

**Charter Township of Marquette  
Marquette Township Board – Regular Meeting  
Tuesday, December 20, 2016 at 7:00 P.M  
Marquette Township Community Center**

CALL MEETING TO ORDER:

The meeting was called to order by Supervisor Durant at 7:00 p.m.

ROLL CALL:

Members present:     Lyn Durant, Supervisor  
                              Randy Ritari, Clerk  
                              Ernest Johnson, Treasurer  
                              John Markes, Trustee  
                              Dave Wiegand, Trustee  
                              Dan Everson, Trustee  
                              Pete LaRue, Trustee

Staff present:         Randy Girard, Township Manager  
                              Roger Zappa, Township Legal Counsel  
                              Kirk Page, Township Public Works Superintendent  
                              Ron DeMarse, Township Fire Chief

Committee

Members present:     Mike Springer, Recreation, and Roads Committee

APPROVAL OF CONSENT AGENDA:

Clerk Ritari, commented that he had to fix a few grammatical errors in the previous minutes.

CONSENT AGENDA:

- A. Approval of Regular Minutes and Closed Session Minutes of December 6, 2016
- B. Received Committee/Other Reports
  - 1. PWPL Township Advisory Council Meeting Schedule 2016/2017 and Minutes from September 7, 2016
  - 2. Fire Chief / Fire Marshal's Report – November 2016
  - 3. Sheriff's Report – November 2016
- C. Correspondence Not Requiring Board Action
  - 1. Charter Communications Correspondence Regarding Upcoming Changes

D. Bills Payable

1. Checks 154321 to 154390 in the amount of \$226,252.95.  
Note the Voided Checks

**MOTION: To approve the Consent Agenda as amended.**

**Motion – Clerk Ritari**

**Second – Trustee LaRue**

**Ayes - 7**

**Nays - 0**

**Carried**

APPROVAL OF THE AGENDA:

Supervisor Durant, added under New Business; 9.G. Consider Renewal Proposal of Township Accident and Liability Insurance.

**MOTION: To approve the Agenda as amended.**

**Motion – Clerk Ritari**

**Second – Trustee Markes**

**Ayes - 7**

**Nays - 0**

**Carried**

PUBLIC COMMENT:

Dan Pompo, 2422 Cherry St., wanted to reserve time on agenda item 8.D. Consider Adoption of 2017 Budget and Fee Schedule.

BOARD MEMBER COMMENT:

Trustee LaRue, reminded the residents not to plow snow close to the intersections due to restricting sightlines for the upcoming winter season.

Clerk Ritari, commented that the days will get longer after today, and the Township Ice Rink is open and encouraged residents to use it over the holiday break.

Trustee Wiegand, commented about correspondence from the Supervisor and not getting in an Open Meetings Act violation, and about how we do committee appointments.

Supervisor Durant, wished everyone a Merry Christmas, and commented on what she has been working on the last few weeks.

UNFINISHED BUSINESS:

Consider Morgan Meadows/Mason's Bluff DWRf  
(Background Information from Superintendent Page)

Consider Pursuit of Phase II of the Municipal Water Supply Project - Informational

**MOTION: To move the agenda items: Consider Morgan Meadows/Mason's Bluff DWRf, and Consider Pursuit of Phase II of the Municipal Water Supply Project to Unfinished Business of the January 17, 2017 Regular Township Board Meeting.**

**Motion – Clerk Ritari**

**Second – Trustee LaRue**

**Ayes - 7**

**Nays - 0**

**Carried**

Local Roads Rehabilitation Update

Trustee Wiegand, gave a quick update on the road project.

