

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
NOVEMBER 24, 2014

The Supervisor called the meeting to order at 7:00 p.m.

Members present: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller
Members absent: None

The Pledge of Allegiance was recited by all present.

Public Input opened at 7:01 p.m.

County Commissioner V. Begick gave an update on the status of the County Solid Waste Plan as well as state legislation for road funding.

Public Input closed at 7:06 p.m.

Motion by Pike supported by Kowalski to adopt the agenda as presented.
Motion carried.

Motion by Pike supported by Miller to approve the minutes of the November 10, 2014 regular meeting as presented.
Motion carried.

Motion by Miller supported by Kochany to pay the bills in the amount of \$20,766.64 from General Fund.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Motion by Kowalski supported by Miller to receive the Treasurer's Report for October 2014.
Motion carried.

The Public Hearings to Create Streetlight Special Assessment District and to Create Water Detention Special Assessment District for Holly Springs opened at 7:10 p.m. No public were present to speak for either public hearing and the public hearings were closed at 7:11 p.m.

R-2014-019 Resolution Creating Streetlight Special Assessment District of Holly Springs

Motion by Kowalski supported by Malkin to adopt Resolution R-2014-019, as follows:

**RESOLUTION CREATING SPECIAL ASSESSMENT DISTRICT
FOR STREET LIGHTS AFTER PUBLIC HEARING
HOLLY SPRINGS SUBDIVISION**

WHEREAS, on or about September 9, 2014, the Township received a request for the creation of a special assessment district for street lighting for Holly Springs Subdivision signed by the owner of one

hundred percent (100%) of the twenty-seven (33) lots of the subdivision which land being legally described as:

SEE LEGAL DESCRIPTION ATTACHED

WHEREAS, after the filing of the Supervisor's Certificate and the receipt of an estimate of the costs of the requested improvement, this Township Board did adopt a Resolution expressing intent to proceed with the installation of the six (6) street lights and the creation of a special assessment district to pay for same; and

WHEREAS, pursuant to notice as provided in Section 4(a) of Act 188 of 1954, a public hearing was held at a regular meeting of the Township Board held on the 24th day of November, 2014, at 7:00 p.m. affording all interested parties an opportunity to address the Board;

NOW THEREFORE BE IT RESOLVED, that the Monitor Township Board does hereby create a special assessment district consisting of the thirty-three (33) lots in Holly Springs Subdivision for the purpose of the installation of six (6) street lights.

IT IS FURTHER RESOLVED that this Board specifically approves or determines all of the following:

- (a) The completion of the improvement will be of special benefit to the properties being assessed for it.
- (b) The plans and estimate of cost presented by Bay City Light & Power.
- (c) The sufficiency of the original Petition as submitted by representative of the property owners of the property within the special assessment district created.
- (d) That the maintenance expenses of the six (6) street lights may from time to time require redetermination without a change in the special assessment district boundaries, and such redetermination shall be made annually at the Board's first regular meeting of December beginning December of 2015. The failure of the Board to make such a redetermination shall cause the then existing assessment to continue in effect without change for another year.
- (e) That the Township shall recoup its out-of-pocket expenses including professional fees, publication and recordation expensed associated with, and directly attributable to, the creation of the special assessment in accord with an Agreement for Reimbursement of Costs, which is hereby approved.

IT IS FURTHER RESOLVED, that the Supervisor shall prepare a special assessment roll of all the parcels included in this district

as to the benefit to each parcel as provided by subsection 5 (d) of Act 188 of 1954, and that such roll shall be duly filed with the Township Clerk on or before December 1, 2014.

IT IS FURTHER RESOLVED that this Township Board shall conduct a separate public hearing to be held on December 8, 2014 at a regular meeting of the Township Board at the Monitor Township Hall, 2483 East Midland Road, Bay City Michigan, commencing at 7:00 p.m. to review and to hear any objections to the assessment roll.

IT IS FURTHER RESOLVED that the Clerk be instructed to publish and mail notice of this hearing in accordance with the statute in such cases made and provided.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

R-2014-020 Resolution Creating Water Detention Special Assessment District ó Holly Springs

Motion by Malkin supported by Kowalski to adopt Resolution R-2014-020, as follows:

**RESOLUTION CREATING SPECIAL ASSESSMENT DISTRICT
FOR STORM WATER DETENTION AREA AFTER PUBLIC HEARING
FOR HOLLY SPRINGS SUBDIVISION**

WHEREAS, the Township has previously received a Petition to create a Special Assessment District signed by 100% of the record owners of the following land located within the Township;

SEE ATTACHED LEGAL DESCRIPTION

and

WHEREAS, after the filing of the Supervisor's Certificate and the receipt of an estimate of the costs of the requested improvement, this Township Board did adopt a Resolution expressing intent to proceed with the proposal to create a special assessment district for the construction and/or maintenance of a retention pond for storm water within Holly Springs Subdivision, including but not limited to certain storm water sewers and certain outlet storm sewers by special assessment against the properties benefited therein.

