

Charter Township of Emmett
Regular Board Meeting
April 11, 2019

Supervisor Tim Hill called the Board Meeting to order at 5:30 p.m. on Thursday April 11, 2019. The Meeting was held at the Township Hall located at 621 Cliff Street, Battle Creek, MI 49014. The pledge of allegiance followed the opening.

BOARD MEETING ATTENDANCE-

Brown, Buller, Gunning, Myers, Myers-Malone, Dougherty, & Hill

QUORUM PRESENT

APPROVAL OF AGENDA-

Add: Peddlers permit fee waived for Knights of Columbus, Randy Ramsey from CEI for water/sewer projects, and amendment to 170 Rook Street demo fee.

Motion 19-04-01 by Gunning/Brown to approve Agenda.

Voice Vote

**ALL YES
MOTION CARRIED**

APPROVAL OF CONSENT AGENDA-

Motion 19-04-02 by Gunning/Myers to approve the Consent Agenda.

Voice Vote

**ALL YES
MOTION CARRIED**

Receive and file the monthly Treasurer's report with balances on hand:

General fund	\$ 2,795,778.11
SW Emmett Sewer/Water	\$ 865,682.60
Sanitation fund	\$ 1,274,575.42
Project V Sewer fund	(\$ 225,605.23)
Drug forfeiture Fund	\$ 36,785.54
Public Safety fund	(\$ 190,960.97)
Public Safety Extra	\$ 683,945.41
Beadle Lake weed	\$ 12,246.44
Econ Dev. Corp.	\$ 4,594.96

MONTHLY CHECK REGISTER-

Motion 19-04-03 by Buller/Gunning to accept the Check Register as printed.

Roll Call Vote: Brown, Gunning, Buller, Myers, Myers-Malone, Dougherty, and Hill

**ALL YES
MOTION CARRIED**

OLD BUSINESS-

D Drive Bridge & Road Re-surface:

Supervisor stated costs, \$600,000 for the Culvert-the Township will pay 50% (\$300,000) and the County will also pay 50%, the Road re-surface for D drive will be \$362,400 without turn lanes and \$462,400 with turn lanes. The Township cost for without turn lanes would be \$253,680 (70%). If the Bond passes, these issues wouldn't get done until next year, and residents from this area as well as Victory Life Church members want

this culvert done as soon as possible. Total cost of the project is \$600,000 for the culvert only, this doesn't include the road itself.

There were residents from Harper Creek Drive and D drive N as well as Victory Life Church members present at the meeting.

Much public comment was had to have the Township put up \$300,000 for the Culvert:

Pastor James Sunnock, spoke that the Bridge-directly impacted his church. Victory Life Church is a large influence within our community. Hosts the largest voting center. Invests over \$600,000 in the community over the last six years. Hinders impact on the community, been over a year now. Great way for the Trustees to show the community to work to do something about the roads. On May 7 you're going to ask residents to open their own personal budget to fix the roads. Show the citizens that you have skin in the game. Be heroes to the community. Let's move forward with passing this resolution.

Citizen believes it would be in the best financial interest for the Township to fix the Bridge.

Difference between millage and bond doesn't matter, need the money to fix the roads. Safety hazard because of the closure. Alleviate the challenges on 6-1/2 mile road.

Resident concerned about the budget, possibly need an operating millage.

Encourage others to hear for yourself, all meetings are recorded on access vision. Safety hazard for children, cars to drive across, not safe for community. Please focus on this culvert.

Deb Belles, Committee for Better Roads Chairperson, stated that the culvert will be re-classified as a bridge instead of a culvert going forward. 75% covered by the State and 25% covered by the County if something happens to the D drive Bridge after repairs would be made.

Resident feels that fixing the Bridge is a testament to how important the bridge is to the Township.

Realtor talked about property values because of the Bridge being closed.

Many positive comments about the value of the D Drive Bridge and hopes that the Board will consider this project. Asked to invest in the community.

