

**PENNFIELD CHARTER TOWNSHIP
REGULAR MEETING MINUTES
JUNE 9, 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. There were five residents present.

CITIZEN/PUBLIC COMMENT

None

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 May 1 and May 12, 2015
2. Utilities Division monthly report – see addendum
3. Code Compliance monthly report – see addendum
4. Permits Department monthly report – see addendum
5. Assessor 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
10. Termination of employment of paid on call Firefighters: Tyler Wilkins, Michael Lashley and Nicholas Schafer

DEPARTMENT REPORTS

POLICE: Lt. Weirisma was present from the Calhoun County Sheriff's Department to give the monthly report. The monthly stats are as follows: 81 traffic citations, 238 verbal warnings, 17 traffic crashes, 91 arrests, 45 self generated complaints, 241 dispatched complaints and 1,161 property inspections.

FIRE: Chief Smith was present from the Fire Department to give the monthly report. The monthly stats are as follows: 3 fires, 58 rescue & medical emergencies, 5 hazardous conditions, 6 service calls, 8 good intent calls and 1 false alarm.

UNFINISHED BUSINESS

1. Proposed Truck Route Ordinance
2. Proposed Rental, Vacant Property, Property Maintenance Ordinances
3. Zoning Administrator/Website Administrator position

NEW BUSINESS

1. Adoption of Pennfield Charter Township Resolution 15-39

**PENNFIELD CHARTER TOWNSHIP RESOLUTION 15-39
(a Resolution awarding a contract for the development of a 5 Year
Recreational Plan for Pennfield Township)**

BE IT RESOLVED, that the Pennfield Charter Township Board hereby awards a contract to the **Southcentral Michigan Planning Council (SMPC)** in an amount not to exceed \$ 6,500.00 for the development of a 5 Year Recreational Plan for the Charter Township of Pennfield.

Moved by: Treasurer Phillips

Supported by: Trustee Beard

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 15-39 is adopted.**

2. Adoption of Pennfield Charter Township Resolution 15-40

**PENNFIELD CHARTER TOWNSHIP RESOLUTION #15-40
(a Resolution approving a liquor license transfer in name only for
20490 Capital Avenue, NE, commonly known as Dew's In & Out)**

BE IT RESOLVED, that the Pennfield Charter Township Board hereby approves a liquor license transfer at 20490 Capital Avenue, NE, commonly known as Dew’s In & Out, Inc., into the name of Dew’s In & Out, Inc./Robert Vanderwall for the continuation of an Off-Premise SDM (Beer & Wine) license at same location.

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 15-40 is adopted.**

3. Introduction of Pennfield Charter Township Ordinance 203-07-15

(Note: Ordinance summary to follow; the full Ordinance will be printed in the Meeting Minutes when adopted)

ORDINANCE SUMMARY

Pennfield Charter Township has adopted an ordinance amending its Code of Ordinances with respect to its water supply and sewer system. Pursuant to MCL 42.22, a summary of the Ordinance is as follows:

Section 1. Amends Chapter 54 of the Pennfield Charter Township Code of Ordinances as follows:

ARTICLE I

Sections 54-1—54-20. Reserved.

ARTICLE II

DIVISION 1. GENERALLY

Section 54-21. Definitions are amended.

Section 54-22. Violations of Article II are punishable as civil infraction offenses.

Section 54-23. Supervision and control of the public water system is assigned to the Township Supervisor or board appointee.

Section 54-24. Connection and use of the public water supply system is required for new structures or in the event of well failure or if a structure is already connected.

Section 54-25. Utility department employees or authorized representative have a right of entry for inspections of meters and equipment.

Section 54-26. Prohibits injury or damage to water mains and other facilities.

Sections 54-27 and 54-28. Grants township officials exclusive authority to open and close valves and gates and to turn on and off service.

Section 54-29. Prohibits obstruction of valve boxes.

- Section 54-30. Reserves Township's authority to limit the use of and shut off water.
- Section 54-31. Prohibits unauthorized water service.
- Section 54-32. Addresses water emergencies.
- Section 54-33. Excuses Township from liability for changes in water pressure and interruption of service.
- Section 54-34. Establishes safety requirements for steam boilers and hot water tanks.
- Section 54-35. Authorizes the Township Board to extend water service.
- Section 54-36. Assigns responsibility for the cost of service and installation to the property owner.
- Section 54-37. Requires a system development charge for properties that have not borne the expense of the construction of water mains.
- Section 54-38. Designates public rights-of-way for the installation for water mains and provides for grant of easement.
- Section 54-39. Prohibits obstruction of easements.
- Section 54-40. Requires connection and repairs or modifications to the water system to be made in accordance with the article and approved by the state plumbing board.
- Section 54-41. Grants authority to the plumbing inspector to inspect work.
- Section 54-42. Regulates use of automatic fire suppression systems.