WHEREAS, pursuant to proper notice as provided in Section 4(a) of Act 188 of 1954, a public hearing was held at a regular meeting of the Township Board held on the 24th day of November, 2014 at 7:00 p.m. affording all interested parties an opportunity to address the Board;

NOW THEREFORE BE IT RESOLVED, that the Monitor Township Board does hereby create an special assessment district for the construction and/or maintenance of a retention pond for storm water within Holly

Springs Subdivision, including but not limited to certain storm water sewers and certain outlet storm sewers by special assessment against the properties benefited therein.

IT IS FURTHER RESOLVED that this Board specifically approves or determines all of the following:

- (a) The completion of the improvement as provided on the final preliminary plat previously submitted for approval.
- (b) The plans to provide maintenance to the retention pond and storm facilities and estimate of initial cost presented.
- (c) The sufficiency of the original Petition as submitted by the property owners within the special assessment district created.
- (d) That the maintenance expenses of the Township shall from time to time require redetermination without a change in the special assessment district boundaries, and such redetermination shall be made annually at the Board's first regular meeting of December beginning December 2006. The failure of the Board to make such an annual redetermination shall cause the then existing assessment to continue in effect without change for the following year.
- (e) That the annual expense to the Township to maintain the retention pond and storm sewer facilities is not able to be precisely determined for the reason that it is currently anticipated that such maintenance will be performed and funded by the Holly Springs Home Owners Association or the assigns or successors of such entity. The initial assessment shall be established to provide sufficient funding to reimburse the Township all of its out-of-pocket expenses incurred in review and approval of this project which costs are currently anticipated not to exceed \$5,000.00. The initial assessment and the first two annual assessments shall be established at a rate sufficient to create a reserve fund which shall be maintained by the Township and used as may be later required.
- (f) It is further anticipated that if no maintenance expenses are incurred by the township after three (3) years of special assessments, the assessment for the fourth (4th) year may be reduced to \$100.00 annually.
- (g) That in the event that, as a result of neglect or failure to properly maintain the above referenced improvements, it is anticipated that the total assessment levied against all of the property within the district boundaries would be increased by any amount in excess of \$100.00 per year, then in that event, Monitor Township shall provide written

notice to the record owners of the land within the district by regular first class mail at least ten (10) days prior to the meeting where such redetermination could be considered. Such interested owners would then be provided an opportunity to address the Board regarding the necessity of the increase in the total assessment to be levied.

The owners of the property within the district shall periodically notify the Township of any additional interested parties who shall receive notice in the event of any anticipated substantial increase in the total assessment within the district.

IT IS FURTHER RESOLVED, that the Supervisor shall prepare a special assessment roll of all the parcels included in this district as to the benefit to each parcel as provided by subsection 5 (d) of Act 188 of 1954, and that such roll shall be duly filed with the Township Clerk on or before December 1, 2014.

IT IS FURTHER RESOLVED, that this Township Board shall conduct a separate public hearing to be held on December 8, 2014 at a regular meeting of the Township Board at the Monitor Township Hall, 2483 Midland Road, Bay City Michigan commencing at 7:00 p.m. to review and to hear any objections to the assessment roll.

IT IS FURTHER RESOLVED that the Clerk be instructed to publish and mail notice of this hearing in accordance with the statute in such cases made and provided.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Discussion Regarding Possible Grant Application for Park Improvements - Removal & Replacement of Ash Trees at Township Park

D. Scherzer from Spicer stated the deadline to submit grant applications for either the Passport or LWCF grants is April 1, 2015. Notification of grant award would be end of November 2015 with work to start in spring 2016. The type of grant to submit would be dependent on the scope of improvements the board would choose to do.

Possible park improvements are, but not limited to, the following:

- Adding gravel base to the park drive and parking areas
- Paving the park drive and parking areas
- Replacing the parking/curb stops
- Replacing the outdoor grills
- Adding signs for the exercise stations
- Removal and replacement of the diseased/dead ash trees
- Possibly adding lighting to the park

The various options were discussed at length. Some board members felt the first step should be the preparation of a concept plan and drawing of the park and improvements. Grants could then be applied for to do the work in phases or in total dependent on the estimates of cost.

