

Charter Township of Emmett
Regular Board Meeting
February 14, 2019

Supervisor Tim Hill called the Board Meeting to order at 5:30 p.m. on Thursday February 14, 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, Dougherty, & Hill
Myers-Malone, Excused

QUORUM PRESENT

Motion 19-02-04 by Buller/Gunning to appoint Rachelle Myers as the temporary Clerk.

Roll Call Vote: Dougherty, Brown, Gunning, Hill, and Myers

ALL YES
MOTION CARRIED

APPROVAL OF AGENDA-

Add Access Vision under Resolutions & Proclamations. Add Carpet from Hans, Furnace, and Behnke Invoice to Old Business. Add Splitting the SW Sewer/Water Fund & Technical Review Report from Steve under New business.

Motion 19-02-05 by Buller/Gunning to approve Agenda.

Roll Call Vote: Myers, Dougherty, Brown, Gunning, Buller, Hill

ALL YES
MOTION CARRIED

Myers-Malone, Excused

APPROVAL OF CONSENT AGENDA-

Motion 19-02-06 by Gunning/ Brown to approve the Consent Agenda. Including the meeting minutes from 1/9/19, 1/10/19 as printed by Tracy Myers-Malone, Clerk.

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

ALL YES
MOTION CARRIED

Myers-Malone, Excused

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

General fund	\$ 2,187,952.08
SW Emmett Sewer/Water	\$ 850,511.37
Sanitation fund	\$ 1,225,549.15
Project V Sewer fund	(\$ 226,045.23)
Drug forfeiture Fund	\$ 18,454.52
Public Safety fund	(\$ 552,396.02)
Public Safety Extra	\$ 447,337.56
Beadle Lake weed	(\$ 2,739.17)
Econ Dev. Corp.	\$ 4,594.96

MONTHLY CHECK REGISTER-

Motion 19-02-07 by Gunning/Myers to accept the Check Register as printed.

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

**ALL YES
MOTION CARRIED**

Myers-Malone, Excused

DEPARTMENTAL VERBAL REPORTS-

Supervisor, Tim Hill- Discussion on Miller/Canfield Invoice- Paid everything except for April (May invoice) which states attorney-client matter, waiting on reply from Miller/Canfield. Myers stated that she verbally asked Hill in his office if she could contact Miller/Canfield but Hill states he doesn't recall this meeting. Principles of Governance back in the Office. There's quite a bit of development going on in the Wattles Park area.

Clerk, Tracy Myers- Malone- Excused

Treasurer, Rachelle Myers- Today is the last day to pay taxes without fees. We will honor the drop box as on time as well as post marked by 2/14, after today there will be a 3% fee payable in the Township Office until the end of the month. Myers stated that she negotiated a CD rate of 2.1% for 6 months which was increased from an original 1.6%.

Planning and Zoning Business-

March 14th there will be a Dangerous Building hearing half hour before the Regular Board Meeting. Dangerous Building Hearing will start at 5:00pm.

Motion 19-02-08 by Brown/ Gunning to tear down 170 Rook Street.

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

**ALL YES
MOTION CARRIED**

Myers-Malone, Excused

Motion 19-02-09 by Brown/ Gunning to accept the bid for \$6280 to tear down 170 Rook Street.

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

**ALL YES
MOTION CARRIED**

Myers-Malone, Excused

Motion 19-02-10 by Gunning/Dougherty to approve medical marihuana site plan review/ conditional use for provisioning center at 6006-6008 B drive North (former Tim Hortons connected to Citgo).

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

**ALL YES
MOTION CARRIED**

Myers-Malone, Excused

Motion 19-02-11 by Brown/ Dougherty to approve 918 East Michigan Ave rezone from light industrial to general commercial for the use of a General Retail Facility.

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

**ALL YES
MOTION CARRIED**

Myers-Malone, Excused

Motion 19-02-12 by Gunning/Hill to rezone 131003101100 from rural residential to multiple family as well as amend the Master Plan from highway commercial/ medium density residential to multiple family.