DIVISION 2. CONNECTIONS

- Section 54-51. Requires an application for installation of service lines.
- Section 54-52. Authorizes the utilities department to postpone permission to connect water service when mains are subject to damage.
- Section 54-53. Requires connections to the water distributions system be made by a properly licensed plumber, and sets out the charges and fees relevant to such installation.
- Section 54-54. Authorizes properly licensed plumbers acting under a permit to install water service.
- Section 54-55. Authorizes temporary water service under certain circumstances.
- Section 54-56. Designates plumbers to be agents of the owner of premises.
- Section 54-57. Requires separate connections for water and creates exceptions.
- Section 54-58. Prohibits opening of curb boxes prior to inspection and meter installation.
- Section 54-59. Vests ownership of the service line in the Township.

- Section 54-60. Mandates that all materials used in a connection system be in accordance with the latest standards of the Township water supply system specifications.
- Section 54-61. Regulates use of standpipes and other pipes for suppressing fires.
- Section 54-62. Imposes a duty to maintain water service lines in perfect order at the property owner's expense and gives the utilities department authority to shut off service in the event that service and fixtures are in disrepair.
- Section 54-63. Assigns the cost of repair to the supply system to the township.
- Section 54-64. Excuses the Township from responsibility for the cost of leaks beyond the curb valve.

DIVISION 3.

METERS, RATES, AND CHARGES

- Section 54-81. Requires connection to water meters and regulates their design and size.
- Section 54-82. Mandates use of meters to measure quantity.
- Section 54-83. Regulates the location and accessibility of water meters and meter pits.
- Section 54-84. Requires customers to use water meters and have shut off valves.
- Section 54-85. Requires accessibility to water meters.
- Section 54-86. Requires water meters be installed by a homeowner or licensed plumber.
- Section 54-87. Requires township to furnish meters for installation.
- Section 54-88. Requires Township to maintain and replace water meters.
- Section 54-89. Designates utility operator as the party to repair water meters.
- Section 54-90. Assigns responsibility to customer to protect meter from damage.
- Section 54-91. Prohibits tampering with water meters and seals.
- Section 54-92. Prohibits bypassing water meters.
- Section 54-93. Assigns responsibility to the utilities department to read all meters and render statements.
- Section 54-94. Establishes the basis for estimated water usage.
- Section 54-95. Authorizes the board to fix water consumption charges.

- Section 54-96. Calls for statements to be rendered for equal periods throughout the year.
- Section 54-97. Calls for prompt payment of bills.
- Section 54-98. Establishes a flat rate in the absence of a meter.
- Section 54-99. Allows for discontinuation of water service in the event of nonpayment.
- Section 54-100. Requires tenants to deposit a sum as security for payment of water service.
- Section 54-101. Allows for creation of payment plans for delinquent accounts.
- Section 54-102. Allows for deferment of special assessments under certain circumstances.
- Section 54-103. Authorizes legal action to collect on unpaid accounts.
- Section 54-104. Provides that unpaid charges shall be a lien on the property served by the water connections.

DIVISION 4. USE OF FIRE HYDRANTS

- Section 54-121. Prohibits use of fire hydrants without written permission except by fire department.
- Section 54-122. Requires deposit for use of a fire hydrant.
- Section 54-123. Establishes operating procedures and requirements for the use of water hydrants.
- Section 54-124. Authorizes the Township to require a meter at expense of user at stipulated rates.
- Section 54-125. Prohibits obstruction of fire hydrants.

DIVISION 5. PRIVATE WATER SUPPLIES

- Section 54-141. Sets forth definitions.
- Section 54-142. Requires public and semipublic water supplies shall be located at least 75 feet from sources of contamination.

ARTICLE III. SEWERS AND SEWAGE DISPOSAL

DIVISION 1. GENERALLY

- Section 54-201. Definitions are added and amended.
- Section 54-202. Designates violations as municipal civil infractions.
- Section 54-203. Adopts rules and regulations and requires the maintenance of records.
- Section 54-204. Requires use of public sewers.
- Section 54-205. Regulates use of private sanitary sewer facilities.
- Section 54-206. Prohibits damage to sewage works.
- Section 54-207. Sets forth guidelines for extension of sewer works.

