

**PENNFIELD CHARTER TOWNSHIP
REGULAR MEETING MINUTES
FEBRUARY 10, 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 and Skelding. Trustee Harris was excused. Supervisor Behnke led the Pledge of Allegiance. There were seven residents present.

CITIZEN/PUBLIC COMMENT

Dan Jinks, President of the Sportsmans Club of Battle Creek, was present to introduce himself.

PRESENTATIONS/PROCLAMATIONS

None

ADDITIONS/DELETIONS TO THE AGENDA

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

1. Meeting minutes of January 13, 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. Weirsma was present from the Calhoun County Sheriff’s Department to give the monthly report. The monthly stats are as follows: 93 traffic citations, 208 verbal warnings, 21 traffic crashes, 69 arrests, 46 self generated complaints, 186 dispatched complaints and 1,742 property inspections.

FIRE: Chief Smith was present from the Fire Department to give the monthly report. The monthly stats are as follows: one fire, 48 rescue & medical emergencies, five hazardous conditions, three service calls, one false alarm & false call and one special incident type.

UNFINISHED BUSINESS

1. Proposed Truck Route Ordinance
2. Proposed updates to Water/Sewer Ordinances
3. Proposed Rental, Vacant property, Property maintenance Ordinances
4. Zoning Administrator/Website Administrator position

NEW BUSINESS

1. Adoption of Pennfield Charter Township Ordinance 107C-02-15

PENNFIELD CHARTER TOWNSHIP ORDINANCE 107C-02-15 OF 2015

AN ORDINANCE TO AMEND THE PENNFIELD CHARTER TOWNSHIP CODE OF ORDINANCES SO AS TO ALLOW OUTDOOR, FREESTANDING, SOLID FUEL-BURNING APPLIANCES TO BE USED WITHIN COMMUNITY COMMERCIAL (C-2) AND CAPITAL BUSINESS (CBD) DISTRICTS

THE CHARTER TOWNSHIP OF PENNFIELD ORDAINS:

SECTION 1. Section 22-1(a)(6) of the Pennfield Charter Township Code of Ordinances is hereby amended to read as follows:

(6) *The installation and operation of an outdoor, freestanding, solid fuel-burning appliance that burns wood, coal, corncobs, wood chips, paper pallets, agricultural products, or other solid fuel in any zoning district within the Township, except within the following zoning districts according to the following restrictions:*

(a) *Unplatted R-1 Low Density Residential, AGP Agricultural Preservation, and AG Agricultural Districts.*

(b) *C-2 Community Commercial and CBD Capital Business Districts on properties having a minimum lot size of five (5) acres provided that such solid fuel burning appliances are located no nearer than one hundred (100) feet to the closest property line.*

(c) *Unplatted R-2 Medium Density Residential Districts subject to the following limitations:*

(i) *The lot upon which the burner is located and operated shall have at least 200' of road frontage and be at least two acres in size;*

(ii) *The burner shall be designed and used only for the purpose of heating in ground*

swimming pools;

(iii) Operation of the burners is limited to May 1 to October 1 of the year; and

(iv) Chimney height shall extend at least 24 inches above the roof of the housing unit.

(d) In R-1 Low Density Residential, AGP Agricultural Preservation and AG Agricultural Districts, the chimney height and set-back restrictions shall be in compliance with the manufacturer's guidelines or, if there are none, the chimney height shall be at least two feet above the roof line of the highest structure within two hundred feet. In C-2 commercial and CBD capital business districts, the chimney height shall be in compliance with the manufacturer's guidelines or, if there are none, the chimney height shall be at least two feet above the roof line of the highest structure within three hundred feet not served by the furnace. Chimney stacks for all solid fuel burning appliances shall have a spark arrester installed at the top of the chimney. Proper permit(s) shall be obtained from the Township prior to the installation of any outdoor, freestanding, solid fuel-burning appliance, including any outdoor furnace, outdoor boiler or outdoor stove. This subsection shall not be deemed to bar, limit, or otherwise affect the rights of any person to take private legal action regarding damage or nuisance caused by the use of a freestanding, solid fuel-burning appliance.

