

SPECIAL MEETING
JANUARY 10, 2001

A Special joint meeting of the Chocolay Township Board and the City of Marquette was held on Wednesday, January 10, 2001 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

Mayor Bradley opened the City of Marquette meeting at 7:00 p.m.

CHOCOLAY TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, John Greenberg, Don Britton, Lois Sherbinow, Ken Tabor, Matt Wiese.

ABSENT: None.

CITY OF MARQUETTE.

PRESENT: Cameron Howes, Dan Dallas, Stu Bradley, Jerry Irby, Jim Schneider, David Carlson.

ABSENT: Tony Tollefson.

Supervisor Fende explained the format of the meeting. There would be a public comment section before the Boards discussion and after. The public is asked to refrain from commenting while the two Boards are discussing issues.

PUBLIC COMMENT.

Cathy Peterson – Questioned what authority allowed the joint meeting?

Scott Emerson – Feels that the new radio tower should be a topic of discussion. Even though it sits in the City boundaries, it is an issue the crosses boundaries.

Supervisor Fende commented that we should explore ideas of mutual interest and consider projects that could be worked on jointly. Mayor Bradley spoke on regional planning with shared ideas and services.

Items of discussion by the City of Marquette and Chocolay Township Boards.

- Library services
- Snowmobile trails
- State police radio tower
- Bike path
- Trash collection
- Recycling
- Recreation areas
- Elections
- Senior Services
- Zoning and planning
- Arts and culture
- Sewer and water services
- Purchasing
- Look at using schools for recreation after 5:00 p.m. on week days
- Training
- Ban on animal feeding
- Grants

Both Boards felt that all of the above issues need to be explored and decided on the subject of Recreation to be discussed at the next joint meeting. The next joint meeting will be held on Tuesday January 30, 2001 at the Lakeview Arena at 7:00 p.m. Marquette Public School Board will be invited to the meeting along with Marquette Township and Sands Township.

PUBLIC COMMENT.

Scott Emerson – The public should be allowed to interject comments while the Board discussion is ongoing. Radio tower placement should take into consideration the

beautiful shore line view that could be ruined. Consider a dark sky ordinance (for street lighting).

Bill Kessel – Could the radio tower be placed on the old prison property at the end of Silver Creek Road?

Larry Huebner – Units of government should keep working on joint issues and use existing bodies.

Billy Jenkins – Is Sands Township involved in the joint meetings?

Cathy Peterson – Is the City of Marquette going to annex the surrounding Townships?

Max Muelle – Marquette Township is excited about the spirit of co-operation.

Dave Savolainen – Requested that a letter from The City of Marquette and all Townships involved be sent to the State police requesting information on radio tower specifications.

There being no further business, Supervisor Fende adjourned the meeting at 8:50 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department			
Uniforms			
101.305.957	\$1,075.00	+ \$253.01	\$1,328.01

REVENUE	PREVIOUS	CHANGE	AMENDED
Miscellaneous			
101.698	\$8,000.00	+\$253.01	\$8,253.01

ROLL CALL.

AYES: Hill, Sherbinow, Tabor, Greenberg, Britton, Wiese, Fende.

NAYS: None.

MOTION CARRIED.

SUBCOMMITTEES – AD HOC TRAILS AND RECREATION.

Hill moved Britton second that the Township Board requests the Planning Commission to evaluate making the AdHoc Trails Committee and Recreation Committee formal sub-committees of the Planning Commission.

AYES: 7

NAYS: 0

MOTION CARRIED.

BOARDS, COMMITTEES AND COMMISSIONS APPOINTMENTS.

Greenberg moved Britton second, to reappoint Lois Sherbinow as the Board Member representative to the Zoning Board of Appeals with a term to run to 12/5/03.

AYES: 7

NAYS: 0

MOTION CARRIED.

Hill moved Sherbinow second, to appoint Michele Wietek to the Zoning Board of Appeals to fill the open unexpired term to 5/9/01.

AYES: 7

NAYS: 0

MOTION CARRIED.

Sherbinow moved Britton second, to appoint Robert Pecotte, Rene DeVooght and Steven Sanderson to the Board of Review with a term to run to 12-31-02.

AYES: 7

NAYS: 0

MOTION CARRIED.

Greenberg moved Britton second, to appoint Lois Sherbinow and Matt Wiese to serve on the Election Commission with Clerk Arlene Hill with a term to run to 11-20-04.

AYES: 7

NAYS: 0

MOTION CARRIED.

Sherbinow moved Tabor second, to appoint Arlene Hill as the Board representative to the Marquette County Townships Association with a term to run to 11-20-04.

AYES: 7

NAYS: 0

MOTION CARRIED.

Greenberg moved Britton second, to appoint Ken Tabor as the Board representative to the Peter White Library Township Advisory Council with a term to run to 11-20-04.

AYES: 7

NAYS: 0

MOTION CARRIED.

Hill moved Greenberg second, to appoint Dennis Magadanz as the member, and Doug Riley as the alternate, to the Marquette Area Wastewater Treatment Facility Advisory Board with a term to run to 12-31-01.

AYES: 7

NAYS: 0

MOTION CARRIED.

Greenberg moved Britton second, to appoint Ivan Fende as the member and Dennis Magadanz and Doug Riley as the alternates to the East Marquette Solid Waste Authority with a term to run to 12-31-01.

AYES: 7

NAYS: 0

MOTION CARRIED.

Hill moved Sherbinow second, to appoint Tom Thomas as the Township representative to the Utility Review Committee for a term to run to 12-31-01.

AYES: 7

NAYS: 0

MOTION CARRIED.

Fende moved Wiese second, to appoint Mike Disch and Gary Heinzelman as the employee representatives to the Personnel Committee with a term to run to 12-31-01.

AYES: 7

NAYS: 0

MOTION CARRIED.

Fende moved Sherbinow second, to appoint John Greenberg as a Board representative to the Personnel Committee with a term to run to 12-31-02

AYES: 7

NAYS: 0

MOTION CARRIED.

Fende moved Britton second, to appoint John Greenberg as the Board representative to the Pension Committee with a term to run to 12-31-04.

AYES: 7

NAYS: 0

MOTION CARRIED.

PERSONNEL POLICY RECOMMENDATIONS.

Sherbinow moved Greenberg second that the Personnel Policy be amended to reflect the changes as recommended by the Personnel Committee in their memorandum of December 11, 2000.

AYES: 7

NAYS: 0

MOTION CARRIED.

The Personnel Policy changes are as follows:

Each employee who reaches 20 years of service (full time or part time) will receive an additional annual vacation day, and will receive an additional annual vacation day on each five-year anniversary thereafter.

Annual vacation hours are available for use on the employee's anniversary date each year according to the above chart. However, as said annual vacation hours are considered earned based upon working an entire year, or on a pro-rated basis, any employee leaving employment during the year must reimburse the Township for any vacation hours that were taken prior to being accrued.

JOB DESCRIPTIONS – NEW LANGUAGE OR CHANGES IN THE FOLLOWING:

- *Director of Recreation and Grants Administration*
- *Supervisor, Department of Public Works*
- *Director of Planning and Research*
- *Lead Maintenance Worker*
- *General Maintenance Worker I*
- *General Maintenance Worker II*

ARMY RESERVE BRIDGE - ADHOC TRAILS AND PLANNING COMMISSION RECOMMENDATION.

A memo was received from the Planning Commission supporting pursuing using this bridge over the Chocolay River at M-28. The Board discussed the liability to the Township if the bridge were used even though it would be safer for snowmobiles than crossing the highway. Putting this bridge up would probably encourage more snowmobiling on a non-authorized trail.

The Board will wait until next summer to make a decision on the bridge. That will allow the Township to evaluate where the DNR is in the acquisition of the railroad right of way.

MANGUM ROAD CONTRACTS.

Greenberg moved Britton second that the Township enter into a contract with the Marquette County Road Commission to repair and repave the three phases of Mangum Road for a total not to exceed \$165,497.36.

ROLL CALL.

AYES: Greenberg, Britton, Wiese, Hill, Sherbinow, Tabor, Fende.

NAYS: None.

MOTION CARRIED.

DIRECTOR OF RECREATION AND GRANTS ADMINISTRATION - EMPLOYMENT CONCURRENCE.

Fende moved Hill second, to concur with the Township Supervisor for the hiring of Mr. Lee Snooks to fill the newly created position of Director of Recreation and Grants Administration.

ROLL CALL.

AYES: Greenberg, Britton, Wiese, Hill, Sherbinow, Tabor, Fende.

NAYS: None.

MOTION CARRIED.

KAWBAWGAM SKI TRAIL GROOMING SNOWMOBILE.

Hill moved Britton second that the Township expend \$2,700.00 from the balance of the KBIC Recreation money and from recreation capital improvements fund both in 401.708.957 to purchase a used Arctic Cat snowmobile.

ROLL CALL.

AYES: Greenberg, Britton, Wiese, Hill, Sherbinow, Tabor, Fende.

NAYS: None.

MOTION CARRIED.

CLOSED SESSION - DISCUSS PROPERTY ACQUISITION.

Hill moved Sherbinow second that the Township Board go into closed session at 8:40 p.m. to discuss property purchase.

ROLL CALL.

AYES: Greenberg, Britton, Wiese, Hill, Sherbinow, Tabor, Fende.

NAYS: None.

MOTION CARRIED.

Hill moved Tabor second that the Township Board go out of closed session at 9:00 p.m. and that the Supervisor be advised to continue to study this issue.

ROLL CALL.

AYES: Greenberg, Britton, Wiese, Hill, Sherbinow, Tabor, Fende.

NAYS: None.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Fende - Re: Water Committee
- B. Charter Communications - Re: Rates
- C. James Carter - Re: Rural Signage
- D. Central Lake Superior Watershed Partnership - Re: Financial Support/Thank You
- E. Police Department - 4th Quarter Statistical Report
- F. MTA - Legislative Updates
- G. MTA - Capitol Currents

There being no further business, the Supervisor adjourned the meeting at 9:05 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

JOINT MEETING
CHARTER TOWNSHIP OF CHOCOLAY
SPECIAL MEETING
JANUARY 30, 2001

The Charter Township of Chocolay Board met at a Special Meeting with the Marquette City Commission, Charter Township of Marquette Board and officials of the Marquette Public Schools. The purpose of the meeting was to discuss Recreation and other mutual concerns. Stu Bradley, Marquette City Mayor, chaired the meeting. He noted that the purpose had been duly noted and published. The meeting was called to order at 7:10 p.m. at the Lakeview Arena, Marquette.

CHOCOLAY TOWNSHIP BOARD.

PRESENT: Ivan Fende, Arlene Hill, Don Britton, Ken Tabor, Matt Wiese.

ABSENT: John Greenberg, Lois Sherbinow.

CITY OF MARQUETTE.

PRESENT: Stu Bradley, Tony Tollefson Jerry Irby, Cameron Howes, Dan Dallas, Jim Schneider, Norm Gruber, City Clerk.

