

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
DECEMBER 09, 2013

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. No public present wished to speak and public input was closed.

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

Motion by Malkin supported by Kochany to approve the minutes of the November 25, 2013 regular meeting as presented.
Motion carried.

Motion by Kowalski supported by Kochany to pay the bills in the amount of \$173,380.35 from General Fund.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Fire Station Generator Update

The Fire Chief was present to update the board regarding the Fire Department request for a larger generator. During the 17 hour power outage a few weeks ago it was apparent the current generator did not meet all the needs of the station. The generator was able to power one light in the apparatus bay, the bay doors, the radios and the desk lights in the radio room. There was no heat or power to the rest of the station. The Chief contacted two electrical companies to come to the station and determine the size generator that would be needed to power the overhead door openers, furnace and boiler, radio equipment, lower level sewage lift pump, fire department computers and lights. The proposed generator would be fully automatic and natural gas fired. The bid from Thomas Electric was \$9,300 and the bid from Clements Electric was \$9,990.

Arnold advised further research is needed to determine if the size generator proposed would be adequate to run the compressor to fill the air tanks. Arnold also feels there should be emergency power to run the newly installed warning siren.

Brandt also felt more information was needed before proceeding with a generator purchase at this time.

Pike mentioned the new generator should be big enough to cover the power needs in the event the station is expanded to accommodate a ladder truck.

Kowalski stated the Fire Chief is requesting a generator that is sufficient for our immediate needs and does not feel this should be delayed in order to determine if it would meet expansion needs that are not planned in the near future.

Kochany would like to know what size generator other stations have and what they use it to power before money is spent.

Malkin stated the warning siren might need a separate source of power separate from the fire station and if the size generator being proposed would meet all power needs now and in the event the station is expanded.

Miller stated the size generator should be powerful enough to run the air compressor, dryer, boiler, furnace, overhead doors, radios and phones.

Motion by Arnold supported by Malkin to request the Fire Department submit a list of all equipment/appliances requiring generator emergency power for the board to consider in determining the type and size generator that may be needed.

Motion carried.

Fire Department Request to Dispose of Obsolete Equipment

Motion by Pike supported by Malkin to authorize the Fire Chief to dispose of obsolete radio equipment as requested in his December 4, 2013 memo to the board.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Second Reading & Adoption of Ordinance 52-U - Regulating Yard/Rummage Sales and Ordinance Penalty Provisions

There was board discussion regarding the usage of the term Building Inspector in Section 20.01 A. of Section II. The Ordinance Administrator is the person who is currently designated to enforce all township ordinances. The board was hesitant to change the designation at this time not knowing if the term "building inspector" was used in other chapters or sections of the ordinance. It was suggested a more generic term of "township" or "designated township personnel" would be better used.

Motion by Kowalski supported by Miller to have this meeting serve as Second Reading and adoption of Ordinance 52-U - Regulating Yard/Rummage Sales and Ordinance Penalty Provisions as follows:

ORDINANCE 52-U

AN ORDINANCE AMENDING ZONING ORDINANCE NO 52, AS AMENDED, TO DEFINE AND REGULATE PRIVATE GARAGE, ESTATE, RUMMAGE AND MOVING SALES WITHIN THE TOWNSHIP, AND FURTHER AMENDING THE PENALTY PROVISION OF THE ZONING ORDINANCE NO 52 SO AS TO PROVIDE THAT VIOLATIONS CONSTITUTE CIVIL INFRACTIONS.

THE CHARTER TOWNSHIP OF MONITOR ORDAINS:

SECTION I

A. Chapter II, of the Monitor Township Ordinance 52, designated "Monitor Township Zoning Ordinance" effective December 14, 2003, as previously amended is hereby amended by the addition of Section 2.78.5 to read as follows:

SECTION 2.78.5 RUMMAGE, GARAGE, YARD, ESTATE, AND MOVING SALES

A. Rummage, Garage, Yard, Estate, And Moving Sales are defined as sales which offer miscellaneous household goods for sale and are typically held in a residential accessory structure, front yard or interior of a dwelling unit. The sale of goods is temporary in nature and is not to be considered a home occupation (Chapter III, Section 3.24)

B. Chapter III, of the Monitor Township Ordinance 52, designated "Monitor Township Zoning Ordinance" effective December 14, 2003, as previously amended is hereby amended by the addition of Section 3.48 to read as follows:

SECTION 3.48 RUMMAGE, GARAGE, YARD, ESTATE, AND MOVING SALES

The intent of this section is to provide regulations for the operation of rummage, garage, yard, estate, and moving sales on properties with residential uses so that the adjacent residential uses are not disturbed or disrupted.

- (a) Not more than three (3) rummage, garage, yard, estate, moving or sales of this nature, shall be conducted by a household of the Township during the calendar year.
- (b) Said rummage, garage, yard, estate or moving sales shall not exceed three (3) days duration.
- (c) Temporary Signs, as defined by Chapter II, Section 2.80, subsection (r), may be provided following the provisions found in Chapter XV, Temporary Signs, Section 15.05, subsection (d).
- (d) There must be a residential dwelling located on the same parcel.

SECTION II

Chapter XX, of the Monitor Township Ordinance 52, designated "Monitor Township Zoning Ordinance" effective December 14, 2003, as previously amended is hereby amended to read as follows:

SECTION 20.01 VIOLATIONS AND PENALTIES

- (a) Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis thereof, shall be filed with the Building Inspector. He shall record properly such complaint, immediately investigate, and take action

thereon as provided by this Ordinance. A record of the disposition of complaints shall be filed.

