

**Charter Township of Marquette
Marquette Township Board – Regular Meeting
Tuesday, June 19, 2018 at 6:30 P.M.
Marquette Township Community Center**

CALL MEETING TO ORDER:

The meeting was called to order by Supervisor Durant at 6:30 p.m.

ROLL CALL:

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

Staff present: Randy Girard, Township Manager
 Roger Zappa, Township Attorney
 Rob Cochran, Township Fire Inspector

Committee members
present: Mike Springer, Planning, Recreation, and Roads Committee

PUBLIC COMMENT:

Peter Thorington 2412 Huron St., spoke about the disruption from the BLP Marquette Energy Center and would like help from the Township to solve the problem.

Tom Zorza, 2442 Huron St., spoke about the disruption from the BLP Marquette Energy Center and would like help from the Township to solve the problem.

Ron Ingram, 2525 Center St., spoke about the restrictions of having Chickens in the Township and would like to get an update on that issue.

BOARD MEMBER COMMENT IN RESPONSE TO PUBLIC COMMENT:

Supervisor Durant, commented about the BLP Marquette Energy Center with its relationship with Marquette Township, and she gave some suggestions to the residents for a possible course of action.

Trustee Wiegand, also commented about the BLP Marquette Energy Center, and commented about the Chicken issue.

Trustee Markes, also commented about the BLP Marquette Energy Center.

Trustee LaRue, also commented about the BLP Marquette Energy Center.

Clerk Ritari, also commented about the BLP Marquette Energy Center.

Manager Girard, also commented about the BLP Marquette Energy Center.

Attorney Zappa, also commented about the BLP Marquette Energy Center.

APPROVAL OF THE CONSENT AGENDA:

- A. Approval of Township Board Work Session Minutes of May 30, 2018; Regular Meeting Minutes of June 05, 2018; and Township Board Work Session Minutes of June 07, 2018
- B. Bills Payable
 - 1. Checks 156566 to 156636 in the amount of \$251,778.39
 - 2. Budget Amendment No. 2018-06

**Budget Amendment No. 2018-06
June 19, 2018**

**CHARTER TOWNSHIP OF MARQUETTE
FY 2018 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 2018 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 2018 in accordance with budgetary information presented to this Board and the limitations defined within this Resolution.

	Current Budget	Amended Budget	Change
Fire Fund			

Revenues			
Grant	0	98,000	98,000
Ambulance Transport Fees	19,500	52,000	32,500
Expenditures			
Administration	72,008	86,008	14,000
Vehicles	56,485	59,485	3,000
Firefighting	113,651	118,651	5,000
Capital	10,414	108,414	98,000
Fund Balance	89,631	100,131	10,500

C. Received committee reports and other reports

1. Planning Committee Approved Minutes of May 23, 2018
2. Road Committee Approved Minutes of May 1, 2018 and DRAFT Minutes of June 05, 2018
3. Recreation Committee Approved Minutes of April 17, 2018 and DRAFT Minutes of May 15, 2018
4. Water Production Report – May 2018
5. Water Production Sales Report – May 2018
6. Fire Chief / Fire Marshal’s Activity Report – May 2018
7. Sheriff’s Activity Report – May 2018
8. Fire Department DRAFT Minutes of Business Meeting of June 11, 2018 And Officer’s Meeting of June 11, 2018
9. Peter White Public Library Advisory Council Minutes of March 7, 2018
10. Supervisor’s Report - none

D. Financials

1. Financial Statement – May 2018
2. Treasurer’s Report – April 2018

E. Correspondence not Requiring Board Action

1. Notice of Hearing for SEMCO Energy Case No. U-20037
2. Correspondence regarding 2018 Contribution and Support of MTA-PAC
3. Resolution – HB6049 and SB1025 (Assessing)

MOTION: To approve the Consent Agenda as presented.

Motion – Trustee Markes

Second – Clerk Ritari

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)

APPROVAL OF THE REGULAR AGENDA:

Supervisor Durant, added a Privileged Comment - Voters not Politicians.

MOTION: To approve the Regular Agenda as amended.

Motion – Clerk Ritari

Second – Trustee Markes

Ayes - 7

Nays - 0

Carried

BOARD EDUCATION/PRIVILEGED COMMENT:

Madeline Koval, Voters not Politicians, gave a brief presentation about Gerrymandering in Michigan.

