

CHARTER TOWNSHIP OF MONITOR  
REGULAR TOWNSHIP BOARD MEETING  
FEBRUARY 10, 2020

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

Members present: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh  
Members absent: None  
Also present: R. Sheppard, Township Attorney

The Pledge of Allegiance was recited by all present.

Public Input opened at 7:01 p.m.

L. Swiercz, 4829 Baxman Rd., stated the paving of Baxman Rd. is a big improvement and thanked the board.

Swiercz inquired the status of a construction project at 4813 Baxman Rd. Swiercz stated the home has been under ongoing construction for the last 3-years and inquired what the township is doing to get this house finished. Swiercz stated it is an eyesore with scaffolding and various items of construction materials and equipment stored outdoors.

Malkin stated he has spoken with the building inspector and was told that as long as construction is underway the building permits are valid. Malkin suggested that Swiercz contact him the beginning of March to meet with him and the building official.

Public Input closed at 7:10 p.m.

Motion by Reder supported by Walsh to adopt the agenda with the addition of: the Treasurer's Report – January 2020, Rowe Professional Services Company Proposal for Township Hall Architectural Design Survey and H. Miller 1600 S. Euclid.

Motion carried.

Motion by Reder supported by Walsh to approve the minutes of the January 27, 2020 regular meeting as presented.

Motion carried.

Motion by Reder supported by Walsh to pay the bills in the amount of \$18,322.35 from General Fund.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

Motion by Kowalski supported by Reder to receive the Treasurer's Report for January 2020.

Motion carried.

Public Hearing – MDNR Grant Application for Steih Park Improvements

The public hearing for the township's submission of a DNR grant application for Steih Park

Improvements opened at 7:12 p.m.

D. Scherzer, Spicer Engineering, gave board members a new plan of the Steih Park site improvements with the items requested at the December 9, 2019 meeting. Scherzer also provided a copy of the estimate of cost for the project.

Scherzer stated the township has received \$155,000 in fund donations to serve as the township match for the \$455,000 project.

Scherzer stated a major part of the project expense is the cost of the bank stabilization for shoreline preservation and protection.

Walsh asked if the stabilization would withstand the river flooding of the park.

Scherzer replied, yes it would.

Reder asked what size boulders would be used at the banks.

Scherzer replied the boulders would be sized large enough to withstand the flooding and the river current.

The public hearing closed at 7:19 p.m.

R-2020-002 Resolution Approving the MDNR Grant Application for Steih Park Improvements  
Motion by Brandt supported by Pike to adopt Resolution R-2020-002, a resolution approving the \$300,000 MDNR Trust Fund grant application for Steih Park improvements as follows:

**MDNR GRANT APPLICATION  
RESOLUTION # R-2020-002**

**WHEREAS**, Monitor Charter Township is desirous of improving the Herbert Steih Park with a Michigan Department of Natural Resources (MDNR) Trust Fund grant; and

**WHEREAS**, this improvement is consistent with the goals and objectives of the Monitor Charter Township Five Year Park and Recreation Plan; and

**WHEREAS**, a public comment session was held on Monday February 10, 2020 at the Monitor Charter Township Hall to provide an opportunity for citizens to comment on the proposed park improvements; and

**WHEREAS**, Monitor Charter Township has committed a cash donation for the local match of \$155,000.00 for the grant; and

**WHEREAS**, Monitor Charter Township is requesting through an application to have the Department of Natural Resources Trust Fund grant the project with \$300,000.00.

**NOW THEREFORE BE IT RESOLVED**, that the Board of Trustees of Monitor Charter Township hereby approve submittal of a grant application to the Michigan Department of Natural Resources Trust Fund grant for 2020.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

Reconsideration of April 20<sup>th</sup> Meeting Date

Malkin stated it was later discovered after the January 27, 2020 meeting that he also had a conflict with the April 20, 2020 meeting date.

Kowalski stated it was 7-weeks from the December 2019 board meeting to the January 27, 2020 meeting. This is the same timeframe from the March 23, 2020 board meeting to the May 11, 2020 board meeting. A special meeting of the board could be called in the event there is a pressing township matter that required the board's immediate action.

Motion by Kowalski supported by Reder to cancel the April board meeting date previously scheduled for April 20, 2020.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Reder, Walsh

No: Brandt, Kochany

Absent: None

Motion carried.

