

January 20, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, January 20, 2014 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Kelly Woodward.

MINUTES – DECEMBER 16, 2013.

Carlson moved Engle seconded to approve the minutes of December 16, 2013 as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved White seconded to accept the agenda with one addition; discussion on Citizen Forum attended by 4 representatives from Chocolay Township and discuss a per diem for Planning Commission members that attended.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Maki moved Engle seconded that bills totaling \$41,205.81 including checks numbered 19110 to 19133, bills totaling \$68,382.71 including checks numbered 19134 to 19167 and bills totaling \$42,185.07 including checks numbered 19168 to 19197 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Carlson questioned the Carquest bill in the amount of \$341.81. Trustee Bohjanen asked what the mobile flip table is that was purchased from Office Express U.P. Assistant Fire Chief Gould answered that It is a fold up training table and several were purchased. Trustee Maki question the Tyler Technology bill. It is the annual software updates and support fee for all of our financial programs.

PAYROLL.

Carlson moved Bohjanen seconded that the payroll for December 19, 2013 for \$34,436.83, including checks 9943-9948 and 21079-21110 and ACH payments for Federal tax, State tax and MERS retirement and January 2, 2014 for \$32,063.28 including check 9949-9954 and 21111-21130 and ACH payments for Federal tax, State tax and MERS and January 9, 2014 for 4,572.89 including checks numbered 21131-21150 and ACH payments for Federal Tax and State Tax and January 16, 2014 for \$31,935,01 including checks 9955-9960 and 21151-21168 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

Treasurer Greenberg reported that we no longer have monthly C/D's due to low interest rates. The C/D's that we currently have are 1 year to 18 months time frame.

Engle moved White seconded to accept the Treasurer's report.

AYES: 7

NAYS: 0

MOTION CARRIED.

PRESENTATIONS – NONE.

SUPERVISOR'S REPORT.

Supervisor Walker indicated that we did not spend \$6,000.00 for a desk in the fire hall as was reported by a citizen. We did pay a \$6,000.00 to a vendor for 5 separate work stations and other furniture.

There are two house bills that have been introduced that deal with assessment. Both speak of having written permission before going onto property for assessing purposes. One requires written permission to enter a structure, and that one makes sense. The second one requires prior written permission to enter the property for assessing. This bill will not allow an assessor to increase the assessment if the owner refuses access to the property. We will monitor these bills as they progress.

Trustee Maki stated that it is good that Chocolay Township continues to notify residents by mail as we prepared to assess an area. He also spoke of a pilot project in Delta County that gave building measurement from photos taken from above. This even provides side shots of the building.

**DISCUSSION OF TOWNSHIP SENIOR CENTER.**

Trustees Carlson and White co-chaired a meeting last week for senior services in Chocolay Township. Approximately 10 residents attended the meeting. They have already scheduled opening the Township meeting room for this purpose on February 18<sup>th</sup> from 1:00 pm – 4:00 pm and February 20<sup>th</sup> from 9:00 am – noon. Library services, computer classes, cards and games and possibly aerobics classes will be scheduled. Outside transportation was discussed and Marq-Tran will be contacted.

**2013 GENERAL FUND BUDGET AMENDMENT #7 TO REFLECT END OF YEAR REVENUES & EXPENDITURES.**  
 Carlson moved Greenberg seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated General Fund expenditures of the Township on November 19<sup>th</sup>, 2012 for fiscal year 2013, and Whereas, as a result of unanticipated expenditures it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
<b>EXPENDITURE</b>			
Township Board-Professional Services			
101.103.826	\$13,000.00	+\$12,900.00	\$25,900.00
Assessor-Professional Services			
101.202.826	\$10,000.00	-\$ 3,900.00	\$ 6,100.00
Planning Commission-Professional Services			
101.805.801	\$ 2,500.00	-\$ 2,500.00	\$ 0.00
Other General Government-Contingency			
101.285.951	\$21,475.00	-\$ 6,500.00	\$14,975.00
Assessor-Salaries			
101.202.702	\$48,131.00	+\$ 4,000.00	\$52,131.00
Other General Government-Salary/Benefit Contingency			
101.285.952	\$30,000.00	-\$ 4,000.00	\$26,000.00

**ROLL CALL:**

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

**MOTION CARRIED.**

**2013 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #5 TO REFLECT RECEIPT OF KBIC 2% GAMING FUNDS.**

Greenberg moved Carlson seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on November 19<sup>th</sup>, 2012 for fiscal year 2013, and Whereas, as a result of receipt of unanticipated revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
<b>REVENUE</b>			
KBIC 2% Gaming Money			
401.000.582	\$ 51,135.40	+\$ 30,000.00	\$ 81,135.40

EXPENDITURE

Police			
401.305.957	\$113,172.90	+\$ 10,000.00	\$123,172.90
Fire Dept.			
401.340.957	\$720,638.12	+\$ 10,000.00	\$730,638.12
Recreation & Grants			
401.708.957	\$ 94,184.43	+\$ 10,000.00	\$104,184.43

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

2013 SEWER FUND BUDGET AMENDMENT #1 TO REFLECT UNCOLLECTABLE REVENUES ASSOCIATED WITH WAHLSTROM'S RESTAURANT.

Maki moved Bohjanen seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated revenues and expenditures of the Wastewater Treatment Fund within the Township on November 19<sup>th</sup>, 2012 for fiscal year 2013, and Whereas, as a result of an unanticipated expenditure it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
EXPENDITURE			
Professional Services			
571.571.801	\$10,700.00	+\$ 20,000.00	\$ 30,700.00
Contingency			
571.571.951	\$15,000.00	- \$ 12,000.00	\$ 3,000.00
Capital Outlay			
571.571.957	\$ 8,000.00	- \$ 8,000.00	\$ 0.00

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

REQUEST FOR WAGE AUDIT OF FIRE STATION MECHANICAL CONTRACT BY UP PLUMBERS AND PIPE FITTERS AND SHEETMETAL WORKERS UNION.

Engle moved White seconded to instruct the Township Manager to request payroll records for the Township Fire Station construction project from Berger & King, Inc. for the purpose of making them available to the Plumbers & Pipefitters Union and U. S. Department of Labor for audit purposes.

AYES: 7

NAYS: 0

MOTION CARRIED.

APPROVAL OF FIRE HALL CONSTRUCTION PROJECT CHANGE ORDER #2 FOR WRIGHT ELECTRIC.

Greenberg moved Carlson seconded that the Board approve Fire Station contract Change Order #2 for Wright Electric in the amount of \$7,542.86 and the other project purchases listed in the agenda.

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Trustee White asked if we have remained within our original budget for the fire station or will this project go over budget. Manager Lawry indicated that we are within the original budget and any additional purchases that the fire department makes must come from their 2014 general fund budget. There is still an outstanding bill from Berger & King that has been approved by the Board and there is a \$200.00 bill from Best Buy for installation of the T.V. in the training room that are to be paid for from the Fire Station Millage Fund. Landscaping costs are flexible and we will try to keep that at a minimal cost. Trustee Bohjanen questioned the Wright Electric labor figures.

CONSIDERATION OF CHARTER TV SERVICE FOR TOWNSHIP BUILDINGS.

White moved Carlson seconded to not fund the Charter TV cable services for the Fire Hall with Township funding this year.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF REQUEST FOR SEWER CHARGE RELIEF.

The Board discussed the request for relief of sewer charges for a vacant home in the Township. A decision was made to draft a policy on how to deal with these relief requests for vacant dwellings. The Board will not act on this request until a policy has been approved.

DISCUSSION OF DRAFT MASTER PLAN CHAPTERS 1-3.

The Board went through Chapters 1-3 of the draft Master Plan page by page. There were a few grammatical changes suggested, but no significant changes were made.

Chapter 4 of the Master Plan and the Recreation Plan were presented to the Board for discussion at the February meeting.

DISCUSS CITIZEN PLANNER CLASS HELD IN OCTOBER 2013 PRESENTED BY MICHIGAN STATE UNIVERSITY.

Trustee Maki, Dale Throenle, Eric Meister and Bruce Ventura attended a Citizen Planner series of 7 evening classes in October 2013. Trustee Maki was happy that two of the Planning Commission members attended and suggested that we pay one additional per diem for attending all seven sessions.

Maki moved Engle seconded to pay the two Planning Commission members that attended the seven Citizen Planner classes in October 2013 be compensated by one per diem of \$60.00 each.

AYES: 7

NAYS: 0

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, December 2<sup>nd</sup>, 2013.
- B. Minutes – Marquette Area Wastewater Treatment Authority, November 21<sup>st</sup>, 2013.
- C. Communication – Marquette County Solid Waste Management Authority 2014 Board Meeting Schedule.

Supervisor Walker adjourned the meeting at 8:25 p.m.

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Max Engle, Clerk

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Gary Walker, Supervisor

February 17, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, February 17, 2014 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Kelly Woodward, Dale Throenle.

MINUTES – JANUARY 20, 2014.

Carlson moved Greenberg seconded to approve the minutes of January 20, 2014 as presented.

AYES: 7    NAYS: 0    MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved Carlson seconded to accept the agenda as presented.

AYES: 7    NAYS: 0    MOTION CARRIED.

PUBLIC COMMENT.

Gary Schaefer, 678 Cherry Creek Road – Owns Cedar Creek Farm and would like to voice support for the Chocolay Community Farm Collaborative project.

Natasha Lantz, 109 W. Baraga – Representing the Marquette Area Food Co-op would like to reserve time to answer any questions on the Chocolay Community Farm Collaborative project.