Fire Department - Rob Cochran, Township Fire Inspector, gave a brief Fire Department Report to the Board.

Public Works – None

Assessing – None

Attorney Report – Roger Zappa, gave a brief report to the Board in regards to legal issues for the Township he has been working on.

COMMUNITY LINKAGE:

Discuss Fire Department Equipment Maintenance and Replacement Capital
– Informational for the Board

POLICY DISCUSSION, CONSIDERATION AND DEVELOPMENT:

Consider SEMCO Easement Purchase Proposal on Wellfield Property

MOTION: To approve the Semco Easement with the suggested language as recommended by legal counsel and authorize staff to move forward with the purchase proposal.

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)

Consider Proposed Short-Term Rental Text Amendment – Second Reading
(Background Information from Planner McCarthy)

MOTION: To approve the proposed zoning text amendments #041118-1 of the Marquette Township Zoning Ordinance, Articles 2- Definitions, Article 15 -Principal Uses Permitted in Districts, and Article 16- Detailed Use Regulations to allow for and regulate short-term rentals – Second Reading.

Motion – Clerk Ritari
Second – Treasurer Johnson

Roll Call Vote:
Supervisor Durant-Aye
Clerk Ritari-Aye
Treasurer Johnson-Aye
Trustee Markes-Nay
Trustee Wiegand- Aye
Trustee Everson- Aye
Trustee LaRue-Aye

Carried (6-1)

Consider 2018 Road Maintenance Project Scope – Road Committee & Planning Commission Recommendation
(Background Information from Planner McCarthy)

MOTION: To approve the Road Committee & Planning Commission Recommendation to amend the proposed scope of the 2018 Road Maintenance project and award the Bid to Farhner Asphalt Sealers LLC for an amount not to exceed \$40,854.84.

Motion – Clerk Ritari
Second – Trustee Markes

Ayes - 7
Nays - 0

Carried

Consider Adoption of DDA Ordinance Amendment (Second Reading)
(Background Information from Planner McCarthy)

STATE OF MICHIGAN
COUNTY OF MARQUETTE
CHARTER TOWNSHIP OF MARQUETTE
ORDINANCE NO. 061918-2

AN ORDINANCE AMENDING ORDINANCE NO. 040886, WHICH ESTABLISHED A DOWNTOWN DEVELOPMENT AUTHORITY AND DESIGNATED ITS DOWNTOWN DISTRICT BOUNDARIES, AND ALSO AMENDING ORDINANCE NO. 052196, WHICH REDESIGNATED THE DOWNTOWN DISTRICT BOUNDARIES.

THE CHARTER TOWNSHIP OF MARQUETTE, COUNTY OF MARQUETTE, STATE OF MICHIGAN, ORDAINS:

PART I OF AMENDATORY ORDINANCE – DESIGNATION OF DOWNTOWN DISTRICT BOUNDARIES.

Section 1 of Ordinance 040886, entitled Establishment of a Downtown Development Authority, adopted on April 4, 1986, and as amended by Ordinance No. 052196 on May 21, 1996, is hereby amended and changed by deletion of reference to the boundaries and insertion of the following in lieu thereof:

The boundaries of the Downtown District shall be as follows:
Township Forty-Eight North (T48N), Range Twenty-Five West (R25W)

Section 16 Properties located South of Orchard Street and the abandoned right-of- way formerly known as Orchard Street, bounded on the West by the Western boundary of Section 16, and on the East by the Erie Street right-of-way.

Section 17 The South Half (S 1/2) of Section 17, the Southeast Quarter of the Northwest Quarter (SE 1/4 of NW 1/4), and the South Half (S 1/2) of the Northeast Quarter (NE 1/4).

Section 18 The East Half (E 1/2) of the Southeast Quarter (SE 1/4).

