1) present and one (1) individual zoomed

**APPROVAL OF AGENDA FOR AUGUST 13, 2020:**

**CLERK MEINBURG MOVED**, supported by Trustee Willette to approve the agenda for the August 13, 2020 meeting.

**TREASURER PECK MOVED**, supported by Clerk Meinburg to amend the agenda by adding Item 6. Purchase of voting machine.

**THE MOTION CARRIED UNANIMOUSLY.**

**APPROVAL OF DRAFT MINUTES OF THE BOARD MEETING OF JULY 9, 2020.**

**TREASURER PECK MOVED**, supported by Trustee Willette to approve the Minutes of the July 9, 2020 Board Meeting.

**THE MOTION CARRIED UNANIMOUSLY.**

**APPROVAL OF PAYMENT OF BILLS**

**CLERK MEINBURG MOVED**, supported by Trustee Willette to approve the payment of bills.

**THE MOTION CARRIED UNANIMOUSLY.**

**III. PUBLIC COMMENTS:**

**OPEN FOR PUBLIC COMMENTS: 7:05 P.M.**

No Comments

**CLOSED FOR PUBLIC COMMENTS: 7:06 P.M.**

**IV. UNFINISHED BUSINESS:**

None

**V: NEW BUSINESS:**

1. Motion to approve amendments to the Police Policy in regards to Sec. 8.0 Tasers, Sec. 4.3 Tattoos (add 7<sup>th</sup> paragraph) and Sec. 22 Citations at Traffic Crashes– Supervisor Thorsby

**TREASURER PECK MOVED**, supported by Clerk Meinburg to approve amendments to the Police Policy in regards to Sec. 8.0 Tasers, Sec. 4.3 Tattoos (add 7<sup>th</sup> paragraph) and Sec. 22 Citations at Traffic Crashes.

**THE MOTION CARRIED UNANIMOUSLY**

2. Motion to approve the quarterly budget ending June 30, 2020 – Supervisor Thorsby

**TRUSTEE ALMASSY MOVED**, supported by Trustee Minarik to approve the quarterly budget ending June 30, 2020.

**THE MOTION CARRIED UNANIMOUSLY.**

3. Motion to approve the first reading of an amendment to the Fireworks Ordinance No. 2020-03 – Supervisor Thorsby

CHARTER TOWNSHIP OF FLUSHING  
GENESEE COUNTY, MICHIGAN  
ORDINANCE NO. 2020-03

AN ORDINANCE TO AMEND ORDINANCE NO. 2015-09 TO CONFORM THE ORDINANCE TO MCL 28.241, ET. SEQ., AS AMENDED BY 2018 PA 634; TO PROVIDE TIMES FOR THE IGNITION, DISCHARGE AND USE OF CONSUMER FIREWORKS; TO PROHIBIT THE POSSESSION OR USE OF FIREWORKS BY A MINOR; TO PROHIBIT THE USE OF FIREWORKS WHILE UNDER THE INFLUENCE OR IN A RECKLESS MANNER; TO PROHIBIT THE USE OF FIREWORKS AT CERTAIN LOCATIONS; AND, TO PROVIDE PENALTIES FOR VIOLATION OF THE ORDINANCE.

THE CHARTER TOWNSHIP OF FLUSHING ORDAINS:

Ordinance 2015-09 is amended as follows:

1. Section 1. Name. The existing language of Section 1 is deleted and replaced with the following:

Section 1. Name. This ordinance shall be known as the 2020 Flushing Township Fireworks Ordinance.

2. Section 3. Definitions. Section 3.F is amended, by deleting the existing language and replacing it with the following:

F. Fireworks: Any composition or device, except for a starting pistol, a flare gun or flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration or detonation. Fireworks consist of consumer fireworks, homemade fireworks, low-impact fireworks, articles pyrotechnic, display fireworks and special effects.

Section 3. G is amended, by adding the following as Subsection G.

G. Homemade fireworks. Any composition or device designed for the purpose of producing visible or audible effects by combustion, deflagration, or detonation that is not produced by commercial manufacturer or does not comply with construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission under 16 CFR Parts 1515 and 1507.

Subsections G-M are redesignated Subsections H-N.

3. Section 5. Consumer Fireworks. The existing language of Section 5 is deleted and replaced with the following:

Section 5. Possession, Use, Ignition or Discharge of Fireworks.

