

**PENNFIELD CHARTER TOWNSHIP  
REGULAR MEETING MINUTES  
JULY 14, 2015**

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

**CITIZEN/PUBLIC COMMENT**

Residents had questions/comments on the following:

1. Sheriff's Department not patrolling Lynch Road
2. Roads: wash out from neighbors property & drainage not working

**PRESENTATIONS/PROCLAMATIONS**

None

**ADDITIONS/DELETIONS TO THE AGENDA**

It was moved by Trustee Harris and supported by Trustee Skelding to approve the Agenda. **Motion carried.**

**APPROVAL OF CONSENT AGENDA**

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

1. Meeting minutes of June 9 & June 29, 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**: No one was present from the Sheriff’s Department to give the monthly report. The monthly stats are as follows: 123 traffic citations, 239 verbal warnings, 14 traffic crashes, 68 arrests, 49 self generated complaints, 249 dispatched complaints and 1,028 property inspections.

**FIRE**: Chief Smith was present from the Fire Department to give the monthly report. The monthly stats are as follows: 5 fires, 56 rescue & medical emergencies, 23 hazardous conditions, 4 service calls, 3 good intent calls, 2 false alarms and 1 severe weather & natural disaster.

## UNFINISHED BUSINESS

1. Proposed Rental, Vacant Property, Property Maintenance Ordinances
2. Zoning Administrator/Website Administrator position

## NEW BUSINESS

1. **Adoption of Ordinance #203-07-15** - Tabled until next month due to pending changes in the Ordinance.
2. **Adoption of Pennfield Charter Township Resolution 15-43** – Tabled until next month due to pending changes in the Resolution.
3. **Adoption of Pennfield Charter Township Resolution 15-44**

**PENNFIELD CHARTER TOWNSHIP RESOLUTION #15-44  
(a Resolution establishing new rental property security deposit amounts for  
municipal water and/or sewer services)**

**BE IT RESOLVED**, that the Pennfield Charter Township Board hereby sets the new rental property security deposit amounts for municipal water and/or sewer services effective August 1, 2015:

<b>Rental Property/Water Customer-</b>	<b>\$ 75.00</b>
<b>Rental Property/Sewer Customer-</b>	<b>\$ 75.00</b>

Moved by: Trustee Harris  
Supervisor Behnke – Yes  
Clerk Case – Excused  
Treasurer Phillips – Yes

Supported by: Trustee Skelding  
Trustee Beard – Yes  
Trustee Damerow – Yes  
Trustee Harris – Yes  
Trustee Skelding – Yes

Vote shows 6 yes, -0- no and 1 excused. **Resolution 15-44 is adopted.**

#### 4. Introduction of Ordinance 204-08-15 of 2015

#### 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 designed as truck routes and classified for truck traffic:

<b>Road Name</b>	<b>Segment</b>
------------------	----------------

**North-South Roads**

<b>NORTH AVENUE</b>	<b>Between Roosevelt Avenue and the Township line</b>
<b>M-66</b>	<b>Between Park Avenue and Baseline Road</b>
<b>12 MILE ROAD</b>	<b>Between Gorsline Road and L Drive North (Township line)</b>
<b>11 MILE ROAD</b>	<b>Between Gorsline Road and L Drive North (Township line)</b>

**East-West Roads**

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

**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 offenses.*

**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.

Moved by: Trustee Harris

Supported by: Trustee Skelding

Supervisor Behnke – Yes

Trustee Beard – Yes

Clerk Case – Excused

Trustee Damerow – Yes

Treasurer Phillips – Yes

Trustee Harris – Yes

Trustee Skelding – Yes

Vote shows 6 yes, -0- no and 1 excused. **Ordinance 204-08-15 is introduced.**

**5. Adoption of Pennfield Charter Township Resolution 15-45**

**PENNFIELD CHARTER TOWNSHIP RESOLUTION #15-45  
(a Resolution amending the overall General  
Fund budget for Fiscal Year 2015-16)**

**BE IT RESOLVED**, that the Pennfield Charter Township Board hereby approves the following budget amendment for Fiscal Year 2015-16:

