

Charter Township of Emmett
Regular Board Meeting
March 13, 2014

Supervisor Hill called the meeting to order at 5:30 p.m. on Thursday March 13, 2014. The meeting was held at the Township Hall: 621 Cliff St, Battle Creek, MI 49014. The Pledge of Allegiance followed the opening.

BOARD MEMBER ATTENDANCE

Gunning, Buller, Jacox, Myers, Dougherty, Talbot, and Hill

QUORUM PRESENT

APPROVAL OF AGENDA

Motion 14-03-01 by Gunning/ Dougherty to approve the Agenda as printed by Teresa Myers

Roll Call Vote: Dougherty, Jacox, Myers, Buller, Talbot, Gunning, & Hill

ALL YES

MOTION CARRIED

APPROVAL OF CONSENT AGENDA

Motion 14- 03-02 by Jacox/ Talbot to approve Consent Agenda

Roll Call Vote: Jacox, Myers, Gunning, Talbot, Buller, Dougherty, & Hill

ALL YES

MOTION CARRIED

Treasurer's Report:

Receive and file the Monthly Treasurer's Report with balances on hand as of: February 28, 2014,

General Fund	\$ 321,447.89
SW Emmett Sewer/Water	\$ 1,380,677.02
Sanitation Fund	\$ 300,369.05
Project V Sewer Fund	\$ 91,069.99
Drug Forfeiture Fund	\$ 35,147.48
Public Safety Fund	\$ 48,047.63
Public Safety Extra	\$ 54,685.89

The Monthly Departmental Report:

Planning Commission and Zoning Board of Appeals Minutes as printed.

COMMUNICATIONS & SIMPLE MOTIONS

Announcements:

- Township Planning Commission – Meeting April 2, 2014 at 5:00p.m.
- Z.B.A. Meeting – to be announced
- Next Township Board Meeting – April 10, 2014 at 5:30 p.m.

MONTHLY CHECK REGISTER

Motion 14-03-03 by Talbot/Gunning to accept the Check Register as printed.

Roll Call Vote: Myers, Dougherty, Talbot, Jacox, Gunning, Buller, & Hill

**ALL YES
MOTION CARRIED**

DEPARTMENT VERBAL REPORTS

Supervisor

Hill stated in the last couple of weeks he was called to serve Jury Duty, had been working with Junior Doude on the Mobile Home Park Ordinance and also met with Randy Ramsey concerning the sewer line. Hill also stated that there would be new development coming soon to the Township along with a possible new hotel. Hill expressed his desire to form a Capital Improvement Committee and a Farmers Market Committee with five members on each committee; if anyone is interested please call the Township Administrative Office.

Clerk

Myers stated continues to develop/ create a bond for the resurfacing of Division Drive that will allow the residents of the special assessment district a 3-4 year repayment window. Myers also stated that she had recently attended some Election Training. She gave notice that she is currently in need of Election workers and if anyone is interested please contact the Clerk's Office.

Treasurer

Talbot stated that she was working on getting ready to settle with the County; there is a new Treasurer and Deputy Treasurer and they are asking for a whole lot more information than before. Talbot also stated that her appointment is on Monday March 17, 2014 at 2:00 p.m. Talbot commented that they have a slight breather, but in a few weeks it will be time to start summer tax bills.

Planning and Zoning Business

Brandi Case stated that the Planning Commission is seeking approval of a Conditional Use Permit for a used car lot at 848 E Columbia Avenue 13-10-800-149-00 Chalon Linsley would be the owner and business would be called Horseless Carriage, INC. There were questions from the Board on the retention pond wondering if it had a fence around it; it was decided by several members to look in to it.

Motion 14-03-04 by Gunning/ Jacox to grant the Conditional Use Permit for a used car lot in the name of: Horseless Carriage at 848 E. Michigan Avenue 13-10-800-149-00

Roll Call Vote: Talbot, Dougherty, Gunning, Buller, Jacox, Myers, & Hill

**ALL YES
MOTION CARRIED**

Assessing

Leslie stated that the Assessing Department was very busy with the March Board of Review and getting year end reports together for the County.