MARQUETTE TOWNSHIP BOARD.

Present: Max Muelle, Carol Huempfner, Bob Atkins, Bill Musolf, Jim Padford.

MARQUETTE PUBLIC SCHOOLS.

Leonard Parker, Kelly Holmstrom, Isabel Edgell, Patrick Smith, Superintendent, Tim Yeadon, Business Manager.

It was generally agreed that the recreation area was the first area of mutual interest to be explored. Committees to be formed will establish what services and facilities exist in each community. Present ideas of interest for future use. The committee's function is to present ideas. They will have no authority to make monetary commitments. The following ideas were mentioned:

- Two members from each of the four governmental units at the meeting
- Should focus on trails and snowmobiles
- Facilities and projected plans

The organizational meeting was set for February 9, 2001 at 12:00 noon at the Bonanza Restaurant. It was later agreed that a separate committee would also be formed to study services and needs for the area of senior citizens. This committee will meet for organizational purposes at the same time and place. The County would be invited to send two representatives to participate in these plans.

Future topics of interest were listed as follows (not in order of priority):

- Arts and culture
- Planning and zoning (including street lighting and transportation)
- Senior services
- Public health issues i.e. water, sewer, composting
- Technology including main frames, wire/wireless (the I.S.D. was mentioned as a partner in this study)
- Signage with emphasis on political signs
- Cable TV
- Animal feeding guidelines

Generally it was agreed that the purpose of meeting on areas of mutual concerns was best served by approaching one or two areas and making some inroads of progress. From there we will branch out.

The next meeting to receive reports was set for Wednesday, March 21, 2001 at the Lakeview Arena at 7:00 p.m.

The meeting was adjourned at 8:30 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

4. **DPW Supervisor's Soil Erosion Certification** - Denny recently completed his State Soil Erosion Administration Certification that our previous DPW Supervisor had, (and that we had contracted with Mr. Gould to retain in the interim).

6. **EPA Meeting** – There is a possibility that the EPA Advisory Board may meet in Marquette for one of their quarterly meetings. This Board includes about 30 members from all over the country and 10-15 support personnel. The Board thought this was a great opportunity.

STREET LIGHTING – PLANNING COMMISSION RECOMMENDATION.

A memo was received from the Planning Commission on a street lighting policy change regarding the type of lighting fixture utilized. The Board would like the Planning Commission to pursue this and bring it back to the Board.

QUALIFIED VOTER FILE COMPUTER.

The board discussed the fact that the State is requiring us to purchase a new computer to accommodate their program upgrade. The Board would like Clerk Hill to find out if all other jurisdictions must pay for the new computer.

Hill moved Sherbinow second that the Clerk Department is authorized to purchase the state approved computer, keyboard and mouse for the QVF records at a cost not to exceed \$2,211.00 from the Capital Improvements Fund Election Department 401.190.957.

ROLL CALL.

AYES: Wiese, Britton, Greenberg, Tabor, Sherbinow, Hill, Fende.

NAYS: None.

MOTION CARRIED.

COMMUNITY INFORMATION SYSTEM – MAINTENANCE AGREEMENT-COMPUTER.

Britton moved, Wiese second that the Board authorizes the Supervisor to execute the Marquette Information Technology for Intergovernmental Cooperation Project Information Maintenance Agreement for Chocoday Township's participation in this project.

AYES: 7

NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - Fende - Re: Joint Sub-Committee Representatives
- B. Memorandum - Fende - Animal Feeding
- C. Correspondence from - U.P.S.E.T. - Re: Thank You
- D. Correspondence from - Jenny Lancour - Re: Tower
- E. Correspondence from - Lake Superior Hospice - Re: Support
- F. Information - 2001 Equalization - Board of Review Hearing Dates
- G. Information - Road Commission - 2001 Meeting Schedule
- H. Information - Township Meeting Attendance Report
- I. Information - Peter White Public Library - February Programs
- J. Information - MTA - Legislative Updates
- K. Information - MTA - Capitol Currents

Lee Snooks, Director of Recreation and Grants was introduced to the Board. This was his first day on the job.

There being no further business, the Supervisor adjourned the meeting at 7:40 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

To appropriate all funds necessary to complete the project during the project period and to provide Forty Five Thousand Eight Hundred Six (\$45,806.00) dollars to match the grant authorized by the DEPARTMENT.

To maintain satisfactory financial accounts, documents, and records to make available to the DEPARTMENT for auditing at reasonable times.

To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of the Agreement.

To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.

To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution."

ROLL CALL.

AYES: Wiese, Britton, Greenberg, Tabor, Sherbinow, Fende.

NAYS: None.

Motion Carried.

TRAILER PURCHASE – CAPITAL IMPROVEMENTS FUND EXPENDITURE.

Britton moved Sherbinow second that the DPW Supervisor be authorized to spend \$3,080.00 from the Capital Improvements 401.708.957 for a box scraper and trailer.

ROLL CALL.

AYES: Tabor, Sherbinow, Wiese, Britton, Greenberg, Fende.

NAYS: None.

Motion Carried.

FIREWALL – CAPITAL IMPROVEMENTS FUND EXPENDITURE.

Sherbinow moved Tabor second that the Township Supervisor is authorized to expend \$2,464.00 for a computer firewall from Buildings – Capital Improvements 401.265.957.

ROLL CALL.

AYES: Wiese, Britton, Greenberg, Tabor, Sherbinow, Fende.

NAYS: None.

Motion Carried.

CLOSED SESSION.

Wiese moved Tabor second that the Board go into closed session at 7:20 p.m. to discuss property purchase.

ROLL CALL.

AYES: Tabor, Sherbinow, Wiese, Britton, Greenberg, Fende.

NAYS: None.

Motion Carried.

Greenberg moved Britton second to go out of closed session at 7:40 p.m.

ROLL CALL.

AYES: Tabor, Sherbinow, Wiese, Britton, Greenberg, Fende.

NAYS: None.

Motion Carried.

Britton moved Greenberg second that the Township Supervisor is authorized to continue property negotiations and to authorize a Phase I environmental site assessment for the subject property by U.P. Engineers and Architects at a cost not to exceed \$1,490.00

ROLL CALL.

AYES: Wiese, Britton, Greenberg, Tabor, Sherbinow, Fende.

NAYS: None.

Motion Carried.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Memorandum - Sanders - Re: QVF Computer
- B. Correspondence from - Charter Communications - Re: Rebate
- C. Correspondence from - Michigan Groundwater Stewardship Program - Re: Programs
- D. Information - MTA - Legislative Updates

There being no further business, the Supervisor adjourned the meeting at 7:45 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

JOINT MEETING
CHARTER TOWNSHIP OF CHOCOLAY
SPECIAL MEETING
MARCH 21, 2001

The Charter Township of Chocolay Board met at a Special Meeting with the Marquette City Commission, Charter Township of Marquette Board and officials of the Marquette Public Schools. The purpose of the meeting was to discuss Recreation, Senior Services, and No-Feeding of Wildlife. Stu Bradley, Marquette City Mayor, chaired the meeting. The meeting was called to order at 7:05 p.m. at the Lakeview Arena, Marquette.

CHOCOLAY TOWNSHIP BOARD.

PRESENT: Ivan Fende, Don Britton, Ken Tabor, Lois Sherbinow.

ALSO PRESENT: Doug Riley, Director of Planning and Research, Lee Snooks, Director of Recreation and Grants, Cathy Phelps, Records Clerk.

ABSENT: John Greenberg, Arlene Hill, Matt Wiese.

CITY OF MARQUETTE.

PRESENT: Stu Bradley, Dan Dallas, Hugh Leslie, Parks & Recreation Director, Jerry Peterson, City Manager, Norm Gruber, City Clerk, Charles Richardson, Director of Senior Citizens.

MARQUETTE TOWNSHIP BOARD.

PRESENT: Max Muelle, Carol Huempfner, Bob Atkins, Bill Musolf.

ALSO PRESENT: Larry Huebner, Township Manager

MARQUETTE PUBLIC SCHOOLS.

Kelly Holmstrom and Patrick Smith, Superintendent.

The following Agenda items were discussed:

- Recreation Services
- Senior Services
- No-Feeding of Wildlife

Don Britton, Chocolay Township, reported on the Recreation Services subcommittee. The committee met and exchanged ideas on trail use and recreation inventories. They have met twice. The County is gathering information and is making a map showing what recreational services are now available. With this map the committee can see what is available now, and what is or may not be needed for the future. The three main areas they are concentrating on are trails, recreational fields, and parks. It was discussed whether the DNR should be contacted to join the group. Jerry Peterson will be drawing up a letter for the four entities to sign requesting the County's assistance in our recreation and mapping interests.

Carol Huempfner, Marquette Township, reported on Senior Services. The committee met and looked at a 5 and 10 year study. They will work on completing surveys regarding senior needs. They may work with classes at NMU and the Commission of Aging.

Regarding the feeding of wildlife, Chocolay Township does not have a problem at this time and is not included. The City and Marquette Township are working on an ordinance against feeding bear, geese, skunks, deer, and raccoon. Max Muelle and Jerry Peterson both commented on the increased problem of deer in residential areas. Hugh Leslie stated educating the community is essential in this endeavor.

June 1, 2001 was the date planned for the two committees to have reports ready.

The meeting was adjourned at 8:18 p.m.

Arlene E. Hill, CMC
Township Clerk

Cathy L Phelps,
Records Clerk

- Skateboard park at one of the recreation areas.
- Silver Creek Recreation Area play equipment update and safety inspection.
- Expand recycling in the Township.
- A trashcan is provided at Silver Creek School and emptied during the school year by the students. Will the Township empty it during the summer months.
- Does the Township voting system need updating? Were all the votes counted in Chocoday?
- When will the bike path from U S 41 to Silver Creek School be done? Will the bike path be put in from Cherry Creek School to Silver Creek School?
- A bike path including a nature trail.

The Students thanked the Board for listening to their requests.

The Township Board responded immediately to some of the requests, the Planning Commission and Recreation Committee will also explore the student council requests.

- Chocoday Township has the accuvote voting system, which is the system most problem voting areas will be going to. We switched from punch card voting to accuvote four years ago.
- Chocoday Lions Recreation Area was purchased one year ago and the township is working on improvements. The requests made by the student council will be taken in consideration.
- The bike path from U S 41 to Silver Creek School will be done this summer.
- The Recreation Committee will look at all current playground equipment.
- A Nature Trail will be considered on the Browers Property on Kawbawgam Road. This property was donated to the Township.
- We will pick up the trashcan at Silver Creek School during the summer months.

FIRE DEPARTMENT – NFPA STANDARDS OPPOSITION.

Hill moved Greenberg second that the Chocoday Township Board is in opposition to the National Fire Protection Association’s proposed standards 1710 and 1720 and adopts the attached resolution to be sent to the NFPA for review.

