

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
JUNE 26, 2017

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

Members present: Malkin, Kowalski, Pike, Brandt, Kochany, Reder, Walsh
Members absent: None

The Pledge of Allegiance was recited by all present.

Public Input opened at 7:01 p.m.

T. Burger, 4792 E. Westgate, stated he was at the meeting to follow-up on a conversation with the Supervisor regarding the storm water and sewer system in Westgate. Burger referenced a 2012 Bay City Times article when there were claims submitted for subdivision flooding. Of the 49 claims submitted, all were rejected. Burger stated defects were found at that time, were investigated and repaired. He is upset that at the last rain event there was flooding and he experienced sewage in his home. Burger stated there are more improvements that are needed.

R. Letson, 4823 W. Westgate, stated his driveway apron was replaced when the road improvements were done and now it is cracked.

V. Erlenbeck, 4791 E. Westgate, stated he too had water damage and is in the process of tearing out drywall as a result of 6 inches of water in his basement.

P. Burger, 4792 E. Westgate, asked what is being done to correct the problem.

Malkin replied he is already investigating the storm water and sewage backup problem with DWS and the township engineer. He stated he went out to Westgate more than once on Friday to follow-up with residents concerning the flooding.

D. Wrenn, 59 Westside Saginaw Rd., stated she empathized with the people in Westgate. She has had issues with water for the last 10 yrs. due to the neighbors property being built at a higher elevation and water runoff flooding her property. She is also investigating with MDOT to see if a connection was not made when M-84 was widened. Wrenn also stated there is an issue with building permits not being pulled for all the buildings on the neighbor's property and the new home and buildings not being put on the assessment roll.

J. Krueger, 2450 Salzburg Rd., stated she was at the meeting with the Wrenns's as support. Malkin stated he is well aware of the situation. The township has investigated the permit and assessment issues and enforcement of the township ordinances is in process.

D. Webb, 4841 E. Westgate, stated he met with Malkin and a representative from the Road Commission Friday morning regarding the flooding. Webb believes the sub-contractor did not install the drainage improvements correctly. He also would like DWS to provide claim forms. Malkin stated he will follow-up and review the inspection reports from when the work was done as well as with the Road Commission and DWS.

Mr. Webb stated he installed a backflow preventer after the 2012 flooding when he had sewage in his basement. Webb stated the pressure was so high on Friday morning, it blew out the O-rings on his check valves and he had sewage again in his home.

T. Gatza, 4810 W. Westgate stated they are being assessed for drainage improvements but asked what was really corrected given the flooding problems they had in the subdivision.

T. Burger stated at 3:30 a.m. Friday morning the Mill Pond drain was not full when the subdivision was experiencing flooding.

More residents expressed that at 5:00 a.m. sewage was shooting up from the manholes.

T. Burger stated he spoke with Ed Carstens regarding turning on the pumps in 2012. Burger believes by doing so it caused other homes to have sewage in their basements.

Kochany stated she remembers there was a sewage problem in 2012 and the county was supposed to have investigated and correct the sewage problem on Midland Rd.

P. Burger stated the residents of Westgate expressed their concern that the drainage issues needed to be addressed before the new road was put in. She feels she should not have to pay the special assessment because the drainage did not handle the load.

Pike suggested the supervisor could report back at the next meeting what he found out from DWS, the Road Commission and the township engineer regarding the issues along Midland Rd., and Westgate.

T. Spencer, 2060 Reppuhn Dr., stated every time it rains he has a big puddle at the base of his driveway that he did not have before the road was done last year.

Malkin stated that area has been brought to his attention and he has the township engineer exploring two options to correct the issue.

Mr. Spencer also voiced concern regarding the new requirement that our township Deputy's report for roll call before patrolling in the township. Spencer stated the lost time to drive from the Sheriff's department to the township is costing the township money for service that is not being provided.

Public Input closed at 8:52 p.m.

Motion by Reder supported by Pike to adopt the agenda as presented.

Motion carried.

Motion by Reder supported by Brandt to approve the minutes of the June 12, 2017 regular meeting as presented.

Motion carried.

Motion by Reder supported by Walsh to pay the bills in the amount of \$40,490.99 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 May, 2017.
Motion carried.

