

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
MAY 9, 2011

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

Members present: Brandt, Kowalski, Pike, Arnold, Kochany, Miller
Members absent: Malkin

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 with the addition of Road Commission Agreement 10-2011-01 and Fabiano request to waive DWS late fees.
Motion carried.

Motion by Pike supported by Kochany to approve the minutes of the April 25, 2011 regular meeting as presented.
Motion carried.

Motion by Miller supported by Kochany to pay the bills in the amount of \$27,940.71 from General Fund.
Roll call vote:
Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Miller
No: None
Absent: Malkin
Motion carried.

Second Reading and Adoption of Ordinance 52-Q, Amending Sections 7.04 & 16.05 of Ordinance 52

Motion by Kowalski supported by Miller to have this meeting serve as Second Reading and Adoption of Ordinance 52-Q as follows:

ORDINANCE 52-Q

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CHARTER TOWNSHIP OF MONITOR (ORDINANCE NO. 52) TO REVISE THE LOT AREA AND SETBACK REQUIREMENTS IN R-2 RESIDENTIAL DISTRICTS, AND PROVIDE SPECIAL USE APPROVAL EXEMPTION FOR CERTAIN RESIDENTIALLY ZONED PARCELS SERVED BY PUBLIC WATER AND SEWER THAT ARE NONCONFORMING DUE TO LOT AREA, BUT CONTAIN A MINIMUM OF 10,000 SQUARE FEET AND TO PROVIDE PENALTIES FOR THE VIOLATION OF SUCH REGULATION

THE CHARTER TOWNSHIP OF MONITOR ORDAINS:

SECTION I

Section 7.04 of Chapter VII of the Monitor Township Ordinance 52, as amended, designated "Monitor Township Zoning Ordinance", effective December 14, 2003, is hereby amended as follows:

SECTION 7.04 AREA REGULATIONS

No building or structure, nor any enlargement thereof, shall be hereafter erected except in conformance with the following yard and lot area requirements (Refer to Appendix):

R-2 Lot Area Requirements						
District	Lot Area (sq. ft.)	Lot Width (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yards	
					Total (feet)	Min. (feet)
R-2	12,000 10,000 with public sewer and water	100	30	30	20	10

- (a) Lot Area (Two Family) - The minimum lot area for a two family dwelling shall be twenty-four thousand (24,000) square feet. In those cases where both public sewer and water are available, the minimum lot area shall be twenty thousand (20,000) square feet.
- (b) Lot Area (Nonresidential) - Unless otherwise provided, the minimum lot area for all nonresidential uses shall be one (1) acre and two hundred (200) square feet.
- (c) Lot Width - The minimum lot width for a single family dwelling shall be 100 feet. The minimum lot width for a two family dwelling shall be 120 feet. In those cases where both public sewer and water are available, the minimum lot width for a two family dwelling shall be 100 feet. Unless otherwise provided, the minimum lot width for all nonresidential uses shall be 200 feet.

SECTION II

Section 16.05 of Chapter XVI of the Monitor Township Ordinance 52, as amended, designated "Monitor Township Zoning Ordinance", effective December 14, 2003, is hereby amended as follows:

SECTION 16.05 EXPANSION OF NONCONFORMING USES AND/OR NONCONFORMING BUILDING PARCEL OR STRUCTURE

- (a) unchanged.
- (b) unchanged.
- (c) Exemptions ó Lots served by public water and sewer located in the R-1 or R-2 districts that are non-conforming with respect to lot area but meet the minimum lot width

requirements and contain a minimum of 10,000 square feet are exempt from the requirement to obtain special use approval provided they meet the following setback requirements:

District	Front Yard (feet)	Rear Yard (feet)	Side Yards	
			Total (feet)	Min. (feet)
R-1/R-2	30	30	20	10

(c) unchanged shall become (d).

SECTION III PENALTY

Any person who shall violate any provision of this Ordinance shall be deemed responsible for the violation of a municipal civil infraction and shall be subject to all of the allowable fines, costs and penalties which shall be applicable for such violation in accordance with Ordinance No. 53, as amended.

SECTION IV, EFFECTIVE DATE

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

Roll call vote:

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

No: None

Absent: Malkin

Motion carried.

Kawkawlin Metro Request to Extend Water District

Motion by Kowalski supported by Pike to table the request of the Kawkawlin Metro Water District to extend the water district until such time as additional information can be obtained.

Motion carried.

Adoption of 6th Amendment to WS Regional Sewage System Contract

DWS director T. Paige presented the final draft of the 6th Amendment to the West Side Regional Sewage Disposal System Contract. Wording was amended from the previous draft in item 4 to provide language that local units could request information concerning the operation of the system. Paige reported that as of today, three of the local units have adopted the 6th amendment.

Brandt contends that he would like to see specific wording that each of the local units would be provided a quarterly report detailing the actual REU and I & I flow data, and the CIP Fund allocation expense for each of the local units.

Brandt and Arnold were also of the opinion that the methodology used for the I & I rate factor calculation for each municipality should be based on actual I&I rather than the previous 24 month average.

Paige responded that the method by which I & I is calculated was approved by all the local units in the 4th Amendment to the West Side Sewer Contract.