Charter Township of Chocoday Board Resolution Marquette, Michigan

- Resolution Opposing NFPA Proposed Standards 1710 and 1720
- WHEREAS the National Fire Protection Association (NFPA) is an international association of individuals and trade and professional organizations; and
- WHEREAS the mission of NFPA is “to reduce the worldwide burden of fire and other hazards on the quality of life by providing and advocating scientifically-based consensus codes and standards, research and education”; and
- WHEREAS NFPA has produced over 275 codes and standards that deal with every aspect of fire and life safety; and
- WHEREAS NFPA is an internationally recognized authority in producing codes and standards dealing with fire and life safety; and
- WHEREAS NFPA is currently proposing two new standards: NFPA 1710, Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, Special Operations to the Public by Career Fire Departments, and NFPA 1720, Organization and Deployment of Fire Suppression, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments; and
- WHEREAS proposed NFPA standards 1710 and 1720 define minimum response times, minimum fire company staffing levels, initial full alarm response levels, and extra alarm response levels; and
- WHEREAS levels of service delivery for fire and emergency medical services (EMS) have always been determined by local jurisdictions; and

COUNTY'S REQUEST FOR FEDERAL BUDGET RESOLUTION.
CHARTER TOWNSHIP OF CHOCOLAY
MARQUETTE, MICHIGAN
REFERAL BUDGET RESOLUTION

Hill moved, Fende second that

WHEREAS, the Charter Township of Chocolay receives funds to operate essential programs and projects from the federal government in the form of grants and flow-through funds, and

WHEREAS, the federal legislature is currently in the process of cutting tax revenue in the form of an income tax reduction without establishing a balanced budget prior to allocating these tax cuts, and

WHEREAS, local municipalities are required to establish a balanced budget by a specified date, and

WHEREAS, businesses and individuals could not decrease their revenue without knowing their expenditures,

NOW, THEREFORE BE IT RESOLVED, that the Charter Township of Chocolay requests the federal legislature to adhere to the same responsible budget process and only consider proposed tax cuts in conjunction with a fiscally responsible budget thus assuring continued economic prosperity for all Americans;

AND, FURTHER, that the Charter Township of Chocolay adopts this resolution at its meeting, held on Monday, April 16, 2001.

YES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

1. **Police Car** - The Police Department's new squad car is in and the Chief will be picking it up this week. It will be outfitted next week and should be ready for the road within the next month.
2. **ABC Hardware** - Our Police Department currently has charges against ABC Hardware for illegal dumping and disposal of waste on their property. The Department of Environmental Quality is involved in this investigation and hopefully this will lead to a successful conclusion to this problem.
3. **Sommers Property** - Now that Spring is here, Mr. Maki is again working on the continued clean up of the Sommers property on Timberlane. Hopefully, progress can continue on this issue without more intensive enforcement efforts.
4. **Scrap Metal Collection** - We did decide to go with a scrap metal drop off program this spring versus roadside collection due to the increased costs. We will re-evaluate next year regarding going back to roadside collection.
5. **Census/City of Marquette.** - The City of Marquette is in the process of challenging 1205 persons of Chocolay Township's 2000 population census. They did not notify us that this was being done, we learned about it through the Mining Journal. The Census maps just came out and we have been communicating with State and Federal census people. The census block in question is in the Beaver Grove area.

Clerk Hill asked the Board to discuss paying for employees and Board members to attend the MCTA Spring Banquet.

Hill moved Britton second that the township pay the cost for township employees and their spouses to attend the MCTA Spring Banquet.

ROLL CALL.

AYES: Greenberg, Wiese, Britton, Hill, Sherbinow, Tabor, Fende.

NAYS: None.

MOTION CARRIED.

Clerk Hill – MTA District meetings will be held the 1st and 2nd week in May.

Supervisor Fende – Encouraged the Board members to consider attending the MTA Winter conference in Grand Rapids or Lansing.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Chocloy River Watershed Plan
- B. Marquette Area 4th of July Committee - Re: Fireworks Contribution
- C. Police Department - 1st Quarter Statistical Report
- D. MCTA Spring Banquet
- E. MTA - Spring District Meetings
- F. MTA - Legislative Updates

There being no further business, the Supervisor adjourned the meeting at 8:20 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

**CHARTER TOWNSHIP OF CHOCOLAY
SPECIAL MEETING
5-15-2001**

A Special Meeting of the Charter Township of Chocolay Board was called for at 5:30 PM at the townhall on Tuesday, May 15, 2001. Supervisor Fende called the meeting to order at the prescribed time. He noted the posted purpose of the meeting was to take a site visit to the Silver Creek Elementary School and consider any appropriate action thereafter.

PRESENT: Fende, Hill, Greenberg, Tabor, Sherbinow, Britton

ABSENT: Wiese

The meeting was adjourned to conduct the site visit at 5:35 PM.

The meeting was called to order when the Board members returned at 6:15 PM.

Don Britton Moved, John Greenberg Second, that the Township Supervisor and Township Clerk are authorized to enter into the Purchase Agreement, Lease Promissory Note and Mortgage pertaining to the acquisition of the Silver Creek Elementary School as presented upon approval by the Board of Education of the Marquette Area Public Schools upon receipt and approval of the personal property list.

ROLL CALL

Yes – 6, Don Britton, John Greenberg, Ivan Fende, Arlene Hill, Lois Sherbinow, Kendall Tabor

No – none

Absent – Matt Wiese

Motion carried.

The Supervisor adjourned the meeting following this action at 6:45 PM.

Arlene E. Hill, CMC
Township Clerk

CHARTER TOWNSHIP OF CHOCOLAY
BOARD MEETING
MAY 21, 2001

A Regular meeting of the Chocolay Township Board was held on Monday, May 21, 2001 at the Township Hall, 5010 U S 41 South, Marquette. In the absence of the Supervisor, Treasurer Greenberg called the meeting to order at 7:00 p.m.

Greenberg called for nominations to chair the meeting.

Hill moved, Sherbinow supported that Greenberg be appointed to chair the meeting.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED

TOWNSHIP BOARD.

PRESENT: John Greenberg, Arlene Hill, Don Britton, Matt Wiese, Lois Sherbinow, Ken Tabor.

ABSENT: Ivan Fende.

MINUTES – APRIL 16, 2001 and MAY 15, 2001.

Britton moved, Wiese second that the minutes of the Regular Meeting held on April 16, 2001 be approved.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED.

Britton moved, Tabor second that the minutes of the Special Meeting held on May 15, 2001 be approved.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Sherbinow second that bills totaling \$27,285.74, checks numbered 10906 -10941 are approved for payment.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED.

Sherbinow moved, Tabor second that bills totaling \$13,346.61 checks numbered 10943 – 10975 are approved for payment.

Wiese questioned check #10942. Arlene Hill explained it as a void.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED.

FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.

C/D INVESTMENT REPORT.

AMT OF C/D	205,000.00	180,000.00	100,000.00
DATE PURCHASED	5/15/01	5/15/01	5/15/01
MATURING ON	11/13/01	11/13/01	11/13/01
INTEREST RATE	4.50%	4.55%	4.40%
INSTITUTION	N MI Bank	N MI Bank	Republic Bank

PUBLIC COMMENT-

1. Mrs. William Albrecht, 399 Lakewood Lane, questioned the Board regarding neighborhood noise problem in relation to the parking of a semi truck. Greenberg thought the problem may be solved by addressing the problem personally. Doug Riley will check with Zoning Administrator regarding Zoning and the Police Department regarding the Nuisance Ordinance.
2. Dan Chartier, President of CABA, wanted to let the Board know of CABA meeting the 3rd Wednesday of the month. June 20th they will be honoring Citizen(s) of the Year. He noted that the business association would like to help the Township with planned use of Silver Creek School. Dan also discussed the survey follow-up on businesses belonging to CABA. He requested that someone from the Township attend their monthly meetings. The Board was asked to put a resolution on the agenda for the Lions at the June meeting.
3. Arlene Hill introduced Cathy Phelps, Records Clerk, to the Board. Hill noted that her responsibility, among other things, is to take care of the election records of the Township.

PUBLICATION OF REZONING #114 – TEXT AMENDMENT– SEASONAL ROAD PROPERTY OWNER NOTIFICATION

Doug Riley discussed a letter from Attorney Summers, and the Board discussed recording with the Register of Deeds so owners are made fully aware of seasonal road limitations.

Britton moved, Tabor second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE, MICHIGAN: #34-01-01

Section 402 - FRONTAGE REQUIREMENTS - To add a subsection E. to read as follows:

E. CONSTRUCTION OF DWELLING ON SEASONAL COUNTY ROAD
Any person constructing a dwelling on a seasonal County Road is required to sign a "Construction of Dwelling on Seasonal County Road - Property Owner Notification" form prior to the issuance of a zoning compliance permit. (Said notifications to be kept with the Zoning Compliance permits).

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED

LAND DIVISION ORDINANCE AMENDMENT – CREATE PROVISIONS FOR A LOT WIDTH TO DEPTH VARIANCE PROCEDURE

Discussion: John Greenberg said this affects the entire Township. This will go to the Board of Appeals, creating an allowance for a variance of depth to width.

Hill moved, Sherbinow second to authorize staff to proceed with the formal amendment to the Land Division Ordinance and to schedule the required public hearing.

AYES: 6 NAYS: 0 ABSENT: 1 MOTION CARRIED

BOARDS, COMMITTEES, COMMISSIONS REPORTS –

1. Planning Commission – April 19, 2001
2. MAWTHAB – March 12 & April 17, 2001
3. NMPSA – March 28 & April 25, 2001
Arlene Hill mentioned the survey is to be completed.
4. CLSWP – April 17, 2001

SUPERVISOR’S REPORT. None.

SPECIAL USE PERMIT #2 – MARQUETTE COUNTY ROAD COMMISSION –MINING PERMIT (SAND) FOR WITTLER PROPERTY ON US 41

Hill moved, Britton second that after consideration of Special Use Permit #2 for a Mining and Mineral Extraction Permit for sand as provided in the standards of Section 407 of the Chocolay Township Zoning Ordinance, the Township Board approves the request as recommended by the Planning Commission with the following conditions:

- 1) That a zoning compliance/mining and mineral extraction permit be obtained from the Zoning Administrator prior to use.
- 2) That the access road be adequately treated to prevent dust from impacting US-41.
- 3) That the permit is only valid for the 2001 road construction season and the site shall be restored to MDOT borrow site requirements.

ROLL CALL:

AYES: Greenberg, Hill, Wiese, Britton, Sherbinow, Tabor.

NAYS: None.

ABSENT: Fende.

MOTION CARRIED.

SILVER CREEK MULTI-USE PATH BID AWARD.

Denny Magadanz discussed the path.

Motion by Britton, Tabor second that the Department of Public Works Supervisor is authorized to expend \$9,122.87 from Recreation Capital Improvements Fund 401.708.957 and award the construction of the multi use path to the low bidder, Smith Paving Company.

ROLL CALL:

AYES: Greenberg, Hill, Wiese, Britton, Sherbinow, Tabor.

NAYS: None.