Don Britton, 121 Deerview Trail – Is available to answer any questions on the multi jurisdictional recreation authority study.

ACCOUNTS PAYABLE.

Maki moved White seconded that bills totaling \$78,116.87 including checks numbered 19198 to 19220 and bills totaling \$44,708.44 including checks numbered 19221 to 19248 are approved for payment.

AYES: 7    NAYS: 0    MOTION CARRIED.

PAYROLL.

Bohjanen moved Carlson seconded that the payroll for January 23, 2014 for \$3,957.40, including checks 9961 and 21169-21185 and ACH payments for Federal and State tax and January 30, 2014 for \$31,896.95 including check 9962-9966 and 21186-21203 and ACH payments for Federal tax, State tax and MERS and February 13, 2014 for \$32,170.97 including checks 9967-9973 and 21204-21221 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7    NAYS: 0    MOTION CARRIED.

FINANCIAL REPORT.

Engle moved Greenberg seconded to accept the December 2013 pre-audit financial report as presented.

AYES: 7    NAYS: 0    MOTION CARRIED.

TREASURER'S REPORT.

White moved Engle seconded to accept the Treasurer's report.

AYES: 7    NAYS: 0    MOTION CARRIED.

PRESENTATIONS – CHOCOLAY COMMUNITY FARM PROJECT.

Planner Woodward introduced Angela Johnson, Tina Hall and Gary Woodward; members of the management team for the Community Farm Collaborative Project and Gary Shaffer, resource assistance team and Natasha Lantz also involved in many of the discussions for this project.

Angela Johnson and Tina Hall presented on the Chocolay Community Farm Collaborative Project.

- There is a disconnect between people and food growth
- The average pound of food travels 1,500 miles before it reaches the table
- There is a need for local diversified food
- There are health concerns with the highly processed foods in the grocery store
- The farm project will allow citizen involvement to create stewardship
- The location for the community farm is next to the Beaver Grove Recreation Facility
- This project will encourage new farmers
- This will give a unique stamp and draw to Chocolay Township
- This is a multiple year project broken down into three phases – phase one would utilize the area bordering the recreation area including smaller gardens, a children’s garden, demonstration areas, picnic areas, wetland and you pick areas. Look for funding for a hoop house. Phase two would be larger plot gardens for single crops, build out the you pick area and the food forest. Phase three would be public food forest and continuing larger plots on the far side of the site.
- Permaculture gardens involve observation of natural systems to mimic and compliment them
- Permaculture ethics include care for the earth, care for people and fair share
- Permaculture zone zero would be the children’s garden house and zone one would be the garden site just outside the children’s garden
- There is regional a support system involved including local farmers, the Marquette Co-op, Rotary Club, NMU professor, Angela Johnson and many local residents.
- We will be able to apply for grants for a well, irrigation and hoop houses once we have this on commonly held property such as government owned property

SUPERVISOR’S REPORT.

1. Proclamation Honoring the Pigs-n-Heat Fire Relief Fund of Marquette County.
  
2. Report on Wells Fargo Bank Tax Tribunal Appeal and on Anderson Tax Tribunal Appeal and the St. Onge Tax Tribunal Appeal. Chocolay Township hired Bruce Closser to do an independent appraisal finding the Wells Fargo valuation between \$520,000.00 and \$650,000.00. After supplying this information to Wells Fargo, they withdrew their appeal. The Anderson and the St. OngeTax Tribunal appeals on uncapping property through transfer of ownership went to the State Tax Tribunal and the State sided with Anderson and Chocolay agreed to a settlement with the St. Onge’s.

CONSIDERATION OF POLICY CHANGE REGARDING SEWER CHARGES FOR VACANT STRUCTURES.

Carlson moved Engle seconded to schedule a public hearing at the March 17, 2014 Township Board meeting for the purpose of amending the Sewer Ordinance by incorporating provisions for rate relief for the owners of vacant buildings.

AYES: 7

NAYS: 0

MOTION CARRIED.

ADOPTION OF COMMUNITY FARM CONCEPT FOR BEAVER GROVE PROPERTY.

Greenberg moved Carlson seconded that the Charter Township of Chocolay Board of Trustees hereby approves the use of Township Property known as the Beaver Grove Agriculture Area (parcel #52-02-116-020-110) for purposes as outlined in a proposal from the Chocolay Community Farm Collaborative, and authorizes the Township Manager and a committee of the Board (to be composed of Trustees Maki and Carlson and Supervisor Walker) to negotiate a lease for final Board approval.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki commented that Cathy Peterson, prior owner of the Beaver Grove property that the Township negotiated to purchase for a public park is in the audience. Trustee Maki felt that she encouraged recreation and farming as a use for the property.

Cathy Peterson is concerned that all people are able to utilize this public property.

APPROVAL OF FIRE HALL CONSTRUCTION PROJECT CHANGE ORDER #3 FOR BERGER & KING.

Greenberg moved White seconded that the Board approve Fire Station contract change order #3 for Berger and King in the amount of \$6,227.25 and the other project purchases listed above.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Trustee Maki commended Manager Lawry for the fine job he did overseeing the Fire Station project. This resulted in a large savings to the Township. The Board agreed in commending Manager Lawry.

AUTHORIZATION TO PURCHASE REPLACEMENT COPIER/SCANNER/FAX FOR POLICE DEPARTMENT WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Carlson moved White seconded to approve the purchase of an all-in-one printer, copier, scanner, fax machine for the Police Department. The cost will not exceed \$500.00. This will be paid from the Capital Improvement Fund Police electronics account 401.305.957.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO EXPEND CAPITAL IMPROVEMENT FUND DOLLARS FOR POLICE TRAINING.

White moved Bohjanen seconded to expend \$825.00 for the NMU Public Safety Institute for the year 2014. This would come from the Capital Improvement Fund Police Training account 401.306.957.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF MULTI-JURISDICTIONAL RECREATION AUTHORITY FEASIBILITY STUDY.

Engle moved Carlson seconded to accept the report as written, with the recommendations suggested by the Chocolay Township representatives. The recommendations from the Township representatives are to form the Recreation Authority with the City of Marquette and Marquette Township only for trails (both non-motorized and motorized) in the three jurisdictions, with a concentration on the Heartwood Forest property.

AYES: 7

NAYS: 0

MOTION CARRIED.

Don Britton answered Board questions on the study. This will benefit Chocolay residents by giving them more recreation and trails even though it does not directly connect to Chocolay Township. Recreation facilities are down the road. The first priority is trails. The committee did not want to include any City of Marquette recreation property that had debt. That was the reason to work with trails. An authority creates a board that gives one seat and one vote per community in the authority.

APPROVAL OF REVISED RECREATION PLAN.

The Board discussed the Recreation Plan and commented that the document was very well written. They had one correction to the plan on page 47 and that was that Gentz Golf Course is a 9 hole golf course not 18. Trustee Maki would like to see a five year plan for costs. Dale Throenle stated that the costs are in the plan by project not by year. The Planning Commission will revisit the plan at their March 2014 meeting.

White moved Bohjanen that the Charter Township of Chocolay Board of Trustees hereby approves adoption of the Draft Charter Township of Chocolay 2014-2018 Recreation and Natural Resource Conservation Plan dated 2/14/14 as changed by way of adopting the attached resolution.

AYES: 7

NAYS: 0

MOTION CARRIED.

AUTHORIZATION TO APPLY FOR 2014 RECREATION GRANT.

Bohjanen moved Carlson seconded to pursue the collaborative 2014 recreation grant application with the Iron Ore Heritage Trail Recreation Authority to establish Lion's Field as a trailhead with appropriate amenities such as restrooms/warming shelter, improved parking, signage, and other improvements, and to retain a consultant to assist in preparing a site plan and materials for submittal.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION OF DRAFT MASTER PLAN CHAPTER 4.

The Board discussed Chapter 4 and had one change on page 59 under Risk Assessment of Public Health. Rewrite the statement concerning Township employees absorbing a greater portion of health expenses. The statement will be changed to - health care overall is rising in cost and when it rises for individuals it affects their disposable income and at the same time it also affects the Township budget.

PUBLIC COMMENT.

Kathy Peterson, 6341 U S 41 South – Wants it recorded in the minutes that she is opposed to anything bad and ugly and she supports anything that is good.

Mark Maki, Trustee – Curious about comments from current recreation facility users on the recreation plan. Dale Throenle, Community Development Coordinator stated that their comments are included in the recreation packet. Their comments were incorporated in developing the recreation plan.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, January 6<sup>th</sup>, 2014.
- B. Minutes – Marquette Area Wastewater Treatment Authority, December 19<sup>th</sup>, 2013.
- C. Communication – Marquette County Conservation District, et al: Firewise Planning Workshop.

Supervisor Walker adjourned the meeting at 8:45 p.m.

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Max Engle, Clerk

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Gary Walker, Supervisor



March 17, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, March 17, 2014 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Kelly Woodward, Dale Throenle, Scott Jennings.

PLEDGE OF ALLEGIANCE.

MINUTES – FEBRUARY 17, 2014.

Greenberg moved Carlson seconded to approve the minutes of February 17, 2014 as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Engle seconded to accept the agenda as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

None.

PUBLIC HEARING - CONSIDERATION OF WASTEWATER POLICY ON DEFERRING SEWER CHARGES FOR CERTAIN VACANT STRUCTURES.

The Public Hearing was opened. No public comment was received.

