

Negaunee Township Regular Board Meeting – June 13, 2019

Call to Order

Gary Wommer, Township Supervisor, called the meeting to order at 7:00p.m. with the Pledge of Allegiance. Other Board members present included Kathleen Carlson, Jeremy Hosking, Patrick Moyle and Rachel Sertich.

Absent

None

Agenda

Board members reviewed the revised meeting agenda adding New “H” – Resolution for Fee Schedule, and Correspondence “G” – Mary Jo Connors. Upon motion of Patrick Moyle, seconded by Jeremy Hosking, the revised Agenda as presented was approved. Motion Carried.

Approval of Minutes

Board members reviewed the minutes for the Regular Board Meeting held on May 9, 2019. It was noted some minor typographical errors were to be corrected. Upon motion of Kathy Carlson, seconded by Jeremy Hosking, the revised minutes were approved. Motion Carried.

Public Comment

Carl Shunk, Owner of Shunk Furniture on US Highway 41 in Negaunee Township, addressed the Board. He noted he has been in the Township for 42 years and has been trying to get Township water for 30+ years. He is frustrated surrounding businesses are served by Township water including Fabick, Tractor Supply and the new Carpenter Training building. He has paid \$300,000+ in taxes over the years and has 15 employees on site. He purchases drinking water for the employees as the well water on site is non-potable. He would like to see Negaunee Township work to extend the water line down to his property.

Old Business

Property Sale – 88 E. M-35 Supervisor Wommer provided an updated on the Township’s purchase and sale of the property located at 88 E. M-35 in the Township. The sale of the property had closed and included the home and approximately 5 acres of property – with the Township retaining the remaining acreage. The Township will need to consider what to do with the 1 acre parcel which is located across M-35, and perhaps adjoining property owners will be contacted to see if they might be interesting in acquiring the land.

MCSWMA – Single Stream Recycling The MCSWMA is still reviewing options to implement a single-stream recycling system. In addition to a possible millage, they are looking into increased tipping fees or an Urban Cooperative Grant where taxpayers would be assessed a \$9.00 fee annually. At the present time they do not have all of the figures and will continue to gather information.

Water Line – Carpenter Building Water Main Extension Payment Supervisor Wommer noted the work on the water main extension to the new Carpenter’s Training facility had run into issues with rock which required more blasting to take place. In addition, information from Traverse Engineering dated June 10, 2019 for payment to Smith Construction for work performed to date was provided. Upon motion of Patrick Moyle, seconded by Rachel Sertich, approval was given to make payment to Smith Construction in the amount of \$257,407.88 for work performed to date on the water main extension. Motion Carried.

Well Field Generator Board members discussed completion of the well field generator project. Upon motion of Patrick Moyle, seconded by Rachel Sertich, approval was given to make final payment to Aerco in the amount of \$3,645.27 to close out the well field generator project. Motion Carried.

New Business

Engagement – New Township Attorney With Ted Greeley no longer serving in the capacity as a Township Attorney, a new local attorney was required to fill the position. Bill Fahey (Fahey Schultz et al) recommended Mary Beth Marin of the Marin Law Firm to serve in conjunction with the Fahey Schultz firm. In reviewing the Terms of Agreement, concern was raised with Item #3 pertaining to the “Client” and whether or not the legal representation would be extended to Township Committees. Upon motion of Patrick Moyle, seconded by Jeremy Hosking, approval was given to appoint Mary Beth Marin as an attorney for the Township contingent upon verification of Item #3 of the Terms of Agreement to clarify and make certain legal representation is extended to Township Committees. Motion Carried.

Bids for Crack Seal – Co. Rd. JA, JB and JAD Upon motion of Jeremy Hosking, seconded by Patrick Moyle, approval was given to award the bid to crack seal 3.4 miles of road on County Road JA, JB and JAD to Wolverine Seal Coating, LLC at a cost of \$11,900. Motion Carried.

Consent Agenda Discussion was held about utilizing a Consent Agenda at future Township meetings in order to expedite items which are reviewed on a monthly basis. These items could include agendas, minutes, check registers and other reports. Township Manager Leach will pursue this item and look to implement it at the July, 2019 Board meeting.

Negaunee Senior Center Contribution Board members discussed how the Negaunee Senior Center benefits Township residents. During 2018 the Center served 381 Township residents with a total of 1,231 hours. Upon motion of Patrick Moyle, seconded by Jeremy Hosking, approval was given for Negaunee Township to make a \$3,000 contribution to the Negaunee Senior Center to help fund services provided to Negaunee Township residents. Motion Carried.

