

June 21, 2010

A Regular meeting of the Chocolay Township Board was held on Monday, June 21, 2010 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Clerk Hill called the Township Board meeting to order at 7:00 p.m. in the absence of the Supervisor.

Trudeau moved, Maki second that Treasurer Greenberg chair the meeting in the absence of the Supervisor.

AYES: 6      NAYS: 0      MOTION CARRIED.

TOWNSHIP BOARD.

PRESENT: Arlene Hill, John Greenberg, John Trudeau, Mark Maki, Ken Tabor, Susan Carlson.  
ABSENT: Greg Seppanen.

STAFF PRESENT: Steve Lawry, Tina Fuller, Tom Murray, Jennifer Thum, Mary Sanders, Denny Magadanz, Greg Zybert.

MINUTES --May 17, 2010 AND MAY 24, 2010.

Trudeau moved, Carlson second that the minutes of the May 17, 2010 Township Board meeting be approved with a correction on zoning amendment 34-10-02 and 34-10-04 votes.

AYES: 6      NAYS: 0      MOTION CARRIED.

Maki moved, Tabor second that the minutes of the May 24, 2010 Special Township Board meeting be approved.

AYES: 6      NAYS: 0      MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Maki moved, Carlson second to accept the agenda including an addition of General Property Tax Act & FOIA --Deborah Mulcahey A. under new business.

AYES: 5      NAYS: 1(Trudeau)      MOTION CARRIED.

PUBLIC COMMENT.

Tom Casperson, Escanaba -- Introduced himself to the Board and indicated that he is running for the 38<sup>th</sup> Senate seat.

Paul Wolfson -- Indicated to the Board that he was representing Bell Medical on Zoning Ordinance Amendment 34-10-02.

Trustee Maki -- Explained to the Board that he should have voted no on the Planning Commission appointment at the May 17, 2010 meeting. In the future he will expect the Supervisor to present a reason for his selection on the Planning Commission appointee. Mr. Maki commented on the Holiday Gas Station sign that has been in violation for 7 months and Lakenenland Conditional Use Permit application that was completed and signed by someone at the Township.

ACCOUNTS PAYABLE.

Hill moved, Tabor second that bills totaling \$19,810.99 for checks numbered 16305 -16323 are approved for payment.

AYES: 6      NAYS: 0      MOTION CARRIED.

Carlson moved, Trudeau second that bills totaling \$32,673.79 for checks numbered 16324 -- 16350 are approved for payment.

AYES: 6      NAYS: 0      MOTION CARRIED.

Trudeau moved, Hill second that bills totaling \$18,964.81 for checks numbered 16351 -16377 are approved for payment.

AYES: 6      NAYS: 0      MOTION CARRIED.

PAYROLL.

Hill moved, Tabor second that the payroll for May 27, 2010 totaling \$31,511.89 and June 10, 2010 totaling \$25,957.92 are approved.

AYES: 6      NAYS: 0      MOTION CARRIED.

FINANCIAL AND TREASURER'S REPORTS.

Trudeau moved, Tabor second to accept the Financial and Treasurer's Report.

AYES: 6      NAYS: 0      MOTION CARRIED.

PRESENTATIONS --

## RESOLUTION OF APPRECIATION.

Hill moved, Trudeau second

## RESOLUTION OF APPRECIATION

For his dedication to the Township and its citizens

We do express our thanks and appreciation to

ALBERT K. DENTON

For dedication as Chairman and member of the  
Chocolay Township Planning Commission,On this your separation from the Charter Township of Chocolay Planning Commission, we do  
express our appreciation on behalf of the Township Board and its residents.

AYES: 6      NAYS: 0      MOTION CARRIED.

Maki moved, Hill second

## RESOLUTION OF APPRECIATION

For his dedication to the Township and its citizens

We do express our thanks and appreciation to

STEVEN D. KINNUNEN

For dedication as Vice Chairman and member of the  
Chocolay Township Planning Commission,On this your separation from the Charter Township of Chocolay Planning Commission, we do  
express our appreciation on behalf of the Township Board and its residents.

AYES: 6      NAYS: 0      MOTION CARRIED.

Tabor moved, Carlson second

## RESOLUTION OF APPRECIATION

For his dedication to the Township and its citizens

We do express our thanks and appreciation to

WAYNE T. DEES

For dedication as a member of the Zoning Board of Appeals  
For the Charter Township of Chocolay,On this your separation from the Charter Township of Chocolay Zoning Board of Appeals, we do  
express our appreciation on behalf of the Township Board and its residents.