White moved Engle seconded to adopt the attached policy #2014-01 for Sewer Service Charges for Vacant Properties as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki questioned if a written request was required and if this applies to single family units only. The policy will add (in writing) after the word application and the policy is for single family units only.

Trustee Bohjanen felt it might be reasonable to maintain the fixed cost and defer only the flow cost. Manager Lawry stated that we do not have the fixed cost separated out in the monthly fee for sewer usage. The Board decided that making the property owner wait 12 months of building vacancy until a request for relief from sewer charges was allowed would be a fair compromise for not breaking down fixed costs.

Trustee White asked if there were disconnect/reconnect fees. There are no fees as there is no connection change.

Carlson moved Engle seconded to direct Township administrative staff to apply the new policy to the application for sewer service relief presented to the Board as a part of its January 20, 2014 agenda.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC HEARING - CONSIDERATION OF RESOLUTION FOR LIONS' FIELD RECREATION GRANT APPLICATION.

The Public Hearing was opened. The following comments were received:

- Bob Mercure, 1427 M-28 East – was at a Township goals meeting a couple of years ago and this project was discussed as a possibility in the future. He would like to thank the Board for putting this into action.
- Larry Klaus, Representing the Chocolay Lions –Attended a meeting last week and discussed this project in depth and feels that this project fits in very well with what the Lion's had intended to be done with this property when it was turned over to the Township. It was intended for youth and families of the Township. The Chocolay Lion's are in favor of this project.

- Carol Fulsher, Representing the Iron Ore Heritage Trail – The IOHT is very happy to commit to \$25,000.00 to this project. They will also do in kind match worth \$6,000.00 for a Kiosk, signage and bike rack.
- Colleen Schlumpf, 149 Riverland Drive – Their property adjoins the recreation property and they do not support the proposed location of the trail. Would request that the trail be placed on the other side of the property. Feels that the green space and blueberries should be preserved. The current placement of the trail would go right through the blueberries. She is not against the project, just against the location of the trail.
- Steve Schlumph, 149 Riverland Drive - Is concerned that the snowmobiles will utilize the trail as a snowmobile path in the winter. The more access that we give, the more the motorized vehicles will utilize. The snowmobilers have been utilizing the road on the opposite end of the property for years. He does not want the noise of motorized vehicles.
- Supervisor Walker stated that the intent of the trail is non-motorized. We will do our best to make sure that we keep the motorized vehicles off.
- Larry Klaus- The road on the opposite side of this property is a private road.

Planning Director Woodward has begun conversation with the owner of the private road next to the Lion’s Field Recreation Area on possibly having an easement on the road. We can also look at moving the trail as far from the neighborhood as possible. A three foot wide trail is ADA accessible, but a six 6 foot wide trail is universally accessible. We would get more points in a grant with the six foot wide trail.

Trustee Maki asked how the residents along the property line were notified. A letter was mailed to the residents within 500 feet of the property line and an ad was placed in the Mining Journal.

Treasurer Greenberg asked if we were locked into the plan details once the grant application is made. Planner Woodward stated that we have until August to make plan changes.

Trustee Bohjanen suggested that the trail be moved a little bit east to the edge of the ball field and the edge of the sand pit. The Board discussed this possibility, and will have the architect consider the terrain and move the trail over if possible. A tree and shrub barrier will also be considered.

The Board discussed the placement of the trail on the property, costs, unisex vault toilets, number of trees being removed, and use of barriers to discourage motorized vehicles and in kind services at length. The majority of the Board felt that we should move the trail as far east as possible on the property and that may be the only solution possible. Once the snow is gone, the architect will be able to make a plan for the trail based on the terrain. The trail revision will be brought back to the Board and adjoining residents will be notified.

Engle moved Bohjanen seconded to adopt the attached resolution to authorize submission of a Michigan Natural Resources Trust Fund Application for a \$50,000 grant, and to appropriate \$25,000 from Account #401.708.957 Recreation and Grants toward a local match, to be combined with cash and in-kind donations of \$31,000 from the Iron Ore Heritage Trail Recreation Authority and in-kind donations from the Chocolay Lion’s Club and other interested parties for a total project cost around \$116,500.

ROLL CALL.

AYES: Maki, Bohjanen, Carlson, Greenberg, Engle, Walker.

NAYS: White.

MOTION CARRIED.

ACCOUNTS PAYABLE.

Carlson moved White seconded that bills totaling \$51,811.23 including checks numbered 19249 to 19291 and bills totaling \$15,486.10 including checks numbered 19292 to 19313 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

PAYROLL.

White moved Carlson seconded that the payroll for February 27, 2014 for \$36,587.79 including check 9974-9979 and 21222-21256 and ACH payments for Federal tax, State tax and MERS and March 13, 2014 for \$31,701.04 including checks 9980-9985 and 21257-21274 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

White moved Bohjanen seconded to accept the December 2013 (after audit) financial report as presented.  
AYES: 7                      NAYS: 0                      MOTION CARRIED.

Engle moved White seconded to accept the January 2014 financial report as presented.  
AYES: 7                      NAYS: 0                      MOTION CARRIED.

Greenberg moved Engle seconded to accept the February 2014 financial report as presented.  
AYES: 7                      NAYS: 0                      MOTION CARRIED.

TREASURER'S REPORT.

Maki moved Engle seconded to accept the Treasurer's report.  
AYES: 7                      NAYS: 0                      MOTION CARRIED.

SUPERVISOR'S REPORT.

- CHANGE IN GARBAGE COLLECTION SCHEDULES DURING SPRING ROAD RESTRICTIONS. Great American Disposal has proposed a change during our refuse collection schedule while the road restrictions are on this year. They can not pull the recycling trailer during daytime hours while the road restrictions are on, but have negotiated with the road commission to pull the trailer during the night time hours when the temperatures are colder. They will start around midnight during the two collection days each week. We will get the word out by advertising and posting on our website and sign.
- PROGRESS REPORT ON SENIOR DROP IN CENTER. Judy White informed the Board that the senior drop in center has been operating two days a week since February. The number started out at thirty people and now average eight. The people that consistently show up really enjoy the drop in center. We may go to one day a week and continue through April. One resident has offered to pick up anyone needing a ride to the drop in center.

REVIEW OF 2014 CAPITAL IMPROVEMENT FUND BUDGET.

Trustee Maki stated that the issue is really how to fund roads. His suggestion is to set up a committee to do a comprehensive report on how to accomplish road construction.

Supervisor Walker stated that we are still working under a 2007 road plan. If we resurface a road the cost is approximately \$160,000.00 per mile. Crack filling would cost about \$4,000.00 per mile. We may only be able to afford the crack filling right now.

Treasurer Greenberg stated that we should update the road plan and utilize \$164,000.00 accumulated investment interest in the Capital Improvements Fund and \$32,000.00 revenues over expenditures in the General Fund.

Trustee Bohjanen feels that we could utilize \$45,000.00 from the Water Department in the Capital Improvements Fund.

Maki moved Greenberg seconded to have Manager Lawry present a five year road maintenance plan at the May Board meeting (if possible, taking the winter weather into consideration).

AYES: 7                      NAYS: 0                      MOTION CARRIED.

AWARD OF BIDS FOR THE PURCHASE OF TWO PICKUP TRUCKS.

White moved Engle seconded to award bids for the purchase of a ¾ ton Chevrolet pickup for the DPW in the amount of \$27,976.66 and a 1 ton pickup for the Fire Department in the amount of \$34,612.75 to Frei Chevrolet per the bids received, to accept the trade in value of \$1,575.00 from Frei Chevrolet for sale of the Township's 1995 pickup, to fund the purchases from the Township's Capital Improvement Fund, and to authorize the use of up to \$6,500 from the Recreation and Properties account and \$7,550 from the Fire Department account for outfitting these trucks for Township use.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.                      MOTION CARRIED.

AUTHORIZATION TO PURCHASE TOWNSHIP OFFICE REPLACEMENT COMPUTERS AND MONITORS WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Engle moved Carlson seconded to authorize the required purchases and related installation of equipment from the Technology capital improvement account in an amount not to exceed \$8,000.00.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE REPLACEMENTS FOR THE POLICE DEPARTMENT IN-CAR COMPUTERS WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Bohjanen moved Maki seconded to approve the purchase of 1 Panasonic Toughpad and 1 Panasonic Toughbook with docking stations from GovDirect for the amount of \$9,143.04. This will be paid from the Capital Improvement Fund-Electronics, Account #401.305.957

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE MOBILE TICKET PRINTER FOR THE POLICE DEPARTMENT WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Maki moved Carlson seconded to approve the purchase of Printek Printer and accessories for the Police Department. Cost will not exceed \$1,164.39. This will be paid from the Capital Improvement Fund - Electronics, Account #401-305-957.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE REPLACEMENT RADIO FOR A POLICE PATROL CAR WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Carlson moved Engle seconded to approve the purchase of a Motorola Radio for the Police Department. Cost will not exceed \$4,241.25. This will be paid from the Capital Improvement Fund- Vehicle Equipment, Account #401-305-957.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

DISCUSSION OF DRAFT MASTER PLAN CHAPTER 5.

The Board did not feel it necessary to go page by page on Chapter 5 of the Master Plan.

Trustee Maki indicated that on page 76 a comment should be added that the population decline was due in part to the closure of K I Sawyer Air Force Base. Trustee Maki would like the Board to discuss the zoning in the Harvey Area and have a map available to view. Planner Woodward indicated that will occur when we get to Chapter 7 of the Master Plan. She will also have a map and presentation prepared for the April Board meeting.