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

ALL YES

MOTION CARRIED

Myers-Malone, Excused

Motion 19-02-13 by Buller/Brown to give a 90-day extension to allow for architectural and permits for 1414 East Michigan Avenue.

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

**ALL YES
MOTION CARRIED**

Myers-Malone, Excused

Assessing-

Deb Belles stood up and spoke about the Committee for Better Roads for Emmett Township. They have plans to meet the next Tuesday to complete their campaign plan, but they are also looking for donations for funding for flyers to send out to residents as Deb has already sent in a FOIA for Absentee Voters.

The Committee still needs to meet and finish the scope of improvements. Deb is asking the Board for another 80 hours for the Project Manager, Rob Behnke and continue to move forward.

Brown stated that Mike Leslie, the Assessor went to the Board a year and a half ago for a Trial of him working from Florida, well this year Mike never came before the Board. He was just gone and there's a lot of people not happy.

Hill stated that since he is the personnel manager that he approves vacation time and that Mike was using vacation time and continuing to work while in Florida. Hill also stated that he has not received any complaints from residents or staff.

Myers stated that she has received several complaints about this and that she even asked a resident to make an anonymous written complaint but that resident would not because of fear of retaliation. Myers also stated that this is such a busy time of the year because of taxes and working close with the accessing department that this arrangement wasn't working out well. Myers stated even trying to get ahold of Jacob is hard because he's in Mike's Office on the phone with Mike so we can't call him up for residents when we have other customers at the counter.

Brown asked why he would take so much vacation when it's the busiest time of the year for the Assessor.

PUBLIC SAFETY-

January 2019 Monthly Activity Synopsis

	<u>Current Month:</u>	<u>Previous Month:</u>
Complaints/Calls for Service:	775	781
Arrests:	23	31
Citations Issued:	103	90
Accidents	37	38
Medicals:	80	100
Fires:	7	4
All other Fire Calls:	35	24

I mentioned last month that we ended 2018 on a quieter note and I won't make that mistake again. We are investigating break ins at businesses in the township and it looks like they may be tied into others in our county and neighboring counties. We continue working with area law enforcement agencies to arrest the individual(s) involved. We are investigating a three car double fatal traffic crash that occurred on Columbia Ave. near Nelson. Two young females died in this very tragic crash and three people in the other vehicles were injured. The Calhoun County Sheriff's Department assisted with their Total Station by taking the required measurements and our thanks goes out to them for the assistance.

The accident occurred on the coldest day of the week and it was brutal. PSO Kellie Follett resigned from the department leaving us with only one part-paid officer and her future is uncertain due to family obligations. We had 7 fires during the month including another fatal crash on I-94 near 11 Mile Road. The crash involved two semi tractors and trailers. The contents in one of the semi-trailers burst into flames upon impact requiring our Public Safety Officers to extinguish the fire. The hazardous material was exploding and it clearly placed our officers in harm's way, but their training and experience allowed them to extinguish the flames with no additional injuries. We also had structure fires in the township and we assisted Pennfield Township and the City of Battle Creek Fire Department. It has been extremely busy and extremely cold and I commend our officers for their hard work and diligence under these hazardous conditions.

Chief Mike Olson announced his retirement to the Board. Olson stated that he was very thankful for the nine (9) years that he spent with Emmett Township and glad that he could enhance the professionalism in the department.

Sheriff Matt Saxton spoke briefly about the 17 dogs on I drive that were seized and are now being lodged at the kennel. Most needed medical attention, and suffered from abuse and neglect. There was a search and investigation are an ongoing to whether the man was involved in dog fighting. If convicted they will not get the animals back. Matt also spoke about the dispatch authority and that the fee structure decreased. Possible surcharge to go on phones was on the ballot back in 2012 and failed by 36 votes, but now since the decrease in fees Matt said he's not for nor against and it will be up to the County whether this surcharge will appear on the ballot. Saxton stated this topic needs more discussion.

OLD BUSINESS-

Motion 19-02-14 by Dougherty/Gunning to approve Carper for Administration Side for \$6,001.29.