AYES: 6      NAYS: 0      MOTION CARRIED.

Maki moved, Trudeau second

## RESOLUTION OF APPRECIATION

For his dedication to the Township and its citizens

We do express our thanks and appreciation to

DENNIS A. MAGADANZ

For dedication as D.P.W. Superintendent for the  
Charter Township of ChocolayOn this your separation from the Charter Township of Chocolay, we do express our appreciation  
on behalf of the Township Board and its residents.

AYES: 6      NAYS: 0      MOTION CARRIED.

## SUPERVISORS REPORT.

- Presentation by Planning Director Jennifer Thum on the clean up of John Sommers property on Timberlane.
- Denny Magadanz D.P.W. Supervisor will be leaving the Township on June 30, 2010.
- There was an accident involving the fire truck and the garage door on the fire hall.

## 34-10-02 - ZONING ORDINANCE TEXT AMENDMENT - SECOND READING.

Trudeau moved Tabor second to approve Zoning Amendment #34-10-02 which would add the  
following uses as Conditional Uses under Section 4: 4.2 High Density Residential District (R-2)  
(Harvey), (C) Conditional uses: General Office, Nursing homes, Medical/ Veterinary Clinics.

AYES: 5      NAYS: 1(Maki)      MOTION CARRIED.

## 34-10-03 – ZONING ORDINANCE TEXT AMENDMENT - SECOND READING.

Trudeau moved Maki second to approve Zoning Amendment #34-10-03 which would add the  
following definitions under Section 2 Definitions: General Office: A building or portion of a building  
wherein services are performed involving predominantly administrative, professional, or clerical  
operations. An office shall not include a clinic or the production, distribution or sales of goods or  
commodities which are physically located on the premises, and Veterinary Clinics: A place used

for the diagnosis, care, and treatment of sick, injured, or infirmed animals or those in need of medical or surgical attention. Such a place may include provisions for temporary boarding of animals for treatment, observation, or recuperation.

AYES: 6      NAYS: 0      MOTION CARRIED.

#### 34-10-04 -- Zoning ORDINANCE TEXT AMENDMENT - SECOND READING.

Tabor moved, Carlson second to approve Zoning Amendment #34-10-04 which would add the following uses under Section 4: 4.7 Agriculture/ Forestry District (AF) (C) Conditional Uses: Schools and Churches.

AYES: 5      NAYS: 1(Maki)      MOTION CARRIED.

#### GENERAL PROPERTY TAX ACT & FOIA --DEBORAH MULCAHEY.

Deborah Mulcahey issued a complaint with the Board on the \$5.00 charge for appraisal cards. She read a letter to the Board concerning correspondence between the Township Supervisor and employees and herself dealing with property assessment cards and FOIA. She asked that the Board revisit the \$5.00 charge for property assessment cards. She also had a complaint about the public computer with the assessing program on it.

Treasurer Greenberg told Ms. Mulcahey that she would receive a response in writing within 14 days.

Trustee Maki asked Ms. Mulcahey if she has ever requested to review the Township assessment record cards. Trustee Maki also stated that the Board voted for the \$5.00 charge for the property cards; he voted against the charge.

Maki moved, Tabor second to discuss the charge for property assessment cards and availability of property assessment information on the next agenda.

AYES: 6      NAYS: 0      MOTION CARRIED.

#### AR-15 RIFLE PURCHASE.

Tabor moved, Carlson second to approve the purchase of two AR-15 rifles for the police department. The cost will not exceed \$3,000.00 and this will be paid from the Capital Improvements Fund account 401.305.957.

ROLL CALL.

AYES: Tabor, Carlson, Maki, Hill Trudeau, Greenberg.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

#### SNOWMOBILE GRANT MATCH.

This item was withdrawn from the agenda; Chocoley Township did not qualify for the grant.

#### ATV PURCHASE - FIRE DEPT. & POLICE DEPT.

Carlson moved, Tabor second to approve the purchase of a 2010 Can Am 500 XT all terrain vehicle from Marquette Powersports at a total cost of \$8,626.98. This will be paid ½ from the Police Department Capital Improvement Fund account 401.305.957 and ½ from the Fire Department Capital Improvement Fund account 401.340.957.