CITY OF MARQUETTE REQUEST FOR LETTER OF SUPPORT FOR MICHIGAN NATURAL RESOURCES TRUST FUND GRANT APPLICATION FOR RESTROOM, STORAGE, AND MEETING SPACE CONSTRUCTION AT TOURIST PARK.

Maki moved Greenberg seconded to send a letter of support for Michigan Natural Resources Trust Fund grant application for restroom, storage, and meeting space construction at Tourist Park.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee White requested that we also request the City of Marquette to send a letter of support for our Lions' Field Recreation Grant Application.

CITY OF MARQUETTE REQUEST FOR LETTER OF SUPPORT FOR MICHIGAN RECREATION PASSPORT GRANT APPLICATION TO RENOVATE TOURIST PARK SHOWER FACILITIES.

Greenberg moved White seconded to send a letter of support for Michigan Natural Resources Trust Fund grant application for shower facility renovation at Tourist Park.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Cathy Peterson, 6341 U S 41 South – Would like the Township to provide garbage collection free or at a reduced amount. The Township used to pick up garbage at no charge. Why can't the budget cover the cost of garbage collection? Township Trustees should be frugal with tax dollars.

Dale Throenle, Community Development coordinator wanted the Board's feeling on the television screen being used instead of the projector screen. The Board like the new screen and the projector screen can go.

Steve Lawry, Manager brought up the Qualified Voter File computer was not included in the motion to replace computers. The State will not pay to upgrade the system, so it will be up to us to pay for it.

Maki move, Greenberg seconded to upgrade the QVF computer to windows 7 to be paid from the Elections Department in the CIF account 401.190.957 in an amount not to exceed \$1,000.00.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Trustee Maki asked that a meeting date be set for the Community Farm lease committee. The committee meeting will be held on Tuesday March 25, 2014 at 5:00 pm.

INFORMATIONAL REPORTS AND COMMUNICATIONS

A. Communication – Police Chief Report on Michigan Association of Chiefs of Police Conference.

B. Minutes – Township Planning Commission, February 10<sup>th</sup>, 2014.

C. Minutes – Marquette County Solid Waste Management Authority, Regular Meetings of January 15 and February 19, 2014 and Special Meeting of January 23, 2014 Drafts.

D. Minutes – Marquette County Township Association, January 22<sup>nd</sup>, 2014.

Supervisor Walker adjourned the meeting at 9:20 p.m.

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Max Engle, Clerk

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Gary Walker, Supervisor

April 21, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, April 21, 2014 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Kelly Woodward.

PLEDGE OF ALLEGIANCE.

MINUTES –March 17, 2014.

Carlson moved Greenberg seconded to approve the minutes of March 17, 2014 as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Engle seconded to accept the agenda as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Judy White, 370 Lakewood Lane wanted to thank the Chocolay Township Volunteer Fire Department for their professional and quick response to a fire call at her neighbors last week. The fire department was able to save the house with damage confined to the kitchen and attic above the kitchen.

Mark Maki, 370 Karen Road informed the Board that Steve Kinnenen a past Chocolay Township Planning Commission member passed away last week and asked that our Manager send a sympathy card from Chocolay Township.

ACCOUNTS PAYABLE.

White moved Carlson seconded that bills totaling \$51,369.59 including checks numbered 19314 to 19351 and bills totaling \$33,678.80 including checks numbered 19352 to 19382 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

PAYROLL.

Engle moved Maki seconded that the payroll for March 27, 2014 for \$37,722.97 including check 9986-9991 and 21275-21309 and ACH payments for Federal tax, State tax and MERS, April 3, 2014 payroll for \$6,520.42 including checks numbered 21310-21332 and April 10, 2014 for \$32,977.88 including checks 9992-9997 and 21333-21350 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

Carlson moved Bohjanen seconded to accept the March 2014 financial report as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

White moved Bohjanen seconded to accept the Treasurer's report.

AYES: 7

NAYS: 0

MOTION CARRIED.

PRESENTATIONS - 2013 FISCAL YEAR AUDIT.

Mike Greutz, Anderson Tackman and Company presented the FY2013 audit to the Board. Over the past few years, there has not been much change in the Township as a whole, other than the construction of a new fire station. The net position of the Township is \$8.2 million, which is an increase of \$15,000.00 over the previous year. The Fire Millage Fund shows a deficit of \$1.2 million because the General, Capital and Wastewater Funds loaned the Fire Millage Fund the money to build the fire station. The Fire Millage Fund will pay back the other funds as the taxes are paid over the next few years. The General Fund Balance

shows \$32,901.00 revenues over expenditures. There is a new statement on page 44 concerning the pension plan, indicating the new method required by GASB regulations. The new GASB rules for pensions take effect in 2014 and they will be recorded in the books in 2015. The Fund Balance in the General Fund is capable of running the Township for a full year. The only change that Mike felt the Township could make is to create an updated Investment Policy document.

Trustee Maki requested that we move item PD14-01, Amendment to Rezoning 145 – Corning Apartments up on the agenda before the Zoning Map Presentation so the gentleman representing the Corning Apartments does not have to sit through another presentation. The Board concurred.

**PD14-01, AMENDMENT TO REZONING 145 – CORNING APARTMENTS.**

Planning Director Kelly Drake Woodward introduced Steve Zarkowski, owner of the Corning Street Apartments and updated the Board on the changes that he is proposing for 3 additional apartments in the basement. This area was formerly used by Bell Medical for record storage. The Board had questions on screening from nearest neighbors and handicap accessibility.

Supervisor Walker suggested that where appropriate the maker of a motion can say as presented within the recommendation instead of reading the entire motion. The entire motion will still be entered into the minutes. The Board concurred.

Maki moved, Greenberg seconded, that after consideration of application PD14-01 and staff review/analysis, and Planning Commission recommendation of approval based on a finding of compliance with all applicable terms and intent of the Ordinance, and in particular Section 10.3 Planned Unit Development Standards for Decision, the Chocloy Township Board of Trustees approves application PD14-01 which is an amendment to a Planned Unit Development called “Rezoning 145” with the following conditions:

1. Before construction, the applicant will provide proof of compliance with all other applicable statutes, regulations, and ordinances and proof that they have obtained all other necessary licenses or permits to the Zoning Administrator.
2. Applicant will provide specifications showing that all exterior lighting is in conformance with the Ordinance along with the application for a Zoning Compliance Permit.

AYES: 7

NAYS: 0

MOTION CARRIED.

White moved Carlson seconded to waive the second reading and approve PD14-01 as presented tonight.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki commented that this apartment complex is a very nice asset to our community.

**ZONING MAP DISCUSSION.**

Planning Director Kelly Drake Woodward stated that this is an introduction to what our zoning districts are.

Harvey Observations - MFR (Multi-Family Residential) There are currently no undeveloped parcels zoned for multi-family residential, and therefore no growth potential. All areas shown on the map as MFR are currently built out as mobile home parks or apartments. The current ordinance only permits duplexes in the R2 (Harvey), MFR, and PUD districts. There is a minimum lot size of 20 acres for the MFR district and 5 acres for a PUD. This makes it difficult to achieve density and the provision of senior housing such as duplexes anywhere except in Harvey, which is mostly built out already.

C (Commercial) There are several single-family homes in the Commercial zoning district which are now non-conforming. If they are abandoned, they cannot then be returned to single-family use, because single-family is not a permitted use in the Commercial district. Some are now suffering from disinvestment until such time as they can be redeveloped as Commercial.

There is no provision for mixed-use development in the Township, except through a PUD zoning district.

However, minimum lot size for a PUD is 5 acres. There are very few parcels in Harvey that meet this requirement. Therefore, to do mixed-use development (such as a store with apartments above) in Harvey, you would have to first get a variance from the ZBA to develop on a lot less than 5 acres, then get Planning Commission, County, and Township Board approval for the rezoning to PUD. This limits beneficial density in our sewer service district.

Township Observations:

I (Industrial) The use restrictions of the zoning ordinance and the current zoning also limit any potential for future industrial development. Most parcels are already built out with commercial uses, except for FRACO. There is no encouragement of light industrial uses such as assembly, food processing and packaging, etc even though this was a stated goal in the 2005 Master Plan.

The Board discussed updating the zoning map making sure that all the zoning districts are accurate on the map. Trustee Maki will put his zoning map questions in writing to the Planning Commission, so they can work with the Planning Director on updating the zoning map. Trustee Maki feels that mini warehouse do not belong in the Commercial District where sewer is available. This is not an appropriate way to use property in the sewer district.

**APPOINTMENT OF FIRE CHIEF.**

The Chocolay Township Volunteer Fire Rescue Department conducts biennial elections for officers from within its ranks. While most Department leadership positions are filled through this election process, Section 5 of the Department constitution and by-laws provides for the Department to recommend a candidate for Chief to the Supervisor who then recommends that individual for appointment by the full Township Board. Mr. Tom Kidd, a member of the Department since 1996, has guided the Department through the move from the old station to the new building and been very instrumental in transforming the new building into a functioning fire station. He also served as incident commander for the Township's largest structure fire in many years, at the Seeds & Spores Farm, and developed budgets that provided for the upgrade of the Township's drafting hydrant at Big Creek on CR 480 and the addition of an equipment transport/tow pickup to the Department fleet. Mr. Kidd decided not to seek re-election, and former Chief Gary Johnson expressed a desire to again serve in the position. Firefighters chose to recommend Mr. Gary Johnson as their candidate for Chief for 2014-15. Mr. Johnson has been a member of the Department since 1991 and has served six previous terms as Chief. He also serves as the Director of Marquette County Central Dispatch. Gary has demonstrated his leadership abilities during his previous service as Township Fire Chief and I am happy to recommend him for reappointment to that position.