Public Safety

Chief Olson went over the Monthly Activity report and explained that calls for Service dropped during February, due in large part to the weather and people not wanting to go out into the cold. Olson commented that he participated in the 10th Anniversary of the (Missing Person Case) Mary Lands Memorial in Marshall and that, that case has all the appearances of being a Domestic Violence case. Olson then explained that one of our own Officers was injured trying to break up a Domestic Violence call and won't be returning to work for at least a few weeks. The Department investigated 23 retail fraud complaints during the month, 14 Assault's, 3 Breaking and Entering Complaints, 18 Family Trouble or Domestic Violence complaints, 11 Violations of Controlled Substances, 1 Narcotics Equipment Violations, 22 Obstructing Justice/Obstructing Police complaints, 43 Other Person Trouble complaints, 36 property Damage Accidents and 7 Hit and Run Accidents, and also Investigated or provided another 31 Citizen Assists for our residents. Olson also explained a new program that they started at Emmett Township Department of Public Safety called Explorer Post; he explained that they have 15 young people that have expressed interest. Finally Olson talked about the renewal millage that would be coming up in August 5, 2014 for Public Safety.

RESOLUTIONS AND PROCLAMATIONS

Charter Township of Emmett Resolution T14-02 for Public Safety Millage Renewal Proposal for the August 5, 2014 election

Motion 14-03-05 by Buller / Jacox to approve Resolution T14-02 and the ballot language for August 5th, 2014.

Roll Call Vote: Talbot, Gunning, Dougherty, Buller, Jacox, Myers, and Hill

**ALL YES
MOTION CARRIED**

UNFINISHED BUSINESS

Proposed change for Building, Mechanical, Electrical, and Plumbing Inspectors to be Independent Contractors funded by permits.

This would mean Inspectors would go from W-2 Employees to 1099 Independent Contractors. Teresa Myers called MTA and checked on making this change effective April 1, 2014 as this would be the start of our fiscal year. MTA said that we could do this at that time. The Building, Mechanical, Electrical and Plumbing inspectors would be paid by permit fees just as before but instead of receiving 75% of the non-administrative portion of the permit fee they would then receive 100% of the non-administrative portion of the permit fee. The inspectors would then be responsible to pay their own Social Security, Medicare, taxes and their own Liability Insurance at no cost to the Township.

Buller explained how the inspection fee would work. There were lots of questions from the Board and the Public that were answered by Buller.

Motion 14-03-6 by Gunning/ Jacox to make The Building, Mechanical, Electrical and Plumbing Inspectors Independent Contractors paid from 100% of the non-administrative portion of the permit fees with no cost to the Township for Income taxes and Liability Insurance.

Roll Call Vote: Roll Call Vote: Dougherty, Gunning, Buller, and Hill

Talbot, Jacox, Myers all qualified Yes votes, Talbot on wanting something in writing so this doesn't come back to get us. Jacox pleased that this issue is finally resolved and appreciates Buller for his hard work. Myers on getting the liability forms to us by April 1, 2014.

**ALL YES
MOTION CARRIED**

Hardware Bids

Hill presented an estimate from Markos Excavating LLC that did not include asbestos removal however it could be included at an additional charge. Several members from the Board stated they could not accept the bid as presented for it was incomplete. Buller updated property in Springfield's razing deadline with the City of Springfield and a certain contractor has expressed willingness to tear down Wattles Park Hardware at no cost along with the razing of Springfield building for the salvage cost. Buller also explained that Springfield has an April 7, 2014 deadline. Buller also stated that Jerry Peterson from the County had informed Buller that the frost laws would be on for at least 4 weeks from now (March 13, 2014). There was much discussion on the razing of the Wattles Park Hardware with the Public and several Board Members. It was decided by a majority of the Board to delay the razing process until after April 7, 2014.

Motion 14-03-07 by Dougherty / Talbot to delay the implementation of razing the Wattles Park Hardware until after the April 7, 2014 and more information could be obtained.

Roll Call Vote: Gunning,- No Hill, Qualified No getting burned out having a hard time caring the flag
Dougherty, Jacox, Myers, Buller, Talbot

**FIVE YES
MOTION CARRIED**

Purchase Orders That Need Approval

Discussion on purchase order for modification to Zoning Ordinance Review from Civil Engineering and it was decided that we had to move forward with this project.