- (b) Any owner or agent, and any person or corporation who shall violate any of the provisions of this Ordinance or fail to comply therewith or with any of the requirements thereof or who shall erect, structurally alter, enlarge, rebuild or move any building or buildings or any structure, or who shall put into use any lot or land in violation of any statement or plan submitted hereunder, or shall refuse reasonable opportunity to inspect any premises, shall be responsible for the violation of a municipal civil infraction as provided for in Section V of Ordinance No. 53.
- (c) Each and every day such violation continues shall be deemed a separate and distinct violation.
- (d) The owner of any building or structure, lot or land, or part thereof, where anything in violation of this Ordinance shall be placed or shall exist, or any architect, builder, contractor, agent, person or corporation employed in connection therewith and who assists in the commission of such violation shall each be guilty of a separate violation and, upon conviction thereof, shall each be responsible for the violation as specified in this Section.

SECTION III

This Ordinance shall be published in a newspaper circulated within the Charter Township of Monitor, Bay County, Michigan, and shall take effect on the 31st day after the date of such publication.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Motion by Malkin supported by Arnold for the Planning Commission to review if the "Building Inspector" designation in Section 20.01(a) of Zoning Ordinance 52, should be changed from the Building Inspector to Ordinance Administrator, or modified to a more generic term of Township or Township personnel, as it pertains to the filing of complaints and references used regarding enforcement of the zoning ordinance.

Motion carried.

2014 Township Meeting Dates of Township Board, Planning Commission, ZBA

Motion by Pike supported by Malkin to adopt the following meeting dates for 2014:

2014 TOWNSHIP BOARD MEETING DATES

MONDAY	JANUARY 13, 2014	MONDAY	JULY 14, 2014
MONDAY	JANUARY 27, 2014	MONDAY	JULY 28, 2014
MONDAY	FEBRUARY 10, 2014	MONDAY	AUGUST 11, 2014
MONDAY	FEBRUARY 24, 2014	MONDAY	AUGUST 25, 2014
MONDAY	MARCH 10, 2014	MONDAY	SEPTEMBER 8, 2014
MONDAY	MARCH 24, 2014	MONDAY	SEPTEMBER 22, 2014
MONDAY	APRIL 14, 2014	MONDAY	OCTOBER 27, 2014
MONDAY	APRIL 28, 2014	MONDAY	NOVEMBER 10, 2014
MONDAY,	MAY 12, 2014	MONDAY	NOVEMBER 24, 2014
MONDAY	JUNE 9, 2014	MONDAY	DECEMBER 8, 2014
MONDAY	JUNE 23, 2014		

2014 PLANNING COMMISSION MEETING DATES

TUESDAY	JANUARY 7, 2014	TUESDAY	JULY 1, 2014
TUESDAY	FEBRUARY 4, 2014	WEDNESDAY	AUGUST 6, 2014 *
TUESDAY	MARCH 4, 2014	TUESDAY	SEPTEMBER 2, 2014
TUESDAY	APRIL 1, 2014	TUESDAY	OCTOBER 7, 2014
TUESDAY	MAY 6, 2014	WEDNESDAY	NOVEMBER 5, 2014 *
TUESDAY	JUNE 3, 2014	TUESDAY	DECEMBER 2, 2014

* Meeting scheduled for Wednesday due to Election Day.

2014 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 16, 2014	THURSDAY	JULY 17, 2014
THURSDAY	FEBRUARY 20, 2014	THURSDAY	AUGUST 21, 2014
THURSDAY	MARCH 20, 2014	THURSDAY	SEPTEMBER 18, 2014
THURSDAY	APRIL 17, 2014	THURSDAY	OCTOBER 16, 2014
THURSDAY	MAY 15, 2014	THURSDAY	NOVEMBER 20, 2014
THURSDAY	JUNE 19, 2014	THURSDAY	DECEMBER 18, 2014

Roll call vote:

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

No: None

Absent: None

Motion carried.

2014 Township Holidays

Motion by Malkin supported by Pike to adopt the following township holidays for 2014:

January 1	New Year's Day	January 20	Martin Luther King Day
February 17	President's Day	April 18	Good Friday
May 26	Memorial Day	July 4	Independence Day
September 1	Labor Day	October 13	Columbus Day

November 11 Veterans Day
December 24 Christmas Eve
December 31 New Year's Eve

November 27, 28 Thanksgiving & Thanksgiving Friday
December 25 Christmas

Roll call vote:

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

No: None

Absent: None

Motion carried.

Clements Electric Permit Refund Request

Clements Electric submitted a refund request for electrical permit #PE13-0057 that was issued on July 23, 2013, in the amount of \$70.00 due to the homeowner cancelling the service upgrade.

Motion by Kowalski supported by Kochany to approve the refund request submitted by Clements Electric for permit PE 13-0057 in the amount of \$70, less a 25% administrative refund charge making the total refund \$52.50.

Roll call vote:

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

No: None

Absent: None

Motion carried.

2013 Budget Adjustments

Motion by Malkin supported by Pike to approve the 2013 Budget adjustments as follows:

General Fund ó

Increase account 101-446-930 \$26,000 from Fund Equity

Increase account 101-170-980 \$12,000; Decrease account 101-751-980 \$12,000

Increase revenue account 101-000-671 \$515

Building Fund ó Increase account 249-371-980 \$3,488 from Fund Equity

Sewer Fund ó Increase revenue account 590-000-477 \$12,500

Solid Waste Fund ó Increase account 226-528-900 \$515 from fund equity

Roll call vote:

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

No: None

Absent: None

Motion carried.

Administrative Secretary Memo to Board

Motion by Kowalski supported by Malkin to refer the Administrative Secretary's December 6, 2013 memo to the Personnel Committee.

Motion carried.

The meeting adjourned at 8:40 p.m.

Cindy L. Kowalski, Clerk

Gary A. Brandt, Supervisor