I would also like to thank Mr. Tom Kidd for his service as Chief during the last two years.

Walker moved Maki seconded to appoint Gary Johnson as fire chief.

AYES: 7

NAYS: 0

MOTION CARRIED.

**SUPERVISOR'S REPORT.**

Hours of operation for the Chocolay Senior Drop In Center have changed starting in April. The program and facility at the Township Hall will now be open on Tuesdays from 1:00 – 4:00 PM and on Thursdays from 1:00 – 4:00 PM. All seniors (55+) are encouraged to come meet their neighbors, share ideas and experiences, snack, play cards, and have an enjoyable afternoon.

Trustee Maki asked if the drop in center could be available to all ages. The Board said that everyone is welcome.

**DETERMINATION OF REPAYMENT PLAN FOR FIRE STATION CONSTRUCTION LOAN.**

Engle moved Maki seconded to that the Board authorize the Township auditor to prepare appropriate schedules providing for payments of \$300,000.00 and 0.5% interest to the Capital Improvement Fund and \$105,000.00 to each of the General Fund, and Wastewater Treatment Fund, plus accrued interest for 2013/2014 at the simple rate of 0.5% per annum. The remaining payments and interest for the remainder of the years will be 50/50 to the General Fund and the Wastewater Fund.

**ROLL CALL.**

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

**CONSIDERATION OF LAND USE AGREEMENT FOR COMMUNICATIONS TOWER.**

Greenberg moved White seconded that the Township Board authorize the Township Supervisor and Clerk to execute the option and lease agreement with Cingular Wireless PCS, LLC to allow construction of a wireless communications tower on a portion of the Silver Creek Recreation Area, if all required permitting conditions are met. It is further recommended that the Board allow the final site of the tower to be determined by the Planning Commission or Board of Zoning Appeals as the project proceeds through site plan review, and possibly variance, procedures. Finally, it is recommended that the administration further investigate the requirements and possible options for mitigation that may be attached to lease of a portion



of the recreation site. This option and lease agreement will only go forward if the mitigation issue is resolved successfully.

AYES: 7

NAYS: 0

MOTION CARRIED.

**DEFICIT ELIMINATION PLAN FOR FIRE STATION CONSTRUCTION FUND.**

White moved Greenberg seconded that

WHEREAS, the Charter Township of Chocolay Fire Millage Fund has a \$(1,211,315.87) deficit fund balance on December 31, 2013; and

WHEREAS, Act 275 of the Public Acts of 1980 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury:

WHEREAS, it is anticipated that the sixth year of millage collection in 2018 (for 2017 taxes) will not be needed to eliminate the deficit in the Fire Millage Fund:

NOW THEREFORE, IT IS RESOLVED that the Charter Township of Chocolay Fire Millage Fund Deficit Elimination Plan:

	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Fund Balance (Deficit) January 1st	\$ (1,211,315.87)	\$ (911,126.87)	\$ (602,502.87)	\$ (292,335.87)	
Revenue - Property Tax	\$ 307,089.00	\$ 308,624.00	\$ 310,167.00	\$ 292,335.87	\$ -
Residual Expenditure	\$ (6,900.00)	\$ -		\$ -	
Fund Balance (Deficit) December 31st	\$ (911,126.87)	\$ (602,502.87)	\$ (292,335.87)	\$ (0.00)	

BE IT FURTHER RESOLVED that the Charter Township of Chocolay Supervisor, Gary Walker submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

Ayes: 7

Nays: 0

Motion Carried.

**SCHEDULING OF JOINT MEETING WITH PLANNING COMMISSION.**

The joint Planning Commission/Township Board meeting is scheduled for June 9, 2014.

**PUBLIC COMMENT.**

Dick Arnold, County, 312 West Branch Road – Commented on the cell tower being placed on Municipal property instead of private property. He feels it should go on private property.

Richard Bohjanen, 140 Edgewood - It does sound like a private enterprise, but this will serve the residents of Chocolay Township.

Mark Maki, 370 Karen Road – Commented that in the 1990’s Doug Riley, Township Planner put together information regarding cell towers on municipal property. We will also be able to use the money from the cell tower lease for recreation.

**INFORMATIONAL REPORTS AND COMMUNICATIONS**

- A. Minutes – Township Planning Commission, March 3<sup>rd</sup>, 2014.
- B. Minutes – Marquette County Solid Waste Management Authority, Special Meeting of February 6<sup>th</sup>, 2014 and Regular Meeting of April 2<sup>nd</sup>, 2014 Drafts.
- C. Minutes – Marquette County Township Association, January 22<sup>nd</sup>, 2014.
- D. Communication – Michigan Department of Natural Resources Approval of Chocolay Township Recreation Plan.

- E. Communication – Iron Ore Heritage Recreation Authority re: Recreation Authority Study Group Report.
- F. Peter White Public Library Monthly Reports for January, February, and March 2014.
- G. Training Opportunity Flyer – Michigan Association of Planning.

Supervisor Walker adjourned the meeting at 9:00 p.m.

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Max Engle, Clerk

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Gary Walker, Supervisor

May 19, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, May 19, 2014 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Kelly Woodward.

PLEDGE OF ALLEGIANCE.

MINUTES –APRIL 21, 2014.

Greenberg moved White seconded to approve the minutes of April 21, 2014 with one change in the second Public Comment section made by Trustee Maki regarding cell towers on municipal property.

AYES: 7                                  NAYS: 0                                  MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Bohjanen seconded to accept the agenda with one change – moving the second Public Comment ahead of the closed session.

AYES: 7                                  NAYS: 0                                  MOTION CARRIED.

PUBLIC COMMENT.

Chief Zyburt – Introduced Dan Braund recently hired as a part time police officer for Chocolay Township.

ACCOUNTS PAYABLE.

White moved Carlson seconded that bills totaling \$24,537.65 including checks numbered 19383 to 19409, bills totaling \$20,142.64 including checks numbered 19410 to 19432 and bills totaling \$49,886.24 including checks numbered 19433 to 19461 are approved for payment.

AYES: 7                                  NAYS: 0                                  MOTION CARRIED.

PAYROLL.

Carlson moved White seconded that the payroll for April 24, 2014 for \$34,853.92 including check 9998-10003 and 21351-21382 and ACH payments for Federal tax, State tax and MERS and May 8, 2014 payroll for \$30,223.29 including checks 10004-10009 and 21383-21400 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7                                  NAYS: 0                                  MOTION CARRIED.

FINANCIAL REPORT.

Maki moved Carlson seconded to accept the April 2014 financial report as presented.

AYES: 7                                  NAYS: 0                                  MOTION CARRIED.

TREASURER’S REPORT.

Greenberg moved Engle seconded to accept the FY2013 audit presented at the April meeting.

AYES: 7                                  NAYS: 0                                  MOTION CARRIED.

White moved Engle seconded to accept the Treasurer’s report.

AYES: 7                                  NAYS: 0                                  MOTION CARRIED.

CONSIDERATION OF LAND USE AGREEMENT FOR CHOCOLAY COMMUNITY FARM.

Angela Johnson, Chocolay Community Farm Collaborative was available to answer questions. The Board discussed the license agreement. 7. Selection of Program Participants. Trustee White had concerns that Chocolay residents should be given preference over nonresidents. Trustee Maki noted that the Board has oversight of the property. If there were complaints from residents the Board could step in. Trustee Bohjanen suggested that we could have two enrollments periods. We could have one enrollment period for Chocolay Township residents followed immediately by open enrollment. 10. Water Infrastructure and Liability. Trustee Maki had concerns about placing a well in an appropriate location on the property.

Trustee Bohjanen wanted to make sure it is understood that the Township may or may not assist in a grant for water. 14. Terms. The Board discussed that if this is a successful project after 5 years, it would behoove the Township to continue the project. Change the wording at the end of the first sentence from approval of an additional 5-year term to approval of an extended term.

Greenberg moved White seconded to approve the form and content of the proposed licensed agreement with the Chocolay Community Farm Collaborative with the following modifications to include Section 7. Allow two enrollment periods and Section 14 scratching 5 year term and change to extended term of renewal.

AYES: 7

NAYS: 0

MOTION CARRIED.

**REPORT ON FIRE STATION POWER CONSUMPTION.**

The Board discussed the fact that we did not have a demand meter on the old fire building. We may have been exceeding the 25 KW without knowing it. The Board of Light and Power tested the different usage devices and found that several of them create a high usage period. If we spike over the 25 KW usage at any point in any given month we would be on the higher demand rate for the subsequent year. The building itself is very energy efficient, but the size of the motors on pieces of equipment causes the spike in consumption. The Board agreed to monitor the consumption and look for power saving suggestions without investing in new equipment.

**2014 GENERAL FUND BUDGET AMENDMENT #1 TO REFLECT RECEIPT OF A MMRMA RISK AVOIDANCE PROGRAM GRANT FOR TASER REPLACEMENT.**

Maki moved, Carlson seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated general fund receipts within the township on November 18, 2013 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 BUDGET	CHANGE	AMENDED BUDGET
Police Department Equipment Maintenance 101.305.778	\$8,969.00	+\$ 400.00	\$9,369.00
REVENUE Miscellaneous 101.698	\$16,200.00	+\$ 400.00	\$16,600.00

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

**2014 CAPITAL IMPROVEMENT FUND BUDGET AMENDMENT #1 TO REFLECT RECEIPT OF A MMRMA RISK AVOIDANCE PROGRAM GRANT FOR PATROL CAR BUMPER GUARDS.**

Engle moved, Greenberg seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the expenditures of anticipated capital improvement fund receipts within the township on November 18, 2013 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 BUDGET	CHANGE	AMENDED BUDGET
Police Department Capital Outlay - Vehicles 401.305.981	\$56,156.77	+\$125.00	\$56,281.77
REVENUE Miscellaneous 401.698	\$0.00	+\$125.00	\$125.00

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.  
NAYS: None.

