

**PENNFIELD CHARTER TOWNSHIP
BOARD MEETING MINUTES
AUGUST 11, 2015**

Supervisor Behnke called the meeting to order at 6:00 PM at the Pennfield Middle School Cafeteria. Present were Supervisor Behnke, Clerk Case, Treasurer Phillips, Trustees Beard, Damerow, Harris and Skelding. Supervisor Behnke led the Pledge of Allegiance.

CITIZEN/PUBLIC COMMENT

Steve Frisbie, Calhoun County Commissioner, was asking for feedback on our local road project. A business owner spoke about the neighboring property regarding the sink holes that have appeared on the property.

PRESENTATIONS/PROCLAMATIONS

None

ADDITIONS/DELETIONS TO THE AGENDA

It was moved by Treasurer Phillips and supported by Trustee Damerow to approve the Agenda. **Motion carried.**

APPROVAL OF CONSENT AGENDA

It was moved by Treasurer Phillips and supported by Trustee Damerow to approve the Consent Agenda as presented. **Motion carried.** The Consent Agenda consists of the following items:

1. Meeting minutes of July 14, 2015
2. Utilities Division monthly report – see addendum
3. Code Compliance monthly report – see addendum
4. Permits Department monthly report – see addendum
5. Assessors Department monthly report – see addendum
6. Cemetery Department monthly report – see addendum
7. Zoning/Township monthly report
8. SAW Grant monthly report
9. Life Care ambulance monthly report

DEPARTMENT REPORTS

POLICE: Lt. Wiersma was present from the Calhoun County Sheriff's Department to give the monthly report. The monthly stats are as follows: 152 traffic citations, 297 verbal warnings, 16 traffic crashes, 128 arrests, 57 self generated complaints, 243 dispatched complaints and 1,085 property inspections.

FIRE: Chief Smith was present from the Fire Department to give the monthly report. The monthly stats are as follows: 4 fires, 68 rescue & medical emergencies, 8 hazardous conditions, 4 service calls, 7 good intent calls and 1 false alarm.

UNFINISHED BUSINESS

1. It was moved by Treasurer Phillips and supported by Trustee Damerow that Pennfield Charter Township Ordinance #203-07-15 be placed back on the table for consideration. **Motion carried.**
2. It was moved by Treasurer Phillips and supported by Trustee Damerow that Pennfield Charter Township Ordinance #203-07-15 be adopted as presented. **Motion carried.**
3. **Adoption of Pennfield Charter Township Ordinance #203-07-15.**

FULL ORDINANCE TO FOLLOW AT THE END OF MEETING MINUTES

Moved by: Treasurer Phillips

Supported by: Trustee Damerow

Supervisor Behnke – Yes

Trustee Beard – Yes

Clerk Case – Yes

Trustee Damerow – Yes

Treasurer Phillips – Yes

Trustee Harris – Yes

Trustee Skelding – Yes

Vote shows 7 yes, -0- no. **Ordinance #203-07-15 is adopted.**

4. It was moved by Treasurer Phillips and supported by Trustee Damerow that Pennfield Charter Township Resolution #15-43 be placed back on the table for consideration. **Motion carried.**
5. It was moved by Treasurer Phillips and supported by Trustee Damerow that Pennfield Charter Township Resolution #15-43 be adopted as presented. **Motion carried.**
6. **Adoption of Pennfield Charter Township Resolution #15-43.**

**PENNFIELD CHARTER TOWNSHIP RESOLUTION #15-43
(a Resolution establishing water connection fees associated
with fire suppression systems)**

BE IT RESOLVED, that the Pennfield Charter Township Board hereby establishes the following water connection fees associated with fire suppression systems as outlined under Section 54-42 of Pennfield Charter Township Ordinance #203-07-15 of 2015:

<u>LINE SIZE</u>	<u>CONNECTION FEE CHARGE</u>
¾" or smaller	\$ 425.00
1"	\$ 715.00
1 ½"	\$ 1,425.00
2"	\$ 2,275.00
3"	\$ 4,260.00
4"	\$ 7,090.00
6"	\$ 14,185.00
8"	\$ 22,690.00

