

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
MARCH 27, 2017

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

Members present: Malkin, Kowalski, Pike, Brandt, Reder, Walsh
Members absent: Kochany
Also present: Richard Sheppard, Township Attorney

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 Reder supported by Walsh to adopt the agenda with the addition of Township Parks Committee.

Motion carried.

Motion by Reder supported by Walsh to approve the minutes of the March 13, 2017 regular meeting with the correction to page 4 as follows:

Mutual Savings County Estates (Brookway) 2017/2018 Township Millage Paving Projects

Brookway, (Fairway to 485^ø South of Fairway) located in the Mutual Savings County Estates Subdivision, was previously omitted from list yet is scheduled for project repairs which include crush & shape *from the township millage project* and all curb and gutters *improvements by special assessment*.

Motion by Brandt supported by Malkin to approve the *addition of Brookway (Fairway to 485' South of Fairway) to the 2017/2018 township millage paving projects list* ~~repairs included under the special assessment~~.

Roll call vote:

Yes: Malkin, Pike, Brandt, Kochany, Walsh

No: None

Absent: Kowalski, Reder

Motion carried.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Reder, Walsh

No: Brandt

Absent: Kochany

Motion carried.

Motion by Reder supported by Walsh to pay the bills in the amount of \$23,969.63 from General Fund.

Roll call vote:

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

No: None

Absent: Kochany
Motion carried.

Motion by Reder supported by Kowalski to receive the Treasurer's Report for February, 2017.
Motion carried.

BCRC Estimate for Ditch Cleanout of Haberland Subdivision (Twp. General Fund Roads Acct)
Malkin stated he talked to the BCRC and Spicer regarding the drainage problem in Haberland Subdivision. It was their recommendation the replacement of the culverts in addition to the ditching would be an improvement for the subdivision. The problem is, if one homeowner does not assume the cost to replace a culvert, it will impact the effectiveness of the drainage for the subdivision as a whole. A possible solution would be to schedule a meeting with the residents (property owners) of Haberland and present the possibility of creating a special assessment district to finance the drainage improvements.
No board action is needed at this time.

Supervisor's Recommendation of Access to Park Restrooms
Malkin stated he contacted the surrounding townships regarding how they handled access to their park restroom facilities. Essexville stated they charge \$50 for the key to the restrooms and refund \$25 when the key is returned. Some townships have installed a timer lock to the restroom doors, eliminating the need to have park staff lock and unlock the facilities. Many townships also stated the installation of surveillance/security cameras have significantly lessened restroom vandalism.

Motion by Reder supported by Malkin to approve the installation of automatic timer locks and surveillance/security cameras in the park restroom facilities.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Reder, Walsh

No: Brandt

Absent: Kochany

Motion carried.

R-2017-004 Resolution to Initiate SA District & Set Public Hearing of Mutual Subdivision
Motion by Brandt supported by Reder to adopt Resolution R-2017-004, a resolution to initiate a special assessment district for Mutual Subdivision curb/gutter/drainage and set the date for the public hearing as follows:

**RESOLUTION TO INITIATE SPECIAL ASSESSMENT DISTRICT FOR
MUTUAL COUNTRY ESTATES SUBDIVISION AND ANY OTHER PARCELS
THAT RECEIVE BENEFIT FROM THE IMPROVEMENTS, FOR
INSTALLATION OF CURB AND GUTTER, DRAINAGE IMPROVEMENTS, AND
NECESSARY ROAD REPAIRS TO ACCOMPLISH THE SAME AND, TO HOLD
PUBLIC HEARINGS REGARDING SAME PURSUANT TO PUBLIC ACT 188
OF 1954.**

The following resolution was offered by Brandt and supported by Reder:

WHEREAS, the residents of the above-described properties have submitted petitions requesting the Township Board to undertake improvements to their properties by installation and/or removal and reinstallation of curb and gutter on their street as well as undertaking improvements to improve the drainage within said area; and

WHEREAS, the petitions contain the signatures of record property owners of greater than fifty percent (50%) of all of the properties to be benefitted by the curb, gutter, drainage, and/or additional road improvements based on the recorded parcel receiving benefit or the frontage on the roadway if that frontage exceeds the average parcel size for the subdivision; and

WHEREAS, the petitions submitted also contained more than fifty percent (50%) of the record property owners signatures for the area of the drainage improvements contemplated; and

WHEREAS, the petitions may be incomplete in some description of properties to be benefitted and/or assessed; and

WHEREAS, the petitions request the Township to establish a Special Assessment District to defray the costs of the improvements contemplated therein.