MOTION CARRIED.

DISCUSSION OF DRAFT MASTER PLAN CHAPTER 6.

The Board made no changes.

REIMBURSEMENT OF GIRL SCOUT COMMUNITY PLANTING EXPENSES.

Greenberg moved White seconded that the Board change the payee for reimbursement from CABA to the local Girl Scout troops for the beautification projects located at the intersection of M-28 and US 41. Staff also recommends that the maximum amount for reimbursement remain at \$1,000.

AYES: 7

NAYS: 0

MOTION CARRIED.

DISCUSSION OF BRUSH DISPOSAL OPTIONS.

The Board discussed the needs of residents that have no means to transport brush to the brush drop off location. Trustee White is concerned that seniors and handicap residents have no way to transport brush. Treasurer Greenberg suggested that Trustee White contact the Lion's Club for assistance with brush pick up for senior and handicap residents. The Township does not have the equipment needed to pick up brush; we would have to hire a contractor. Supervisor Walker suggested that we gauge interest and need for brush pick up for seniors and handicap residents by placing the question on the Township website. Manager Lawry will get data on the cost of undertaking a brush pick up for seniors and handicap residents. He will also check with RSVP to see if they offer this service.

PUBLIC COMMENT.

Mark Maki, 370 Karen Road – Asked if Cell Towers were a conditional Use in the Zoning Ordinance.

Mary Vertanen, 327 Corning Street – Thanked the Board for the financial assistance for the beautification project at the M-28 and U S 41 intersection.

CONSIDERATION OF CLOSED SESSION TO DISCUSS POTENTIAL PROPERTY PURCHASE.

Greenberg moved Carlson seconded to go into closed session at 8:05 pm to discuss the potential property purchase.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Greenberg moved Maki seconded to go out of closed session at 8:27 pm and back to an open meeting.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, April 7<sup>th</sup>, 2014.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of April 16<sup>th</sup>, 2014 and Special Meeting of April 29<sup>th</sup>, 2014 Drafts.
- C. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of March 20<sup>th</sup>, 2014.
- D. Minutes – Marquette County Township Association, March 26<sup>th</sup>, 2014.
- E. Peter White Public Library Monthly Reports for April 2014.

Supervisor Walker adjourned the meeting at 8:25 p.m.

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Max Engle, Clerk

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Gary Walker, Supervisor

SPECIAL MEETING  
CHOCOLAY TOWNSHIP BOARD  
CHOCOLAY TOWNSHIP PLANNING COMMISSION

June 9, 2014

A Special meeting of the Chocolay Township Board and Chocolay Township Planning Commission was held on Monday, June 9, 2014 at the Chocolay Township Office, 5010 U. S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLIGIANCE.

Planning Chair Andy Sikkema called the Planning Commission meeting to order at 7:00 p.m.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Susan Carlson, Richard Bohjanen.

ABSENT: Judy White.

TOWNSHIP PLANNING COMMISSION.

PRESENT: Andy Sikkema, Tom Mahaney, Bruce Ventura, Eric Meister, Andy Smith (arrived at 7:25 pm), Richard Bohjanen (also on Township Board).

ABSENT: Kendell Milton.

STAFF PRESENT: Steve Lawry, Kelly Woodward, Mary Sanders.

AGENDA.

The purpose of the Special Township Board/ Planning Commission meeting is to discuss future land use planning and zoning, Chocolay Community Farm license, Recreation Plan project priorities, Open Burning, Junk and Blight Ordinance revisions and Planning Commission priorities and performance.

Engle moved Carlson seconded to approve the agenda as amended and move Assignment of Chocolay Community Farm License to the first item on agenda.

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

PUBLIC COMMENT.

Amy Conover, Superior Sustainability introduced herself.

ASSIGNMENT OF CHOCOLAY COMMUNITY FARM LICENSE.

Trustee Maki had questions on identification signage for the Chocolay Community Farm. He also felt that this was an increase in intensity from the past use of one person planting and harvesting the entire parcel of land. He feels this should go to the Zoning Board of Appeals as a non-conforming use of the property.

Planning Director Woodward stated that if structures were added, it would need to go to the Zoning Board of Appeals. This is still being used as farming, so the use has not changed and there is no need to go to the Zoning Board of Appeals.

Carlson moved Bohjanen seconded to approve the proposed license agreement with Superior Sustainability, which is a project sponsor for the Chocolay Community Farm Collaborative, as presented.

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

#### FUTURE LAND USE PLANNING AND ZONING.

Planner Woodward explained to the Board that the Planning Commission is at the point in the Master Plan that focuses on the future land use plan, which is meant to be a depiction of future (20 years or more) uses of land.

Township Board and Planning Commission discussion on future land use:

- This is a long range look at zoning and we need to decide if we want to make changes in zoning or keep status quo.
- Comments from the majority of Township residents have been to preserve the rural character. There does not seem to be a large push for additional commercial.
- This is the struggle the Planning Commission faces; residents would like to see some commercial growth on M-28 and U S 41, but not change the rural feel of the Township.
- Do realtors inform us that they hear of a need for more commercial property in the Township?
- Items that discourage business in Chocolay are the size and shape of available parcels, zoning, and infrastructure (lack of a water system).
- Plan for places to allow a small amount of change, which is inevitable unless you chase it away. This is needed to support revenues.
- We should look at allowing multi-use in the existing commercial district. Allow a business on the bottom floor of a building with apartments above. Also multi-family development in the sewer district.
- Comments from the survey show a wish to retain young people and retain retirees looking to move out of the family home. This would require more apartments/condos and a zoning change.
- The City of Marquette takes a proactive approach to attract young people, such as providing transportation options.
- Clusters of small businesses supported by the residents that live nearby can be considered.
- Light industrial needs to be looked at before it happens on its own without forethought.
- Form based zoning could allow Commercial and Light Industrial in the same building near residences. This supports businesses with increased activity. It's about progress that won't change character.
- We need to control the area for an Industrial Park off a major road. See how other communities are creating these areas.
- There are different scales and types of industrial activity. Fraco is a great example of Industrial near residential. It is very well buffered.
- Revisit the Future Land Use map of the 2005 plan to determine changes.
- Government is not a great economic developer; it should be driven by the private sector.

The Board consensus was for the Planning Commission to continue to look at Mixed Use Zoning.

#### RECREATION PLAN PROJECT PRIORITIES.

A Recreation ranking document for the Master Plan was presented. The Board has a deadline of July 21, 2014 to make comments on the Recreation Plan Project Priorities; the comments will be forwarded to the Planning Commission for the August 4, 2014 meeting.

#### OPEN BURNING, JUNK AND BLIGHT ORDINANCE REVISIONS.

Supervisor Walker presented a suggested Outdoor and Open Burning Ordinance for Chocolay Township. The thought is to have a separate Ordinance dealing with Outdoor Burning separate from the Zoning Ordinance. Public Safety, Police and Fire Departments would handle the enforcement.

Township Board and Planning Commission discussion on an Outdoor and Open Burning Ordinance:

- Will campfires be allowed at the M-28 Turn outs or just private beaches?
- Buckets could be available at the turn outs for extinguishing camp fires.
- Contractors have difficulty disposing of large stands of trees from excavating at building site.
- We could add a clause that would allow commercial burning by conditional use permit in AF district on large parcels where it would not disturb the neighbors. Buffers are more important than the parcel size.

The Board concurred to add language to the ordinance to include our Police Department and Fire Department for enforcement, to allow camp fires at the M-28 Turn Outs and to add wording to allow commercial contractors to burn logs taken from development sites. This will appear on the Township Board June 16, 2014 agenda and will then be forwarded to the Planning Commission.

Township Board and Planning Commission discussion on Junk and Blight:

- The current Ordinance allows any number of vehicles on a piece of property as long as they are licensed. There is a forever license plate that can be purchased for \$75.00 and can stay on a vehicle forever. This could cause problems to our ordinance as it stands.
- Cargo trailers are also becoming a problem and are not addressed in the Ordinance.
- Damaged and deteriorated structures also need to be dealt with. How long should a non-functioning building be allowed to stand? Should we consider demolition permits to help control this?
- This ordinance is hard to enforce. We need to make it easier to enforce.
- How many times have we gone to court over vehicle issues? The Board needs to see photos of situations that the Ordinance does not address. Bring a list of specific problems pertaining to this Ordinance to the Board before we can move on this issue. This might include the storage of multiple RV's on a property, multiple licensed trailers and vehicles, etc.

#### DISCUSSION OF PLANNING COMMISSION PRIORITIES AND PERFORMANCE.

Andy Sikkema, Chairman of the Planning Commission said they are trying not to take on so much, so they may not be able to take action just because someone asks in public comment. He presented the following priority list to the Township Board.