Section 19 The North Half (N 1/2) of the Southwest Quarter (SW 1/4), excepting those parcels contained within the Assessor’s Plat of Northwood Lane Acres; that portion of the North Half (N 1/2) of Section 19 lying North of the Iron Ore Heritage Trail (formerly the Soo Line Railroad), except the Northwest Quarter of the Northwest Quarter (NW 1/4 of the NW 1/4) and excepting that land comprised by the following parcels:

52-08-019-011-10	52-08-019-011-20
52-08-019-011-22	52-08-019-011-24
52-08-019-023-10	52-08-019-023-15
52-08-019-023-20	52-08-019-023-30

Section 20 Property lying North of the Iron Ore Heritage Trail (formerly the Soo Line Railroad) and West of County Road 492; all property lying East of County Road 492 and North of County Road HF (Brookton Road); and a parcel lying South and East of County Road 492 and Brookton Road in the Northwest Quarter of the Northeast Quarter (NW 1/4 of NE 1/4) beginning 790.1 feet South and 213.5 feet West of the Northeast Corner; thence South 90.25 feet; thence South 66°35' West 301.4 feet; thence North 35°55' West 185.9 feet to County Road 492; thence Northeasterly along the right-of-way 446.6 feet; thence South 163.3 feet to the point of beginning, said parcel otherwise known as Parcel 52-08-020-028-00.

Section 21 All of Section 21, excepting that portion of Section 21 lying South of County Road HF (Brookton Road), and further excepting land comprised by the following parcels:

52-08-021-024-00
 52-08-021-024-02
 52-08-021-037-00
 52-08-021-037-15
 52-08-021-038-00

The boundaries of the DDA Downtown District are depicted in the map attached to this Ordinance as Exhibit A. To the extent of any deviation, discrepancy, or difference between the legal descriptions of the boundaries and the map, the legal descriptions shall be controlling.

PART II OF AMENDATORY ORDINANCE – EFFECT ON OTHER SECTIONS.

In all other respects, Ordinances No. 040886 and No. 052196 shall remain in full force and effect as previously adopted.

PART III OF AMENDATORY ORDINANCE - CODIFICATION OF NEW BOUNDARIES INTO ORIGINAL ORDINANCE.

This Amendatory Ordinance shall be codified to incorporate the language of the new boundaries of the Downtown District as designated above, as part of Ordinance No. 040886 of the Charter Township of Marquette Code of Ordinances.

PART IV OF AMENDATORY ORDINANCE – REPEAL OF INCONSISTENT PROVISIONS.

Any terms or provisions of any Ordinance inconsistent with this Amendatory Ordinance are hereby repealed.

PART V OF AMENDATORY ORDINANCE – FILING.

A certified copy of this Amendatory Ordinance shall be filed with the Michigan Secretary of State and the Marquette County Clerk promptly following its adoption.

PART VI OF AMENDATORY ORDINANCE – EFFECTIVE DATE.

This Amendatory Ordinance shall take effect immediately on the date of publication.

Lyn J. Durant, Township Supervisor

Randy J. Ritari, Township Clerk

Adopted: _____, 2018

Effective Date: _____, 2018

Published: _____, 2018

Date Filed with the Marquette County Clerk: _____, 2018

Date Filed with Michigan Secretary of State: _____, 2018

**MOTION: To approve the proposed Adoption of the DDA Ordinance
Amendment (Second Reading)**

Motion – Trustee Markes

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)

Consider Township Millage Questions – Fire Apparatus; Law Enforcement

**MOTION: To direct the Clerk to draft ballot language for .6 mill to be levied for
six (6) years for Fire Apparatus Equipment Replacement.**

Motion – Trustee Markes

Second – Trustee Everson

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)

MOTION: To direct the Clerk to draft ballot language for .4 mill to be levied for six (6) years for supplementing the current funding for Police Services.

**Motion – Trustee Markes
Second – Trustee Everson**

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 Draft Ordinance for Property Use
(Background Information from Manager Girard)

**CHARTER TOWNSHIP OF MARQUETTE
COUNTY OF MARQUETTE
STATE OF MICHIGAN
ORDINANCE NO. 61918-03**

AN ORDINANCE TO PROTECT THE HEALTH, SAFETY AND GENERAL WELFARE OF THE RESIDENTS AND PROPERTY OWNERS OF THE CHARTER TOWNSHIP OF MARQUETTE, BY PROHIBITING OVERNIGHT CAMPING OR PRESENCE AFTER POSTED HOURS WITHIN PARKS, RECREATIONAL FACILITIES AND PROPERTIES OWNED OR MAINTAINED BY MARQUETTE TOWNSHIP.

