

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
APRIL 9, 2012

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

Members present: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller
Members absent: None
Also present: D. DeGrow, Township Building Official

The Pledge of Allegiance was recited by all present.

Public Input opened at 7:01 p.m.

R. Kachiros, Mike VanTol ó renters of unit 1 and C. Laudenslager, J. Smith - renters of unit 2 of the duplex located at 5840 WS Saginaw Rd. were present to discuss the unsafe conditions of the duplex unit.

Kachiros advocated for the township board to adopt regulations for the inspection of buildings after the certificate of occupancy has been issued. Kachiros stated the current landlord has not kept the building repaired; the unit has issues with standing water in the crawl space, mold underneath and growing on the inside walls of her unit, mushrooms growing on the carpeting and no firewall between the units. The Bay County Health Department inspected the property and documented repairs needed to make the unit safe to live in. Kachiros has spoken with an attorney regarding the situation and also had an independent inspection done. She has been advised by her doctor that the mold in the home is causing health issues and advised not living on the property.

Laudenslager stated he and Ms. Smith were uncertain if they had mold in the crawl space under their unit but expressed concern for the health of their three year-old.

Malkin replied he spoke with Barry Hugo from the Health Department and was of the impression they would follow through with the mold situation but would not deal with the building structure issues.

DeGrow stated there is a state adopted property maintenance code that the township could adopt which might be faster to implement than adopting a township rental property ordinance.

Public Input closed at 7:35 p.m.

Motion by Malkin supported by Kochany to adopt the agenda with the addition of: Planning Commission request for Board direction regarding sign amendment and 2011 General Fund Budget Adjustment.

Motion carried.

Motion by Malkin supported by Miller to approve the minutes of the March 26, 2012 regular meeting with the following amendment: Under Supervisor's report on page 4, to change the word consensus to opinion in the sentence, "*Board ~~consensus~~ opinion was 4 members for initiating the change, 3 members against.*"

Motion carried.

Motion by Miller supported by Kochany to pay the bills in the amount of \$32,893.18 from General Fund.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Road Improvements for 2012

The Supervisor provided the following information regarding road improvement projects for 2012:

2012 MONITOR TOWNSHIP ROAD PROJECTS

April 4, 2012

Funds available

2012 Monitor Road Budget as of January 1, 2012	\$270,000.00
BCRC Building Better Roads funds matching funds required	\$ 20,000.00
BCRC Discretionary Fund Program no matching funds required	\$ 11,500.00
<u>Total amount available for 2012 road work</u>	<u>\$301,500.00</u>

Seal Blend Program (To extend the life of the roads) The BCRC recommends that to extend the life of the roads we should use Seal Blend on the bad spots. With that in mind we should order 350 tons again this year. Note! Cost of Seal Blend has increased \$5.00/ton this year.

Cost of 350 tons x \$55.00 per ton = \$19,250.00

Amount needed to finish roads committed to last year.

Chip Road (7 Mile Road to 8 Mile Road)

Crush & shape, add chemical application & double chip seal coats = \$104,693.00

Wilder Road (Mackinaw Road to Fraser Road) Single chip & seal coat = \$18,500.00

Baxman Road (Salzburg Road to Fisher Road) Double chip & seal coats = \$45,000.00

Sub total of committed costs this year \$187,443.00

<u>Monitor Road Budget and BCRC funds available for 2012 road improvements</u>	<u>\$301,500.00</u>
Less: amount committed so far this year	\$187,443.00

Monitor Funds available for additional 2012 road improvements Sub Total \$114,057.00

Roads to be considered for repair and estimated costs.

Baxman Road (Midland Rd to US10) Crush & shape, gravel = \$63,621.00

Fraser Road (Wilder Road to Townline 14) Single chip & seal coat ó 2 miles = \$39,900.00

Wilder Road (7 Mile to Fraser) Single chip & seal coat = \$19,950.00

Amount work requested Sub Total \$123,471.00
(over budget by \$9,414.00)

Other Roads to be considered for repair but would be over budget

North Union (7 Mile to Fraser) Single chip & seal coat = \$19,950.00

4 Mile Road (Hotchkiss Road to Salzburg Road) Single chip & seal coat = \$19,950.00

Note: The BCRC has over estimated the costs of work on the roads and only charge for the work that is done in the year the work is requested. As a result Monitor Township road improvements have been under budget for the last few years. The 2009 Road Budget was under budget by about \$50,000.00 even though the projects we told the BCRC to do was over our budget by \$20,000.00. Last year the Board budgeted \$65,400.00 for work on Chip Road that never was done, so again the road work was under budget.