NOW THEREFORE BE IT RESOLVED: that in addition to relying on the petitions filed by the residents of the various subdivisions, the Monitor Charter Township Board does hereby initiate the Special Assessment process pursuant to Act. 188 of Public Acts of 1954 of the State of Michigan to clarify any ambiguities in the petitions as filed by the record property owners and to eliminate the need for delay of reacquiring signatures thereon.

1. The Monitor Township Board does hereby tentatively declare its intent to create a Special Assessment District to make the proposed curb, gutter, drainage and/or road improvements described in the attached Exhibit B, together with the necessary work incidental thereto, within the proposed district described in the attached Exhibit A, in accordance with the petitions submitted by benefitting property owners.

2. The Township Board tentatively designates the special assessment district against which the costs of the proposed curb, gutter, drainage and/or road improvements are to be assessed.

3. The initial assessment shall be established in an amount sufficient to provide sufficient funding to reimburse the Township all of its out-of-pocket expenses incurred including but not limited to publication, mailing, legal, pre-engineering and bond issuance expenses, in review and approval of this assessment.

4. The Township Board shall conduct a public hearing to hear any objections to the proposed curb, gutter, drainage and/or road

improvements, to the estimate of costs, and to the special assessment district proposed to be established for the assessment of the costs of such improvements, on Wednesday, May 3, 2017, at a special meeting of the Township Board at the Monitor Township Hall at 2483 Midland Road, Bay City, Michigan commencing at 7:00 p.m.

5. The petitions, as well as the completed plans and estimates prepared by the Township Engineer, are currently on file with the Township Clerk, and shall remain available for public examination during ordinary business hours and at the public hearing.

6. That the Clerk be instructed to give proper notice of this public hearing by mailing a notice of this hearing and by publication in accordance with Act 188 of 1954.

Roll call vote:

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

No: None

Absent: Kochany

Motion carried.

R-2017-005 Resolution to Initiate SA District & Set Public Hearing ó Westhills Subdivision

Motion by Brandt supported by Reder to adopt Resolution R-2017-005, a resolution to initiate a special assessment district for Westhills Subdivision curb/gutter/drainage and set the date for the public hearing as follows:

RESOLUTION TO INITIATE SPECIAL ASSESSMENT DISTRICT FOR WESTHILLS SUBDIVISION AND OTHER PARCELS THAT RECEIVE BENEFIT FROM THE IMPROVEMENTS, FOR INSTALLATION OF CURB AND GUTTER, DRAINAGE IMPROVEMENTS, AND NECESSARY ROAD REPAIRS TO ACCOMPLISH THE SAME AND, TO HOLD PUBLIC HEARINGS REGARDING SAME PURSUANT TO PUBLIC ACT 188 OF 1954.

The following resolution was offered by Brandt and supported by Reder:

WHEREAS, the residents of the above-described properties have submitted petitions requesting the Township Board to undertake improvements to their properties by installation and/or removal and reinstallation of curb and gutter on their street as well as undertaking improvements to improve the drainage within said area; and

WHEREAS, the petitions contain the signatures of record property owners of greater than fifty percent (50%) of all of the properties to be benefitted by the curb, gutter, drainage, and/or additional road improvements based on the recorded parcel receiving benefit or the frontage on the roadway if that frontage exceeds the average parcel size for the subdivision; and

WHEREAS, the petitions submitted also contained more than fifty percent (50%) of the record property owners signatures for the area of the drainage improvements contemplated; and

WHEREAS, the petitions may be incomplete in some description of properties to be benefitted and/or assessed; and

WHEREAS, the petitions request the Township to establish a Special Assessment District to defray the costs of the improvements contemplated therein.