Moved by: Treasurer Phillips

Supported by: Trustee Damerow

Supervisor Behnke – Yes

Trustee Beard – Yes

Clerk Case – Yes

Trustee Damerow – Yes

Treasurer Phillips – Yes

Trustee Harris – Yes

Trustee Skelding – Yes

Vote shows 7 yes, -0- no. **Resolution #15-43 is adopted.**

NEW BUSINESS

1. Adoption of Ordinance #204-08-15.

PENNFIELD CHARTER TOWNSHIP ORDINANCE #204-08-15 OF 2015

AN ORDINANCE TO AMEND THE PENNFIELD CHARTER TOWNSHIP CODE OF ORDINANCES TO ESTABLISH AND REGULATE TRUCK TRAFFIC ROUTES; TO PROHIBIT TRUCK TRAFFIC ON OTHER ROADS; AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF.

THE CHARTER TOWNSHIP OF PENNFIELD, CALHOUN COUNTY, MICHIGAN ORDAINS:

SECTION 1. Article IV of Chapter 50 of the Pennfield Charter Township Code is hereby created to read as follows:

ARTICLE IV. TRUCK TRAFFIC ROUTES

50-71. Purpose. *The purpose of this Article is to establish and regulate truck traffic routes to further the betterment of traffic flow, to protect road infrastructure and to mitigate the negative*

impact truck traffic can have on the community, particularly residential areas, and to do so in a manner that will not result in the diversion of truck traffic onto a border highway; prohibit truck traffic on other roads; and provide penalties for the violation thereof.

50-72. Definitions.

- A. **Engine brake** means an engine compression release device used to assist in slowing the truck, commonly known as “Jake Brake”.
- B. **Implement of husbandry** means every vehicle that is designed for agricultural purpose and exclusively used by the owner thereof in the conduct of agricultural operations.
- C. **Road** means any street, highway or route within Pennfield Charter Township.
- D. **Semi-trailer** means every vehicle with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by some other vehicle.
- E. **Trailer/fifth wheel** means every vehicle with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle.
- F. **Truck** means every motor vehicle that is designed, used or maintained primarily for the transportation of property.
- G. **Truck-tractor** means every motor vehicle designed and used primarily for drawing other vehicles, and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.
- H. **Person** includes an agency, company, organization, firm, association, partnership, joint venture, corporation, trust or equivalent entity or a combination of any of them as well as a natural person.

50-73. Rule of construction. Any word or term not defined herein shall be considered to be defined in accordance with its common or standard definition.

50-74. Truck routes. The following roads in Pennfield Charter Township, to the exclusion of all other roads, are hereby designated as truck routes and classified for truck traffic:

Road Name	Segment
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North-South Roads

NORTH AVENUE	Between Roosevelt Avenue and the Township line
M-66	Between Park Avenue and Baseline Road
12 MILE ROAD	Between Gorsline Road and L Drive North (Township line)

11 MILE ROAD	Between Gorsline Road and L Drive North (Township line)

East-West Roads

MORGAN ROAD	Between North Avenue and M-66 (Capital Avenue, NE)
M-78	Between M-66 (Capital Avenue, NE) and the Township line
GORSLINE ROAD	Between 12 Mile Road and 11 Mile Road
ROOSEVELT AVENUE	Between North Avenue and M-66 (Capital Avenue, NE)
HUNTINGTON ROAD	Between M-66 (Capital Avenue, NE) and 9000 Huntington Road

50-75. Prohibition against travel on other than truck routes. *Except as expressly permitted under this Article, no person shall operate a truck or truck-tractor and semi-trailer or truck-tractor and trailer combination, or truck and trailer combination with a combined carrying capacity over five (5) tons in Pennfield Charter Township on any road other than a designated truck route.*

50-76. Prohibition against the use of engine brakes. *The Township Board shall by resolution designate areas within which the use of engine brakes shall be prohibited. These areas shall be posted with appropriate signage indicating “No Engine Brake.”*

50-77. Exemptions. *The truck route limitations prescribed in this Article shall not apply to:*

- A. *Fire trucks or other emergency vehicles or vehicle on emergency business involved in the saving of life or property, or*
- B. *Implements of husbandry incidentally moved upon a road, or*
- C. *Road repair, construction or maintenance vehicles while involved in the repair, construction or maintenance of roads within the Township, or*
- D. *Garbage service vehicles while involved in the provision of services to residents of the Township.*