Consider Adoption of 2017 Budget and Fee Schedule

**MOTION: To reaffirm the 2017 Budget as Presented and leave the current Fee Structure as current.**

**Motion – Clerk Ritari**

**Second – Treasurer Johnson**

**Roll Call Vote:**

**Supervisor Durant-Aye**

**Clerk Ritari-Aye**

**Treasurer Johnson-Aye**

**Trustee Markes-Aye**

**Trustee Wiegand-Aye**

**Trustee Everson-Aye**

**Trustee LaRue-Aye**

**Carried (7-0)**

Dan Pompo, 2422 Cherry St., commented on the proposed rates and gave his opinion on what he thought of them.

Consider 2017 Township Meeting Dates

### **2017 Township Meeting Dates**

**Township Board**  
**6:30 pm**  
**pm**

**Planning Commission**  
**7:00 pm**

**Recreation Committee**  
**5:30 pm**

**Roads Committee**  
**5:30 pm**

**DDA**  
**5:30**

January 3	January 11	January 17	January 3	January 10
January 17	January 25	February 21	February 7	April 11
February 7	February 8	March 21	March 7	July 11
February 21	February 22	April 18	April 4	October 10
March 7	March 8	May 16	May 2	
March 21	March 22	June 20	June 6	
April 4	April 12	July 18	July 5 - Wednesday	
April 18	April 26	August 15	August 1	
May 2	May 10	September 19	September 5	
May 16	May 24	October 17	October 3	
June 6	June 14	November 21	November 7	
June 20	June 28	December 19	December 5	
July 5 - Wednesday	July 12			
July 18	July 26			
August 1	August 9			
August 15	August 23			
September 5	September 13			
September 19	September 27			
October 3	October 11			
October 17	October 25			
November 7	November 8			
November 21	December 13			
December 5				
December 19				

**NOTE:**

Township Board meets at 6:30pm on the first and third Tuesday of each month at the Township Hall.

Planning Commission meets at 7:00pm on the second and fourth Wednesday of each month at the Township Hall.

Recreation Committee meets at 5:30pm on the third Tuesday, before the second Board Meeting of each month at the Township Hall.

DDA meets at 5:30pm on the second Tuesday of each quarter.

Road Committee meets at 5:30pm on the first Tuesday of each month, before the first Board Meeting of each month at the Township Hall.

**MOTION: To adopt the 2017 Meeting Schedule as presented.**

**Motion – Clerk Ritari**

**Second – Trustee Markes**

**Ayes - 7**

**Nays - 0**

**Carried**

NEW BUSINESS:

Consider Budget Amendment No. 2016-17

*Budget Amendment No. 2016-17  
December 20, 2016*

**CHARTER TOWNSHIP OF MARQUETTE  
FY 2016 BUDGET RESOLUTION**

**WHEREAS**, it is the responsibility of the Marquette Township Board to establish General and Special Appropriations Acts for the purpose of budgeting Township finances in a manner which does not allow expenditure, including any accrued deficits, to exceed revenues, including any available unappropriated surpluses, and,

**WHEREAS**, the Marquette Township Board recognizes that unforeseen activities may require amendments to these Appropriations Acts, such amendments shall be made by either formal resolution of the Marquette Township Board; or, by a ten percent (10%) of budget center contingency transfer authorized by the Township Manager, in such a manner so as not to allow the total expenditures, including accrued deficits, to exceed revenues and unappropriated surpluses; and,

**WHEREAS**, the Marquette Township Appropriations Acts for 2016 do not permit deviations which cause expenditures for any activity to exceed budgeted amounts without amendment to the Act by the Marquette Township Board or the aforementioned contingency transfer; and,

**WHEREAS**, the Marquette Township Board has duly reviewed the budgets for the General Appropriations Act and the Special Appropriations Act, both Acts include all funds of the Charter Township of Marquette, at public hearings of the Marquette Township Board,

**THEREFORE, BE IT RESOLVED**, that the Marquette Township Board hereby amends the Appropriations Acts for 2016 in accordance with budgetary information presented to this Board and the limitations defined within this Resolution.