ABSENT: Fende.

MOTION CARRIED

PUBLICATION OF REZONING #115 – TEXT AMENDMENT– COMMERCIAL REAL ESTATE AND SUBDIVISION DEVELOPMENT SIGNS.

Sherbinow moved, Britton second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE, MICHIGAN: #34-01-02.

Section 805 - EXEMPTIONS FROM SIGN REGULATIONS - To amend the second section by adding the language in bold print:

- signs having an area of not more than six square feet each, the message of which is limited to warning of any danger, prohibition or regulation of the use of the property, or traffic or parking thereon, or advertising the premises for sale or rent. **Signs**

advertising commercial real estate and subdivision/development signs of 32 square feet or less provided they are located outside of the right-of-way.

ROLL CALL:

AYES: Greenberg, Hill, Wiese, Britton, Sherbinow, Tabor.

NAYS: None.

ABSENT: Fende.

MOTION CARRIED.

BEAVER GROVE RECREATION AREA - CMI GRANT – PRIME PROFESSIONAL .

Discussion: John Greenberg questioned the breakdown percentage. Denny Magadan noted it was all in one lump sum, and that the site has already been surveyed.

Britton moved, Hill second that the Director of Recreation and Grants Administration retain the services of U.P. Engineers & Architects, Inc. to Act as Prime Professionals for the Beaver Grove Recreational Area CMI Grant, for a fee of \$11,400. This fee does not include site surveying, or reproduction and advertisement costs for project bidding.

ROLL CALL:

AYES: Greenberg, Hill, Wiese, Britton, Sherbinow, Tabor.

NAYS: None.

ABSENT: Fende.

MOTION CARRIED

RESOLUTION AMENDING GENERAL FUND BUDGET FY2001–AMENDMENT NO. 2 PHASE I ENVIRONMENTAL SITE ASSESSMENT.

Hill moved, Sherbinow second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 2, 2000, 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, and Whereas, such modification will continue to maintain a balanced budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Other General Government			
Contingency			
101.285.951	35,796.00	-1,490.00	34,306.00
Township Hall & Grounds			
Capital Outlay			
101.265.957	-0-	+1,490.00	1,490.00

ROLL CALL:

AYES: Greenberg, Hill, Wiese, Britton, Sherbinow, Tabor.

NAYS: None.

ABSENT: Fende.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

Chief Zybert – Re: Officer Neveau/6 month Probation Report
Maki to Waselesky – Re: Zoning Violation
MTA/Adamini/Riley – HB 4022
Marquette County Clerk – Re: 2001 Apportionment
MCTA – Re: meeting Information
Marquette County Road Commission - Street Sweeping Schedule
MTA - Legislative Updates

There being no further business, Treasurer Greenberg adjourned the meeting at 7:45 p.m.

Arlene E. Hill, CMC
Township Clerk

Cathy L Phelps
Record Clerk

Public Hearing opened at 7:12 p.m. Clerk Hill asked for clarification from staff on the need for this change. Doug Riley, Planning Director, explained that this amendment creates a variance procedure to the lot width to depth ratio contained in our land division ordinance. Currently no variances can be requested. The Public Hearing closed at 7:15 p.m.

Hill moved, Wiese second that the Charter Township of Chocolay Board waive the reading and ADOPT the following amendment to ORDINANCE 52 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #52B

AMENDMENT #52B

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #52, the Chocolay Township Land Division Ordinance as adopted August 17, 1998 and as amended, be further amended to add the following language to Section VII:

Sec (F) Lake Superior/M-28/Lakewood Lane depth to width ratio exemption

- (a) Lots with Lake Superior frontage, on M-28, and Lakewood Lane are exempt from the 4 to 1 depth to width ratio due to the existing development pattern and physical location of M-28 and Lakewood Lane, which has led to unusually deep lots.

Sec (G) Variances:

The Zoning Board of Appeals shall have the power and duty to authorize upon appeal in specific cases a variance from the literal enforcement of the provisions of the 4 to 1 depth to width ratio, where compliance would result in unnecessary hardship or practical difficulty owing to special conditions.

The Zoning Board of Appeals shall make findings that the requirements of this Section have been met by the applicant.

- (a) The Zoning Board of Appeals shall further find that the reasons set forth in the application justify the granting of the variance, and that it is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- (b) The Zoning Board of Appeals shall further find that the granting of the variance will be in harmony with the general purpose and intent of this Ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public interest.
- (c) The site exhibits unique topographic or physical conditions, which justify the granting of the variance.

In granting any variance, the Zoning Board of Appeals may prescribe appropriate conditions and safeguards with this Ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted shall be deemed a violation of this Ordinance.

ROLL CALL:

AYES: Greenberg, Britton, Wiese, Tabor, Sherbinow, Hill, Fende.

NAYS: None.

MOTION CARRIED

BOARDS, COMMITTEES, COMMISSIONS REPORTS –

- 1) Planning Commission - 2000 (Annual) Report
- 2) Planning Commission - May 14 and May 23 (Special) Meeting
- 3) MAWTFAB - May 8, 2001
- 4) MCTA - April 25, 2001

SUPERVISOR'S REPORT.

1. Police Survey- In your packets was a copy of a survey that was completed by a NMU group on the area's Police Departments. Please take note that the Chocolay Township Police Department received a high rating.
2. Metal Drop Off - The metal drop off went very well with 15 roll-offs being picked up by LaChance Scrap Metal and only 1 roll-off of non-metal material had to be taken to the landfill.
3. Infield Reconstruction - The infields at Silver Creek, Beaver Grove and the Lions Field have been reconstructed and the users have voiced their appreciation. By completing this work ourselves, the cost of the box scraper and materials was under \$4,000 (which is significantly less than the amount previously budgeted).
4. USDA Grant Application - Mr. Snooks recently submitted a preliminary grant application under the USDA Essential Community Facilities Grant Program for equipment and furnishings for the

Community Center. The total requested is \$68,000 of which the Township's share would be \$16,000. This grant would come before the Board prior to any formal consideration.

5. Fire Department - The Fire Department recently brought on two new volunteers, which brings the Department total to 21.
6. Lions Field - A portable toilet has been installed at the Lions Field and the Little League has started to use the field.
7. Haulers Agreements - We have seen a substantial increase in the number of hauling agreements we are issuing for people to haul directly to the landfill and people seem very appreciative for the Township providing this opportunity.

PUBLICATION OF REZONING #116 – BEAVER GROVE RECREATION AREA PROPERTY – R-1 TO PUBLIC LANDS.

Britton moved Sherbinow second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-01-03

AMENDMENT #34-01-03

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows:

SECTION 901 - CHOCOLAY TOWNSHIP ZONING MAP

That the Township owned property known as the Beaver Grove Recreation Area Property located on the west side of US-41, north of County Road 480 in Section 16, T47N-R24W encompassing approximately 29 acres identified as tax parcel codes 52-02-116-011-10 and 52-02-116-020-10 be rezoned from R-1 to Public Lands.

AYES: 7 NAYS: 0

MOTION CARRIED.

HOSKING PRIVATE ROAD.

Hill moved Britton second that the Township Board concurs with the Planning Commission that the private road construction by Ray Hosking is a minor change and is consistent with the previous approval and does not warrant a new public hearing.

AYES: 7 NAYS: 0

MOTION CARRIED.

MANGUM ROAD CONTRACTS – CHANGE ORDER.

Hill moved Wiese second that the Township Supervisor signs the Mangum Road change orders #1 and #2 at a cost of \$17,305.00 from Streets Capital Improvements 401.440.957.

ROLL CALL:

AYES: Hill, Sherbinow, Tabor, Greenberg, Wiese, Britton, Fende.

NAYS: None.

MOTION CARRIED.

CONSIDER 2000 CENSUS RESOLUTION.

Certifying to the State of Michigan, Department of Treasury, the number of residents to be subtracted from the 2000 Census count for the Township of Chocolay and added to the City of Marquette for revenue sharing and tax appropriation purposes.

WHEREAS, the Township of Chocolay and the City of Marquette have jointly agreed to subtract 955 residents from the Township of Chocolay and to add said 955 residents to the City of Marquette due to an assumed error of the United States Census Bureau with the 2000 Census counts for these jurisdictions.

NOW THEREFORE, BE IT RESOLVED that 955 residents from Census Tract 1200, Block 3016 be subtracted from the Township of Chocolay, Marquette County Michigan and added to the City of Marquette, Marquette County Michigan, for the purpose of revenue sharing and tax appropriation through the Michigan Department of Treasury

AYES: 7 NAYS: 0

MOTION CARRIED.

FIRE DEPARTMENT CONSTITUTION AND BY-LAWS.

Greenberg moved Wiese second that the Fire Department Constitution and by-laws and the Operating Policy and Procedures be adopted with the changes recommended by the Fire Department.

AYES: 7 NAYS: 0

MOTION CARRIED.

ACCOUNTING COMPUTER PROGRAM – PURCHASE UPDATE.

Sherbinow moved Wiese second that the Clerk Department is authorized to expend \$1,220.00 from Capital Improvements Fund, Clerk Department 401.215.957 for Fund Balance software updates.

ROLL CALL:

AYES: Wiese, Greenberg, Britton, Tabor, Sherbinow, Hill, Fende.

NAYS: None.

MOTION CARRIED

ATTORNEY FEE INCREASE.

Fende moved Sherbinow second that the Township Attorney's request for an hourly rate increase from \$75.00 to \$82.50 be approved effective July 1, 2001.

ROLL CALL:

AYES: Hill, Sherbinow, Tabor, Greenberg, Wiese, Britton, Fende.

NAYS: None.

MOTION CARRIED.

PLANNING COMMISSION APPOINTMENTS.

Fende moved Wiese second to reappoint Scott Emerson to the Planning Commission with a term to run until May 24, 2004.

AYES: 7 NAYS: 0

MOTION CARRIED.

Fende moved Wiese second to reappoint Mike LaPointe to the Planning Commission with a term to run until May 24, 2004.

AYES: 7 NAYS: 0

MOTION CARRIED.

LION'S CLUB RESOLUTION.

Greenberg moved Britton second that

BE IT HEREBY KNOWN THAT

CHOCOLAY LIONS APPRECIATION DAY

WEDNESDAY, JUNE 20, 2001 IS DECLARED

BY THE CHOCOLAY TOWNSHIP BOARD IN COOPERATION WITH THE
CHOCOLAY AREA BUSINESS ASSOCIATION

TO GIVE THE WELL DESERVED RECOGNITION TO THE CHOCOLAY AREA LIONS CLUB
MEMBERS FOR THEIR SERVICE TO THEIR COMMUNITY THROUGH THE FOLLOWING:

- COMMUNITY CALENDAR
- YOUTH HALLOWEEN PARTY
- HANDICAPPED/SENIOR HOME IMPROVEMENTS
- HIGHWAY CLEAN UP PROGRAM
- GIFT OF A TOWNSHIP PARK AREA

AND IN CONJUNCTION WITH LIONS INTERNATIONAL:

- LEADER DOG PROGRAM
- EYE GLASSES PROGRAM

IT IS HEREBY RESOLVED THAT, WITH GRATEFUL THANKS, WE ESTABLISH JUNE
20, 2001, AS CHOCOLAY LIONS APPRECIATION DAY.