NOW THEREFORE BE IT RESOLVED: that in addition to relying on the petitions filed by the residents of the various subdivisions, the Monitor Charter Township Board does hereby initiate the Special Assessment process pursuant to Act. 188 of Public Acts of 1954 of the State of Michigan to clarify any ambiguities in the petitions as filed by the record property owners and to eliminate the need for delay of reacquiring signatures thereon.

1. The Monitor Township Board does hereby tentatively declare its intent to create a Special Assessment District to make the proposed curb, gutter, drainage and/or road improvements described in the attached Exhibit B, together with the necessary work incidental thereto, within the proposed district described in the attached Exhibit A, in accordance with the petitions submitted by benefitting property owners.

2. The Township Board tentatively designates the special assessment district against which the costs of the proposed curb, gutter, drainage and/or road improvements are to be assessed.

3. The initial assessment shall be established in an amount sufficient to provide sufficient funding to reimburse the Township all of its out-of-pocket expenses incurred including but not limited to publication, mailing, legal, pre-engineering and bond issuance expenses, in review and approval of this assessment.

4. The Township Board shall conduct a public hearing to hear any objections to the proposed curb, gutter, drainage and/or road improvements, to the estimate of costs, and to the special assessment district proposed to be established for the assessment of the costs of such improvements, on May 8, 2017, at a regular meeting of the Township Board at the Monitor Township Hall at 2483 Midland Road, Bay City, Michigan commencing at 7:00 p.m.

5. The petitions, as well as the completed plans and estimates prepared by the Township Engineer, are currently on file with the Township Clerk, and shall remain available for public examination during ordinary business hours and at the public hearing.

6. That the Clerk be instructed to give proper notice of this public hearing by mailing a notice of this hearing and by publication in accordance with Act 188 of 1954.

Roll call vote:

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

No: None
Absent: Kochany
Motion carried.

R-2017-006 Resolution to Initiate SA District & Set Public Hearing ó Sharon Park

Motion by Brandt supported by Reder to adopt Resolution R-2017-006, a resolution to initiate a special assessment district for Sharon Park Subdivision curb/gutter/drainage and set the date for the public hearing as follows:

RESOLUTION TO INITIATE SPECIAL ASSESSMENT DISTRICT FOR SHARON PARK SUBDIVISION AND OTHER PARCELS THAT RECEIVE BENEFIT FROM THE IMPROVEMENTS, FOR INSTALLATION OF CURB AND GUTTER, DRAINAGE IMPROVEMENTS, AND NECESSARY ROAD REPAIRS TO ACCOMPLISH THE SAME AND, TO HOLD PUBLIC HEARINGS REGARDING SAME PURSUANT TO PUBLIC ACT 188 OF 1954.

The following resolution was offered by Brandt and supported by Reder:

WHEREAS, the residents of the above-described properties have submitted petitions requesting the Township Board to undertake improvements to their properties by installation and/or removal and reinstallation of curb and gutter on their street as well as undertaking improvements to improve the drainage within said area; and

WHEREAS, the petitions contain the signatures of record property owners of greater than fifty percent (50%) of all of the properties to be benefitted by the curb, gutter, drainage, and/or additional road improvements based on the recorded parcel receiving benefit or the frontage on the roadway if that frontage exceeds the average parcel size for the subdivision; and

WHEREAS, the petitions submitted also contained more than fifty percent (50%) of the record property owners signatures for the area of the drainage improvements contemplated; and

WHEREAS, the petitions may be incomplete in some description of properties to be benefitted and/or assessed; and

WHEREAS, the petitions request the Township to establish a Special Assessment District to defray the costs of the improvements contemplated therein.

NOW THEREFORE BE IT RESOLVED: that in addition to relying on the petitions filed by the residents of the various subdivisions, the Monitor Charter Township Board does hereby initiate the Special Assessment process pursuant to Act. 188 of Public Acts of 1954 of the State of Michigan to clarify any ambiguities in the petitions as filed by the record property owners and to eliminate the need for delay of reacquiring signatures thereon.