SECTION 2. SAVINGS CLAUSE. 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 3. SEVERABILITY OF INVALID PROVISIONS. If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

SECTION 4. REPEAL. All ordinances or parts of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect on the date of publication pursuant to MCL 42.22, which publication shall take place within thirty days from the date of adoption and shall be in a local newspaper of general circulation.

Moved by: Trustee Damerow

Supported by: Trustee Beard

Supervisor Behnke – Yes

Trustee Beard – Yes

Clerk Case – Yes

Trustee Damerow – Yes

Treasurer Phillips – Yes

Trustee Harris – Excused

Trustee Skelding – Yes

Vote shows 6 yes, -0- no, and 1 excused. **Ordinance 107C-02-15 of 2015 is adopted.**

2. Approval to negotiate agreements for summer tax collection

It was moved by Trustee Damerow and supported by Trustee Beard to authorize the Township Treasurer to negotiate agreements for summer tax collection with the following School Districts: Pennfield Schools, Harper Creek Schools, Battle Creek Schools and the Calhoun County Intermediate School District. **Motion carried.**

3. Adoption of Pennfield Charter Township Resolution 15-03

PENNFIELD CHARTER TOWNSHIP RESOLUTION 15-03

(a Resolution amending the current water & sewer consumption rates and readiness to serve charges as of April 1, 2015)

WHEREAS, the Township Board recognizes its legal responsibility to maintain appropriate rates with both the water fund and the sewer fund, so

THEREFORE BE IT RESOLVED, that the Township Board hereby approves and adopts the following rate structures effective April 1, 2015:

Water Consumption Rate \$3.61 per 100 cubic feet

Sewer Consumption Rate \$2.76 per 100 cubic feet

Sewer Flat Rate \$42.52

Meter Size	Readiness to Serve for Sewer Accounts	Readiness to Serve for Water Accounts
5/8" residential & commercial	14.92	10.56
3/4" residential & commercial	14.92	10.56
1" commercial	37.29	26.39
1 1/2" commercial	74.57	52.76
2" commercial	119.30	84.43
3" commercial	223.69	158.30
4" commercial	372.80	263.83
6" commercial	745.58	527.64
8" commercial	1,192.91	844.22
10" commercial	1,714.82	1,213.55

Moved by: Trustee Damerow

Supported by: Trustee Beard

Supervisor Behnke – Yes

Trustee Beard – Yes

Clerk Case – Yes

Trustee Damerow – Yes

Treasurer Phillips – Yes

Trustee Harris – Excused

Trustee Skelding – Yes

Vote shows 6 yes, -0- no, and 1 excused. **Resolution #15-03 is adopted.**

4. Adoption of Pennfield Charter Township Resolution 15-04

**PENNFIELD CHARTER TOWNSHIP RESOLUTION #15-04
(a Resolution authorizing a budget amendment for the Pennfield Charter Township
General Operations Budget for Fiscal Year 2014-2015)**

BE IT RESOLVED, that the Pennfield Charter Township Board hereby approves the following budget amendment for Fiscal Year 2014-2015-

	<u>Debit</u>	<u>Credit</u>
1. Amend expenses to add/increase/decrease line item		
Clerk:		
101-215.000-716.000, Employee Insurance	\$6,000.00	
Elections:		
101-191.000-702.000, Salaries		\$2,200.00
101-191.000-902.000, Advertising		\$1,500.00
101-191.000-956.000, Miscellaneous Expense		\$300.00
101-191.000-977.000, Capital Outlay-Equipment		\$2,000.00
	\$6,000.00	\$6,000.00

Moved by: Trustee Damerow

Supported by: Trustee Beard

Supervisor Behnke – Yes

Trustee Beard – Yes

Clerk Case – Yes

Trustee Damerow – Yes

Treasurer Phillips – Yes

Trustee Harris – Excused

Trustee Skelding – Yes

Vote shows 6 yes, -0- no, and 1 excused. **Resolution 15-04 is adopted.**

5. Presentation from Chief Smith on purchasing a new pumper truck, medical response vehicle and new equipment for fire department personnel.