AYES: 7 NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - MDOT - Re: TEA 21 Grant
- B. Correspondence - CABA - Re: Lions Club Recognition Dinner
- C. Correspondence - Marquette County - Re: Commissioner Districts
- D. Correspondence - MTA - Re: Membership Update
- E. Information - Marquette County Road Commission - Re: Scenic Roads Policy
- F. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 8:00 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

JULY 23, 2001

A Regular meeting of the Chocolay Township Board was held on Monday, July 23, 2001 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Arlene Hill, Don Britton, Matt Wiese, Lois Sherbinow, Ken Tabor.

ABSENT: None.

MINUTES – June 18, 2001.

Greenberg moved, Britton second that the minutes of the Regular Meeting held on June 18, 2001 be approved.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved, Sherbinow second that bills totaling \$107,076.82 checks numbered 11049 - 11076 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

Sherbinow moved, Wiese second that bills totaling \$42,632.39 checks numbered 11080 – 11136 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.

PUBLIC COMMENT.

Dick Arnold - County Road 545 had a complaint about junk in neighbors' yard. Supervisor Fende asked Chief Zyburt to re-investigate the complaint.

ADOPTION OF REZONING #116 – BEAVER GROVE RECREATION AREA PROPERTY – R-1 TO PUBLIC LANDS.

Hill moved, Britton second that the Charter Township of Chocolay Board waive the reading and ADOPT the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-01-03

AMENDMENT #34-01-03

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows:

SECTION 901 – 903 CHOCOLAY TOWNSHIP ZONING MAP

That the Township owned property known as the Beaver Grove Recreation Area Property located on the west side of US-41, north of County Road 480 in Section 16, T47N-R24W encompassing approximately 29 acres identified as tax parcel codes 52-02-116-011-10 and 52-02-116-020-10 be rezoned from R-1 to Public Lands.

ROLL CALL:

AYES: Wiese, Greenberg, Britton, Tabor, Sherbinow, Hill, Fende.

NAYS: None. MOTION CARRIED

BOARDS, COMMITTEES, COMMISSIONS REPORTS –

- 1) Planning Commission - June 12 and July 9, 2001 Meetings
- 2) Zoning Board of Appeals - May 24, 2001 Meeting
- 3) NMPSA - May 24 and June 27, 2001 Meetings

SUPERVISOR'S REPORT.

- 1) Budget - As you will note from the process schedule that was included in your packets, the 2002 budget process is underway and the departments are currently completing their requests.

- 2) Census - In case the Board hears rumors, Sands Township has told us that they may challenge their census count as they believe their people along Townline Road (2 houses, 5-6 people) were credited to Chocolay Township.
- 3) Bicycle Registration - The Police Department's bicycle registration day was held on the last day of June and around 100 kids participated and 3 donated bikes were awarded.
- 4) Firefighters Tournament - I would like to congratulate our Fire Department on winning the Negaunee Frontier Days Fireman's competition.
- 5) Zoning Enforcement - Mr. Maki continues to work on several zoning enforcement issues including the complaints that were addressed to the Board over the past year (Sommers property on Timberlane and the Semi-Truck parking on Lakewood Lane).
- 6) Chocolay Sign - We have moved the "Entering Chocolay Township Sign" that was previously placed in the City of Marquette jurisdiction west of the rock cut near the small red house. We moved it closer to the actual Township line on the east side of the rock cut since we were receiving many of the calls and complaints regarding the new road that was run up the hill by the small red house.
- 7) Jon Wennerberg - I would like to acknowledge Jon Wennerberg, owner of Star Industries, and CABA for the work that he puts forth (in conjunction with CABA) in maintaining the US-41/M-28 intersection area and for his company's recycling program which benefits a great many of our Township residents.

PRIVATE ROAD REQUEST #16 – SCOTT HUBBARD – WINTERGREEN TRAIL.
 Greenberg moved, Britton second, that the Chocolay Township Board concur with the Planning Commission recommendation to approve Private Road request #16 from Scott Hubbard under Section 402 of Zoning Ordinance #34 with the following conditions:

- 1) The applicant provides verification of current ownership prior to beginning construction.
- 2) The applicant install 2' gravel shoulders to comply with Ordinance requirements.
- 3) A covenant be established on the deeds for any parcels created off from this private road identifying the private road status and which reference the Declaration of Easement which must be fully executed.
- 4) The applicant pays for and installs a stop sign at the intersection of Wintergreen Trail and M-28.
- 5) The applicant complies with the conditions and requirements of all other agency regulations.
- 6) A zoning compliance permit shall be issued after all of the above conditions are met.
- 7) The applicant is required to provide certification from a surveyor/engineer that the private road standards of the Ordinance have been achieved at the conclusion of construction.
- 8) The applicant is strongly encouraged to obtain Health Department review of well and septic considerations for the proposed lots prior to road construction.
- 9) Land Division Approval is required from the Zoning Administrator for the creation of individual parcels off from the road and may require the modification of the lots as shown.

AYES: 7 NAYS: 0

MOTION CARRIED.

CAPITAL IMPROVEMENTS FUND BUDGET AMENDMENT # 2 FY2001 – POLICE TRAINING FUNDS.

Greenberg moved, Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 2, 2000, 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, and Whereas, such modification will continue to maintain a balanced budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Training Capital Outlay 401.306.957	2,186.40	+430.60	2,617.000

REVENUE

Miscellaneous

401.698	6,886.80	+430.60	7,317.40
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ROLL CALL:

AYES: Tabor, Sherbinow, Hill, Wiese, Greenberg, Britton, Fende.

NAYS: None.

MOTION CARRIED

COMMUNITY CENTER – FORMATION OF COMMITTEE AND 1ST PAYMENT TO SCHOOL.

Britton moved, Wiese second, to establish the "Chocolay Community Center Committee". This committee is formed for the purpose of evaluating the future use of the Silver Creek Elementary School as a Community Center and to provide recommendations to the Township Board on such matters as suggested uses, policy issues, funding, and renovations.

AYES: 7 NAYS: 0

MOTION CARRIED.

Greenberg moved, Britton second to expend monies from the Capital Improvement Fund Community Center Donations and Fund Balance for the First year payment toward the purchase of Silver Creek School.

AYES: 7 NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - United States Department of Agriculture - Re: Grant for Community Center
- B. Information - FY 2002 Budget Process Schedule
- C. Information - MTA - Legislative Updates
- D. Information - Capitol Currents

There being no further business, Supervisor Fende adjourned the meeting at 7:45 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

AUGUST 20, 2001

A Regular meeting of the Chocolay Township Board was held on Monday, August 20, 2001 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Arlene Hill, Don Britton, Matt Wiese, Lois Sherbinow.

ABSENT: Ken Tabor.

MINUTES – JULY 23, 2001.

Britton moved Greenberg second that the minutes of the Regular Meeting held on July 23, 2001 be approved.

AYES: 6 NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Sherbinow moved Britton second that bills totaling \$92,551.75 checks numbered 11142 - 11172 are approved for payment.

AYES: 6 NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.

PUBLIC COMMENT.

Gary Johnson, Fire Chief – Informed the Board that the new fire truck should be ready for delivery on October 16, 2001. The fire department is working on the sale of the old fire truck. They already have two offers.

Clerk Hill - The Clerk Department attended a Clerk conference in Shanty Creek last week. There was a workshop on a Brownfield area that was very informative.

BOARDS, COMMITTEES, COMMISSIONS REPORTS –

- 1) MAWTFAB – July 10, 2001.

SUPERVISOR'S REPORT.

- 1) Budget - You should note that there are two Board meetings scheduled for next month for budget workshop purposes. (September 17th and 24th - the second meeting if needed). Budget packets will be out to Board members by September 1.
- 2) DNR Fishing Access Site - The DNR is making upgrades to the Chocolay River fishing access site on M-28. They are paving the parking lot and stabilizing the stream bank.
- 3) Junk Enforcement - The Police Department has reopened the case and initiated legal action regarding the complaint of junk on County Road 545 that the Board received at last month's meeting.

The Zoning Administrator and Police Department have issued tickets for the enforcement of ordinances regarding junk vehicle problems on S. Big Creek Road.

- 4) Fire Truck - The Fire Department is in initial discussions with an interested party regarding the purchase of the Township Fire Truck that is being replaced.
- 5) Rock Cut - I have authorized our Director of Recreation and Grants Administration to do some preliminary work in conjunction with the Land Conservancy on potential funding opportunities for public or conservancy acquisition of property in the rock cut area.
- 6) Community Center Committee - I have mailed out the invitations to the people suggested to serve on the Community Center Committee as discussed by the Board at the last meeting. A kick-off meeting will be held next week to get the Committee underway.

SPEED STUDY – ORTMAN ROAD.

Hill moved Wiese second that the Chocolay Township Supervisor send a request to the Marquette County Road Commission to perform a speed study for Ortman Road between U S 41 and Cherry Creek Road.

AYES: 6 NAYS: 0

MOTION CARRIED.

SPECIAL ASSESSMENT – CLEAN UP/NUISANCE ABATEMENT – 200 BROOKSIDE.

Greenberg moved Britton second that be it resolved that a special assessment be placed against property at 200 Brookside Drive (Parcel 52-02-350-010-00) for clean up in accord with Sec. 37.7 (A) (B) being Ordinance 37 (A) of the Nuisance Ordinance.

ROLL CALL:

AYES: Sherbinow, Hill, Greenberg, Britton, Wiese, Fende.

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

CAPITAL IMPROVEMENTS FUND EXPENDITURE – FIRE DEPARTMENT DNR FIRE ASSISTANCE GRANT.

Britton moved Wiese second that the fire department is authorized to expend \$2,000.00 from the capital improvements fund 401.340.957 for radio equipment under a DNR Volunteer Fire Assistance Grant program. The DNR will reimburse the Township one-half of the purchase (\$1,000.00).

ROLL CALL:

AYES: Greenberg, Britton, Wiese, Sherbinow, Hill, Fende.

NAYS: None.

ABSENT: Tabor

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Marquette County Sheriff's Office - Re: K-9 Unit
- B. Correspondence - Jim Carter - Re: Highway Signage Update
- C. Correspondence - Charter Communications - Re: Channel Changes
- D. Information - 2001 Summer Youth Program Report
- E. Information - 2001 Equalization Study - Sales Ratio Adjustments

- F. Information - BLP News
- G. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 7:15 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

BOARDS, COMMITTEES, COMMISSIONS REPORTS –

- 1) Planning Commission - August 13, 2001
- 2) MAWTFAB - August 16, 2001 and RBC Memo.
- 3) Chocoday River Watershed Council - March 14, 2001
- 4) Central Lake Superior Watershed Partnership - June 21, 2001

SUPERVISOR’S REPORT.