Board Member Discussion:

Gunning- Lived on Beadle Lake his whole life and travels Beadle Lake, hinders Public Safety, conversation with different people about the culvert is the responsibility of the County, asked Derek King to clarify.

Derek King, County Commissioner- Anything over 48" is covered under policy in act 51 and anything over 48" is a cost share. A series of large culverts with a straw on top, almost like a pyramid. Estimated over 100 years old. This will be classified as a bridge because of the span (20'). Will be inspected every year and added to the County Roll of Bridges. Cost shares are not 75/25 it is 50/50. Ambiguous language in Act 51. County approved eight bridges to be worked on but they are open with a lighter load restriction. The county partnered with agencies and received grants to take the cost down to 25%, but the work wont begin until 2023.

We have a bridge that is hindering things. The county has allocated their share of the money, If the Township passes this tonight the County will put out bids for the project. Will take time for DEQ, water studies, fish restrictions, etc. This is a separate issue from the Bond Proposal. If the Bond passes this project is 50/50 match.

Myers-Malone- asked King if the Bridge was not included in the Bond? King responded yes, the bridge is included with the Bond proposal and the Township will be reimbursed if the bond passes, if the bond doesn't

pass then this will still have to come out of the General Fund. The key is the timing. Believes the Bridge needs to be opened. Doesn't think the Board should wait to see what happens with the Bond.

Dougherty- We all want this road straightened out, have responsibility for the Township and the people here. We're going to hamstring our generation with a bond for the next fifteen years. Paper balanced, draw money out of our fund equity to balance. We don't have the money. If the bond goes through then we are reimbursed. No access to the funds to pay for the bridge. The Roads and the Bridge are connected. People in this community up in Fairfax but they don't have the political connections that we have here tonight, they are economically challenged. They deserve to have the same and we need to be fair to everybody. Millages coming up and we have a money issue. We don't even know the details of the Bridge.

Hill- Has done a trial balance that shows \$3 million and the Board has known about this.

Buller- Discussion made after the motion.

Myers-Appreciates everyone coming out and know that you have been heard. Concerned there's a lot coming down the pipe. Keep in mind that we just got done with taxes, as this doesn't show what was transferred out for the trial balance.

Motion 19-04-04 by Buller/Hill to move \$300,000 from fund equity into the budget amendment to get the D drive Bridge started.

Roll Call Vote: Brown, Dougherty, Myers, Myers-Malone
Gunning, Hill, and Buller

**FOUR NOS
THREE YES
MOTION FAILED**

Qualified:

Myers (NO)- I understand that there is a safety issue, wishes that semantics would have been communicated as far as bridge vs. culvert (first knowledge of this issue thrown at her tonight) and how the classification changes after repairs and who is responsible for the Bridge. I also wish that this communication would have been brought to us or myself prior to this evening.

Hill (YES)- Been there for an entire year and we have the funds, drives down E Drive to get to his house. Absolute loss.

Myers-Malone (NO)- Understand Skin in the game, but the millage had failed twice and we need you to have skin in the game. \$300,00 is a lot of money. Interrupted by upset citizen, did not get a chance to finish as Hill let the interruption continue.

Outburst from resident that Hill allowed; Disappointed in all of you, will run campaign against you. Believes that we can do this together. You are not representing us. You have the money; the fear is a greater risk. Your losing your residents.

Motion 19-04-05 by Myers/Dougherty to revisit this agenda item after the May 7 Bond Proposal.

Roll Call Vote: Brown, Myers-Malone, Buller, Myers, & Dougherty
Gunning & Hill

**FIVE YES
TWO NOS
MOTION CARRIED**

Massive Public disruption in which Hill allowed everyone to commence by not calling the meeting back to order, Chaos presumed.

Qualified:

Buller (YES)- Have to talk about this, propose to put motion forward to immediately put funds in the Counties hand so that this project would start this year.