THE CHARTER TOWNSHIP OF MARQUETTE, COUNTY OF MARQUETTE, STATE OF MICHIGAN, ORDAINS:

SECTION 1: DEFINITIONS

A. As used in this Ordinance, the following terms shall have the meanings as ascribed to them:

1. "To camp" means to set up, or to remain in or at a campsite, for the purpose of establishing or maintaining a temporary place to live.
2. "Campsite" means any place where any bedding, sleeping bag, or other sleeping matter, or any stove or fire is placed, established, or maintained, whether or not such place incorporates the use of any tent, lean-to, hammock, or any other structure.

SECTION 2: UNLAWFUL CAMPING OR PRESENCE

- A. It shall be unlawful for any person to camp upon any park, recreational facility, or property owned or maintained by Marquette Township.
- B. It shall be unlawful for any person, excepting law enforcement officers or other persons on official Township business to be within the confines of any park, recreational facility, or property owned or maintained by Marquette Township after the posted closing time established by the Marquette Township Board, or in the absence of a posted closing time, between the hours of 10:00 p.m. and 7:00 a.m.

SECTION 3: PENALTIES

Any person that violates any provision of this Ordinance shall be responsible for a civil infraction punishable by a fine not to exceed one hundred dollars (\$100.00), plus court costs. Each day or fraction thereof that the violation continues shall constitute a separate offense.

SECTION 4: SEVERABILITY

Each section or subpart of this Ordinance shall be deemed severable, and should any section, clause, or provision be declared unconstitutional or contrary to the laws of the State of Michigan, or voided by any court of competent jurisdiction, any such declaration shall not affect the validity of this Ordinance as a whole or any part thereof other than that section or provision declared to be unconstitutional or invalid.

SECTION 5: EFFECTIVE DATE

This Ordinance is declared to be an emergency ordinance, and shall be effective immediately upon the date of publication, pursuant to the authority of MCL 42.20 and MCL 42.22.

Lyn J. Durant, Township Supervisor

Randy J. Ritari, Township Clerk

Adopted: _____, 2018

Effective Date: _____, 2018

Published: _____, 2018

Date Filed with the Marquette County Clerk: _____, 2018

Date Filed with Michigan Secretary of State: _____, 2018

MOTION: To approve the Emergency Ordinance for Property Use.

Motion – Trustee Markes

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)

ASSURANCE OF ORGANIZATIONAL PERFORMANCE:

Pulled items from the consent agenda - None

Board – Committee Updates

Trustee Wiegand, gave an update from Planning Commission, and Recreation Committee.

Committee Appointments – None

Compliance - Policy 2.5 Financial Condition and Activities including Monitoring Tool

Compliance - Policy 3.5 Board Commission and Community Linkage including Monitoring Tool

MOTION: To schedule a work session on Tuesday, June 26, 2018 at 2:30 p.m. for the Purpose of reviewing Policy Governance – Policy 2.5 and 3.5.

Motion – Clerk Ritari

Second – Trustee Markes

Ayes - 7

Nays - 0

Carried

PUBLIC COMMENT: None

MEETING WRAP-UP:

Announcements

Clerk Ritari, commented about the Election Commission Meeting coming up on July 3rd, 2018 at 6:15PM to approve election inspectors for the August Election.

Manager's Report

Manager Girard, presented a written report to the board which covered Office Hours – Memorial Day/Summer, Community Events Committee, Lions Field Recreation Area, US41/M-28 Corridor Committee, and Zoning Board of Appeals Information.

Review of Motions Passed & Assignments, if any

Clerk Ritari, reviewed all motions from the meeting and any action items that needed to be done.

Items for Future Agenda (Contributions from Board, deferred items, items planned for future meetings scheduled for July) – Policy Governance Work Session

Board Member Comment - None

ADJOURMENT:

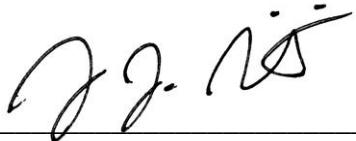
MOTION: To adjourn the meeting.
Motion – Treasurer Johnson
Second – Trustee Everson

Ayes - 7

Nays - 0

Carried

Supervisor Durant declared the meeting adjourned at 9:30 p.m.



Randy J. Ritari, Township Clerk

Lyn J. Durant, Township Supervisor