ROLL CALL.

AYES: Hill, Trudeau, Greenberg, Tabor, Carlson, Maki.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

#### ZBA RE-APPOINTMENT.

Greenberg moved, Hill second to re-appoint Michelle Wietek to a 3 year term expiring May 9, 2013.

AYES: 6      NAYS: 0      MOTION CARRIED.

#### DPW LAWN TRACTOR PURCHASE.

Tabor moved, Trudeau second that Chocoley Township purchase a John Deere LA 155 lawn tractor from Michigan Sales for \$1,999.00 to be paid from Recreation and Properties in the Capital Improvement Fund 401.756.957.

ROLL CALL.

AYES: Tabor, Carlson, Maki, Hill, Trudeau, Greenberg.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

FILE AND TERM SERVER REPLACEMENT.

Maki moved, Tabor second to expend \$22,590.98 from Computers account in the Capital Improvement Fund 401.258.957.

ROLL CALL.

AYES: Hill, Trudeau, Greenberg, Tabor, Carlson, Maki.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

RESURFACING BIDS.

Trudeau moved, Carlson second to award the bid to Payne and Dolan Inc., in the amount of \$310,647.00 for the resurfacing of 16,725 feet of roads in the Timberlane subdivision with funds from Road Millage Fund 204.440.957.

ROLL CALL.

AYES: Tabor, Carlson, Maki, Hill, Trudeau, Greenberg.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

WATER CROSSING.

Carlson moved, Tabor second to expend not more than \$15,000.00 from the Water account in the Capital Improvements Fund 401.591.957 for engineering, blueprints and construction of a 16 inch D.I. CL52 water pipe crossing under U S 41, when the highway is reconstructed.

ROLL CALL.

AYES: Hill, Trudeau, Greenberg, Tabor, Carlson, Maki.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

CAPITAL IMPROVEMENT BUDGET AMENDMENT NO.1 FY2010 KBIC 2% MONEY DISBURSEMENT.

Trudeau moved, Tabor second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated Capital Improvement Fund receipts within the township on December 14<sup>th</sup>, 2009 for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

REVENUE	PREVIOUS	CHANGE	AMENDED
KBIC 2% Gaming Money 401.582	\$0.00	+\$76,000.00	\$ 76,000.00
EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire 401.340.957	\$309,813.50	+\$60,430.00	\$370,243.50
Elections 401.190.957	\$ 18,834.01	+\$ 800.00	\$ 19,634.01
Hall & Grounds 401.265.957	\$ 25,702.27	+\$ 2,000.00	\$ 27,702.27
Police 401.305.957	\$115,214.57	+\$ 12,770.00	\$127,984.57

ROLL CALL.

AYES: Tabor, Carlson, Maki, Hill, Trudeau, Greenberg.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

CHOCOLAY RIVER BRIDGE EXPENDITURE.

Trudeau moved, Maki second to authorize payment to A. Lindberg and Sons for a bill received in the amount of \$96,187.50 from Federal/State Grant Bridge in the Capital Improvements Fund 401.708.001.957 providing the proper documentation for billing, (showing bridge storage) and insurance. We will then submit the necessary paperwork to the State of Michigan to be reimbursed for the funds.

ROLL CALL.

AYES: Hill, Trudeau, Greenberg, Tabor, Carlson, Maki.

NAYS: None.

ABSENT: Seppanen.

MOTION CARRIED.

## PUBLIC COMMENT.

None.


## INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Departmental Reports - May 2010
- B. Correspondence – Pam Christensen, Peter White Public Library
- C. Minutes – April 15<sup>th</sup>, 2010 – MAWTFAB
- D. Minutes – April 27<sup>th</sup>, 2010 – Marquette City Planning Commission
- E. Minutes – March 16<sup>th</sup>, 2010 – MCSWMA
- F. Correspondence – Marquette County Road Commission
- G. Minutes - Marquette Township Planning Commission
- H. Correspondence - Jamie Tomczyk, Planning Comm. Resignation
- I. Minutes - May 3<sup>rd</sup>, 2010 Planning Commission
- J. Correspondence – Denny Magadanz, Resignation

Treasurer Greenberg adjourned the meeting at 8:20 pm.

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Arlene E. Hill, CMC  
Clerk



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Mary L. Sanders, CMC  
Deputy Clerk