Motion by Arnold supported by Pike to approve the following road improvements for 2012:

350 tons of Seal Blend @ \$55.00 per ton	\$ 19,250.00
Chip Road (7 Mile to 8 Mile)	
Crush & shape, add chemical application & double chip seal coats	\$104,693.00
Wilder Road (Mackinaw to Fraser) Single chip & seal coat	\$ 18,500.00
Baxman Road (Salzburg to Fisher) Double chip & seal coats	\$ 45,000.00
Baxman Road (Midland Rd to US10) Crush & shape, gravel	\$ 63,621.00
Fraser Road (Wilder to Townline 14) Single chip & seal coat ó 2 miles	\$ 39,900.00
Wilder Road (7 Mile to Fraser) Single chip & seal coat	<u>\$ 19,950.00</u>
Total 2012 Road Improvements	<u>\$310,914.00</u>
Less: BCRC Building Better Roads funds ó Twp. matching funds	\$ 20,000.00
BCRC Discretionary Fund Program - no matching funds required	<u>\$ 11,500.00</u>
Total General Funds allocated for 2012 Road Improvements	\$289,414.00
2012 Monitor Road Budget as of January 1, 2012	<u>\$270,000.00</u>
	\$ (9,414.00)

Roll call vote:

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

No: Kowalski

Absent: None

Motion carried.

R-2012-004 Resolution Adopting and Establishing Fees for Electrical, Mechanical & Plumbing Permit Applications

Arnold posed questions regarding the township requirement for the inspection of water supply connections that was adopted by the board earlier this year.

Kowalski will put review of the resolution on the next meeting agenda.

Miller asked if the fees listed on the electrical, plumbing and mechanical permits were consistent with those statewide.

DeGrow replied the proposed fees were on average, lower than those charged by the state.

Motion by Miller supported by Malkin to adopt Resolution R-2012-004, a resolution adopting and establishing fees for electrical, mechanical & plumbing permit applications as follows:

RESOLUTION ADOPTING THE REVISED MONITOR TOWNSHIP PERMIT APPLICATIONS AND ESTABLISHING FEES FOR THE ELECTRICAL PERMIT APPLICATION, MECHANICAL PERMIT APPLICATION AND PLUMBING PERMIT APPLICATION AS PROVIDED BY THE STATE CONSTRUCTION CODE

WHEREAS, pursuant to the Stille-DeRossett-Hale Single State Construction Code Act (MCL Section 125.1501 et. seq.) the Charter Township of Monitor has authority to establish reasonable fees as the enforcing agency of the State Construction Code, and

WHEREAS, the State Construction Code consists of the Michigan Residential Code, the Michigan Building Code, the Michigan Mechanical Code, the Michigan Plumbing Code, the National Electrical Code, and the Michigan Uniform Energy Code.

NOW THEREFORE BE IT RESOLVED, that any individual, partnership, corporation or LLC commencing work which requires a permit pursuant to the various Codes of the State Construction Code, including but not limited to the Michigan Building Code, the Michigan Mechanical Code, the Michigan Plumbing Code, and the National Electric Code shall obtain such a permit prior to the commencement of work.

BE IT FURTHER RESOLVED, the Monitor Township Board does hereby adopt the revised Electrical, Mechanical and Plumbing Permit Applications (See Attached) and establish the fees associated to the applications.

Roll call vote:

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

No: Arnold

Absent: None

Motion carried.

R-2012-005 Resolution Authorizing Consumers Energy Company to Make Changes in Lighting Services

Kowalski referred to her memo dated April 3, 2012 regarding a conversation she had with Amanda Elkins from Consumers Energy and provided the answers to the questions the board raised at the February 13, 2012 meeting.

Brandt offered a motion to amend the resolution by adding a stipulation whereby the township would authorize the changes contingent upon receiving a listing of the location of all Consumers streetlights in the township.

It was the feeling of the board to make this a separate request so as not to delay further the credit to the township energy billing.

Motion by Kowalski supported by Malkin to adopt Resolution R-2012-005, a resolution authorizing Consumers Energy Company to make changes in lighting services as follows:

RESOLUTION AUTHORIZING CONSUMERS ENERGY COMPANY TO MAKE CHANGES IN LIGHTING SERVICES AS IT RELATES TO THE REPLACEMENT OF STREETLIGHT LAMPS FROM MERCURY VAPOR TO HIGH PRESSURE SODIUM, AND AUTHORIZE THE TOWNSHIP CLERK TO EXECUTE SUCH AUTHORIZATION.

NOW THEREFORE BE IT RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the Township of Monitor, dated 12/18/1984, in accordance with the Authorization for Change in Standard Lighting Contract dated as of 6/16/2011, heretofore submitted to and considered by this Board; and

BE IT FURTHER RESOLVED, that the Monitor Township Clerk be and are authorized to execute such authorization for change on behalf of the Township.