- 2014 Recreation Grant application
- *Finish the Master Plan update*, including prioritization of projects
- Finish unfinished proposed zoning ordinance amendments
- Reconsider the "Accessory Homesteading Activities" regulations after evaluating public input
- *Junk car and blight ordinance updates*
- Asset Management Plan for Township roadways
- Consider need to amend burn regulations
- Necessary updates to the Lot Split and Land Division ordinances

Comments made by the Township Board to the Planning Commission:

- The Planning Commission should address Private Road regulations. There are concerns about allowing four lots off one private driveway, even with the 66' easement requirement. There are no construction requirements. This is a safety issue for Police and Fire emergencies, especially when properties are not appropriately addressed.
- Homes on private roads should have fire numbers.



- The Commission discussed concerns relating to seasonal rentals and site plan review not having a provision to notify neighbors.

Supervisor Walker thanked the Planning Commission for their thoroughness and consideration of issues. He very much appreciates their hard work. The Board agreed with his comments.

PUBLIC COMMENT.

Karen Alholm, Zoning Board of Appeals member introduced herself to the Board. She is running for County Commission District 6 (vacated by Greg Seppanen).

Tom Mahaney, Planning Commission member commented that we cannot get the Third Street business feel in Chocolay Township due to traffic speed on the business corridor.

Supervisor Walker adjourned the meeting at 9:45 pm.

Max Engle,  
Clerk

Gary Walker  
Supervisor

June 16, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, June 16, 2014 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Brad Johnson.

MINUTES –MAY 19, 2014 AND SPECIAL MEETING JUNE 9, 2014

Greenberg moved Carlson seconded to approve the minutes of the May 19, 2014 as presented.

AYES: 7                                 NAYS: 0                                 MOTION CARRIED.

Carlson moved Bohjanen seconded to approve the minutes of the Special Meeting June 9, 2014 as presented.

Trustee Maki commented that he still has concerns that the Chocolay Community Garden is a change in intensity from one person farming the property to many farming uses. He will address this with Planning Director Woodward.

AYES: 7                                 NAYS: 0                                 MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

White moved Maki seconded to accept the agenda with the addition of a Supervisor Report and the Local Government Approval for Souc' Inc. Chocolay River Brewery LLC. to be added as item XV. E.

AYES: 7                                 NAYS: 0                                 MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Engle moved White seconded that bills totaling \$20,086.31 including checks numbered 19462-19480; bills totaling \$72,048.04 including checks numbered 19481 to 19505 and bills totaling \$22,215.79 including checks numbered 19506 to 19538 are approved for payment.

AYES: 7                                 NAYS: 0                                 MOTION CARRIED.

PAYROLL.

White moved Carlson seconded that the payroll for May 22, 2014 for \$35,422.46 including checks numbered 10010-10015 and 21401-21435 and ACH payments for Federal tax, State tax and MERS and June 5, 2014 payroll for \$33,591.72 including checks numbered 10016-10021 and 21436-21457 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7                                 NAYS: 0                                 MOTION CARRIED.

FINANCIAL REPORT.

Engle moved Bohjanen seconded to accept the May 2014 financial report as presented.

AYES: 7                                 NAYS: 0                                 MOTION CARRIED.

TREASURER'S REPORT.

Treasurer Greenberg reported that we had one certificate of deposit come due and we completed the transfers to make the June 1, 2014 loan payments from the Fire Millage Fund to the General, Wastewater and Capital Improvements Funds. We are looking at getting a purchase card (credit card) for the Treasurers Department for purchasing postage for the tax bills. This will only be used by the Treasurers Department.

Engle moved White seconded to accept the Treasurer's report.

AYES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT.

Supervisor Walker has a family obligation on August 18, 2014 and will not be available for the Board meeting, would the Board consider changing the date for the August meeting to August 25, 2014. Trustee Carlson may not be available; she will check and inform the Board if she is available.

DISCUSSION OF REVISIONS TO OUTDOOR AND OPEN BURNING ORDINANCE.

Carlson moved Greenberg seconded to refer the Open and Outdoor Burning Ordinance to the Planning Commission for their review and public hearing with the following modifications : 12.1 The Fire Chief *and/* or Police Chief as the authorities having jurisdiction or his/*her* appointee is authorized to enforce the provisions of this ordinance. Also, to include a recommendation to the Planning Commission to further explore how to deal with contractors clearing wood debris from building sites and possibly disposing/burning off site.

AYES: 7

NAYS: 0

MOTION CARRIED.

AUTHORIZATION TO PURCHASE TABLES FOR HALL MEETING ROOM.

Maki moved Engle seconded that the Chocolay Township Board approve the expenditure of \$1,139.80 to Office Express U.P. for the purchase of new tables. This will be purchased from the Township Hall and Grounds Capital Improvements Fund Building Account 401.265.976.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

DISCUSSION OF BRUSH DISPOSAL OPTIONS.

The Board discussed brush disposal options for residents (especially seniors and handicapped) that do not have a way to haul brush during our spring and fall brush drop. Treasurer Greenberg suggested that we contact local service organizations and ask if they have an interest in taking care of this need. Trustee White feels that if we can afford to provide this service to people that have the capability to haul brush to the landfill all year long, and we cannot afford to do anything for those that do not have a way to haul the brush then we should not offer this service to anyone. After further discussion the Board decided to add to our brush pick up advertising that residents should consider helping their neighbors that do not have a method of hauling brush to the drop off site and to for the Township to attempt coordinate with local service organizations to assist seniors and handicapped residents with brush hauling.

CONSIDERATION OF PROPOSAL TO NAME A TRIBUTARY OF DOROW CREEK AS TWO SISTERS CREEK.

Carlson moved Engle seconded to approve the selection of "Two Sisters Creek" as the name for a presently unnamed tributary of Dorow Creek and direct the Clerk to so notify the U. S. Board of Geographic Names.

AYES: 7

NAYS: 0

MOTION CARRIED.

CONSIDERATION OF LOCAL GOVERNMENT APPROVAL FOR SOUC' INC. CHOCOLAY RIVER BREWERY LLC.

Maki moved Carlson seconded that in the manner of the application from Souc' Inc. Chocolay River Brewery LLC. for the : Brew Pub to be located at 200 W. Main Street, Harvey, Michigan 49855, it is the consensus of this body that it recommends this application be considered for approval by the Michigan Liquor Control Commission.

AYES: 7

NAYS: 0

MOTION CARRIED.

Clerk Engle questioned if this was allowed in the commercial zoning district. This license is for sale on premise only, not to be distributed elsewhere, so nothing should change in the zoning.

CONSIDERATION OF CLOSED SESSION TO DISCUSS POTENTIAL PROPERTY PURCHASE AND APPROVAL OF THE MAY 19, 2014 CLOSED SESSION MINUTES.

White moved Carlson seconded to approve the minutes of the May 19, 2014 Closed Session as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

Greenberg moved Maki seconded to go into Closed Session at 7:47 pm. for the purpose of discussion of potential purchase of property.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED

Carlson moved Engle seconded to go out of Closed Session and back into Open Session at 8:15 pm.

PUBLIC COMMENT.

Trustee Maki had questions on the Holiday Station's proposed driveway change. Manager Lawry indicated that Holiday will be putting in additional pumps; changing traffic flow to go behind the building, closing the North driveway and add a frontage road between Snyder's and Holiday. This has been approved by the Corridor Committee and our Planning Commission. The South driveway will remain, but they will square it up. Manager Lawry informed the Board that the newly paved bike path will have to be taken out and replaced when the driveway work is done.

INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, May 5<sup>th</sup>, 2014.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of May 21<sup>st</sup>, 2014 Draft.
- C. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of April 17<sup>th</sup>, 2014.
- D. Minutes – Marquette County Township Association, May 28<sup>th</sup>, 2014.

Supervisor Walker adjourned the meeting at 8:25 p.m.

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Max Engle, Clerk

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Gary Walker, Supervisor

July 21, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, July 21, 2014 at the Chocolay Township Office, 5010 U.S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Kelly Woodward, Gary Johnson.

MINUTES – June 16, 2014 REGULAR MEETING AND JUNE 16, 2014 CLOSED SESSION.

Greenberg moved Carlson seconded to approve the minutes of the Regular meeting of June 16, 2014 with the correction of the spelling of Dorow on page 3.

AYES: 7                      NAYS: 0                      MOTION CARRIED.

Maki moved White seconded to approve the minutes of the Closed Session June 16, 2014 as presented.

AYES: 7                      NAYS: 0                      MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved Engle seconded to accept the agenda as presented.

AYES: 7                      NAYS: 0                      MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Carlson moved Bohjanen seconded that bills totaling \$37,170.86 including checks numbered 19539-19571; bills totaling \$26,245.52 including checks numbered 19572 to 19607 are approved for payment.

AYES: 7                      NAYS: 0                      MOTION CARRIED.

PAYROLL.

Maki moved Engle seconded that the payroll for June 19, 2014 for \$37,996.49 including checks numbered 10022-10027 and 21458-21503 and ACH payments for Federal tax, State tax and MERS and July 3, 2014 payroll for \$43,325.02 including checks numbered 10028-10033 and 21504-21548 and ACH payments for Federal tax, State tax and MERS retirement and July 17, 2014 payroll for \$33,226.20 including checks numbered 10034-10039 and 21549-21568 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7                      NAYS: 0                      MOTION CARRIED.

FINANCIAL REPORT.

Greenberg moved White seconded to accept the June 2014 financial report as presented.

AYES: 7                      NAYS: 0                      MOTION CARRIED.

TREASURER'S REPORT.

Treasurer Greenberg reported that three Certificates of Deposit are maturing this month. Interest rates are slowly rising.

Engle moved Carlson seconded to accept the Treasurer's report.

AYES: 7                      NAYS: 0                      MOTION CARRIED.