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

ALL YES

MOTION CARRIED

Myers-Malone, Excused

Motion 19-02-15 by Brown/Dougherty to accept bid from CTI Mechanical for new furnaces. Replacing one this fiscal year and another after April.

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

ALL YES

MOTION CARRIED

Myers-Malone, Excused

Motion 19-02-16 by Buller/Myers to move forward in splitting the Sewer/ Water funds with assistance from Flies and Vanderbrink establishing a baseline.

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

ALL YES

MOTION CARRIED

Myers-Malone, Excused

RESOLUTIONS & PROCLAMATIONS-

Motion 19-02-17 by Hill/Buller to appoint Supervisor Hill to the LRSB Board and Access Vision Board.

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

ALL YES

MOTION CARRIED

Myers-Malone, Excused

NEW BUSINESS-

Motion 19-02-18 by Myers/Brown to pay Rob Behnke's outstanding invoice of \$1087.50.

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

ALL YES

MOTION CARRIED

Myers-Malone, Excused

Motion 19-02-19 by Gunning/Buller to move forward with approving another 40 hours for Rob Behnke.

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

ALL YES

MOTION CARRIED

Myers-Malone, Excused

Motion 19-02-20 by Buller/Hill to appoint Dick Brown and Tom Gunning to the Election Commission.

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

ALL YES

MOTION CARRIED

Myers-Malone, Excused

Motion 19-02-21 by Brown/Gunning to set a special meeting for the budget on February 27 at 9am.

Voice Vote: Brown, Gunning, Buller, Myers, Dougherty, and Hill

ALL YES

MOTION CARRIED

Myers-Malone, Excused

Steve Buller spoke about the Technical Review Committee for the Sewer:

The City will be redoing interceptors and it is incumbent to pay for capital improvements. This will cost the residents that use this service an 11% increase (based on flow) in their bill monthly for two years. The total cost for the project for Emmett Township is \$143,000/ year. CEI will be coming to present resolution to the Board when available.

PUBLIC COMMENTS-

Resident stated that the Road committee is doing a great job! He's also upset about 18 mils used for the school, Emmett Township residents are giving their money away from the Township because most of it goes to the school.

Resident comments about Board member stating at the last meeting how he knows who he's getting his information from and the Resident wanted this Board member to know that he is correct and he gets it from one in particular, Tim Hill- when he asked for four Board Members to be recalled. Resident is politically invested into this Township! Resident gave attorney generals ruling to all Board members and it doesn't say that the Board has to hire Buller. Resident stated that Buller needs to change his IRS to a schedule S so that he could pay himself. Resident asked Buller to resign effective immediately and close the lawsuit on the Township. We don't owe you anything! The residents do not want to pay for any more legal fees, you (Buller) are committing a crime.

BOARD COMMENTS-

Brown- Has an issue with trustee issued key fobs for Pat and himself. Brown stated that when the fobs were shut off, he was hurt and felt like a liar and a crook, which he's never done anything like that in his life. Pat has been a trustee and was a supervisor before, always serving the community. Brown contacted MTA (Michigan Townships Association) and asked their opinion and MTA stated that Tim didn't have the authority to turn off

trustees' fobs. Brown wants to know why and when the fobs will be turned back on? Brown wished Mike Olson the best.

Dougherty- None because he stated he's being censored.

Myers-Malone- Excused.

Hill- Thanked Chief for his service.

Myers- Myers commented back to the key fobs that if some trustees' fobs are shut off then all trustee fobs need to be shut off, we need to be fair. Myers stated that it has been a pleasure working with Mike Olson and he will be missed but hopes he will enjoy family time.

Buller- Thanked Brandi for extra work for the Dangerous Buildings.

Gunning- None.

ADJOURNMENT

Motion 19-02-22 by Buller/Gunning to Adjourn at 7:41p.m.

Voice Vote

**ALL YES
MOTION CARRIED**

Myers-Malone, Excused

*Timothy Hill, Supervisor
Emmett Charter Township*

*Rachelle Myers, Temporary Clerk
Emmett Charter Township*