50-78. Deliveries, service calls. *A vehicle that would otherwise be restricted to truck routes and which is being used to make deliveries or service calls, including those utilized to pick up goods or merchandise, in the Township, or to properties abutting the Township in adjoining municipalities, on roads other than designated truck routes shall restrict its travel to a minimum and shall not be driven or moved on other than truck routes except when being used to make such deliveries or service calls within the Township, or to those properties abutting the Township in*

adjoining municipalities. Said vehicle shall be driven in such a manner as to leave a permitted truck route and proceed to its destination or destinations in the Township or abutting properties in other municipalities by the most direct permitted truck route or leave the Township by the most direct route. This section, however, shall not be construed to permit, nor shall permit, vehicles to make such deliveries or service calls upon roads other than those designated as truck routes if such deliveries or service calls are made to support the principal use located upon a parcel of property.

50-79. Leaving or returning to home or place of business. *Nothing herein contained shall prevent a truck or truck-tractor and semi-trailer, or truck tractor and trailer combination, or truck and trailer combination from leaving or returning to its customary storage location at the owner or operator's personal residence, or a commercial or industrial location in the Township, provided the most direct route to and from a designated truck route is utilized.*

50-80. Special permits. *The Township Board shall have authority to grant a written permit in special cases that would otherwise be in violation of the provisions of this Article. Such permits, however, shall not be given for more than one (1) round trip, and in no case shall a permit be valid for a longer period than ten (10) days from the date of issue. Said permit shall describe the vehicle, the time and dates of travel, and the route to be taken by the vehicle. **The Township Board shall, by resolution, set a fee for special permits.***

50-81. Signs. *The Township Board shall procure and have posted appropriate signs along the designated truck routes as required by the laws of the State of Michigan.*

50-82. Penalties. *Any person, partnership, firm, association or corporation who shall violate this Article shall be deemed responsible for a municipal civil infraction and subject to payment of a civil fine of not less than \$50 nor more than \$500 plus costs and other sanctions for each violation. Each day on which any violation of this Article continues constitutes a separate offense and shall be subject to penalties or sanctions as a separate offense.*

50-83. Administrative liability. *No officer, agent, or employee of Pennfield Charter Township, or member of the Township Board shall render him/herself personally liable for any damage that may accrue to any person as a result of any act, decision, or other consequence or occurrence arising out of the discharge of his/her duties and responsibilities pursuant to this Article.*

SECTION 2. REPEAL. All ordinances or parts of law in effect that are in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Pennfield Charter Township hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4. SAVINGS. A prosecution which is pending on the effective date of this ordinance and which arose from a violation of an ordinance repealed by this ordinance, or a prosecution which is started within one (1) year after the effective date of this ordinance arising from a violation of an ordinance repealed by this ordinance and which was committed prior to the effective date of this ordinance, shall be tried and determined exactly as if the ordinance had not been repealed.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon its publication, or publication of a summary, which publication shall occur in a newspaper of general circulation in the Township within thirty (30) days after adoption.

This Ordinance is hereby declared to have been passed and adopted by the Charter Township of Pennfield, County of Calhoun, State of Michigan, at a regularly scheduled meeting thereof duly called and held on this 11th day of August, 2015.

Moved by: Treasurer Phillips

Supported by: Trustee Damerow

Supervisor Behnke – Yes

Trustee Beard – Yes

Clerk Case – Yes

Trustee Damerow – Yes

Treasurer Phillips – Yes

Trustee Harris – Yes

Trustee Skelding – Yes

Vote shows 7 yes, -0- no. **Ordinance #204-08-15 is adopted.**

2. Adoption of Pennfield Charter Township Resolution #15-47.

PENNFIELD CHARTER TOWNSHIP RESOLUTION #15-47

(a Resolution establishing a Special Permit fee of \$500.00 associated with Section 50-80 of Pennfield Charter Township Code of Ordinance #204-08-15 of 2015)

BE IT RESOLVED, that the Pennfield Charter Township Board hereby approves a Special Permit fee of \$500.00 associated with Section 50-80 of Pennfield Charter Township Code of Ordinance #204-08-15 of 2015.