R-2020-003 Resolution to Set an Alternate Date for the March, July or December Board of Review

Motion by Pike supported by Brandt to adopt Resolution R-2020-003, a resolution authorizing an alternate date to be set for the March, July or December Board of Review as allowed by statute as follows:

**RESOLUTION TO SET AN ALTERNATE DATE FOR THE  
MARCH, JULY OR DECEMBER BOARD OF REVIEW**

**WHEREAS**, Section 211.30, Sec. 30 (1) of the General Property Tax Act, Act 206 of 1893, requires the Board of Review shall meet on the second Monday in March; and

**WHEREAS**, Section 211.30, Sec. 30 (2) of the General Property Tax Act, Act 206 of 1893, states the governing body of the township may authorize by adoption of an ordinance or resolution, alternative starting dates in March when the board of review shall initially meet, which alternative starting dates shall be the Tuesday or Wednesday following the second Monday in March; and

**WHEREAS**, Section 53b of the General Property Tax Act, MCL 211.53b, requires a Board of Review that meets in July to meet on Tuesday following the third Monday in July, and a Board of Review that meets in December to meet on the Tuesday following the second Monday in December; and

**WHEREAS**, Public Act 122 of 2008, effective May 9, 2008, allows an alternate July Board of Review meeting date during the week of the third Monday in July; and an alternate December Board of Review meeting date during the week of the second Monday of December; and

**WHEREAS**, it will benefit the residents of Monitor Township to have the assessor available to assist the Board of Review and taxpayers in processing tax appeals and poverty exemptions;

**NOW, THEREFORE, BE IT RESOLVED** that the Monitor Township Board authorizes the alternative starting dates for the March Board of Review shall be the Tuesday or Wednesday following the second Monday in March; and

**BE IT FURTHER RESOLVED** that the Monitor Township Board authorizes the alternative starting date for the July Board of Review shall be held on Wednesday, Thursday or Friday of the week of the third Monday of July; and

**BE IT FURTHER RESOLVED** that the Monitor Township Board authorizes the alternative starting date for the December Board of Review shall be held on Tuesday, Wednesday, Thursday or Friday of the week of the second Monday of December.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

Fire Chief Recommendation – Resignation of Firefighter M. Killinger

Motion by Brandt supported by Walsh to accept the resignation of firefighter M. Killinger effective January 30, 2020 as recommended in the Fire Chief’s letter to the board dated January 31, 2020.

Motion carried.

Supervisor Recommendation – DDA Appointments

Motion by Reder supported by Walsh to reappoint W. Bartlett and appoint P. DeSham to the DDA Board for the term of office commencing on April 1, 2020 and ending on March 31, 2024 as recommended by the Supervisor in his letter to the board dated January 27, 2020.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

Rowe Professional Services Company Proposal for Township Hall Architectural Design Survey

Motion by Kowalski supported by Reder to approve the proposal submitted by Rowe Professional Services Company to do an architectural design survey of the township hall in the amount of \$5,878 as submitted in their letter to the board dated February 10, 2020.

Roll call vote:

Yes: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh

No: None

Absent: None

Motion carried.

H. Miller 1600 S. Euclid

Malkin stated the police were called last week regarding a dispute between Mr. H. Miller, 1600 S. Euclid and Mr. D. Jones, Clover Ln. As a result of this altercation, it was discovered Miller

sold the required 2012, 12-ft. setback property back to Mr. Jones on the same day he purchased the property.

Miller recorded his deed for the purchase of the property. Mr. Jones has not recorded his quit claim deed when he purchased the property back from Miller. Both quit claim deeds were prepared by Miller, contained the same witness signatures, and notarized by the same individual. Attorney Sheppard gave a history of the events of 2012 which necessitated the re-approval of the 2011 site plan for 1600 S. Euclid.

Sheppard stated the Planning Commission has spent months recently with this property and all agreements, special use approvals and site plans submitted to date have shown, or been contingent upon, Miller having the 12-ft. setback property.

Now the question becomes do we take this matter back to court given the recent court case regarding this property?

Board consensus was to direct Sheppard to notify the judge regarding these recent events and the information the township has received.

### REPORTS

Report from Spicer Re: EGLE SRF Sewer Project – D. Scherzer stated the administrative officials, DWS and Spicer personnel met with representatives from EGLE to discuss the requirements of the SRF loan submittal for the sewer rehabilitation project. Scherzer stated this meeting was requested in December 2019. Scherzer stated as a result, Spicer is running behind schedule but will do all they can to meet this year's submittal deadline.

The meeting adjourned at 8:05 p.m.

Cindy L. Kowalski, Clerk

Ken Malkin, Supervisor