1. The Monitor Township Board does hereby tentatively declare its intent to create a Special Assessment District to make the proposed curb, gutter, drainage and/or road improvements described in the attached Exhibit B, together with the necessary work incidental thereto, within the proposed district described in the attached Exhibit A, in accordance with the petitions submitted by benefitting property owners.

2. The Township Board tentatively designates the special assessment district against which the costs of the proposed curb, gutter, drainage and/or road improvements are to be assessed.

3. The initial assessment shall be established in an amount sufficient to provide sufficient funding to reimburse the Township all of its out-of-pocket expenses incurred including but not limited to publication, mailing, legal, pre-engineering and bond issuance expenses, in review and approval of this assessment.

4. The Township Board shall conduct a public hearing to hear any objections to the proposed curb, gutter, drainage and/or road improvements, to the estimate of costs, and to the special assessment district proposed to be established for the assessment of the costs of such improvements, on May 10, 2017, at a special meeting of the Township Board at the Monitor Township Hall at 2483 Midland Road, Bay City, Michigan commencing at 7:00 p.m.

5. The petitions, as well as the completed plans and estimates prepared by the Township Engineer, are currently on file with the Township Clerk, and shall remain available for public examination during ordinary business hours and at the public hearing.

6. That the Clerk be instructed to give proper notice of this public hearing by mailing a notice of this hearing and by publication in accordance with Act 188 of 1954.

Roll call vote:

Yes: Kowalski, Pike, Brandt, Reder, Walsh

No: None

Abstain: Malkin

Absent: Kochany

Motion carried.

R-2017-007 Resolution to Initiate SA District & Set Public Hearing ó Goetz Ct.

Motion by Brandt supported by Reder to adopt Resolution R-2017-007, a resolution to initiate a special assessment district for Goetz Ct. Subdivision curb/gutter/drainage and set the date for the public hearing as follows:

RESOLUTION TO INITIATE SPECIAL ASSESSMENT DISTRICT FOR GOETZ CT SUBDIVISION AND OTHER PARCELS THAT RECEIVE BENEFIT FROM THE IMPROVEMENTS, FOR INSTALLATION OF CURB AND GUTTER, DRAINAGE IMPROVEMENTS, AND NECESSARY ROAD REPAIRS TO ACCOMPLISH THE SAME AND, TO HOLD PUBLIC HEARINGS REGARDING SAME PURSUANT TO PUBLIC ACT 188 OF 1954.

The following resolution was offered by Brandt and supported by Reder:

WHEREAS, the residents of the above-described properties have submitted petitions requesting the Township Board to undertake improvements to their properties by installation and/or removal and reinstallation of curb and gutter on their street as well as undertaking improvements to improve the drainage within said area; and

WHEREAS, the petitions contain the signatures of record property owners of greater than fifty percent (50%) of all of the properties to be benefitted by the curb, gutter, drainage, and/or additional road improvements based on the recorded parcel receiving benefit or the frontage on the roadway if that frontage exceeds the average parcel size for the subdivision; and

WHEREAS, the petitions submitted also contained more than fifty percent (50%) of the record property owners signatures for the area of the drainage improvements contemplated; and

WHEREAS, the petitions may be incomplete in some description of properties to be benefitted and/or assessed; and

WHEREAS, the petitions request the Township to establish a Special Assessment District to defray the costs of the improvements contemplated therein.

NOW THEREFORE BE IT RESOLVED: that in addition to relying on the petitions filed by the residents of the various subdivisions, the Monitor Charter Township Board does hereby initiate the Special Assessment process pursuant to Act. 188 of Public Acts of 1954 of the State of Michigan to clarify any ambiguities in the petitions as filed by the record property owners and to eliminate the need for delay of reacquiring signatures thereon.