- 1) September 24 Board Meeting - We will need to have our Board meeting on the 24th due to the needed meeting on the proposed Dune Overlay District that has been recommended by the Planning Commission. Hopefully, we can complete the budget workshop at this meeting.
- 2) Cherry Creek Road - We were informed today that the reconstruction of Cherry Creek Road will not be complete by this fall. The culvert at Cherry Creek can not be completed due to problems with utilities. The reconstruction will be completed up to the Fish Hatchery this fall. The remainder will be completed in the spring. (The detour will be lifted over the winter).
- 3) Fire Truck - The Fire Department has received a formal bid of \$45,000 for the Fire Truck and I have told them to proceed with its sale.
- 4) Community Center Committee - The Community Center Committee met for the first time on September 28th and developed an ambitious schedule that will establish short and long-term goals. A variety of issues were discussed including program options, funding sources, building renovations and leasing opportunities. The Committee's first decision was to appoint a Chairperson (Richard Bohjanen) and Secretary (John Greenberg). The members also decided to develop and implement a community-wide survey to solicit citizen input.

Each member was given the task of researching existing centers and reporting their findings at the next meeting scheduled for September 26th.

- 5) Beaver Grove Grant - The plans for the grant improvements at the Beaver Grove Recreation Area have been officially approved by the DNR. Lee is working on the required bids and some construction is still anticipated for this fall.
- 6) Community Entrance Signs - For many years I have thought that perhaps we should install some nice community entrance signs on the Township lines. This may be the time to do this since we will be installing new signs at the Beaver Grove Recreation Area and we could purchase these at the same time and realize a cost savings and coordinate them architecturally. I can have staff put together the numbers we would be looking at but I wanted the Board's thoughts on this matter. Should they be at all four major entrances (M-28, US-41 North, US-41 South and County Road 480)?

The Board agreed to price the purchase of three and four signs.

RESOLUTION AMENDING GENERAL FUND BUDGET FY2001 - AMENDMENT NO. 3 – REIMBURSEMENT FOR SNOWMOBILE GRANT.

Greenberg moved Britton second that Whereas, a budget was adopted by the Chocoday Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 2, 2000, 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, and Whereas, such modification will continue to maintain a balanced budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department			
Capital Outlay			
101.305.957	2,543.01	+2,678.21	5,221.22

REVENUE

Miscellaneous			
101.698	8,253.01	+2,678.21	10,931.22

ROLL CALL:

AYES: Hill, Sherbinow, Tabor, Wiese, Britton, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY2001 - AMENDMENT NO. 4 – REIMBURSEMENT FOR BULLET PROOF VEST.

Greenberg moved Britton second that Whereas, a budget was adopted by the Chocoday Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 2, 2000, 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, and Whereas, such modification will continue to maintain a balanced budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Department			
Uniforms			
101.305.745	5,221.22	+395.61	5,616.83

REVENUE

Miscellaneous			
101.698	10,931.22	+395.61	11,326.83

ROLL CALL:

AYES: Wiese, Britton, Greenberg, Hill, Sherbinow, Tabor, Fende.

NAYS: None.

MOTION CARRIED.

CAPITAL IMPROVEMENTS FUND EXPENDITURE – BROWERS PROPERTY PARKING LOT.

Britton moved Wiese second that the Township Board approve the construction of the parking lot on the Brower property and authorizes the expenditure of \$1,000.00 from the recreational capital improvement fund 401.708.957 for construction.

ROLL CALL:

AYES: Hill, Sherbinow, Tabor, Wiese, Britton, Greenberg, Fende.

NAYS: None.

MOTION CARRIED.

JULIET STREET SEWER EXTENSION.

Elder has made a request to extend the sewer on Juliet by 200 feet for a new manhole to serve five lots. The cost would be entirely covered by Elder.

Hill moved Sherbinow second that the sewer on Juliet Street be extended 200 feet at a cost to be covered by Elder.

AYES: 7 NAYS: 0

MOTION CARRIED.

FY2002 BUDGET WORK SESSION.

Revenues – No change.

Salaries – Clerk Hill suggested that three positions receive a larger increase, Deputy Treasurer, Secretary/Records Clerk and Administrative Assistant/Police Department. No change was made.

Township Board - No change.

Supervisor - No change.

Elections - No change.

Assessor – No change.

Clerk - No change.

Board of Review - No change.

Treasurer - No change.

Township Hall & Grounds - No change.

Other General Government - No change.

Police - No change.

Fire - No change.

Streets - No change.

Sanitation - No change.

Recreation - No change.

Community Center - No change.

Parks & Properties - No change.
Zoning - No change.
Planning Commission - No change.
Zoning Board of Appeals - No change.
Capital Improvements Fund - No change.
Sewer Fund - No change.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - State Representative Adamini - Re: Legislative Update
- B. Correspondence - U.S. National Ski Hall of Fame - Re: Induction Weekend
- C. Information - Central Lake Superior Watershed Partnership - Re: Looking Around...Looking Ahead Public Forum
- D. Information - Police Department - Re: 2nd Quarter Statistical Report
- E. Information - MTA - Legislative Updates
- F. Information - MTA - Capitol Currents

There being no further business, Supervisor Fende adjourned the meeting at 8:20 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

SEPTEMBER 24, 2001

A Regular meeting of the Chocolay Township Board was held on Monday, September 24, 2001 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Arlene Hill, Don Britton, Matt Wiese, Lois Sherbinow, Ken Tabor.

ABSENT: None.

MINUTES – September 17, 2001.

Greenberg moved Britton second that the minutes of the Regular Meeting held on September 17, 2001 be approved.

AYES: 7 NAYS: 0 MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$20,566.78 checks numbered 11258 -11271 are approved for payment.

AYES: 7 NAYS: 0 MOTION CARRIED.

PUBLIC COMMENT.

Trustee Britton – Was disturbed about a memo from Mr. Maki, under informational reports and communications. Feels that this is one side of the story.

SUPERVISOR'S REPORT.

- 1) Maki Complaint - I would be happy to discuss this letter in private with any board member.
- 2) Brower Property Parking Lot - The parking lot on the Brower property that was approved at last weeks meeting has been completed. Thanks Don Britton for the help. The ecology class from Marquette High School also worked on the property last Friday on preliminary trail clearing.
- 3) Settlement - Mr. Maki reports that the Attorney's have a verbal settlement agreement on the matter of the junkyard on S. Big Creek Road as the property owner agreed to comply with the Township requirements. The property owners did request some time to remove vehicles in violation. The written agreement to spell out the requirements is being drafted.

REZONING #117 – TEXT AMENDMENT – LAKE SUPERIOR SHORELINE/DUNE PROTECTION OVERLAY DISTRICT.

Supervisor Fende explained to the board that he looked at two types of shoreline/dune alterations. One piece of property was done properly, with concern for the neighbors on either side. The other was done with total disregard for the land and the neighbors. He would like to see the planning commission set up some type of formula that would include required slopes for the dune and/or number of feet away from the neighbors.

A slide presentation on shoreline/dune protection overlay district by the Planning Director was shown. Examples of positive and negative dune alterations were also shown.

The Supervisor opened the floor for discussion of shoreline/dune protection.

The following responses were given:

- Acts of property owners can negatively affect neighbors. This text amendment would give the neighbors a chance to comment before the work is done. The owner must lay out in advance what will be done to the dune.
- Thirty years ago the dunes were much lower. They just wanted to lower the dune enough to see the lake, not as low as it was when they moved to Lakewood Lane thirty years ago. Property value on the lake is based on a view of the lake.
- Some homes were originally built without a view of the lake.
- The whole issue is subjective. The Planning Commission is trying to give an avenue for a review process.
- A lake property owner by the river mouth belongs to an association with his neighbors. They all discuss any changes to the dunes before any work is done. This text amendment would allow all neighbors to discuss any changes before they are made.
- There is a way to work out a formula to allow for shoreline/dune work.

- Owner on the lake does have pictures from 30 years ago to show how the dunes have grown up over the years. She bulldozed some of the dunes back to see the lake and checked with the DNR before starting work. Is this really such a problem? Why not let this issue ride until it is a problem.
- We should not wait to fix something until there is a problem.
- Who at the township is qualified to decide on vegetation removal, soil loss and erosion?
- Staff will have to be educated on dune application. Training and expertise is available through the soil erosion district. The DEQ get about 20 calls/complaints per year on dune removal or erosion.
- Informational packets should be made available to property owners by the lake including lake levels, dune protection and other relative matters.
- The Planning Commission should look at a fee structure and possibly no charge. They should consider a formula for dune protection. A written statement by the May's was given to the Board and is to be passed on to the Planning Commission.

Tabor moved Wiese second that rezoning #117 text amendment Lake Superior Shoreline/Dune Protection Overlay District be sent back to the Planning Commission for further modification and consideration of matters discussed.

AYES: 7 NAYS: 0 MOTION CARRIED.

DELINQUENT SEWER CHARGES TO BE ADDED TO THE 2002 TAX ROLL.

Greenberg moved Sherbinow second that the list of delinquent sewer charges and penalties as received from the Deputy Clerk, be sent to the County of Marquette to be added to the 2002 tax roll.

Name	Tax ID Number	Address	City, State, Zip	Amount Due
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	\$ 268.60
Jean Kantola	52-02-207-009-00	238 Corning Street	Mqt MI 49855	\$ 537.16
Jeffrey Johnston	52-02-215-003-00	120 East Fairbanks	Mqt MI 49855	\$ 268.60
Susan Racine	52-02-215-006-00	156 East Fairbanks	Mqt MI 49855	\$ 268.60
Walter Besola	52-02-305-038-00	168 East Main St	Mqt MI 49855	\$ 268.60
Linda Morgan	52-02-216-015-00	161 East Wright Place	Mqt MI 49855	\$ 268.60
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	\$ 268.60
Oliver Burns	52-02-455-046-00	225 Judy Stret	Mqt MI 49855	\$ 268.60
Mark Chudy	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$ 268.60
James Brugman	52-02-216-009-00	130 Kellog Street	Mqt MI 49855	\$ 101.48
Sharon Laurich	52-02-106-035-00	338 Reservoir Street	Mqt MI 49855	\$ 268.60
Steve Johnson	52-02-206-012-00	2424 US 41 South	Mqt MI 49855	\$ 268.60
Walt Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	\$ 483.45
Parkway Motel	52-02-107-005-00	5057 US 41 South	Mqt MI 49855	\$ 3,760.19
Parkway Enterprises	52-02-107-004-00	5063 US 41 South	Mqt MI 49855	\$ 644.59
Robert Vidlund	52-02-455-004-00	120 Veda Street	Mqt MI 49855	\$ 268.60
David Blackburn	52-02-106-032-00	232 Van Epps Street	Mqt MI 49855	\$ 268.60
Kevin Small	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	\$ 268.60
Dorianne Oberg	52-02-107-071-00	624 Willow Road	Mqt MI 49855	\$ 337.16
Marilyn Kremer	52-02-208-003-00	371 West Terrace St	Mqt MI 49855	\$ 268.60
Kristine Dionne	52-02-106-043-00	110 West Wright Pl	Mqt MI 49855	\$ 268.60
Total Delinquent Amount				\$ 9,893.03