Roll call vote:

Yes: Kowalski, Pike, Kochany, Malkin, Miller

No: Brandt, Arnold

Absent: None

Motion carried.

Motion by Brandt supported by Miller to request an audit of the location of all streetlights serviced by Consumers Energy in Monitor Township.

Motion carried.

Hall Chimney Repair/Replacement

Motion by Pike supported by Kochany to table discussion regarding the repair/replacement of the hall chimney in order to obtain additional information.

Motion carried.

Planning Commission Request For Board Direction Regarding Sign Amendment

The planning commission requested at their April meeting for the building inspector to ask the board for more direction regarding signs. DeGrow stated this is the computer age and LED signs are out there, the question is, "what is reasonable for enforcement?" The state allows a change in the sign reader board every 4-5 seconds. The township can put into the ordinance the provisions of our current ordinance of no blinking, flashing, moving graphics etc. Enforcement as it stands takes time and DeGrow offered to make suggestions to streamline the enforcement process. The planning commission discussed a discrepancy in the ordinance between the definition of a ground sign and a pedestal sign as to height requirements. Kochville and Saginaw townships have amended their sign ordinances to require that within 12 years of adoption, all signs need to be not more than 12 feet in height. Frankenlust has also recently adopted a new sign ordinance. Arnold stated that if we enter the 21st century regarding LED signs, we should not put all sorts of regulations regarding the type of message that is on the signs.

DeGrow stated the township needs to consider that it not only represents the residents but also the business owners.

DeGrow will provide the board copies of the Saginaw, Kochville and Frankenlust township ordinances for the next meeting.

Motion by Pike supported by Kowalski to table the planning commission request for board direction regarding amending zoning ordinance sign regulations to the next regular meeting.

Motion carried.

Ordinance to Require Inspections of Rental Properties

The Clerk provided copies of rental property ordinances adopted by municipalities in the state. Brandt stated the board needs to investigate the property maintenance code adopted by the state that DeGrow referred to earlier this meeting before proceeding further with a township ordinance to decide which venue would better serve the township.

Malkin stated that a third option may be to see if there is a way to tweak the blight ordinance to include the safety of the inside of the structure.

Motion by Kowalski supported by Miller to table discussion regarding an ordinance to require township inspection of rental properties to the next regular meeting.

Motion carried.

Hall Request - Cortland Farms South Homeowners Association

Motion by Kowalski supported by Malkin to grant the request from Cortland Farms South Homeowners Assn. use of the township hall on June 21, 2012 (alternate date June 14, 2012); signed contract, all fees waived.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Fire Chief Recommendation - Resignation of On-Call Firefighter B. Krzyminski

Motion by Kowalski supported by Malkin to accept the resignation of on-call firefighter B. Krzyminski effective March 30, 2012 as recommended by the Fire Chief.

Motion carried.

Fire Chief Request ó Replacement of PASS Alarms

Motion by Miller supported by Malkin to approve the Fire Chief's March 30, 2012 request to replace 12 PASS alarms at a cost of \$497 each, totaling \$5,964.00 from the Public Safety Fund.

Roll call vote:

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

No: Brandt

Absent: None

Motion carried.

Recommendation to Hire Park Custodian & Park Maintenance Custodian for 2012 Season

Motion by Pike supported by Malkin to hire Linda Ferguson as the Park custodian at a rate of \$500/month for the park season May 1 to September 30, 2012.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Board concern was raised regarding the Supervisor's recommendation for the parks grounds maintenance custodian. The park mileage expense last year was two times more last year than what was expensed for any of the other previous park custodians. The question was raised if a cap had been placed on the amount of mileage expense that would be accepted for the 2012 season.

Brandt stated he spoke with Wackerle to reduce/consolidate the number of trips needed for fuel and supplies in order to limit the mileage expenses that are submitted.

Kowalski stated it was not just excessive trips for fuel but the multiple weekly trips to check the park lawn and trips from the office to the parks that resulted in the excess mileage.

Motion by Malkin supported by Miller to hire M. Wackerle as the Parks Grounds Maintenance Custodian at a rate of \$8.14/hr.

Roll call vote:

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

No: Kowalski

Absent: None

Motion carried.

2011 General Fund Budget Adjustment

Motion by Pike supported by Kowalski to adjust the 2011 General Fund budget as follows:

Increase expense #101-401-801 \$1,204 and decrease expense \$101-400-702 \$1,204.

Increase expense #101-448-920 \$4,000 and decrease expense #101-447-801 \$4,000.

Roll call vote:

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

No: None

Absent: None

Motion carried.

The meeting adjourned at 9:25 p.m.

Cindy L. Kowalski, Clerk

Gary A. Brandt, Supervisor