Moved by: Treasurer Phillips

Supported by: Trustee Damerow

Supervisor Behnke – Yes

Trustee Beard – No

Clerk Case – Yes

Trustee Damerow – Yes

Treasurer Phillips – Yes

Trustee Harris – Yes

Trustee Skelding – Yes

Vote shows 6 yes, 1 no. **Resolution #15-47 is adopted.**

TREASURER'S MONTHLY REPORT

July, 2015 monthly report shows the following balances:

General Fund	\$766,164.21
Metro Act – Maint.	\$21,252.09
Parks	\$13,539.90
Public Safety	\$3,082.06
Sewer	\$857,686.98
Sewer – SAW Grant	(\$95,035.01)
Water	\$944,964.13
Trust & Agency	\$6,701.62
Tax Collection	\$184,989.34
TOTAL:	\$2,703,345.32

It was moved by Trustee Beard and supported by Trustee Damerow to approve the Treasurer's Report. **Motion carried.**

PAYMENT OF MONTHLY BILLS

It was moved by Treasurer Phillips and supported by Trustee Damerow to approve the payment of the monthly bills in the amount of \$153,321.83. **Motion carried.**

EXTENDED PUBLIC COMMENTS

None

TOWNSHIP BOARD MEMBER COMMENTS

Trustee Skelding: The new roads look nice. Granddaughter went into the Air Force

Trustee Harris: None

Clerk Case: None

Treasurer Phillips: The move from Comerica Bank to Chemical Bank is now complete.

The Twp. office now accepts credit cards through Point & Pay.

Trustee Damerow: The lift station in her neighborhood has been mowed and looks good.

Trustee Beard: Is a new grandpa again.

ANNOUNCEMENTS MADE BY CHAIRPERSON

The next regularly scheduled Township Board meeting will be September 8, 2015. The next monthly recycling weekend will be August 29th and 30th. The Township Office will be closed on Monday, September 7th for Labor Day.

CLOSED SESSION

It was moved by Treasurer Phillips and supported by Trustee Damerow for the Township Board to go into a Closed Session. **Motion carried.**

It was moved by Treasurer Phillips and supported by Trustee Damerow for the Township Board to go back into Open Session. **Motion carried.**

It was moved by Trustee Beard and supported by Trustee Skelding to re-submit bids by October 1st for the Zoning Administrator position. The Committee will review resumes and submit to the Board for review and selection. A Roll call vote was taken.

Supervisor Behnke – No
Clerk Case – No
Treasurer Phillips – Yes

Trustee Beard – Yes
Trustee Damerow – No
Trustee Harris – No
Trustee Skelding – Yes

Vote shows 3 yes and 4 no. **Motion defeated.**

A motion was made by Treasurer Phillips and supported by Trustee Damerow to adjourn the Meeting at 7:49 PM. **Motion carried.**

Robert P. Behnke, Jr. – Supervisor

Kathleen R. Case – Clerk

ADDENDUM A – DEPARTMENT REPORTS

UTILITIES

The stats for the month of July, 2015 are as follows: 1,200 meter reads, 15 corrective work orders and 12 Miss Digs.

CODE ENFORCEMENT

The following was completed for the month of July, 2015:

1. Conducted property inspections for new complaints and follow up inspections of previous complaints.
2. Received 49 new complaints: 3 front yard parking, 28 grass, 6 inoperable vehicles, 9 junk & trash, 3 Township Ordinance.

ASSESSOR

The following was completed for the month of July, 2015:

1. All Homestead, Property Transfer Affidavits & Deeds are current. There were 6 transfers of property for the month: 3 were regular sales and 3 were foreclosure related.
2. Visited properties to update photo & sketching records.
3. Conducted July Board of Review to add Homestead & Veteran Exemptions
4. Answered description & split questions from property owners.

CEMETERY

2 Burials	\$1,100.00
3 Burial of Ashes	\$1,250.00
3 Foundations	\$600.00
TOTAL:	\$2,950.00

PERMITS

10 Building Permits	\$2,187.40
7 Electrical Permits	\$1,064.00
9 Mechanical Permits	\$1,108.00
5 Plumbing Permits	\$672.00
1 Zoning Permit	\$70.00
TOTAL:	\$5,101.40