Motion 14-03-08 by Buller/Jacox to approve engineering modification to Zoning Ordinance.

Roll Call Vote: Buller, Jacox, Myers, Gunning, Talbot, Dougherty, and Hill

**ALL YES
MOTION CARRIED**

Purchase Order for Semco Gas Company was explained by Chief Olson that when someone was plowing the snow it was so deep they didn't see the gas line; it was an accident.

Motion 14-03-09 by Buller /Gunning to approve the purchase order for Semco Gas.

Roll Call Vote: Jacox, Myers, Dougherty, Talbot, Gunning, Buller, and Hill

**ALL YES
MOTION CARRIED**

NEW BUSINESS

Waive the Peddlers Permit Fee for Knights of Columbus for a state wide tootsie roll drive for the benefit of people with intellectual disabilities.

Motion 14-03-10 by Gunning / Talbot to waive the Permit Fee for the Knights of Columbus

Roll Call Vote: Gunning, Buller, Jacox, Myers, Dougherty, Talbot, and Hill

**ALL YES
MOTION CARRIED**

Discussion on millage for roads for 1 mill

Questions to the effect if anyone knew yet if there would be a millage on the ballot in August. As far as anyone knew at this time just lots of discussion with different Townships.

Motion 14-03-11 by Buller/ Jacox to table the 1 mill for roads at this time

Roll Call Vote: Buller, Talbot, Myers, Gunning, Dougherty, Jacox, and hill

**ALL YES
MOTION CARRIED**

Public Comments

Public comment on Rental Ordinance and being very upset because they think there being discriminated against or penalized thinks the Township should go after the problem.

Comment from a resident that used to work in the Township said he never told anyone what to do.

Resident commented on the Board getting together on this Hardware issue and getting it taken down.

Comment from a resident on how the Township would decide what roads get fixed if a millage was passed, Same resident asked about the \$5000.00 dollar PNC Bank fee Talbot explained that a paper had been signed by the Supervisor at closing that he wasn't aware of. Same resident commented on appreciating everyone's thoughts on tearing down the Hardware. Also same resident made the comment to Hill once a Marine always a Marine.

Resident commented on a house that needs to be razed on 25 Huyck St.

Resident commented on a house at 12 East Alden that's full of garbage mice and rats and also needs to be razed.

Resident thanked the Chief for helping his son when he started his business in the Township and for Mike Leslie taxing him.

Chalon Linsley showed up and answered Jacox's question about there being a fence around the retention pond. Mr. Linsley said that he would look into the fence and if there wasn't one there he would talk with the owner and see that one was put in.

Trustee Comments

Jacox - Apologized for not offering his support on the razing of the Hardware but we are having a budget workshop on Monday and then we can budget the money for that purpose. Jacox really appreciates Hills passion. Jacox also commented on the Rental Ordinance and the fact that it could be a good thing.

Dougherty – Stated that he appreciates Lonnie and Bob and we will be tearing down the Hardware we just need to wait a few more weeks especially if we can get it tore down for no cost to the Township.

Buller – Commented that the Township did receive the Saw Grant for the sewer project and explained the process. Buller explained a computer program that the County would be using to decide what roads would be done first. Buller also talked about taking down the Hardware and having the funds set aside for that. Buller also stated that road restrictions will be in effect for at least four weeks so you wouldn't be able to do anything until the restrictions are lifted. Buller also commented on setting money aside for a capital improvements program. One last thing is that Buller would hope that everyone noticed the sign on the front of the building it looks real nice Buller thanked the Chief for getting that moving.

Gunning – would like everyone to know that as the Township has very good Building, Mechanical, Electrical and Plumbing Inspectors.

Adjournment

Motion 14-03-12 by Talbot/ Gunning to Adjourn 7:05 p.m.

Voice Vote:

**ALL YES
MOTION CARRIED**

Timothy Hill, Supervisor
Emmett Charter Township

Teresa Myers, Clerk
Emmett Charter Township