1. The Monitor Township Board does hereby tentatively declare its intent to create a Special Assessment District to make the proposed curb, gutter, drainage and/or road improvements described in the attached Exhibit B, together with the necessary work incidental thereto, within the proposed district described in the attached Exhibit A, in accordance with the petitions submitted by benefitting property owners.

2. The Township Board tentatively designates the special assessment district against which the costs of the proposed curb, gutter, drainage and/or road improvements are to be assessed.

3. The initial assessment shall be established in an amount sufficient to provide sufficient funding to reimburse the Township all of its out-of-pocket expenses incurred including but not limited to

publication, mailing, legal, pre-engineering and bond issuance expenses, in review and approval of this assessment.

4. The Township Board shall conduct a public hearing to hear any objections to the proposed curb, gutter, drainage and/or road improvements, to the estimate of costs, and to the special assessment district proposed to be established for the assessment of the costs of such improvements, on May 15, 2017, at a special meeting of the Township Board at the Monitor Township Hall at 2483 Midland Road, Bay City, Michigan commencing at 7:00 p.m.

5. The petitions, as well as the completed plans and estimates prepared by the Township Engineer, are currently on file with the Township Clerk, and shall remain available for public examination during ordinary business hours and at the public hearing.

6. That the Clerk be instructed to give proper notice of this public hearing by mailing a notice of this hearing and by publication in accordance with Act 188 of 1954.

Roll call vote:

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

No: None

Absent: Kochany

Motion carried.

R-2017-008 Resolution to Initiate SA District & Set Public Hearing ó Donald's Subdivision

Motion by Brandt supported by Reder to adopt Resolution R-2017-008, a resolution to initiate a special assessment district for Donald's Subdivision curb/gutter/drainage and set the date for the public hearing as follows:

RESOLUTION TO INITIATE SPECIAL ASSESSMENT DISTRICT FOR DONALD'S SUBDIVISION AND OTHER PARCELS THAT RECEIVE BENEFIT FROM THE IMPROVEMENTS, FOR INSTALLATION OF CURB AND GUTTER, DRAINAGE IMPROVEMENTS, AND NECESSARY ROAD REPAIRS TO ACCOMPLISH THE SAME AND, TO HOLD PUBLIC HEARINGS REGARDING SAME PURSUANT TO PUBLIC ACT 188 OF 1954.

The following resolution was offered by Brandt and supported by Reder:

WHEREAS, the residents of the above-described properties have submitted petitions requesting the Township Board to undertake improvements to their properties by installation and/or removal and reinstallation of curb and gutter on their street as well as undertaking improvements to improve the drainage within said area; and

WHEREAS, the petitions contain the signatures of record property owners of greater than fifty percent (50%) of all of the properties to be benefitted by the curb, gutter, drainage, and/or additional road improvements based on the recorded parcel receiving benefit or the frontage on the roadway if that frontage exceeds the average parcel

size for the subdivision; and

WHEREAS, the petitions submitted also contained more than fifty percent (50%) of the record property owners signatures for the area of the drainage improvements contemplated; and

WHEREAS, the petitions may be incomplete in some description of properties to be benefitted and/or assessed; and

WHEREAS, the petitions request the Township to establish a Special Assessment District to defray the costs of the improvements contemplated therein.

NOW THEREFORE BE IT RESOLVED: that in addition to relying on the petitions filed by the residents of the various subdivisions, the Monitor Charter Township Board does hereby initiate the Special Assessment process pursuant to Act. 188 of Public Acts of 1954 of the State of Michigan to clarify any ambiguities in the petitions as filed by the record property owners and to eliminate the need for delay of reacquiring signatures thereon.

1. The Monitor Township Board does hereby tentatively declare its intent to create a Special Assessment District to make the proposed curb, gutter, drainage and/or road improvements described in the attached Exhibit B, together with the necessary work incidental thereto, within the proposed district described in the attached Exhibit A, in accordance with the petitions submitted by benefitting property owners.

2. The Township Board tentatively designates the special assessment district against which the costs of the proposed curb, gutter, drainage and/or road improvements are to be assessed.