AYES: 7 NAYS: 0 MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- Memorandum - Maki - Re: Complaint
- Information - MTA - Legislative Update

There being no further business, Supervisor Fende adjourned the meeting at 8:30 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

BUDGET

Hill moved, supported by Greenberg, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1, 2002, and ending December 31, 2002, to the Township Board for its consideration; and

Whereas, notice of the public hearing on the budget was published in the Mining Journal, a newspaper of general circulation within the township, on October 5, 2001; and

Whereas, a public hearing on the proposed budget was held on October 15, 2001, at the Choccolay Township Municipal Complex, and a copy of the proposed budget was on file and available for public inspection during regular office hours at the office of the Township Clerk for a period of not less than one week prior to the public hearing;

Now Therefore Be It Resolved:

1. The Township Board adopts the budget as revised and according to designated accounts for the next fiscal year, to wit, beginning January 1, 2002, and ending on December 31, 2002, in the amount of \$1,416,534 for the General Fund, in the amount of \$254,795 for the Sewer Fund and in the amount of \$234,151 in the Capital Improvements Fund.
2. The Township Board does hereby appropriate the sum of \$1,416,534 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1, 2002, and ending December 31, 2002.
3. The Township Board does hereby appropriate the sum of \$254,795 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1, 2002, and ending December 31, 2002.
4. The Township Board does hereby levy 4.1709 mills for general operations, and 0.8355 mills for Library services.
5. All resolutions and parts of resolutions insofar as they conflict with provisions of this resolution are rescinded.
6. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriation Act conforming with Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

Roll Call.

AYES: Greenberg, Hill, Fende, Wiese, Tabor, Sherbinow, Britton.

NAYS: 0

ABSENT: 0

MOTION CARRIED

SUPERVISOR'S REPORT

- 1) DenBeste Complaint - Regarding the letter in your packets from the DenBestes concerning the intersection of Ridge Lane and Briarwood Drive, the Road Commission has put up a curve sign and trimmed back the brush that blocked the street light to improve the safety at this intersection.

Likewise, we have contacted the DeRochers regarding their letter concerning the speed limit on Ortman and informed them that the Board has already made the request for the speed study this coming Spring.

- 2) New Fire Truck - The Fire Department has indicated that they pick up the new Fire Truck on the 20th of this month and the sale of the old truck should be completed at about the same time.
- 3) New Ski Trail Head - We are constructing a new trail head for the Kawbawgam Cross Country Ski Trail on State Land near the entrance to Lake LaVasseur. This will alleviate having to utilize any private land for the trail and will get skiers in

proximity to Lake LaVasseur sooner which is the most touted aspect of the trail system.

- 4) US-41 Bike Path - In case you haven't noticed, MDOT and the County Road Commission have begun the construction of the Bike Path on this side of US-41. This path will connect with the path we constructed along Silver Creek Road and the path the Road Commission constructed along Cherry Creek Road.

REZONING #118

Height Definition and Height Limit for Accessory Buildings

AMENDMENT #34-01-05

Section 101 and Section 300 (F) shall be amended to read as follows:

Section 101 - Definitions

HEIGHT, means the vertical distance between the average ground level of the grade within 10 feet of where the structure elements intersect the ground and the highest point of the roof surface for flat roofs, to the deck line of mansard roofs, the average height between the eaves and ridge for gable, hip and gambrel roofs; and the average height between the lowest point and the highest point on a shed roof, excepting any chimney or antenna on a building, unless specifically provided elsewhere in this ordinance, and provided that two access points to the roofline less than 25 feet in height are shown.

Section 300 (F)

- F. No detached accessory building shall exceed fifteen (15) feet in height nor exceed the exterior perimeter dimensions of the principal structure on the lot.

Greenberg Moved, Britton Second that the Charter Township of Chocolay Board waive the reading and publish the following amendment to ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN:
#34-01-05

AYES: 7 NAYS: 0 ABSENT: 0 MOTION CARRIED

FOREST STEWARDSHIP GRANT.

Britton moved Tabor second that the Director of Recreation and Grants Administration submit a grant application to the Department of Natural Resources for a Forestry Stewardship Grant. The Board agrees to a 50% match not to exceed \$2,500.00.
Roll Call.

AYES: Greenberg, Hill, Fende, Wiese, Tabor, Sherbinow, Britton
NAYS: 0 ABSENT: 0 MOTION CARRIED

CLEANUP / NUISANCE ABATEMENT

Motion by Greenberg, second by Wiese that it be resolved that a special assessment be placed against property at 2366 US 41 South being parcel #52-02-106-020-00 for cleanup in accord with Sec. 37.7 (A) (B), being Ordinance 37A (the nuisance ordinance).

AYES: 7 NAYS: 0 ABSENT: 0 MOTION CARRIED

MARK MAKI CONTRACT REQUEST FOR ASSESSING SERVICES

Board considered Mr. Maki's request. They felt the job could not be split. They expressed satisfaction with Maki's performance.

CLOSED SESSION

Sherbinow moved, Hill second to move into closed session to consider property acquisition.

Roll Call.

AYES: Greenberg, Hill, Fende, Wiese, Tabor, Sherbinow, Britton
NAYS: 0 ABSENT: 0 MOTION CARRIED

Hill moved, Britton second to come out of closed meeting to open session.

Roll Call.

AYES: Greenberg, Hill, Fende, Wiese, Tabor, Sherbinow, Britton

NAYS: 0 ABSENT: 0 MOTION CARRIED

Fende moved, Greenberg second that the Supervisor and Clerk be authorized to purchase property as discussed in closed session.

Roll Call.

AYES: Greenberg, Hill, Fende, Wiese, Tabor, Sherbinow, Britton

NAYS: 0 ABSENT: 0 MOTION CARRIED

Supervisor Fende adjourned the meeting at 7:55 p.m.

Arlene E. Hill, CMC

Township Clerk

NOVEMBER 12, 2001

A Regular meeting of the Chocolay Township Board was held on Monday, November 12, 2001 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Arlene Hill, Don Britton, Matt Wiese, Lois Sherbinow, Ken Tabor.

ABSENT: None.

MINUTES – October 15, 2001.

Tabor moved Sherbinow second that the minutes of the Regular Meeting held on October 15, 2001 be approved.

AYES: 7 **NAYS:** 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Sherbinow second that bills totaling \$28,440.01 checks numbered 11319 -11356 are approved for payment.

AYES: 7 **NAYS:** 0

MOTION CARRIED.

Wiese moved Britton second that bills totaling \$28,241.31 checks numbered 11357 -11384 are approved for payment.

AYES: 7 **NAYS:** 0

MOTION CARRIED.

PUBLIC COMMENT.

Lee Blondeau – Asked the Board what is the Township procedure on zoning violation citations? Supervisor Fende replied that the citation is approved by the Township Attorney before being issued, if legal action follows the Board is informed.

Trustee Britton – When is the language to be changed on contractors yard? The Planning Commission will be discussing contractor’s yard definition at the next meeting.

Marcia Thieme – Why is only one portion of accessory buildings in the zoning ordinance being considered for change. Why not look at all the parts of accessory buildings for wording change?

Clerk Hill – Marquette County Township Association wants all of the Townships in the County to respond at a November 28th MCTA meeting on the Marquette County Road Commission millage request. Clerk Hill informed the Board that she would be at the meeting to respond that Chocolay Township is not in favor of the millage request. The Board agreed with her response. She also asked if any Board member is willing to be a representative on the Marqtran board?

ADOPTION OF REZONING #118 – TEXT AMENDMENT – HEIGHT DEFINITION AND HEIGHT LIMIT FOR ACCESSORY BUILDINGS.

Marcia Thieme presented to the Board reasons that a 15 foot height on detached buildings was not always enough to maintain aesthetic integrity with a home on the same property.

The Board discussed this request and decided to continue to vote on the adoption of this amendment and request that the Planning Commission consider Ms. Thieme’s request.

Tabor moved Wiese second that the Charter Township of Chocolay Board waive the reading and **ADOPT** the following amendment to **ORDINANCE 34 OF THE CHARTER TOWNSHIP OF CHOCOLAY, MARQUETTE COUNTY, MICHIGAN: #34-01-05**

AMENDMENT #34-01-05

The Board of Chocolay Charter Township of Marquette County, Michigan ordains that Ordinance #34, the Chocolay Township Zoning Ordinance as adopted May 9, 1977 and as amended, be further amended as follows:

Section 101 and Section 300 (F) shall be amended to read as follows:

Section 101 - Definitions

HEIGHT, means the vertical distance between the average ground level of the grade within 10 feet of where the structure elements intersect the ground and the highest point

of the roof surface for flat roofs, to the deck line of mansard roofs, the average height between the eaves and ridge for gable, hip and gambrel roofs; and the average height between the lowest point and the highest point on a shed roof, excepting any chimney or antenna on a building, unless specifically provided elsewhere in this ordinance, and provided that two access points to the roofline less than 25 feet in height are shown.

Section 300 (F)

F. No detached accessory building shall exceed fifteen (15) feet in height nor exceed the exterior perimeter dimensions of the principal structure on the lot.

ROLL CALL:

AYES: Hill, Sherbinow, Tabor, Greenberg, Britton, Wiese, Fende.

NAYS: None.

MOTION CARRIED.

Fende moved Hill second that the Planning Commission address the pitch on residential accessory buildings.

AYES: 7 NAYS: 0

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

- 1) Planning Commission - October 8, 2001
- 2) Recreation Committee - October 2 and November 6, 2001
- 3) Community Center Committee - October 24, 2001
- 4) MAWTFAB - September 11, 2001
- 5) NMPSA - September 19, 2001

SUPERVISOR'S REPORT.

- 1) Arlene Hill Appointment - I would like to congratulate Arlene on her recent appointment to the Michigan Township Association Executive Board. This is a prestigious honor and could lead to Arlene eventually becoming President of the MTA.
- 2) Mail Guidelines - In case you haven't read it, please check out Chief Zybur's excellent memorandum on guidelines for suspicious mail or packages that is included in your packet. These guidelines have been distributed to staff.
- 3) Brower Property/Hunting - Just to let the Board know, there appears to be evidence of someone hunting or preparing to hunt on the Brower property. We have taken steps to notify the person and we have posted the property. High school classes use the property, this could be a hazardous situation.
- 4) Ski Trail Completed - The re-routing and new trailhead for the Kawbawgam Cross County Ski Trail has been completed and it is published in the new County Ski Trail Guide.
- 5) Restrooms - We have obtained restrooms from the Michigan Department of Transportation for both the Marina and the Lions Park. We are only awaiting the placement of the vaults for under the toilets to have them ready for next spring. I would like to thank Don Britton for his generous help with both the ski trail and the restrooms.