Cash Handling & Receipting Policy A draft Cash Handling & Receipting Policy was reviewed by Board members. The Township Treasurer asked members to let her know should any revisions be desired. The item was tabled until the July, 2019 Board meeting.

MTA Annual Dues Upon motion of Kathy Carlson, seconded by Rachel Sertich, approval was given to pay the 2019-2020 MTA Annual Dues at a cost of \$2,787.21. Motion Carried.

Hydrant Use The Township Supervisor noted during construction season contractors often obtain water from Township hydrants. While the water is metered, currently contractors do not pay the “Cost to Serve” fee which is paid by those who are water customers. He recommended a Policy be developed to regulate the use of hydrant water and to establish a “Cost to Serve” fee.

Resolution for Fee Schedule Upon motion of Kathy Carlson, seconded by Rachel Sertich, the following Fee Schedule Resolution was adopted:

RESOLUTION SETTING FEE SCHEDULE UNDER NEGAUNEE TOWNSHIP ZONING ORDINANCE

WHEREAS, the Michigan Zoning Enabling Act, MCL 125.3101 *et seq.* (“MZEA”), authorizes the Township Board to adopt an ordinance zoning properties within the Township, the Township Board has adopted such an Ordinance, and the Zoning Ordinance allows the Township Board to establish a fee schedule by resolution for applications and other actions under the Ordinance; and

WHEREAS, Section 406 of the MZEA allows the Township to charge reasonable fees for zoning permits, reviews, and approvals as a condition of granting authority to use, erect, alter, or locate dwellings, buildings, and structures; and

WHEREAS, the Township Zoning Ordinance provides at Sections 603, 814, 1002, 1207 and 1209 that the Township Board shall establish by resolution a schedule of fees for administering the Zoning Ordinance.

WHEREAS, Negaunee Township incurs costs to implement, administer, and enforce its Zoning Ordinance; and

WHEREAS, the Township Board has considered the appropriate fees that are necessary in order to support and maintain zoning functions in the Township.

NOW, THEREFORE, the Township Board establishes the following schedule of fees to be paid and collected under the Negaunee Township Zoning Ordinance:

1. Application Fees. Application fees shall be collected for each application under the Zoning Ordinance in the following amounts. Application fees shall be non-refundable.

ACTION	FEE	TYPE
Access Permit--Residential	\$20.00	Residential
Access Permit--Commercial	\$50.00	Commercial
Appeal of Administrative Decision	\$250.00	Flat Fee
Billboard Permit	\$25.00	Every Two Years
Business License Fee for Sexually Oriented Business	\$500.00	Annual
Class A Non-Conforming Use Permit	\$250.00	Flat Fee
Conditional Use Permit	\$250.00	Flat Fee
Conditional Use Permit: Planned Unit Development (PUD) -- Residential/Multi-Family Residential	500.00	Residential/Multi-Family Residential
Conditional Use Permit: Planned Unit Development (PUD) -- Commercial/Industrial	750.00	Commercial/Industrial
Interpretation of Ordinance	FREE	
Private Road Application (2-6 lots)	\$350.00	2-6 lots served
Private Road Application (7 lots or more)	\$550.00	7 or more lots served
Sign Permit	\$25.00	One time
Site Plan Review--Residential	FREE	Residential
Site Plan Review--Commercial/Industrial/Multi-Family Residential	200.00	Commercial/Industrial/Multi-Family Residential
Special Meeting request	\$300.00	Flat Fee
Special Use--Wellhead Protection Area	\$250.00	Flat Fee
Subdivision Preliminary Plat Tentative Approval Review/ Preliminary Condominium Project Plan Tentative Approval Review	500.00	Each Time
Subdivision Preliminary Plat Final Approval Review/ Preliminary Condominium Project Plan Final Approval Review	\$500.00 + \$5.00 per lot	One Time
Subdivision Final Plat/Final Condominium Project Plan	\$500.00 + \$3.50 per lot	One Time
Temporary Dwelling	\$100.00	One time
Variance Request	\$250.00	Flat Fee
Zoning Amendment (Text or ReZoning)	\$500.00	Flat Fee
Land Use Permit: Commercial/Industrial/Multi-Family Residential	100.00	Commercial/Industrial/Multi-Family Residential
Land Use Permit: Residential New Construction	\$40.00	Residential new construction (principal/accessory structures)
Land Use Permit: Residential Addition	\$25.00	Residential additions (principal/accessory structures)