3. The initial assessment shall be established in an amount sufficient to provide sufficient funding to reimburse the Township all of its out-of-pocket expenses incurred including but not limited to publication, mailing, legal, pre-engineering and bond issuance expenses, in review and approval of this assessment.

4. The Township Board shall conduct a public hearing to hear any objections to the proposed curb, gutter, drainage and/or road improvements, to the estimate of costs, and to the special assessment district proposed to be established for the assessment of the costs of such improvements, on May 17, 2017, at a special meeting of the Township Board at the Monitor Township Hall at 2483 Midland Road, Bay City, Michigan commencing at 7:00 p.m.

5. The petitions, as well as the completed plans and estimates prepared by the Township Engineer, are currently on file with the Township Clerk, and shall remain available for public examination during ordinary business hours and at the public hearing.

6. That the Clerk be instructed to give proper notice of this public hearing by mailing a notice of this hearing and by publication in accordance with Act 188 of 1954.

Roll call vote:

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

No: None

Absent: Kochany

Motion carried.

Cost Recovery Appeal of J. Schultz

A letter was received by Mrs. J. Schultz to appeal the cost recovery charges for an incident on December 5, 2016. Mrs. J. Schultz was present.

Mrs. Schultz has read the Cost Recovery Ordinance and understands the fee is for fire department response and does not rely on who was at fault. Mrs. Schultz stated she did not receive or require any assistance from fire department or medical responders. She also stated her vehicle was totaled and was only covered by PLPD insurance which does not pay for repair/replacement of the vehicle and does not have the financial resources to pay the cost recovery charges.

Motion by Pike supported by Walsh to approve the request submitted by J. Schultz to waive cost recovery charges for fire department response to an incident on December 5, 2016 due to financial hardship.

Roll call vote:

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

No: None

Absent: Kochany

Motion carried.

Purchase of Chairs for Conference Room & Quote from Tim's Cabinet Shop

Motion by Reder supported by Walsh to approve the estimate from Tim's Cabinet Shop to replace (1) 30x24 table, (1) 30x72 table and relaminate the board table in the conference room at a total cost of \$1,435.35.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Reder, Walsh

No: Brandt

Absent: Kochany

Motion carried.

Motion by Pike supported by Malkin to approve the quote received from NBS Commercial Interiors, located in the Tech Park, to purchase 9 chairs for the township conference room board and professional tables in the amount of \$2,427.93.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Reder, Walsh

No: Brandt

Absent: Kochany

Motion carried.

2016 General Fund Budget Adjustment

Motion by Pike supported by Reder to adjust the 2016 General Fund budget as outlined in the Deputy Clerk's memo to the board dated 3/24/2017.

Roll call vote:

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

No: None

Absent: Kochany

Motion carried.

Personnel Committee Recommendation of Proposed Wage Schedule

Malkin stated the Personnel Committee contacted other townships to find the wages paid for the Administrative Secretary, Deputy Clerk and Deputy Treasurer positions. Based on this information the Personnel Committee drafted the proposed wage schedule.

Brandt stated he did not see the need for this schedule. Brandt stated the employees get good medical benefits at no out-of-pocket costs and had a 3% wage increase.

Reder stated we have good quality employees who should be paid a comparable rate to what other townships pay for these positions.

Motion by Reder supported by Walsh to adopt the proposed Monitor Township Wage Schedule for the Deputy Clerk, Deputy Treasurer and Administrative Secretary positions and implement the wage schedule and employee wage adjustments for these positions effective July 1, 2017.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Reder, Walsh

No: Brandt

Absent: Kochany

Motion carried.

Township Parks Committee

Motion by Reder supported by Walsh to change the Township Parks Committee from five (5) members, previously adopted at the September 26, 2016 meeting, to a three (3) member committee comprised of the executive board members, specifically the Supervisor, Clerk and Treasurer.

Roll call vote:

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

No: None

Absent: Kochany

Motion carried.

The meeting adjourned at 8:00 p.m.

Cindy L. Kowalski, Clerk

Ken Malkin, Supervisor