	<b>Current Budget</b>	<b>Amended Budget</b>	<b>Change</b>
<b>General Fund</b>			
Revenue	2,310,546	2,363,546	53,000
Expenditures			
Manager	134,612	149,612	15,000
Clerk	95,561	98,561	3,000
General Services Administration	134,381	144,381	10,000
Planning	167,412	171,412	4,000
Recreation	33,816	35,816	2,000
Appropriations	16,500	19,500	3,000
Fund Balance	97,994	113,994	16,000
<b>Fire Fund</b>			
Revenue	562,048	569,048	7,000
Expenditures			
Building and Grounds	21,000	22,000	1,000
Fire Marshall	161,814	166,814	5,000
Vehicles	43,200	44,200	1,000
<b>Wastewater Fund</b>			
Revenue	1,209,695	1,454,695	245,000
Expenditures			
Administration	89,661	93,661	4,000
Customer Accounts	19,294	20,294	1,000
Contingency	27,638	22,638	(5,000)
Retained Earnings	6,146,324	6,391,324	245,000

<b>Water Fund</b>			
Revenues	1,322,243	1,367,243	45,000
Expenditures			
Customer Accounts	19,444	20,444	1,000
Water System Salaries	247,098	261,098	14,000
Hydrants	5,600	10,600	5,000
Control Valves	2,100	5,100	3,000
Retained Earnings	4,898,188	4,920,188	22,000
<b>Solid Waste Fund</b>			
Revenues	357,409	369,409	12,000
Expenditures			
Sanitary Landfill	123,185	147,185	24,000
Customer Accounts	16,569	17,569	1,000
Contingency	17,078	4,078	(13,000)

**MOTION: To approve Budget Amendment No. 2016-17.**

**Motion – Clerk Ritari**

**Second – Trustee Markes**

**Roll Call Vote:**

**Supervisor Durant-Aye**

**Clerk Ritari-Aye**

**Treasurer Johnson-Aye**

**Trustee Markes-Aye**

**Trustee Wiegand-Aye**

**Trustee Everson-Aye**

**Trustee LaRue-Aye**

**Carried (7-0)**

Consider Pay Request #3 and #4 South Vandeenboom Water Project  
(Background Information from Superintendent Page)

**MOTION: To approve Pay Request #3 and #4 for the South Vandeenboom Water Project for an amount not to exceed \$34,864.05 to Associated Constructors LLC.**

**Motion – Trustee Markes**

**Second – Trustee LaRue**

**Ayes - 7**

**Nays - 0**

**Carried**

Consider Financial Audit Proposals

**MOTION: To approve Gabridge & Company (Grand Rapids) as the low responsive bidder for providing Township Audit services for the**

**total amount not to exceed \$26,400.00 for Audit Years 2016, 2017,  
and 2018.**

**Motion – Clerk Ritari**

**Second – Trustee LaRue**

**Ayes - 7**

**Nays - 0**

**Carried**

Consider Performance Resolution for Governmental Agencies

**PERFORMANCE RESOLUTION FOR  
GOVERNMENTAL AGENCIES**

*This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Highway Right of Way", or an "Annual Application and Permit for Miscellaneous Operations Within State Highway Right of Way".*

RESOLVED WHEREAS, the \_\_\_\_\_  
(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the GOVERNMENTAL AGENCY is performed by a contractor, the GOVERNMENTAL AGENCY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the GOVERNMENTAL AGENCY. Failure of the GOVERNMENTAL AGENCY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.
4. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.



- 5. The GOVERNMENTAL AGENCY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
- 6. With respect to any activities authorized by a PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
- 7. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
- 8. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

Title and/or Name: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the \_\_\_\_\_  
 (Name of Board, etc)  
 of the \_\_\_\_\_ of \_\_\_\_\_  
 (Name of GOVERNMENTAL AGENCY) (County)

at a \_\_\_\_\_ meeting held on the \_\_\_\_\_ day

of \_\_\_\_\_ A.D. \_\_\_\_\_.