Landscaping Plan for Steih Park from the Conservation District

J. Roszatycki presented a proposed landscaping plan for Steih Park associated with the Kawkawlin River grant.

Board members expressed concern the tree and shrubs may block view of the river from the parking area. The administrative officials will meet tomorrow with T. Lewandowski to discuss the proposed plantings.

Associated with the discussions was the report from the Supervisor that the fishing dock at Steih Park has been swept away in the river flooding and now rests in a neighboring property.

Bid Award for 2017 Pipe & Manhole Repair Project

Motion by Reder supported by Brandt to award the bid to replace manhole covers to Liquiforce in the total bid amount of \$107,706 as recommended by Spicer as the first phase of the SAW rehabilitation project.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Personnel Committee recommendation regarding Township Assessor

Township Assessor T. Fackler presented a proposal to the township board whereby the township could potentially save money and increase assessing services. Fackler proposed the township hire a Level II assessor to work four (4) days/wk (approximately 28 hrs.) as his assistant to do a lot of the imputing and clerical duties and reduce the number of days he would work at the township from three (3) days to ultimately one (1) day/week.

Fackler stated the idea came about from recent discussions he had with Bangor Township where their Level III assessor is retiring and the Level II assessor did not wish to advance to a Level III. Fackler suggested Monitor take a proactive approach by hiring a Level II assessor who would work toward becoming a Level III assessor to replace him when he retires. Fackler stated his salary would be reduced for this position.

Board members concurred this would be of benefit for long term planning provided it could be done at, or near, the current budget.

Motion by Pike supported by Reder to authorize the Personnel Committee to advertise for a Level II assessor.

Roll call vote:

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

No: None

Absent: None

Motion carried.

Draft Hazardous Structure Ordinance

The Supervisor introduced a Dangerous Building Ordinance he has been working on with the township attorney to replace the Hazardous Structure Abatement policy that was adopted by the township many years ago. The Dangerous Building Ordinance is modeled after a state legislative provision for the purpose of dealing with vacant buildings that would pose a health and safety threat to our community.

Board members agreed the current policy is extremely cumbersome and does not address all situations where a building could be dangerous but the building itself was sound. Modifications of the draft ordinance were suggested to include definitions for the enforcement and hearing officers as well as the deletion of the requirement for property owners to notify the township or law enforcement if a building would be vacant or unoccupied for more than 180 days.

An amended draft of the ordinance will be provided for board consideration at the next meeting.

The Public Hearing to confirm the special assessment roll for Holly Springs Storm Water Phases 1 & 2 and to confirm the special assessment roll for Holly Springs Streetlights Phases 1 & 2 opened at 9:12 p.m. No public were present to speak and the public hearings were closed.

R-2017-021 Resolution Confirming SA Roll – Holly Springs Storm Water Phases 1 & 2
Motion by Brandt supported by Kochany to adopt Resolution R-2017-021, a resolution confirming the special assessment roll for Holly Springs Subdivision Storm Water System Phases 1 & 2.

**RESOLUTION CONFIRMING
SPECIAL ASSESSMENT ROLL FOR A STORM WATER SYSTEM
FOR HOLLY SPRINGS SUBDIVISION PHASES I & II**

WHEREAS, at its regularly scheduled meeting held May 8, 2017, this Township Board adopted a Resolution of Intent to Proceed with the creation of a special assessment district to provide funding for future maintenance of a storm water system in the Holly Springs Subdivision Phase I & II; and

WHEREAS, after proper notice a public hearing was held at 7:00 p.m. on the 22nd day of May, 2017 and the Monitor Township Board did thereafter adopt a Resolution Creating Special Assessment District After Public Hearing for Holly Springs Subdivision Phases I & II; and

WHEREAS, the Assessor has prepared a special assessment roll of all parcels to be included in the special assessment district and filed said roll with the Clerk; and

WHEREAS, pursuant to proper notice as provided in Section 4(a) of Act 188 of 1954, a public hearing was held at a regular meeting of the Township Board held on the 26th day of June, 2017 at 7:00 p.m. to review the roll and to hear any objections to said roll; and

WHEREAS, no written objections to the roll having been timely filed with the Clerk;

NOW THEREFORE BE IT RESOLVED that the special assessment roll as prepared by the Assessor as it relates to this project is hereby confirmed.

NOW THEREFORE BE IT RESOLVED that the Township shall recoup its out-of-pocket expenses including professional fees, publication and public notice expenses associated with, and directly attributable to, the creation of the special assessment.