Hill (NO)- This needs to be done now. Calling special meeting to get this done. Tuesday at 5:30 p.m.

Dougherty (YES)- All feel what your talking about and we want to get this taken care of, your asking us to vote for something when we don't know what it is, this topic was just thrown on him tonight without prior knowledge of this being talked about a bridge vs. a culvert.

Public Outburst allowed by Hill as he didn't call meeting back to order; You people sitting in front of me are exactly the same as the democratic party.

King- John Midgley stated that work won't start until 2020 in emails.

Dougherty- Run for Office, I hope you do.

Public Outburst Hill allowed even with negative harassing religious condemnations; Sees a lot of skin in the game, a lot of great things happening at Victory Life Church. You all don't look like the twelve that were at the dinner with Jesus. Doesn't like hearing have skin in the game, your community benefits because of the service from the people in the community. ROI/ LOI- Have an opportunity to do something great. Daughter got lost driving home, got the police called on her. Daughter scared out of her mind. There's no price tag on life. Do the right thing.

Motion 19-04-06 by Buller/Gunning to reconsider to approve moving \$300,000 for the D Drive Bridge with new/additional information.

Roll Call Vote: Gunning, Myers-Malone, Buller, Myers, & Gunning
Dougherty & Brown

**FIVE YES
TWO NOS
MOTION CARRIED**

Qualified:

Myers (YES)- Disappointment in the misinformation given to the Road committee, which resulted in the letter mailed to residents. In order to correct that and make sure residents have the correct information in front of them.

Hill (YES)- Very excited. Can send out another letter maybe make it pink. Thanked everyone for coming. Resind Tuesday night meeting.

Derek King stated there needs to be one-point man, Hill stated that would be him. Redundant information going back to the road consultant should have been disseminated. Unfortunate that Rob couldn't be here tonight to shed light on this. Supervisor stated that the law says it is Tim so he's going to meet with Deb.

10-minute recess

DEPARTMENTAL VERBAL REPORTS-

Supervisor, Tim Hill-
Clerk, Tracy Myers- Malone-
Treasurer, Rachelle Myers-

Planning and Zoning Business-

Motion 19-04-07 by Hill/Gunning to approve 703 E Columbia for Humble Roots Conditional Use for medical marijuana provisioning center.

Roll Call Vote: Myers, Dougherty, Brown, Gunning, Myers-Malone, Buller, & Hill

**ALL YES
MOTION CARRIED**

Qualified:

Brown (YES)- Humble Roots is already passed their 1st State Qualification.

Motion 19-04-08 by Myers/Gunning to approve codification cost of \$5,521. (this will update the website, text, and books.)

Roll Call Vote: Hill, Myers, Dougherty, Brown, Gunning, Myers-Malone, & Buller **ALL YES**
MOTION CARRIED

Motion 19-04-09 by Gunning/Buller to approve the Hydro Corp Contract extension until 3/21/2021 for a total cost of \$4,524.

Roll Call Vote: Buller, Hill, Myers, Dougherty, Brown, Gunning, & Myers-Malone **ALL YES**
MOTION CARRIED

Motion 19-04-10 by Gunning/Buller to approve an increase for the demo cost for 170 Rook Street, \$1,000.

Roll Call Vote: Myers-Malone, Buller, Hill, Myers, Dougherty, Brown, & Gunning **ALL YES**
MOTION CARRIED

Motion 19-04-11 by Gunning/Hill to replace the inspector's computer with a cost not to exceed \$1,600.

Roll Call Vote: Gunning, Myers-Malone, Buller, Hill, Myers, Dougherty, & Brown **ALL YES**
MOTION CARRIED

Assessing-

Motion 19-04-12 by Hill/Buller to transfer three properties from Emmett Township to the Economic Development Corporation; parcel 13-10-390-012-00, parcel 13-10-008-005-01, parcel 13-10-390-013-00 for the purpose of Urban Renewal.