Land Use Permit: Miscellaneous Structures, Decks & Fences, Demolition	\$20.00	Miscellaneous Structures, Decks & Fences
Land Use Permit: After The Fact	DOUBLE COST OF ORIGINAL PERMIT	
Other Unlisted Zoning Permits	\$500.00	

2. Escrow fees. In addition to the above application fees, for each requested special land use or conditional use permit, zoning ordinance or zoning map amendment, variance, or interpretation or appeal to the Zoning Board of Appeals, the applicant shall pay the Township an escrow fee of \$2,500, or such other escrow amount as may be determined reasonable by the Planning Commission, Township Board, or Zoning Board of Appeals, to cover the Township's estimated expenses for engineering, planning, legal, and other expert services, special meetings, traffic studies, environmental studies, publications, and similar expenses related to the review of the application for the requested permit or approval. If the Township's actual expenses are less than the escrow fee, the applicant shall receive a refund without interest of the unexpended balance of the escrow fee upon the completion of the matter. If at any time during the review process, the remaining balance of funds paid into escrow appears to be insufficient to defray the Township's remaining anticipated costs for review of that matter, the Township shall so notify the applicant, and the applicant shall promptly make a required additional payment. If subsequent billings become overdue, the Township shall suspend further processing of an application, including consideration for any board, commission, or administrative actions or approvals, until the overdue amount is paid in full. For good cause, the Township Board may waive or reduce any application fee or escrow fee.
3. No building, occupancy or other approval or permit shall be authorized until all application fees and all escrow fees are paid in full. In its discretion, the Township may take all permitted legal action to recover any deficiencies of amounts required to be paid.
4. This resolution is effective upon its adoption by the Township Board.
5. All prior resolutions inconsistent herewith are hereby rescinded.

Aye: Carlson, Hosking, Moyle, Sertich & Wommer
 Nay: None
 Absent: None
 Motion Carried

Reports

Community Center Board (CCB) Patrick Moyle, Board Liaison to the CCB, provided an update for the meeting held on 5/14/19. He noted work would be starting for the new electronic message board. In addition, a light will be installed to illuminate the US flag during overnight hours.

Recreation Committee Patrick Moyle, Board Liaison to the Recreation Committee, provided an update for the meeting held on 5/14/19. Items highlighted included: 1) poles had been ordered from the MBLP for use near the soccer field, trail and ice rink, 2) Mike Rivord had expressed interest in filling the opening on the Recreation Committee.

Recreation Committee Appointment Upon motion of Kathy Carlson, seconded by Jeremy Hosking, approval was given to appoint Michael Rivord as a member of the Negaunee Township Recreation Committee effective immediately. Motion Carried.

Fire Department Report Jeff Kontio, Fire Chief, Fire Chief, was in attendance and reviewed the Fire Department report dated May 9, 2019. Highlights included 1) 12 calls for the month of June 13, 2019 (73 year-to-date), 2) training was water supply and drafting practical stations, and 3) work continues to move forward for the new Fire Hall generator which was installed when it was realized the unit was incorrect. The correct unit will be ordered by Swick and installed upon arrival.

Water Report The Water Report for May, 2019 was reviewed by Water Assistant Andy Hall. He noted: 1) all materials for the Heritage Drive installation had been received and the MDOT Advanced Notice permit was in process, 2) annual water samples have been collected and forwarded to the lab, 3) Consumer Confidence Report was delivered to water customers, 4) he and Russ had attended an 8 hour class on the new lead and copper rules, and 5) work had begun on the extension of the water main to the new Carpenter's Training building.

Clerk Report (Bills, Claims)

Upon motion of Kathy Carlson, seconded by Patrick Moyle, the following general fund pooled account checks, direct deposit payroll items, EFT items and water checks for the month of May, 2019 with a grand total of \$196,592.42 were approved:

GF Pooled Checks	2470 – 2568
Direct Deposit Payroll	DD11 – DD27
EFT	<u>EFT4 – EFT12</u>
TOTAL	\$179,723.07
Water Checks	<u>8332 – 8362</u>
TOTAL	\$ 16,869.35

Motion Carried

Township Manager Report Nick Leach, Township Manager, provided an updated on the Planning Commission meeting held on June 11, 2019. Highlights included: 1) Public Hearing was held regarding Kona Ridge Conditional Use Permit request for natural resource extraction to formally review the application and hear comments, and 2) review of Class A Non-Conforming Application for 59 Forest Drive for a garage which is only 3 feet off of the property line.

He also provided brief updates on Miscellaneous Debris, Streamlining the 2020 Census, Township ZBA, Brownfield Authority and Wellhead Protection.