BE IT FURTHER RESOLVED that the assessment set by the adoption of Resolution R-2014-022 for the storm water system for Phase I in 2015 & 2016 of \$3,650.54, less the township costs to create said special assessment district of \$317.20 for Phase I, shall be applied to the new storm water system special assessment of \$6,000 for Phases I & II.

BE IT FURTHER RESOLVED the remaining balance of \$2,666.66 plus the township out of pocket cost of \$601.72 to create the storm water system special assessment district for Phases I & II, be set at a total assessment of \$3,268.38 for the tax year 2017 and that this assessment shall be spread on a per lot basis of \$57.34 over land legally described as:

LOTS 1 - 57 OF HOLLY SPRINGS SUBDIVISION (Phases I & II)

BE IT FURTHER RESOLVED, in the event that the Township shall incur no maintenance expenses in 2017 as a result of maintenance being performed by the Holly Springs Home Owners Association, or otherwise, the annual assessment shall be reduced to One Hundred Dollars (\$100.00) per year in 2018 and thereafter until modified by this Board.

BE IT FURTHER RESOLVED that in the event that, as a result of neglect or failure to properly maintain the above referenced improvements, it is anticipated that the total assessment levied against all of the property within the district boundaries would be increased by any amount in excess of \$100.00 per year, then and in that event, Monitor Township shall provide written notice to the record owners of the land within the district by regular first class mail at least ten (10) days prior to the meeting where such redetermination could be considered. Such interested owners would then be provided an opportunity to address the Board regarding the necessity of the increase in the total assessment to be levied.

Roll call vote:

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

No: None

Absent: None

Motion carried.

R-2017-022 Resolution Confirming SA Roll – Holly Springs Streetlights Phase 1 & 2

Motion by Brandt supported by Walsh to adopt Resolution R-2017-022, a resolution confirming the special assessment roll for Holly Springs Subdivision Streetlights Phases 1 & 2.

**RESOLUTION CONFIRMING
SPECIAL ASSESSMENT ROLL
FOR HOLLY SPRINGS SUBDIVISION (PHASES I & II)
STREET LIGHT MAINTENANCE**

WHEREAS, at its regularly scheduled meeting held May 22, 2017, this Township Board adopted a Resolution of Intent to Proceed with the creation of a special assessment district to provide funding for future maintenance of nine (9) street lights within the Holly Springs Subdivision (Phases I & II).

WHEREAS, the Supervisor has prepared a special assessment roll of all parcels to be included in the special assessment district and filed said roll with the Clerk; and

WHEREAS, pursuant to proper notice as provided in Section 4 (a) of Act 188 of 1954, a public hearing was held at a regular meeting of the Township Board held on the 26th day of June, 2017 at 7:00 p.m. to review the roll and to hear any objections to said roll; and

WHEREAS, no written objections to the roll having been timely filed with the Clerk;

NOW THEREFORE BE IT RESOLVED that the Township shall recoup its out of pocket expenses associated with and directly attributable to the creation of the special assessment district from the proceeds of the assessment.

BE IT FURTHER RESOLVED that the total assessment be initially set at \$523.83, plus township costs of \$551.19 for a total of \$1,075.02 for the first year's assessment and may thereafter be modified by the Township Board without further notice to the Public.

BE IT FURTHER RESOLVED, that the special assessment roll as prepared by the Supervisor as it relates to this project is hereby confirmed.

IT IS FURTHER RESOLVED that the Clerk shall endorse the assessment roll with the date of the confirmation.

Roll call vote:

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

No: None

Absent: None

Motion carried.

R-2017-023 Resolution Setting an Alternate Date for July & December Board of Review

Motion by Kowalski supported by Kochany to adopt Resolution R-2017-023, a resolution setting an alternate date for the July and December Board of Review.

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

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 Wednesday of the week of the third Monday of July and Wednesday of the week of the second Monday of December have been selected as the meeting days of the 2017 Board of Review by the Monitor Township Board on 26 June 2017.

Roll call vote:

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

No: None

Absent: None

Motion carried.

REPORTS

The township engineer D. Scherzer reported he is still in the process of setting up a meeting with J. Marter from DWS to discuss the water treatment plant transmission line proposal.

The meeting adjourned at 9:19 p.m.

Cindy L. Kowalski, Clerk

Ken Malkin, Supervisor