Roll Call Vote: Brown, Gunning, Myers-Malone, Buller, Hill, Myers, & Dougherty **ALL YES**
MOTION CARRIED

RESOLUTIONS & PROCLAMATIONS-

Motion 19-04-13 by Gunning/Hill to approve Resolution T19-04 (Waiving penalties levied pursuant to MCL 211.27b, subsection 1(c) & 1(d) for failure to file a Property Transfer Affidavit).

Roll Call Vote: Dougherty, Brown, Gunning, Myers-Malone, Buller, Hill, & Myers **ALL YES**
MOTION CARRIED

Motion 19-04-14 by Hill/ Myers to approve Resolution T19-05 (Establishing a policy to Administer Poverty Exemptions Pursuant to General Property Tax Law 211.7U).

Roll Call Vote: Myers, Dougherty, Brown, Gunning, Myers-Malone, Buller, & Hill **ALL YES**
MOTION CARRIED

NEW BUSINESS-

CEI Water/Sewer Projects:

Randy Ramsey gave engineers update on water/ sewer projects.

Motion 19-04-15 by Myers-Malone/Gunning to approve MI Ave. lift station upgrade to 30hp pump for \$13,000 and force main cleaning quote from Suez for \$75,000.

Roll Call Vote: Brown, Dougherty, Myers-Malone, Hill, Myers, Gunning, & Buller **ALL YES**
MOTION CARRIED

Motion 19-04-16 by Myers/Gunning to approve CEI to start preliminary investigation of inventory for the new lead and copper rule for water services.

Roll Call Vote: Gunning, Buller, Myers, Hill, Myers-Malone, Dougherty, & Brown **ALL YES**
MOTION CARRIED

Motion 19-04-17 by Buller/Dougherty to approve CEI to obtain bids for lift station #44.

Roll Call Vote: Buller, Dougherty, Myers-Malone, Hill, Myers, Brown, & Gunning **ALL YES**
MOTION CARRIED

Motion 19-04-18 by Brown/Hill to waive the peddlers permit fee for the Knights of Columbus Tootsie Roll Drive.

Roll Call Vote: Gunning, Buller, Myers, Hill, Myers-Malone, Dougherty, & Brown **ALL YES**
MOTION CARRIED

Motion 19-04-19 by Hill/ Brown to approve Ordinance No. 7, Amend current Fireworks Ordinance.

Roll Call Vote: Brown, Dougherty, Myers-Malone, Hill, Myers- Buller, & Gunning **ALL YES**
MOTION CARRIED

PUBLIC SAFETY-

March 2019 Monthly Activity Synopsis

	<u>Current Month:</u>	<u>Previous Month:</u>
Complaints/Calls for Service:	919	784
Arrests:	33	18
Citations Issued:	64	78
Accidents	29	22
Medicals:	91	72
Fires:	7	5
All other Fire Calls:	33	53

Once again, we had a very busy month investigating a number of different crimes ranging from traffic crashes to criminal sexual conduct to child protective services. Our patrol time continues to diminish as the types of crimes we are investigating are very time consuming. Computer crimes continue to dominate the time of our certified investigator. We are also sending another officer to Crisis Intervention Training and it is my hope that we will be able to certify every one of our officers in this training.

We had 4 fires that we responded to during the month including mutual aid to Pennfield Township. This month our officers trained in Hazardous Materials and did inspections to the new additions at Flex N Gate and Menards. Obviously, hazardous materials are essential training for our officers due to the high volume of truck traffic that passes through our township. It has been extremely busy and I commend our officers for their hard work.

This is my last report to the Township Board and the Emmett Township residents. I want to tell you that it has been my honor and privilege to work with you and our residents. I know I have left the department in better shape than when I arrived and it is my hope and desire that they continue to work with our community to make this the best township it can be.

Discussion on Open position for Director of Public Safety:

Gunning would like open bids for all to apply. Buller would like a meet and greet before appointment. Brown recommended Lt. Cunningham. Myers recommended qualified individual for interim position.