Wellhead Protection Committee Appointment Board members discussed filling the vacancy on the Wellhead Protection Committee. Upon motion of Kathy Carlson, seconded by Jeremy Hosking, approval was given to appoint Steve Laine to the Negaunee Township Wellhead Protection Committee effective immediately. Motion Carried.

Assessor's Report Board members reviewed a written report dated June 6, 2019 from Township Assessor, Susan Bovan, who was in attendance. Highlights included: 1) Reappraisal area, and 2) July Board of Review.

Resolution for Waiver of Penalty / Interest – Property Transfer Affidavits Board members reviewed a draft Resolution pertaining to untimely filing of Property Tax Affidavits. Upon motion of Kathy Carlson, seconded by Rachel Sertich, the following Resolution was adopted:

**RESOLUTION FOR WAIVER OF PENALTY AND INTEREST FOR
UNTIMELY FILED PROPERTY TRANSFER AFFIDAVITS**

Whereas, Under PA206 of 1893, the governing body of a local tax collecting unit may waive, by Resolution, the penalty levied under subsection (1) (c) or (d) (MCL 211.27b);

NOW, THEREFORE, BE IT HEREBY RESOLVED, that pursuant to PA206 of 1893, the Township of Negaunee, Marquette County, authorizes the Township Assessor or their designee to waive the collection of penalty and interest for untimely filed property transfer affidavits.

Aye: Carlson, Hosking, Moyle, Sertich & Wommer
 Nay: None
 Absent: None
 Motion Carried

Treasurer's Report Treasurer, Kathy Carlson, provided an update on the Treasurer's Department, including: 1) bank account balances total \$3,059,287.96 as of 5/31/19, 2) she continues to work on Township Policy & Procedures Manual, 3) preparation is underway for the 2019 Summer Tax Roll, 4) July Board of Review is scheduled for July 12, 2019, and 5) a listing of various meeting and training attendance.

Supervisor's Report Supervisor Wommer noted throughout the meeting he had been providing updates as to items he has been pursuing. In addition: 1) he continues to keep apprised of MCSWMA's single-stream recycling project, 2) may wish to contact a forester to review the Township's timber, including the property recently acquired, 3) UPPCO is looking to change all their meters, and 4) the Township may wish to organize an Ad Hoc committee to do some of the legwork for the proposed Co. Rd. 510 extension.

BUILD Grant Letter of Support Upon motion of Patrick Moyle, seconded by Kathy Carlson, the Township Supervisor was authorized to write a Letter of Support to the U.S. Department of Transportation for MDOT's application for the BUILD program to fund construction of a roundabout at the intersection of U.S. Highway 41 and Lakeshore Drive in Ishpeming, Michigan to make the location safer to the public Motion Carried.

Road Projects Supervisor Wommer noted the Hoist Road (Co.Rd. JH) project is scheduled to begin the week of July 17, 2019. With the completion of this 1.5 miles of road, 81% of the Township roads will be deemed to be Fair, Better or Excellent which is quite an accomplishment.

Advisory Trail Committee Al Reynolds was in attendance. Work is being done on the trail in Ishpeming, where they have encountered issues with roots. In addition, fundraising continues for the reconstruction of the historical Carp River beehive kiln. \$25,000 has been raised with a \$25,000 matching grant from the Michigan Economic Development Corporation. The total cost of the project is anticipated to be approximately \$100,000.

Personnel Committee Rachel Sertich, Chairperson of the Personnel Committee, noted a meeting is scheduled for Wednesday, June 19th, at 5:30 p.m.

Emergency Management Report Supervisor Wommer noted had been too busy to work on this, but does plan to contact the former Supervisor to discuss the duties and responsibilities of this role.

Correspondence

- Miles Paarkonen
- Nick Daavetilla
- Clancy Electric
- Casselman & Henderson
- Chris Lunseth
- Mike Waara
- Mary Jo Connors

Public Comment

None

Informational Item

- None

Board Member Comments

Patrick Moyle – The blasting which is taking place at the old airport site needs to be addressed by the Township.

Kathy Carlson – She noted she walks the Township trails frequently and they need maintenance. Not only do low areas need to be filled in, but the wood piled alongside the trails needs to be moved. She also inquired if the silt fence in place near the soccer field could be removed.

Next meeting

The next regularly scheduled Township Board Meeting will be held on Thursday, July 11, 2019, at the Negaunee Township Hall beginning at 7 p.m.

Adjournment

With no further business appearing and upon motion of Rachel Sertich, seconded by Patrick Moyle, the meeting was adjourned at 9:21 p.m.

Respectfully submitted,

Rachel Sertich
Negaunee Township Clerk