A presentation was given by Chief Smith on several different financing options to purchase a new fire truck and medical response vehicle and new equipment. The Board decided to not to take any action at this meeting and take action at the March, 2015 Board Meeting.

TREASURER’S MONTHLY REPORT

January, 2015 monthly report shows the following balances on hand:

General Fund	\$441,430.35
Metro Act – Maint.	\$18,968.22
Parks	\$13,037.41
Public Safety	\$3,082.06
Sewer	\$889,289.33
Sewer – SAW Grant	\$3,334.97
Water	\$997,543.44
Trust & Agency	\$6,200.00
Tax Collection	\$697,261.49
TOTAL:	\$3,070,147.27

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

PAYMENT OF MONTHLY BILLS

It was moved by Trustee Damerow and supported by Trustee Beard to approve the payment of the monthly bills in the amount of \$215,004.87. **Motion carried.**

EXTENDED PUBLIC COMMENTS

Steve Frisbie handed out the Tenants & Landlords Guide. Terris Todd introduced himself and stated that he is now the Director of District Relations for State Representative John Bizon.

TOWNSHIP BOARD MEMBER COMMENTS

Trustee Skelding: Would like to start investigating a search for a siren for Fire Station #2. A motion was made by Trustee Skelding and supported by Trustee Beard to investigate the installation of an emergency siren for Fire Station #2. **Motion carried.**

Treasurer Phillips: Winter taxes are due on Tuesday, February 17th.

Clerk Case: Asked the Board if any Trustees are interested in serving on the 2015 Election Commission. A motion was made by Treasurer Phillips and supported by Trustee Beard to appoint Trustee Damerow and Trustee Skelding to the Election Commission for 2015. **Motion carried.**

Trustee Beard: Would like to replace Rob Behnke from the committee to research the Zoning Administrator position. A motion was made by Trustee Beard and supported by Trustee Skelding to form a committee consisting of Treasurer Phillips, Clerk Case and Trustee Skelding to create an RFP for the Zoning Administrator position. **Motion carried.**

ANNOUNCEMENTS MADE BY CHAIRPERSON

The next regularly scheduled Township Board meeting will be March 10, 2015. The next monthly recycling weekend will be February 21st and 22nd. The Township office will be closed on Monday, February 16 for Presidents Day. It was moved by Treasurer Phillips and supported by Trustee Beard to adjourn the meeting at 7:10 PM. **Motion carried.**

Robert P. Behnke, Jr. – Supervisor

Kathleen R. Case – Clerk

ADDENDUM A – DEPARTMENT REPORTS

UTILITIES

The stats for the month of January, 2015 are as follows: 1, 200 meter reads, six corrective work orders and eight Miss Digs

CODE ENFORCEMENT

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

1. Conducted property inspections for new complaints and follow up inspections of previous complaints
2. Received 15 new complaints: one front yard parking, eight inoperable vehicles, six junk & trash

ASSESSOR

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

1. All Homestead, Property Transfer Affidavits & Deeds are current. There were seven transfers of property for the month: six were regular sales and one was foreclosure related
2. Printed & mailed personal property statements
3. Prepared sales analysis for 2015 valuations
4. Miscellaneous phone & in person inquiries about assessments and descriptions

CEMETERY

No activity to report this month

PERMITS

3 Building permits	\$1,930.74
3 Electrical permits	\$450.00
7 Mechanical permits	\$800.00
2 Plumbing permits	\$267.00
TOTAL	\$3,447.74