DIVISION 2. CONNECTIONS TO PUBLIC SEWERS

- Section 54-221. Mandates sewer-related installation and maintenance be made in accordance with this Division.
- Section 54-222. Prohibits connections by unauthorized personnel.
- Section 54-223. Assigns responsibility for costs and expenses related to connection to the property owner.
- Section 54-224. Requires separate sewers for each premises connected to the public sewer.
- Section 54-225. Mandates compliance with rules and regulations and with building and plumbing codes.
- Section 54-226. Addresses use of old building sewers.
- Section 54-227. Requires sewers be brought into buildings at an elevation below the basement floor.
- Section 54-228. Prohibits connection of roof downspouts, foundation drains, etc. to public sanitary sewer.
- Section 54-229. Requires advance notification of work involving public sewer and written permission.
- Section 54-230. Requires inspection of connection.
- Section 54-231. Requires material and workmanship be approved by the utilities department.
- Section 54-232. Requires contractors to obtain permits for connections.
- Section 54-233. Requires permits for excavations in street or right-of-way. Permits must be kept on site.
- Section 54-234. Prohibits sewer connection prior to completion of rough interior plumbing and addresses location of clean-outs.

- Section 54-235. Assigns responsibility for building sewer maintenance to property owner.
- Section 54-236. Permits work by township if contractor fails to act as required by this article. Allows for revocation of plumbing contractor's authority.
- Section 54-237. Relieves township of liability for damages caused by stoppage of the main sanitary sewer.

DIVISION 3. USE OF PUBLIC SEWERS

- Section 54-251. Requires compliance with regulations of this division. Violations are deemed to constitute a nuisance per se.
- Section 54-252. Prohibits discharge of storm water, surface water, groundwater etc. into the sanitary sewer.
- Section 54-253. Requires discharge of storm water, unpolluted drainage, or unpolluted process waters into storm sewer or a natural outlet.
- Section 54-254. Prohibits discharge of certain substances into public sewers.
- Section 54-255. Prohibits discharge of potentially harmful substances into public sewers.
- Section 54-256. Requires the filing of a written statement prior to the discharge of toxic or poisonous substances and imposes a duty on the utilities department to place restrictions on such discharges.
- Section 54-257. Grants the utilities department authority to take action with regard to the discharge of potentially harmful substances.
- Section 54-258. Calls for the use of interceptors when necessary.
- Section 54-259. Requires review and approval of commercial garbage grinders.
- Section 54-260. Regulates installation of control manholes and their maintenance.
- Section 54-261. Calls for measurements, tests and sampling to be determined at control manhole.
- Section 54-262. Requires maintenance of preliminary treatment or flow-equalizing facilities.
- Section 54-263. Allows for special agreements for industrial waste of unusual strength.

DIVISION 4. RATES, CHANGES, AND FINANCES

Subdivision I. In General

- Section 54-281. Definitions are added and amended.
- Section 54-282. Other provisions of Article III do not apply to this division.
- Section 54-283. Rates for charges shall be established by the township board.
- Section 54-284. The sanitary system's operating year shall correspond with the township fiscal year.
- Section 54-285. Allows for hardship deferment of charges.

Section 54-286. Allows for appeal to the township board of any decision of the utilities department.

Subdivision II. Inspection Fees, Connection Charges, and Tap Fees

Section 54-301. Allows for installment payment of connection tap-in fees.

Sections 54-302 and 54-303 are reserved.

Section 54-304. Establishes a connection tap-in fee.

Subdivision III. User Charges

Section 54-311. Requires payment of a use charge based upon consumption as measured by metered intake or measured discharge. Unmetered residential premises shall pay a flat rate. Surcharges and special rates are addressed.

Section 54-312. Requires payment of use charges for premises not connected to township water system and allows for installation of water or sewage meters.

Section 54-313. Prohibits free service by the sanitary sewer system.

Section 54-314. Regulates sufficiency of the rates.

Section 54-315. Sets forth effective date of charges.

Section 54-316. Calls for meters to be read and bills to be rendered monthly.

Section 54-317. Authorizes shutoff of service for delinquent charges.

Section 54-318. Authorizes township to make delinquent charges a lien on premises and require deposits by tenants.

Section 54-319. Authorizes discontinuance of service and recovery of charges.

Subdivision IV. Funds

Section 54-331. Calls for township treasurer to act as custodian of funds belonging to the system and regulates fund management.

