

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
APRIL 24, 2017

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

Members present: Malkin, Pike, Brandt, Reder, Kochany, Walsh
Members absent: Kowalski
Also present: M. Norton ó Spicer Engineering

The Pledge of Allegiance was recited by all present.

Public Input opened at 7:01 p.m.

Jack C. Frank, spoke about the condition of several roads in the Township that are in need of repairs. K. Malkin responded, stating that the water and storm water project would need to be completed first, and there is a plan to repair the affected roads.

Vaughn Begick announced that Bay Veterans Foundation will be hosting a groundbreaking ceremony of the Gold Star Family Memorial Monument on Saturday, April 29th at 3:00 pm, at the Cityø Battery Park and has invited the Board to attend. He also mentioned that he had attended a meeting this morning with the Michigan Association of Counties Health and Human Services Committee regarding the pending marijuana legislation.

Public Input closed at 7:13 p.m.

Motion by Reder supported by Walsh to adopt the agenda with addition of the Monitor Park Merry-Go-Round damage and removing R-2017-009 Resolution of Intent to Create SA District ó Holly Springs Phase II Detention Area and R-2017-010 Resolution of Intent to abolish and re-create SA District ó Holly Springs Streetlights Phases 1 & 2.
Motion carried.

Motion by Reder supported by Walsh to table the approval of the minutes of the March 27, 2017 regular meeting until the next regular meeting of the Township Board.
Motion carried.

Motion by Reder supported by Walsh to allow the payment of bills from the General Fund in the adjusted amount of \$59,719.43, removing an invoice from the Bay County Treasurer totaling \$198.25 which has not been approved for payment at this time.

Roll call vote:

Yes: Pike, Brandt, Kochany, Reder, Walsh, Malkin

No None

Absent: Kowalski

Motion carried.

Motion by Reder supported by Malkin to receive the Treasurerø Report for March 2017.
Motion carried.

Kawkawlin River Forestry Grant Update

John Roszatycki, from KRWA Watershed, and Kevin Wilson, of the Bay County Conservation District presented a proposal to provide services under the US Forestry Grant. Plantings and restoration activities would be included throughout the 2-year project. Pike inquired if the group would provide cover crop informational posters or brochures describing the nature of the program and types of plantings. Mr. Wilson stated that they will be providing a slideshow presentation to the Board before planting begins in the fall, and literature will be provided to the Township for residents with questions. There was discussion regarding improvements being made to the kayak dock at Herbert Steih Park.

Motion by Reder supported by Brandt to approve the proposal submitted by the Bay County Conservation District as a sub-contractor to deliver the BMP portion of the US Forestry Grant in the amount of \$156,000.00.

Roll call vote:

Yes: Brandt, Kochany, Reder, Walsh, Malkin, Pike

No None

Absent: Kowalski

Motion carried.

Fire Department 6 Fire Apparatus Proposal

John R. Kramer, Chief, of the Monitor Township Fire Department presented the Township Board with a proposal from reputable HME, Incorporated for the purchase of one (1) HME Ahrens-Fox Pumper on HME Four Door Cab & Chassis with applicable lifesaving equipment. This will replace the 1998 that is currently in service, but not in serviceable condition. In-service vehicles and equipment are required to be brought up to code at 20 years. Usable equipment on the 1998 would be transferred to the new apparatus. In 2007 the first truck was replaced and the second replacement occurred in 2014. Both units were purchased through HME, Inc. This particular unit would be considered their highway truck which is designed to respond to automobile accidents and collisions that require extrication. This unit would have upgraded electric tools, cutter, spreader and a ramp. The current tools on the truck to be replaced will be utilized in an efficient manner on existing trucks in service. Chief Kramer explained the various cost saving methods that were used in project specification and their basis for their desire to purchase the unit from HME, Inc. for delivery in 2018. The apparatus would be completely funded through a previously approved millage.

Brandt commented stating that we would need to make sure that no Ordinance exists which mandates an RFP process. Malkin contends it could be approved subject to approval of our Township attorney.

Motion by Reder supported by Walsh to accept the proposal submitted by Chief Kramer to purchase One (1) HME Ahrens-Fox Pumper truck in the amount of \$510,273.00 with funds from the Public Safety Fund, contingent upon the legal opinion of the Township attorney.

Roll call vote:

Yes: Kochany, Reder, Walsh, Malkin, Pike, Brandt

No None

Absent: Kowalski

Motion carried.

Cost Recovery Appeal ó J. Morin

The Board considered the written cost recovery appeal received from State Farm Insurance on behalf of J. Morin. It was determined that Ms. Morin's vehicle was parked and unoccupied at the time of the incident and she should not therefore incur any cost recovery expense.