Signed \_\_\_\_\_ Title \_\_\_\_\_

**MOTION: To adopt the Performance Resolution for Governmental Agencies.**

**Motion – Clerk Ritari  
 Second – Treasurer Johnson**

**Roll Call Vote:  
 Supervisor Durant-Aye  
 Clerk Ritari-Aye  
 Treasurer Johnson-Aye**

Trustee Markes-Aye  
Trustee Wiegand-Aye  
Trustee Everson-Aye  
Trustee LaRue-Aye  
Carried (7-0)

Consider Committee Appointment Recommendations

**MOTION:** To appoint Trustee Everson and Trustee Markes, to the Election Commission with a (4) four year term ending in November 2020.

Motion – Clerk Ritari

Second – Treasurer Johnson

Ayes - 7

Nays - 0

Carried

**MOTION:** To appoint James Becker to the Zoning Board of Appeals as an Alternate with a (3) three year term ending in December 2019.

Motion – Trustee Markes

Second – Clerk Ritari

Ayes - 7

Nays - 0

Carried

**MOTION:** To reappoint William Truscott and Trustee Markes (Board Rep) to the Zoning Board of Appeals with a (3) three year term ending in December 2019 for William Truscott, and with a (4) four year term ending in November 2020 for Trustee Markes as Board Rep.

Motion – Clerk Ritari

Second – Treasurer Johnson

Ayes - 7

Nays - 0

Carried

**MOTION:** To appoint Treasurer Johnson, Trustee LaRue, and Trustee Everson, to the Personnel Committee with a (4) four year term ending in November 2020.

Motion – Clerk Ritari

Second – Trustee Markes

Ayes - 7

Nays - 0

Carried

**MOTION:** To appoint Trustee LaRue to the Safety Committee with a (4) four year term ending in November 2020.

Motion – Clerk Ritari

Second – Treasurer Johnson  
Ayes - 7  
Nays - 0  
Carried

**MOTION:** To reappoint Treasurer Johnson to the Township Business Association with a (4) four year term ending in November 2020.

Motion – Clerk Ritari  
Second – Trustee Markes  
Ayes - 7  
Nays - 0  
Carried

**MOTION:** To reappoint Supervisor Durant to the US41/M-28 Corridor Committee with a (4) four year term ending in November 2020.

Motion – Treasurer Johnson  
Second – Trustee Everson  
Ayes - 7  
Nays - 0  
Carried

**MOTION:** To reappoint Kathy Peters as Alternate to the Iron Ore Heritage Train Recreational Authority with a (3) three year term ending in December 2019.

Motion – Treasurer Johnson  
Second – Clerk Ritari  
Ayes - 7  
Nays - 0  
Carried

**MOTION:** To reappoint Peggy Loy to the Beautification Committee with a (1) one year term ending in December 2017.

Motion – Clerk Ritari  
Second – Treasurer Johnson  
Ayes - 7  
Nays - 0  
Carried

**MOTION:** To appoint Kate Houtz to the Events Committee with a (2) two year term ending in December 2018.

Motion – Clerk Ritari  
Second – Trustee Everson  
Ayes - 7  
Nays - 0  
Carried

**MOTION:** To reappoint Todd Noordyk to the Events Committee with a (2) two year term ending in December 2018.

Motion – Clerk Ritari

Second – Trustee Everson  
Ayes - 7  
Nays - 0  
Carried

**MOTION:** To reappoint Mary Davis and Orajane Kennedy to the Library  
Advisory Board with a (4) four year term ending on December 2020.

Motion – Clerk Ritari  
Second – Trustee Markes  
Ayes - 7  
Nays - 0  
Carried

**MOTION:** To reappoint Treasurer Johnson to the Speed Limit Review  
Committee with a (4) four year term ending on November 2020.

