

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
MAY 12, 2014

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. Public Input closed at 7:10 p.m.

Motion by Malkin supported by Miller to adopt the agenda with the addition of Planning Commission inquiry regarding living quarters above commercial businesses and Executive Session to discuss Fabiano Tax Tribunal.

Motion carried.

Motion by Kochany supported by Pike to approve the minutes of the April 28, 2014 regular meeting as presented.

Motion carried.

Motion by Pike supported by Miller to pay the bills in the amount of \$18,435.48 from General Fund.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Motion by Kowalski supported by Malkin to receive the Treasurer's Report for April 2014.

Motion carried.

Generator and Par Plan Grant ó Resolution R-2014-007

Arnold stated he does not have the final information for the generator at this time. The Par Plan offers a Risk Reduction Grant in the spring and fall each year. The maximum award is \$5,000. Arnold suggested adopting the required resolution to submit a grant application to the Par Plan now so we have it for the fall submittal.

Motion by Malkin supported by Kochany to adopt Resolution R-2014-007, a resolution authorizing the grant application to the Par Plan for the purchase of a generator as follows:

A RESOLUTION APPROVING GRANT SUBMISSION FOR GENERATOR

WHEREAS, the Township of Monitor recognizes the need for a generator in the township offices, hall and Fire Department to reduce related

risk and exposure to the Township in the event of an electrical outage,

WHEREAS, there is Risk Reduction Grant funding available through the Michigan Township Participating Plan (Par Plan),

BE IT RESOLVED the Monitor Township Board approves the submission of a grant application to the Risk Reduction Grant Program through the Par Plan for the purchase of a generator for the Township Hall/Offices and Fire Department.

Roll call vote:

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

No: None

Absent: None

Motion carried.

First Reading of Ordinance 52-V Regulating Non-Conforming Lots and Provide Definitions for Building Inspector & Zoning Administrator

Motion by Miller supported by Arnold to have this meeting serve as First Reading of Ordinance 52-V, an ordinance regulating non-conforming lots and provide definitions for the building inspector & zoning administrator and to set Second Reading to the next regular meeting of June 9, 2014.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Board Authorization of Miss Dig Member Agreement

Motion by Arnold supported by Malkin to authorize the Supervisor signature of the Miss Dig Membership Agreement dated May 2, 2014 and to designate the payment of the monthly fee out of township funds at DWS.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Estimates to Resurface and Stripe Township Parking Lot(s)

Motion by Miller supported by Arnold to accept the low bid from Pyramid Paving in the amount of \$6,536.00 to resurface and restripe the township parking lot and Fire Department south bay entrance and resurface the hall overflow parking area.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Fireworks Permit Request ó Uhlmann

Motion by Pike supported by Malkin to approve the fireworks permit submitted by C. Uhlmann for a fireworks display at 1650 E. Salzburg Rd. on June 27, 2014, contingent upon Fire Department inspection of the site prior to the event and \$1,000,000 insurance bond is provided for the event.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Hall Request ó Cortland Farms Condo Assn. (North)

Motion by Malkin supported by Pike to grant Cortland Farms Condominium Association use of the Township Hall on August 13, 2014 for their annual meeting; signed contract, all fees waived.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Planning Commission Inquiry Regarding Living Quarters Above Commercial Businesses

Arnold reported an inquiry was discussed at the last Planning Commission meeting regarding living quarters above businesses in commercial districts. Our current zoning does not allow this. The Planning Commission requested board input.

Though on the surface residential living quarters above business establishments does not seem problematic, upon closer review there are items that would need to be addressed.

- 1) Need for a special use permit. ó How would this be tracked if there is a change in ownership or a change in the kind of commercial business?
- 2) How do we protect the health and/or safety of those residing in the living quarters if there is a change in the type of commercial business? (i.e. Same owner ó change of business from flower shop to auto body repair where there are fumes and flammable materials stored.)
- 3) Need for a separate address for the living portion of the building. Election law prohibits someone from registering to vote using a business address.
- 4) How would the township trash assessment be handled? Currently the township wide trash assessment is for residential only; not commercial. How would we keep commercial trash out of residential containers?
- 5) Possible requirement for inspection of rental properties ó Under what authority would this be done? Who would do it? Who would enforce it? How would we pay for this?
- 6) Possible requirement for business license or business registration for all businesses in the township. Who would do it? Who would enforce it? How would we pay for this?

- 7) It is not as complicated if the whole structure is involved. i.e., the structure started out as a dwelling, was converted into a commercial business and now wants to revert to residential. In that type of situation, a straight forward special use permit is required.

The Clerk will provide a copy of the minutes for the Planning Commission.

Executive Session to Discuss Fabiano Tax Tribunal

Motion by Malkin supported by Miller to recess into executive closed session at 8: 15 p.m. to discuss the Fabiano tax tribunal case.

Motion carried.

Motion by Kowalski supported by Malkin to reconvene the regular meeting at 9:15 p.m.

Motion carried.

No motions were made during executive closed session.

Motion by Malkin supported by Miller to invite the attorneys to a closed session meeting to discuss the Fabiano tax tribunal case.

Motion carried.

The meeting adjourned at 9:20 p.m.

Cindy L. Kowalski, Clerk

Gary A. Brandt, Supervisor