Motion by Pike supported by Reder to waive the cost recovery charges for J. Morin Account 16-294976, in the amount of \$295.96 for an incident that occurred on December 24, 2016.

Roll call vote:

Yes: Reder, Walsh, Malkin, Pike, Brandt, Kochany

No None

Absent: Kowalski

Motion carried.

Cost Recovery Appeal ó A. Pichiotino

Chief Kramer presented the Board with the incident report associated with a multiple vehicle accident on I-75 at Midland Road on March 1, 2017. MTFD responded to Pichiotino's location on Monitor Road.

Motion by Brandt supported by Pike to deny the cost recovery appeal request submitted by A. Pichiotino in the amount of \$147.89 for an incident that occurred on March 1, 2017.

Roll call vote:

Yes: Reder, Walsh, Malkin, Pike, Brandt, Kochany

No None

Absent: Kowalski

Motion carried.

Personnel Committee Recommendation ó Township Electrical Inspector

Motion by Reder supported by Walsh to accept the Personnel Committee's recommendation to hire Frank Bryden as permanent Electrical Inspector and Plan Reviewer.

Yes: Walsh, Pike, Brandt, Kochany, Reder

No Malkin

Absent: Kowalski

Motion carried.

R-2017-011 Resolution Setting Public Hearing ó IFT Application MBM Development/FP Horak

Motion by Pike supported by Reder to adopt Resolution R-2017-011, a resolution setting the public hearing to consider IFT application submitted by MBM Development (FP Horak) for real property as follows:

**RESOLUTION SETTING A TIME TO CONSIDER APPLICATION
FOR INDUSTRIAL FACILITIES TAX EXEMPTION
CERTIFICATE FOR MBM DEVELOPMENT, LLC**

WHEREAS, pursuant to 1974 PA 198, as amended, that being MCLA Section 207.551 et seq., the Charter Township of Monitor has established an Industrial Development District encompassing a portion of property owned by MBM Development, LLC; and

WHEREAS, MBM Development, LLC has now applied for an Industrial Facilities Exemption Certificate under the provisions of 1974 PA 198, as amended; and

WHEREAS, 1974 PA 198, as amended, provides that before acting upon such an Application for Industrial Facilities Certificate, the Township Board shall afford the applicant, the assessor and a representative of the affected taxing units an opportunity for a hearing;

NOW, THEREFORE, BE IT RESOLVED:

1. That the application of the MBM Development, LLC for an Industrial Facilities Exemption Certificate shall remain on file in the office of the Township Clerk.
2. That the Township Board shall meet at the Monitor Township hall on May 22, 2017, at 7:00 p.m., and shall provide to the applicant, the local assessor and representatives of each of the taxing units an opportunity to be heard on the questions of MBM Development, LLC's Application for an Industrial Facilities Certificate with regard to real property within the District previously created.
3. That the Township Clerk inform, by letter, the applicant, the local assessor and the legislative body of each taxing unit which levies ad valorem taxes in the Township of Monitor on the property located within the Industrial Development District previously created of the meeting to be held and the purpose thereof.

Roll call vote:

Yes: Malkin, Pike, Brandt, Kochany, Reder, Walsh

No None

Absent: Kowalski

Motion carried.

Township Road Improvement 3-YR Plan

The Board discussed the 2017 Road Projects and the Haberland estimate received from BCRC.

Motion by Pike supported by Kochany to accept the Township 3-YR Road Improvement Plan.

Roll call vote:

Yes: Brandt, Kochany, Reder, Walsh, Malkin, Pike

No None

Absent: Kowalski

Motion carried.

DWS Request to Discontinue Billing for Eliminated Sprinkler Meter ó 4809 Appletree Lane
Motion by Pike supported by Brandt to approve the DWS recommendation dated March 27, 2017 and sign discontinuance of billing for the eliminated sprinkler meter, for 4809 Appletree Ln., effective March 24, 2017 provided that there are no outstanding amounts owed.

Roll call vote:

Yes: Kochany, Reder, Walsh, Malkin, Pike, Brandt

No None

Absent: Kowalski

Motion carried.

First Reading of Ordinance 52-Y amending Sections 2.43 & 3.26 of Zoning Ordinance 52

The Board reviewed and discussed the April 4, 2017, Planning Commission recommendation to amend Sections 2.43 & 3.26 of Zoning Ordinance 52 which would provide for increase sizes of a private garage as an accessory to a residential home

Motion by Reder supported by Malkin to have this meeting serve as First Reading of Ordinance 52-Y, amending Sections 2.43 & 3.26 of Zoning Ordinance 52 and set Second Reading and adoption of this ordinance to the May 8, 2017 regular meeting.