RESOLUTION AMENDING CAPITAL IMPROVEMENTS FUND BUDGET FY2001-AMENDMENT NO. 3 REIMBURSEMENT FOR SALE OF 1986 FORD C-8000 GRUMMAN FIRE CAT.

Greenberg moved Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on October 2, 2000, 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:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Fire Dept. Capital Outlay			
401.340.957	277,025.01	+45,000.00	322,025.01

REVENUE

Miscellaneous			
401.698	7,317.40	+45,000.00	52,317.40

ROLL CALL:

AYES: Greenberg, Britton, Wiese, Hill, Sherbinow, Tabor, Fende.

NAYS: None.

MOTION CARRIED.

WASTEWATER USER CHARGES FOR THE TRAVELODGE – EQUIVALENT USE
ADJUSTMENT – CONVERSION OF KITCHENETTES TO ROOMS.

Hill moved Britton second that The Equivalent User Factor be reduced to 18.8 for the Travelodge as provided for in section 9D – 3 – a of Ordinance #39.

AYES: 7 NAYS: 0

MOTION CARRIED.

PUBLICATION OF PENSION ORDINANCE AMENDMENT.

Greenberg moved Sherbinow second, that the Township Board publish the required amendment to Section 4 (A) of the Pension Ordinance to reflect that the Township will contribute 9% of employee's salary to pension versus the previous 7 1/2% effective as of January 1, 2002.

AYES: 7 NAYS: 0

MOTION CARRIED.

Sherbinow moved Wiese second, that Section 12.10 of the Personnel Policy be amended to reflect that the Township will contribute 9% of the employees salary to pension versus the previous 7 1/2% effective as of January 1, 2002.

AYES: 7 NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Fende to Olson - Re: Green Bay Street Property Donation
- B. Memorandum - Zybert - Guidelines for Handling Suspicious/Threatening Mail or Packages
- C. Memorandum - Maki - Zoning Update/Enforcement Cases
- D. Correspondence - Marquette County Solid Waste Management Authority - Re: Audit
- E. Information - MCTA - Special November Meeting
- F. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 8:00 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk

DECEMBER 17, 2001

A Regular meeting of the Chocolay Township Board was held on Monday, December 17, 2001 at the Township Hall, 5010 U S 41 South, Marquette. Supervisor Fende called the meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Ivan Fende, John Greenberg, Arlene Hill, Don Britton, Matt Wiese, Lois Sherbinow, Ken Tabor.

ABSENT: None.

PUBLIC HEARING - PENSION ORDINANCE AMENDMENT.

Public hearing on the pension ordinance amendment was opened at 7:01 p.m. One comment was received from Clerk Hill- Is our pension in line with other units of government? Supervisor Fende responded that we are now somewhere in the middle of other pension percentages.

The public hearing was closed at 7:03 p.m.

MINUTES – November 12, 2001.

Sherbinow moved Greenberg second that the minutes of the Regular Meeting held on November 12, 2001 be approved.

AYES: 7 NAYS: 0

MOTION CARRIED.

ACCOUNTS PAYABLE.

Hill moved Britton second that bills totaling \$25,631.31 checks numbered 11385 -11422 are approved for payment.

AYES: 7 NAYS: 0

MOTION CARRIED.

Wiese moved Britton second that bills totaling \$16,268.28 checks numbered 11423 -11453 are approved for payment.

AYES: 7 NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT AND TREASURERS REPORT RECEIVED.

C/D INVESTMENT REPORT.

AMT OF C/D	230,000.00	100,000.00
DATE PURCHASED	12/12/01	12/12/01
MATURING ON	6/12/02	4/12/02
INTEREST RATE	2.71%	2.08%
INSTITUTION	Peoples	Republic

PUBLIC COMMENT.

David Zorza – Presented a letter to the Board and asked that they read it. Supervisor Fende stated that he would comment on it after he has had time to read the letter.

AMENDMENT TO CHARTER TOWNSHIP OF CHOCOLAY PENSION PLAN
ORDINANCE NO. 36.

Hill moved Sherbinow second that the Charter Township of Chocolay Pension Plan Ordinance, designated as Ordinance No. 36, as originally adopted February 13, 1978, and as amended, shall be, and hereby is, amended to read as follows:

AMENDMENT

The first paragraph of Section 4. (A) of the Charter Township of Chocolay Pension Plan Ordinance No. 36 shall be amended to read as follows:

"Section 4. (A). The Charter Township of Chocolay shall annually contribute one hundred (100%) per centum of that portion of the premium or charges for such annuity of pension contract for each person within the class of employees enumerated in Section 3 hereof. Such contributions shall be paid from the general fund of the Township from funds appropriated and budgeted for that purpose. The total premium or charge shall not exceed ~~seven and one half (7 1/2)~~ **nine (9%)** per centum of the total salaries or wages, but excluding overtime, commissions, and bonuses, of covered employees."

This Amendment shall be published as required by law subsequent to the adoption thereof, and shall become effective immediately upon such publication.

ROLL CALL:

AYES: Greenberg, Britton, Wiese, Hill, Sherbinow, Tabor, Fende.

NAYS: None.

MOTION CARRIED.

BOARDS, COMMITTEES, COMMISSIONS REPORTS.

1. Zoning Board of Appeals - November 8 and 29, 2001
2. Community Center Committee - November 28, 2001
3. MAWTFAB - October 9 and November 19, 2001
4. Central Lake Superior Watershed Partnership - September 20, 2001

SUPERVISOR'S REPORT.

ABC Property Clean up - The clean up of the ABC property is nearing completion. Once Wells Fargo acquired the property, they contracted with Tri-Media Environmental Consultants to oversee the clean up.

Christmas Tree drop-off - We have opened the Christmas Tree Drop Off site at Beaver Grove early this year. This was due to the storm that dumped the heavy snow followed by high winds that brought down a number of trees and limbs. We hauled a large number of limbs to the site from the pines here at the Township Hall. Residents have been adding to the pile.

Census Bill (Adamini) – Representative Adamini wrote a census bill that was very detrimental to the Township. At the present time the bill is stuck in Senate sub-committee.

REZONING # 119 – MARY LOU SHIMON – RP (RESOURCE PRODUCTION) TO RR-2 (RURAL RESIDENTIAL).

Greenberg moved Tabor second that the Charter Township of Chocolay Board send rezoning #119 back to the Planning Commission to consider the applicant's amended request.

AYES: 7 NAYS: 0

MOTION CARRIED.

A 10 MINUTES RECESS WAS TAKEN FOR THE BOARD TO GO OVER TO THE FIRE DEPARTMENT TO LOOK AT THE NEW FIRE TRUCK.

ROAD COMMISSION MILLAGE POSITION.

The Board agreed that they do not want the Road Commission to go out for a millage vote for roads. They prefer that the County budget the money for roads.

BOARD, COMMITTEE AND COMMISSION APPOINTMENTS.

Hill moved Greenberg second that Ivan Fende be re-appointed to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2002 to December 31, 2002.

AYES: 7 NAYS: 0

MOTION CARRIED.

Greenberg moved Sherbinow second that Denny Magadanz be re-appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2002 to December 31, 2002.

AYES: 7 NAYS: 0

MOTION CARRIED.

Britton moved Greenberg second that Doug Riley be re-appointed as an alternate to the East Marquette Solid Waste Disposal Authority for a term to run from January 1, 2002 to December 31, 2002.

AYES: 7 NAYS: 0

MOTION CARRIED.

Hill moved Fende second that Mike Disch be appointed to the Personnel Committee for a term to run from January 1, 2002 to December 31, 2002.

AYES: 7 NAYS: 0

MOTION CARRIED.

Britton moved Greenberg second that Lee Snooks be appointed to the Personnel Committee for a term to run from January 1, 2002 to December 31, 2002.

AYES: 7 NAYS: 0

MOTION CARRIED.

Hill moved Greenberg second that Lois Sherbinow be re-appointed to the Personnel Committee for a term to run from January 1, 2002 to December 31, 2004.

AYES: 7 NAYS: 0

MOTION CARRIED.

application to the Michigan Department of Environmental Quality for a Coastal Restoration Grant in the amount of \$78,000. The Township Board agrees to pay one-half of the 25% (\$9,750.) match.

AYES: 7 NAYS: 0

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY2001 - AMENDMENT NO.5
Zoning Board of Appeals.

Greenberg moved Hill second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the Township on October 2, 2000, 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, and Whereas, such modification will continue to maintain a balanced budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Other General Government			
Contingency			
101.285.951	34,306.00	-900.00	33,406.00
Zoning Board of Appeals			
Per Diem			
101.815.710	1,190.00	+500.00	1,690.00
Zoning Board of Appeals			
Advertising			
101.815.901	500.00	+400.00	900.00

ROLL CALL:

AYES: Greenberg, Britton, Wiese, Hill, Sherbinow, Tabor, Fende.

NAYS: None.

MOTION CARRIED.

RESOLUTION AMENDING GENERAL FUND BUDGET FY 2001- AMENDMENT NO. 6 OVERTIME GRANT.

Greenberg moved Britton second that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvements fund receipts within the township on October, 2000, for the next fiscal year, and Whereas, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to maintain a balanced budget between revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby modified as follows:

EXPENDITURE	PREVIOUS	CHANGE	AMENDED
Police Salary			
101.305.702	174,998.00	+1,415.89	176,413.89
REVENUE			
Miscellaneous			
101.698	11,326.83	+1,415.89	12,742.72

ROLL CALL:

AYES: Hill, Sherbinow, Tabor, Greenberg, Britton, Wiese, Fende.

NAYS: None.

MOTION CARRIED.

TRANSFER TO CAPITAL IMPROVEMENTS FUND.

Hill moved Sherbinow second that \$3,000.00 be transferred from general fund recreation 101.708.957 to Capital Improvements Parks and Properties 401.756.957 for future expenditure.

ROLL CALL:

AYES: Greenberg, Britton, Wiese, Hill, Sherbinow, Tabor, Fende.

NAYS: None.

MOTION CARRIED.

Tabor moved Sherbinow second that the \$5,000.00 budgeted in the Planning Commission's fund account #101.805.957 for Capital Outlay - Comprehensive Plan Update be transferred to Planning Commission - Capital Improvements Fund 401.805.957 for future expenditure.

ROLL CALL:

AYES: Hill, Sherbinow, Tabor, Greenberg, Britton, Wiese, Fende.

NAYS: None.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Correspondence - Silver Creek Student Council - 3rd Grade Class - Re: Community Center Ideas
- B. Correspondence - Police Department Thank You Letters
- C. Memorandum - Road Commission - Re: Winter Plowing of County Local Roads
- D. Information - MTA - Expenditure Information
- E. Information - MTA - Legislative Updates

There being no further business, Supervisor Fende adjourned the meeting at 8:00 p.m.

Arlene E. Hill, CMC
Township Clerk

Mary L. Sanders, CMC
Deputy Clerk