- A. Permitted Times of Use. A person shall not ignite, discharge or use fireworks except on the following days after 11 AM:
  - (1) December 31 until 1 AM on January 1
  - (2) The Saturday and Sunday immediately preceding Memorial Day until 11:45 PM on each of those days.
  - (3) June 29 through July 4, at 11:45 PM on each of those days
  - (4) July 5, if that date is a Friday or Sunday, until 11:45 PM
  - (5) The Saturday and Sunday immediately preceding Labor Day until 11:45 PM on each of those days.
- B. Minors. A Minor shall not possess, ignite, discharge or use fireworks.
- C. Prohibited Locations. A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property, or property of another person, without the organization's or person's express permission to be on or use fireworks on that property.
- D. Use Under the Influence Prohibited. An individual shall not possess, ignite, discharge or use fireworks under the influence of alcoholic liquor, a controlled substance, or any substance or substances that affects the individual's ability to properly handle fireworks.
- E. Reckless Use Prohibited. An individual shall not possess, ignite, discharge or use fireworks to damage or destroy property, or use the same in a reckless disregard for the safety of other persons or property.

4. Section 7. Sanctions. Section 7 is amended by deleting Section 7 and replacing it with the following.

Section 7. Penalties. A violation of Section 5.A of this Ordinance is a civil infraction, punishable by a fine of \$1000, \$500 of which shall be paid to the Charter Township of Flushing. A violation of Sections 5. B, 5. C, 5. D or 5. E shall be a civil infraction punishable by a fine of not more than \$100 for a first offense, of not more than \$250 for a second offense, and not more than \$500 for a third offense.

5. Saving Provision. Except as expressly amended as stated above, Ordinance 2015-\_\_\_\_\_ remain in effect unchanged by this Ordinance.

**CLERK MEINBURG MOVED**, supported by Trustee Willette to approve the first reading of an amendment to the Fireworks Ordinance No. 2020-03

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**AYES:** Almassy, Peck, Meinburg, Thorsby, Willette and Westenbarger

**NAYS:** Minarik

**THE MOTION CARRIED**

4. Motion to approve the language for use of township equipment, i.e. computers by the Township Board - Supervisor Thorsby

**TREASURER PECK MOVED**, supported by Trustee Westenbarger to approve the language for use of township equipment, i.e. computers by the Township Board.

**THE MOTION CARRIED UNANIMOUSLY**

5. Resolution 20-06 to allow payment of expenses from bond for Brentwood Farms – Supervisor Thorsby

**TRUSTEE ALMASSY MOVED**, supported by Clerk Meinburg to allow payment of expenses from bond for Brentwood Farms.

Trustee Minarik pointed out an error on the resolution where it stated Bedford Board of Education instead of Township of Flushing. The error would be corrected before signing.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**AYES:** Meinburg, Westenbarger, Minarik, Thorsby, Willette, Almassy, and Peck

**NAYS:** None

**THE MOTION CARRIED UNANIMOUSLY**

6. Motion to purchase additional voting equipment

After a brief discussion, it was decided two additional machines should be purchased before the November election.

**TRUSTEE ALMASSY MOVED**, supported by Trustee Westenbarger to purchase two additional voting machines.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**AYES:** Westenbarger, Almassy, Thorsby, Meinburg, Willette, Peck and Minarik

**NAYS:** None

**THE MOTION CARRIED UNANIMOUSLY**

**VI. REPORTS:**

1. Supervisor's Report and Monthly Building Report given by Supervisor Thorsby  
There was no Code Enforcement Report
2. Clerk's Report – Clerk Meinburg reported on the August 4, 2020 election
3. Treasurer's Report– Given by Treasurer Peck
4. Police Department Report – Given by Chief Bolin

**VII. PUBLIC COMMENTS**

**OPEN FOR PUBLIC COMMENTS: 8:20 P.M.**

One individual gave comments

**CLOSED FOR PUBLIC COMMENTS: 8:21 P.M.**

**VIII. BOARD COMMENTS**

Trustee Westenbarger gave a progress report on the lighting for the Township parking lot. Trustee Willette reported on the Senior Center stating they were moving forward with the van purchase. She also brought up the lack of WiFi coverage in the area and there was a brief discussion. Trustee Almassy stated the July Genesee County Metropolitan Planning Commission had been cancelled but they were having a Zoom Meeting for August, she also complimented Clerk Meinburg on running a successful election. Treasurer Peck stated he was expecting Jeff Wright to be attending our next meeting through Zoom.

**IX. NEXT REGULAR MEETING: September 10, 2020**

**X. ADJOURNMENT:**

**TRUSTEE WESTENBARGER MOVED**, supported by Trustee Minarik to adjourn the meeting at 8:35 P.M.

**THE MOTION CARRIED UNANIMOUSLY.**

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WENDY D. MEINBURG, Clerk

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FREDERICK R. THORSBY, Supervisor

APPROVED DATE \_\_\_\_\_

RECORDING SECRETARY: Joyce A. Wilson, Deputy Clerk  
08/13/2020