Kowalski stated at the previous meeting the board had requested the clause insertion that DWS would provide reports. That request has been satisfied. The request now for actual I&I readings, though helpful in other areas, would not effect the current year I& I rate that is used as part of the CIP contribution.

Brandt maintains the importance that each local unit is provided a report detailing the calculation by which the CIP amount is calculated for each local unit and that language is included in the 6th amendment to reflect that requirement.

Motion by Kowalski supported by Miller to table consideration of the Sixth Amendment to the Bay County West Side Regional Sewage Disposal System Contract to the next regular meeting. Motion carried.

Support of Bay County Road Commission Resolution

Motion by Miller supported by Kowalski to adopt Resolution R-2011-005, as follows:

WHEREAS, filtered water from the Bay City Water Treatment Plant is distributed through the Bay County Department of Water and Sewer to residents, businesses, and property owners in Monitor Charter Township and many other public and private water districts throughout Bay County; and,

WHEREAS, by agreement, the Bay County Department of Water and Sewer operates and maintains the water distribution system for Monitor Charter Township and many other out-city water districts; and,

WHEREAS, in 2009, a commitment to provide the Bay County/Bay City community with up to 22 million gallons per day of raw water was secured from the Saginaw Midland Municipal Water Supply Corporation, a raw water supply that is far superior in quality to the current inner bay water source; and,

WHEREAS, Board of County Road Commissioners of the County of Bay adopted a Resolution on May 4, 2011 supporting the efforts of the Bay County Department of Water and Sewer to provide long term water system stability and high quality water at stable rates to all residents, businesses, and property owners throughout the entire Bay County/Bay City community; and

WHEREAS, May 4, 2011 Resolution further directs the Bay County Department of Water and Sewer to identify the best water filtration option available for the Bay County/Bay City community and secure a contract with the Saginaw Midland Municipal Water Supply Corporation raw water supply.

NOW, THEREFORE, BE IT RESOLVED, that the Monitor Charter Township Board of Trustees supports the efforts of the Bay County Department of

Water and Sewer to provide high quality water at stable rates to all residents, businesses, and property owners in the most cost effective manner possible and deems it essential to connect to the Saginaw Midland Municipal Water Supply Corporation raw water supply;

BE IT FINALLY RESOLVED, that the Monitor Charter Township Board of Trustees supports and endorses the May 4, 2011 Resolution of the Board of County Road Commissioners of the County of Bay

Roll call vote:

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

No: None

Absent: Malkin

Motion carried.

Fire Department Donation Request

Motion by Kowalski supported by Kochany to deposit the \$1,000 donation presented to Chief Kramer from M. Neuendorf into the public safety fund and earmark that this money be used for the Fire Department.

Roll call vote:

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

No: None

Absent: Malkin

Motion carried.

Fireworks Permit Application ó Uhlmann

Motion by Kowalski supported by Pike to approve the fireworks permit submitted by C. Uhlmann for a fireworks display at 1650 E. Salzburg Rd. on June 17, 2011, contingent upon Fire Department inspection of the site prior to the event.

Roll call vote:

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

No: None

Absent: Malkin

Motion carried.

Hall Request ó Cortland Farms Condominium Association

Motion by Kowalski supported by Miller to grant Cortland Farms Condominium Ownersø Association use of the Township Hall on August 16, 2011 for their annual meeting; signed contract, all fees waived.

Roll call vote:

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

No: None

Absent: Malkin

Motion carried.

Fire Chief Letter Regarding Emergency Alert Siren for Township

Brandt stated that after the recent bout of bad weather in which tornado warnings were issued, he spoke with Chief Kramer about the old alert siren. That siren had been discontinued when 911 dispatch became operational. Chief Kramer contacted Chris Izvorski, the Emergency Manager

for Bay County and was advised the township could install a new alert siren for \$20,000 of which the township match would be 50%.

The question was raised if the township was already covered by the County Emergency Alert system and if it was necessary.

The second question raised was if it would be of benefit and connected to, and operated by, the County alert system, why should there be a township cost?

Brandt will contact Mr. Izworski for additional information.

Estimate to Install ADA Door Opener

Brandt received an estimate from Hugoø for the installation of an automatic door opener for the entrance doors leading into the office portion of the building. Brandt would like to know if this is something the board was interested in doing before proceeding to obtain two more estimates.

Kochany and Kowalski stated this has been something that has been in the budget for quite a few years but it was never determined if new entry doors would also be required.

Brandt was informed by Hugoø the doors would only need to be adjusted.

Hearing no objections additional estimates would be obtained.

Personnel Committee Vacancy

Brandt received a memo from Kochany dated 4/26/2011, that after 13 years; she would like to formally resign from the Personnel Committee.

Road Commission Agreement 10-2011-01

Motion by Brandt supported by Arnold to approve the Bay County Road Commission Agreement #10-2011-01 for the township to purchase 350 tons of seal blend in the amount of \$17,500.

Roll call vote:

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

No: None

Absent: Malkin

Motion carried.

Fabiano Request To Waive DWS Late Fees

Motion by Kowalski supported by Miller to deny the request submitted by Fabiano to waive DWS late fee charges for account 60208-075786.

Roll call vote:

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

No: None

Absent: Malkin

Motion carried.

The meeting adjourned at 9:32 p.m.

Cindy L. Kowalski, Clerk

Gary A. Brandt, Supervisor