Section 54-332. Allows for transfers of funds.

Section 54-333. Regulates investment of monies in sewer fund.

Section 54-334. Regulates sewer installations made by developers or other private persons.

ARTICLE IV. CROSS CONNECTIONS

Section 54-401. Adopts the Water Supply Cross Connection Rules of the Michigan Department of Public Health of the Michigan Administrative Code by reference.

Section 54-402. Calls for the utilities department to make inspections of connections and back-flow prevention devices.

Section 54-403. Grants authorized utilities department representatives a right of entry for inspection of the piping system for cross connections.

Section 54-404. Authorizes discontinuance of water services if necessary to eliminate danger of contamination.

Section 54-405. Regulates testing of backflow prevention devices.

Section 54-406. Mandates protection of potable water supply from possible contamination and labeling of unsafe water outlets.

ARTICLE V. WATER UNSAFE FOR DRINKING

Section 54-407. Deems provisions of this article supplemental to all laws and ordinances.

Section 54-408. Describes penalties for violation of any provision of this article.

Section 2. Declares the severability of invalid provisions.

Section 3. Repeals conflicting ordinances.

Section 4. Provides that pending prosecutions are saved.

Section 5. The ordinance takes effect on the date of this publication.

A true Copy of the Ordinance is available for inspection by the public between the hours of 8 a.m. and 4 p.m., Monday through Thursday, and 8 a.m. to 12 noon on Friday at the Pennfield Township Hall located at 20260 Capital Avenue, NE, Battle Creek, Michigan 49017.

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 introduced.**

4. Approval to hire Tom Matson

It was moved by Treasurer Phillips and supported by Trustee Damerow to hire Tom Matson as a local road repair consultant. **Motion carried.**

5. Approval to hire a paid on call Firefighter

It was moved by Treasurer Phillips and supported by Trustee Damerow to hire Zack Collins as a paid on call Firefighter pending physical and driving/background record check. **Motion carried.**

TREASURER'S REPORT

May, 2015 monthly report shows the following balances:

General Fund	\$952,142.38
Metro Act – Maint.	\$18,968.22
Parks	\$13,539.19
Public Safety	\$3,082.06
Sewer	\$841,782.59
Sewer – SAW Grant	(\$94,175.92)
Water	\$941,007.55
Trust & Agency	\$6,280.30
Tax Collection	\$15.13
TOTAL:	\$2,682,641.50

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 \$197,410.06. **Motion carried.**

EXTENDED PUBLIC COMMENTS

A resident had a question on the upcoming road project.

TOWNSHIP BOARD MEMBER COMMENTS

Trustee Skelding: Has mixed feelings on the park/rec plan

Trustee Harris: None

Clerk Case: None

Treasurer Phillips: Tax bills will be going out soon

Trustee Damerow: Question on a new business

Trustee Beard: Keep on pushing with the County to get the road project underway

ANNOUNCEMENTS MADE BY CHAIRPERSON

The next regularly scheduled Township Board meeting will be July 14, 2015. The next monthly recycling weekend will be June 27 and June 28th. The Township office will be closed on Friday, July 3rd for Independence Day.

It was moved by Treasurer Phillips and supported by Trustee Damerow to adjourn the meeting at 7:20 PM. **Motion carried.**

Robert P. Behnke, Jr. – Supervisor

Kathleen R. Case – Clerk

ADDENDUM A – DEPARTMENT REPORTS

UTILITIES

The stats for the month of May, 2015 are as follows: 1,200 meter reads, 9 corrective work orders and 12 Miss Digs.

CODE ENFORCEMENT

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

1. Conducted property inspections for new complaints and follow up inspections of Previous complaints.
2. Received 45 new complaints: 5 front yard parking, 28 tall grass, 6 inoperable vehicles, 5 junk & trash, 1 Township Ordinance.

ASSESSOR

The following was completed for the month of May, 2015

1. All Homestead, Property Transfer Affidavits & Deeds are current. There were 6 transfers of property for the month: all 6 were regular sales.
2. Visited properties to update photo & sketching records.
3. Answered description & split questions from property owners.

CEMETERY

2 Burial of Ashes	\$650.00
4 Foundations	\$1,000.00
TOTAL:	\$1,650.00

PERMITS

13 Building permits	\$3,500.47
7 Electrical permits	\$1,063.00
7 Mechanical permits	\$912.00
5 Plumbing permits	\$861.00
5 Zoning permits	\$350.00
TOTAL:	\$6,736.47