Motion – Trustee Wiegand  
Second – Trustee LaRue  
Ayes - 7  
Nays - 0  
Carried

**MOTION:** To appoint Kelly Hillier-Genshaw to the Board of Review with a (2)  
two year term ending on December 2018.

Motion – Clerk Ritari  
Second – Trustee Markes  
Ayes - 7  
Nays - 0  
Carried

**MOTION:** To appoint Trustee LaRue, Trustee Wiegand (Board Rep), and Dan  
Adamini to the Recreation Committee with a (3) three year term  
ending in December 2019 for LaRue and Adamini, and a (4) four  
year term ending in November 2020 for Wiegand (Board Rep).

Motion – Clerk Ritari  
Second – Treasurer Johnson  
Ayes - 7  
Nays - 0  
Carried

**MOTION:** To reappoint Todd Noordyk to the DDA with a (4) four year term  
ending on December 2020.

Motion – Clerk Ritari  
Second – Treasurer Johnson  
Ayes - 7  
Nays - 0  
Carried

**MOTION: To appoint Mike Springer to the Planning Commission with a (4) four year term ending on December 2020.**

**Motion – Trustee Wiegand**

**Second – Trustee LaRue**

**Ayes - 7**

**Nays - 0**

**Carried**

**MOTION: To appoint Trustee LaRue, Trustee Wiegand (Board Rep), and Ron DeMarse to the Roads Committee with a (3) three year term ending in December 2019 for LaRue and DeMarse, and a (4) four year term ending in November 2020 for Wiegand (Board Rep).**

**Motion – Trustee Everson**

**Second – Clerk Ritari**

**Ayes - 7**

**Nays - 0**

**Carried**

Manager's Report

Manager Girard, presented his written report to the board with items covering the Dark Stores Corrective Legislation, Township Events – Annual Christmas Tree Lighting, Christmas Tree Disposal, Negaunee Township Energy Center, Schwemwood Park, US-41 Corridor Committee, and Zoning Board of Appeals Activity.

PUBLIC COMMENT: None

ADDITIONAL COMMENTS FROM BOARD MEMBERS:

Trustee LaRue, wanted to wish everyone a Merry Christmas and a Happy New Year

Trustee Everson, questioned why we don't have a timer for public comment so they know how long they got left to speak. Clerk Ritari, answered the question for Trustee Everson. Also, he thanked the Fire Department for the great job they do for the Township.

Trustee Markes, echoed Trustee LaRue's comments.

Treasurer Johnson, reminded the residents about Taxes coming due and when you can pay them.

Clerk Ritari, reminded the residents about the dates that the Township Office will be closed.

Supervisor Durant, wished everyone a Merry Christmas and a Happy New Year and was ready to get the strategic planning going and planning out the next four years for the Township.

CLOSED SESSION:

**MOTION: To enter into Closed Session “Pursuant to MCL 15.268 (c) for strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.”**

**Motion – Clerk Ritari  
Second – Trustee LaRue**

**Roll Call Vote:**

**Supervisor Durant-Aye  
Clerk Ritari-Aye  
Treasurer Johnson-Aye  
Trustee Markes-Aye  
Trustee Wiegand- Aye  
Trustee Everson- Aye  
Trustee LaRue-Aye**

**Carried (7-0)**

The Board Entered into Closed Session at 9:21 p.m.

The Board Returned to Open Session at 9:55 p.m.

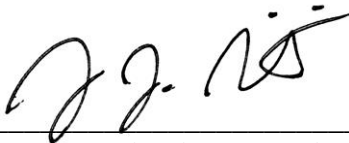
ADJOURMENT:

**MOTION: To adjourn the meeting.  
Motion – Trustee Everson  
Second – Clerk Ritari**

**Ayes - 7  
Nays - 0**

**Carried**

Supervisor Durant declared the meeting adjourned at 9:56 p.m.



**Randy J. Ritari, Township Clerk**

**Lyn J. Durant, Township Supervisor**