Roll call vote:

Yes: Reder, Walsh, Malkin, Pike, Brandt, Kochany

No None

Absent: Kowalski

Motion carried.

Michigan Township Participating Plan ó Board of Directors Nomination

Motion by Pike supported by Malkin to adopt the resolution nominating Trustee, Gary Brandt for the MTPP Board of Directors, and authorize the Supervisor, Ken Malkin to sign the Resolution confirming appointment of member representative.

Roll call vote:

Yes: Walsh, Malkin, Pike, Brandt, Kochany, Reder

No None

Absent: Kowalski

Motion carried.

Smith & Brooker, P.C. Richard C. Sheppard ó Attorney Richard Austin Township Records

It was general Board consensus to accept the records from former attorney R. Austin, currently in storage at attorney R. Sheppard's office, in order to have Clerk review the files prior to disposing of the records.

Planning Commission Fee Schedule Amendment

Motion by Reder supported by Walsh to adopt the Township Application Fee List as recommended by the Planning Commission as follows:

TOWNSHIP APPLICATION FEE LIST
UPDATED ON APRIL 24, 2017

PLANNING COMMISSION:

APPLICATION FOR:	
Rezoning . per parcel	\$1,000.00
Ordinance Amendment	\$1,000.00
Special Use Permit	\$ 700.00
* Each Additional Site Plan Submitted for Review	\$ 600.00
Extension, prior to expiration	\$ 390.00
Site Plan Review	\$ 700.00
* Each Additional Site Plan Submitted for Review	\$ 600.00
Site Sketch Review	\$ 450.00
Special Planning Commission Meeting	\$ 750.00
Subdivision Review, first 20 lots or less	\$ 850.00
(Preliminary, Final Preliminary, and Final Plat) Each	\$ 850.00
Each lot in excess of 20 lots	\$ 8.00
Site Condo	\$1,000.00
Home Occupation when submitted with a site sketch	\$ 600.00
Enlargement of non-conforming structures 1 & 2 Family dwellings and their accessory structures when submitted with a site sketch (Sec. 16.05)	\$ 600.00
Additional fees for professional services of Township Attorney and/or Planner. Note*	ACTUAL COST

ZONING BOARD OF APPEALS:	
Application for variance	\$ 250.00
Additional fees if Township Attorney and/or Planner is required. Note **	

LAND DIVISION APPLICATION + \$30 per each split	\$ 200.00
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APPLICATION FOR I.F.T.	\$ 350.00
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WIRELESS COMMUNICATIONS PERMIT:	
Application	\$ 250.00

CONSTRUCTION BOARD OF APPEALS:	
Application for variance	\$ 500.00

Note*. In the event the application requires additional services, these professional services will be billed to the applicant on an actual cost basis. Such charges must be paid prior to the issuance of any permits by the Township.

Note** Applications for variances or for appeals of administrative decisions generally do not require the services of the Township attorney or professional planner. In the event that, at the Township's sole discretion, any professional services are required by the Zoning Board of Appeals, the cost of such services will be billed to the applicant on an actual cost basis. Such charges must be paid prior to the issuance of any permits by the Township.

Roll call vote:

Yes: Pike, Brandt, Kochany, Reder, Walsh, Malkin

No None

Absent: Kowalski
Motion carried.

Hall Request ó Cortland Farms South Homeowners Association

Motion by Pike supported by Kochany to approve the Hall Request submitted by the Cortland Farms South Board of Directors for the purpose of holding their Annual Meeting on June 22, 2017, contract signed, all fees waived.

Roll call vote:

Yes: Brandt, Kochany, Reder, Walsh, Malkin, Pike

No None

Absent: Kowalski

Motion carried.

Merry-Go-Round Damage ó Monitor Township Park

The Board discussed the recently discovered damage that was made to the Monitor Park Merry-Go-Round. Because of the nature of the damage, it's considered unsafe and it will need to be removed. Malkin will check into it further and report back.

REPORTS

Swimming Pools: Malkin reported that there was a recommendation from the Planning Commission to repeal the Swimming Pool Ordinance #18 primarily because of inconsistencies with the building code which creates a conflict. In further review and comparison it was discovered that there are setbacks which are not currently covered under our Zoning Ordinance because this is a freestanding Ordinance. By advice of the Township Attorney, it was advised to wait until the Planning Commission completes the Ordinance review and addresses the items which would not be covered before repealing.

Dangerous Buildings: Malkin reported that he after consulting the Zoning Ordinance; it doesn't appear that we have an Ordinance that covers dangerous buildings. The Board discussed various situations where the Township could benefit from developing and approving a dangerous building ordinance.

The meeting adjourned at 8:52 p.m.

Beth L. Fletcher-Patterson, Acting Secretary

Ken Malkin, Supervisor