Motion 19-04-20 by Brown/Hill to appoint Kenneth Cunningham (Richie) as interim Chief for up to six months.

Roll Call Vote: Gunning, Buller, Myers, Hill, Myers-Malone, Dougherty, & Brown **ALL YES**
MOTION CARRIED

Qualified:

Gunning (YES)- Supports Mr. Cunningham. This is the highest paid position in the Township and we need to be transparent (have the public know what's going on).

Buller (YES)- Richie has become a key component in the budget for Public Safety, sharp on finances, would hate to lose him.

BOARD COMMENTS-

Brown- None.

Dougherty- None.

Myers-Malone- Excited to welcome Morgyn Case to the team in the office, she's a fast learner and very eager. Joann is busy teaching Morgyn while receiving absentee ballots back. Public Testing of our machines is Tuesday April 16. Please let your voice be heard and vote on May 7. Precincts 1 & 3 are going to be held here in the Board Room. Precincts 2 & 4 are going to be out at Victory Life Church. For the Cemetery, please make sure that all of your decorations are cleaned up by May 1, otherwise the Sexton will remove them for Spring Clean-Up. Scooters will have dumpsters available at Ceresco & Newbre Cemeteries.

Hill- On 6-1/2-Mile Road Construction will be a Hilton H-2 Hotel with retail around it, apartment complex coming on 6-Mile Road behind Walmart. Working on our Boardwalk.

Myers- Most tax transfers have been made. All outstanding 2018 Real Property Taxes are available at the County, please call ahead for your balance. Assessor updated 2019 database and the cycle will begin again soon.

Buller- Crooks plumbing quote. Congratulations to Chief on his retirement. Seen a lot on Facebook about the millions of dollars that the Township gets. This is False! out of the \$5.6 million Emmett Township gets 12% which is about \$720,000 and over 90% goes to public safety, compared to Harper Creek which gets \$2.1 million, and all of the other agencies that receive monies from the LRSB.

Gunning- Thanked everyone for showing up for the meeting, wished we had that great of a turnout at all of our meetings. Thanked Chief for his service and thanked Richie for standing up.

PUBLIC COMMENTS:

Resident had question for Chief, double fatality- toxicology report? Chief needed FOIA request, but alcohol was a factor. Will miss Chief Olson, sorry can't make his party.

Resident thanked for the shout out for the Committee for Better Roads. Gearing up for the May 7 Election. Information was correct. Still taking contributions for road signs, postage, brochures, handouts, etc. Please come to a meeting so you can get your questions answered. Always accept volunteers. Townships reached out to Chairperson and let them know that they are going about this the correct way. KUDOS.

Resident talking about the library making money from the Township. Do something about the library tax.

Resident wanted to make Hill be a stickler for Roberts Rules of Order.

Citizen thanked Chief for being the dad of their family over there. Congratulations! Can't wait for tomorrow. Millage proposal for public safety was removed from the agenda and wanted to know about a special meeting.

Resident was talking about previous meeting (last month) budget with a \$319,000 deficit and this month's trial balance is just a snapshot in time, doesn't give financial outlook of organization. Hill got heated and asked if resident was talking about something on the agenda? Resident stated yes. Hill stated there was nothing on the agenda about the budget. Hill thinks that this resident was running for office and doesn't want to allow him in this forum. Hill stated that resident was giving incorrect information. Resident stated that he is concerned about the budget for this Township. Hill stated that he could come in and sit down with him and go over the budget. Resident stated how interesting it was that Hill let everyone from the Church comment but not me. Thank you.

ADJOURNMENT

Motion 19-04-21 by Myers/Gunning to adjourn at 8:28 p.m.

Voice Vote

**ALL YES
MOTION CARRIED**

*Timothy Hill, Supervisor
Emmett Charter Township*

*Tracy Myers-Malone, Clerk
Emmett Charter Township*