Motion by Miller supported by Malkin to direct Spicer to prepare a preliminary concept plan for park improvements.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

First Reading of Ordinance 52-W, An Ordinance to Provide Residential Use in C Districts

Motion by Miller supported by Malkin to have this meeting serve as First Reading of Ordinance 52-W, an ordinance to provide for residential use in C districts by Planning Commission special use permit, and to set the date for Second Reading of this ordinance for the December 8, 2014 meeting.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Fire Department ó S.O.P. #32

Motion by Kowalski supported by Malkin to approve Fire Department S.O.P #32 as submitted by the Fire Chief.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Fire Chief Recommendation ó Resignation of On-Call Firefighter D. Bothe

Motion by Kowalski supported by Pike to accept the resignation of On-Call firefighter D. Bothe effective November 18, 2014, as recommended by the Fire Chief in his letter to the board dated November 21, 2014.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Budget Adjustment - 2014 Sewer Fund

Motion by Pike supported by Brandt to adjust the 2014 Sewer fund budget as recommended by the Clerk as follows: Increase acct. 590-000-539 \$76,397.18; Increase acct. 590-447-801 \$55,000 from fund equity.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

2015 Meeting Dates ó Township Board, Planning Commission, ZBA

Motion by Malkin supported by Miller to approve the 2015 meeting dates as follows:

2015 TOWNSHIP BOARD MEETING DATES

MONDAY	JANUARY 12, 2015	MONDAY	JULY 13, 2015
MONDAY	JANUARY 26, 2015	MONDAY	JULY 27, 2015
MONDAY	FEBRUARY 9, 2015	MONDAY	AUGUST 10, 2015
MONDAY	FEBRUARY 23, 2015	MONDAY	AUGUST 24, 2015
MONDAY	MARCH 9, 2015	MONDAY	SEPTEMBER 14, 2015
MONDAY	MARCH 23, 2015	MONDAY	SEPTEMBER 28, 2015
MONDAY	APRIL 13, 2015	MONDAY	OCTOBER 26, 2015
MONDAY	APRIL 27, 2015	MONDAY	NOVEMBER 9, 2015
MONDAY	MAY 11, 2015	MONDAY	NOVEMBER 23, 2015
MONDAY	JUNE 8, 2015	MONDAY,	DECEMBER 14, 2015
MONDAY	JUNE 22, 2015		

2015 PLANNING COMMISSION MEETING DATES

TUESDAY	JANUARY 6, 2015	TUESDAY	JULY 7, 2015
TUESDAY	FEBRUARY 3, 2015	TUESDAY	AUGUST 4, 2015
TUESDAY	MARCH 3, 2015	TUESDAY	SEPTEMBER 1, 2015
TUESDAY	APRIL 7, 2015	TUESDAY	OCTOBER 6, 2015
TUESDAY	MAY 5, 2015	TUESDAY	NOVEMBER 3, 2015
TUESDAY	JUNE 2, 2015	TUESDAY	DECEMBER 1, 2015

2015 TENTATIVE ZBA MEETING DATES

ZBA meetings are held only as needed. The following dates have been set should a meeting date be needed.

THURSDAY	JANUARY 15, 2015	THURSDAY	JULY 16, 2015
THURSDAY	FEBRUARY 19, 2015	THURSDAY	AUGUST 20, 2015
THURSDAY	MARCH 19, 2015	THURSDAY	SEPTEMBER 17, 2015
THURSDAY	APRIL 16, 2015	THURSDAY	OCTOBER 15, 2015
THURSDAY	MAY 21, 2015	THURSDAY	NOVEMBER 19, 2015
THURSDAY	JUNE 18, 2015	THURSDAY	DECEMBER 17, 2015

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

2015 Township Holidays

Motion by Arnold supported by Malkin to adopt the 2015 Township Holiday dates as follows:

2015 HOLIDAYS

JANUARY 1	NEW YEAR'S DAY
JANUARY 19	MARTIN LUTHER KING DAY
FEBRUARY 16	PRESIDENTS DAY
APRIL 3	GOOD FRIDAY
MAY 25	MEMORIAL DAY
JULY 3	INDEPENDENCE DAY- Township Office
JULY 4	INDEPENDENCE DAY ó Fire Department
SEPTEMBER 7	LABOR DAY
OCTOBER 12	COLUMBUS DAY
NOVEMBER 11	VETERANS DAY
NOVEMBER 26, 27	THANKSGIVING & THANKSGIVING FRIDAY
DECEMBER 24	CHRISTMAS EVE
DECEMBER 25	CHRISTMAS
DECEMBER 31	NEW YEAR'S EVE

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

REPORTS

Information was provided for any board member who would like to attend the Critical Incident Management staff training in January 2015.

Brandt inquired if the board preferred hard copy of the information gathered through the SAW project or for the information to be supplied on a dedicated computer at the township.

The general consensus was to have the information accessible as read only files on a computer.

The meeting adjourned at 8:17 p.m.

Cindy L. Kowalski, Clerk

Gary A. Brandt, Supervisor