	<u>Debit</u>	<u>Credit</u>
<b>1. Amend revenues to add/amend line item</b>		
101-000.000-673.000, Sale of Fixed Assets		\$ 41,000.00
<b>2. Amend expenses to add/increase/decrease line item</b>		
<b>Fire Department:</b>		
101-336.000-981.000, Capital Outlay – Vehicle	\$ 41,000.00	
	<b>\$ 41,000.00</b>	<b>\$41,000.00</b>
<b>OVERALL FISCAL YEAR 2015-16 BUDGET (Amended)</b>	<b>\$2,329,404.00</b>	<b>\$2,329,404.00</b>

Moved by: Trustee Harris

Supported by: Trustee Skelding

Supervisor Behnke – Yes

Trustee Beard – Yes

Clerk Case – Excused

Trustee Damerow – Yes

Treasurer Phillips – Yes

Trustee Harris – Yes

Trustee Skelding – Yes

Vote shows 6 yes, -0- no and 1 excused. **Resolution 15-45 is adopted.**

**6. Adoption of Pennfield Charter Township Resolution 15-46**

**PENNFIELD CHARTER TOWNSHIP RESOLUTION #15-46  
(a Resolution approving the purchase of 2 pressure relief valves for  
the municipal water system in the amount of \$3,635.95)**

**BE IT RESOLVED**, that the Pennfield Charter Township Board hereby approves the purchase of 2 pressure relief valves for the municipal water system, as recommended by the Michigan

Department of Environmental Quality (MDEQ), from Pollardwater, Inc. in the amount of \$3,635.95.

Moved by: Trustee Harris  
Supervisor Behnke – Yes  
Clerk Case – Excused  
Treasurer Phillips – Yes

Supported by: Trustee Skelding  
Trustee Beard – Yes  
Trustee Damerow – Yes  
Trustee Harris – Yes  
Trustee Skelding – Yes

Vote shows 6 yes, -0- no and 1 excused. **Resolution 15-46 is adopted.**

### **TREASURER’S REPORT**

No monthly report was provided

### **PAYMENT OF MONTHLY BILLS**

It was moved by Trustee Harris and supported by Trustee Skelding to approve the payment of the monthly bills in the amount of \$337,962.32. **Motion carried.**

### **EXTENDED PUBLIC COMMENTS**

A resident had questions regarding: repairs to Police building, Dippity Doo property, old pharmacy on North Avenue and run off on roads/drainage

### **TOWNSHIP BOARD MEMBER COMMENTS**

Trustee Skelding: Pay phone stand by Coney Island – hanging by a wire  
Trustee Harris: Questions on roads  
Treasurer Phillips: Tax bills are out  
Trustee Damerow: Questions on former laundry mat on Eastwood and lift stations  
Trustee Beard: None

### **ANNOUNCEMENTS MADE BY CHAIRPERSON**

The next regularly scheduled Township Board meeting will be August 11, 2015. The next monthly recycling weekend will be July 25<sup>th</sup> and July 26<sup>th</sup>.

It was moved by Trustee Harris and supported by Trustee Skelding to adjourn the meeting at 7:23 PM. **Motion carried.**

---

Robert P. Behnke, Jr. – Supervisor

---

Kathleen R. Case – Clerk



## ADDENDUM A – DEPARTMENT REPORTS

### UTILITIES

The stats for the month of June, 2015 are as follows: 1,200 meter reads, 14 corrective work orders and 14 Miss Digs.

### CODE ENFORCEMENT

The following was completed in the month of June, 2015:

1. Conducted property inspections for new complaints and follow up inspections of previous complaints.
2. Received 33 new complaints: 3 front yard parking, 20 tall grass, 1 inoperable vehicle, 8 junk & trash, 1 Township Ordinance.

### ASSESSOR

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

1. All Homestead, Property Transfer Affidavits & Deeds are current. There were 10 transfers of property for the month: 9 were regular sales and 1 was foreclosure related.
2. Visited property to update photo & sketching records.
3. Answered description & split questions from property owners.

### CEMETERY

2 Burials	\$1,100.00
2 Burial of Ashes	\$700.00
Deed Transfer	\$30.00
2 Foundations	\$600.00
<b>TOTAL:</b>	<b>\$2,430.00</b>

### PERMITS

9 Building permits	\$2,345.20
3 Electrical permits	\$658.00
10 Mechanical permits	\$1,096.00
2 Plumbing permits	\$389.00
3 Zoning permits	\$210.00
<b>TOTAL:</b>	<b>\$4,698.20</b>