SUPERVISOR'S REPORT.

- Supervisor Walker will not be available for the August meeting. The Board was unable to agree on a replacement date so the meeting date will remain on August 18<sup>th</sup>.

- The MERS Pension System 2013 Annual Actuarial report has been completed and Chocolay Township is 104% funded.

**2014 BUDGET AMENDMENT TO REFLECT ADDITION OF A LIBRARY MILLAGE FUND.**

Carlson moved, White seconded that Whereas, the Chocolay Township Board is creating a Library Millage Fund and to govern the expenditures of anticipated receipts within the township for the 2014 fiscal year, it is necessary to create the aforesaid budget including revenues and expenditures, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be hereby created as follows:

<b>REVENUES</b>	<b>BUDGET</b>
Property Taxes 271.000.000.402.000	\$139,713.71

<b>EXPENDITURES</b>	<b>BUDGET</b>
Peter White Library Contracted Services 271.790.000.800.000	\$139,713.71

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

**GENERAL FUND BUDGET AMENDMENT #2 TO REFLECT RECEIPT OF RURAL PARTNERS OF MICHIGAN GRANT AND TRANSFER TO SUPERIOR SUSTAINABILITY.**

Engle moved Bohjanen seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated revenues and expenditures of the General Fund of the Township on November 18<sup>th</sup>, 2013 for fiscal year 2014, and Whereas, as a result of receipt of unanticipated revenues it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

<b>ACCOUNT</b>	<b>PREVIOUS BUDGET</b>	<b>CHANGE</b>	<b>AMENDED BUDGET</b>
<b>REVENUE</b>			
Miscellaneous Revenue 101.000.698	\$ 0.00	+\$ 800.00	\$ 800.00
<b>EXPENDITURE</b>			
Recreation & Properties Miscellaneous Rural Partners of MI Grant 101.756.956.001	\$ 0.00	+\$ 800.00	\$ 800.00

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

**CONSIDERATION OF DONATION OF HISTORIC FIRE ENGINE.**

White moved Carlson seconded that Chocolay Township will accept the donation of the 1949 Mack fire apparatus from the Chocolay Fireman's Association and will insure, register, and house the Fire truck.

AYES: 7

NAYS: 0

MOTION CARRIED.

**CAPITAL IMPROVEMENT FUND BUDGET ADJUSTMENT #2 TO REFLECT RECEIPT OF KBIC 2% GAMING FUNDS.**

Maki moved Greenberg seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on November 18<sup>th</sup>, 2013 for fiscal year 2014, and Whereas, as a result of receipt of unanticipated revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
<b>REVENUE</b>			
KBIC 2% Gaming Money 401.000.582	\$ 0.00	+\$ 26,328.94	\$ 26,328.94
<b>EXPENDITURE</b>			
Police Vehicles & Vehicle Equip. 401.305.981	\$ 56,156.77	+\$ 5,500.00	\$ 61,656.77
Fire Dept. Building Improvements 401.340.976	\$ 25,263.50	+\$ 16,000.00	\$ 41,263.50
Recreation & Grants Land Improvements 401.708.972	\$ 50,000.00	+\$ 4,828.94	\$ 54,828.94
ROLL CALL.			
AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.			
NAYS: None.			MOTION CARRIED.

**AUTHORIZATION TO PURCHASE BICYCLE HELMETS WITH CAPITAL IMPROVEMENT FUND DOLLARS.**  
Greenberg moved Carlson seconded to approve the purchase of bicycle helmets not to exceed \$1,000.00. This will be paid from the Capital Improvement Fund – Office Equipment #401.305.977.  
ROLL CALL.  
AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.  
NAYS: None. MOTION CARRIED.

**AUTHORIZATION TO PURCHASE EXTERNAL BACKUP DRIVE AND CARTRIDGES WITH CAPITAL IMPROVEMENT FUND DOLLARS.**  
Carlson moved Engle seconded to approve the purchase of a HP RDX backup device and cartridges not to exceed \$2,000. This will be paid from the Clerk Department Equipment capital improvement fund #401.215.977.  
ROLL CALL.  
AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.  
NAYS: None. MOTION CARRIED.

**DISCUSSION OF DRAFT MASTER PLAN CHAPTER 7.**  
The Board discussed Chapter 7 of the Master Plan and made the following suggested changes.

- Strategy PS-4 add the word **consider** before the word hire.
- Strategy PS-16.1 and 16.2 Change the word purchase and the word replace with **Update as required**.
- Strategy FS-1.7 add **where appropriate** at the end of the sentence.

**PUBLIC COMMENT.**  
None.

- INFORMATIONAL REPORTS AND COMMUNICATIONS**
- Minutes – Township Planning Commission, June 2<sup>nd</sup>, 2014.
  - Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of June 18<sup>th</sup>, 2014 Draft.
  - Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of May 15<sup>th</sup>, 2014.
  - Peter White Public Library Monthly Report for May 2014.

- E. Attorney Opinion on Need for Zoning Board of Appeals Review of Chocolay Community Farm.
- F. Communication – Michigan Liquor Control Commission Notice of Transfer of Class C License Ownership.
- G. Report on Statewide Ballot Proposal 1 for Personal Property Tax Reform.

Supervisor Walker adjourned the meeting at 8:05 p.m.

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Max Engle, Clerk

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Gary Walker, Supervisor



August 18, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, August 18, 2014 at the Chocolay Township Office, 5010 U.S. 41 South, Marquette, MI. Clerk Engle called the Township Board meeting to order at 7:00 p.m.

ELECTION OF MEETING CHAIR.

Maki moved Carlson seconded that Clerk Engle Chair the Board Meeting in the absence of the Supervisor.

AYES: 6                      NAYS: 0                      MOTION CARRIED.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: Gary Walker.

STAFF PRESENT: Steve Lawry, Mary Sanders, Greg Zyburt.

MINUTES –JULY 21, 2014 REGULAR MEETING.

Greenberg moved White seconded to approve the minutes of the Regular meeting of July 21, 2014 as presented.

AYES: 6                      NAYS: 0                      MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Bohjanen moved Greenberg seconded to accept the agenda as presented.

AYES: 6                      NAYS: 0                      MOTION CARRIED.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE/ PAYROLL.

Carlson moved Bohjanen seconded that bills totaling \$24,380.27 including checks numbered 19608-19630 and bills totaling \$11,016.75 including checks numbered 19631 to 19654 are approved for payment. That the payroll for July 31, 2014 for \$37,308.80 including checks numbered 10040-10045 and 21569-21610 and ACH payments for Federal tax, State tax and MERS and August 14, 2014 payroll for \$35,493.22 including checks numbered 10046-10051 and 21611-21641 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 6                      NAYS: 0                      MOTION CARRIED.

Trustee Maki had questions on legal fees including the Community Garden legal opinion; he will discuss this with the Township Supervisor. Trustee Bohjanen had a question on the trees that were purchased. They are replacement trees for the MDOT highway grant.

FINANCIAL REPORT.

White moved Maki seconded to accept the July 2014 financial report as presented.

AYES: 6                      NAYS: 0                      MOTION CARRIED.

Trustee Bohjanen had a question on the Fire Millage Fund showing a negative. Manager Lawry indicated that is the interest payment that was budgeted under the loan payment. We will show the interest and loan payment separate in the 2015 budget. We are not over budget in the Fire Millage Fund. Trustee Carlson had a question on Capital Improvements Fund Parks and Recreation equipment.

TREASURER'S REPORT.

Maki moved Carlson seconded to accept the Treasurer's report as presented.

AYES: 6                      NAYS: 0                      MOTION CARRIED.

PRESENTATIONS - DRAFT 2015 BUDGET.

Manager Lawry encouraged the Board to work toward an October or November approval of the budget.

Treasurer Greenberg commended Manager Lawry on the presentation of the budget memo. The memo made it easy to follow all the changes implemented in the 2015 budget.

Trustee White was concerned that the increase in garbage tag price may cause residents to cut tags in half or use other means to save money. She also has concerns that employees are not paying 20% of health insurance.

Treasurer Greenberg asked if there was a way to look at health insurance as a percentage of the employees wage rather than a percentage of the health insurance premium.

Clerk Engle feels that we need to increase the monthly sewer user fee in an amount that will allow us to set aside money for capital expenditures. Our pump and lift stations are over 40 years old and will need to be replaced in the near future.

Trustee Maki commented on garbage tag fee increase, having a road analysis for road repairs, legal/professional fees under Township Board and Assessing Department. Other concerns are fees for land division application, non-conforming use application and site plan review.

Trustee Bohjanen asked if the fee for a Special Board meeting request covered the cost of the meeting.

#### SUPERVISOR'S REPORT.

None.

#### PROPOSED OUTDOOR AND OPEN BURNING ORDINANCE, ORDINANCE #59 AND REPEAL OF ZONING ORDINANCE PROVISIONS 6.5 (D) 1.-3.– FIRST READING.

Greenberg moved Carlson seconded to approve the first reading of draft Ordinance #59 Outdoor and Open Burning Ordinance as written and to schedule a second reading for the September Board meeting.

AYES: 6

NAYS: 0

MOTION CARRIED.

Treasurer Greenberg requested that in Section 10.00 Burning Permits, we use another term for curtilage that the general public will understand.

#### PUBLIC COMMENT.

None.

#### INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, July 7<sup>th</sup>, 2014.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of July 16<sup>th</sup>, 2014 Draft.
- C. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of June 19<sup>th</sup>, 2014.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meetings of November 12<sup>th</sup>, 2013 and June 10<sup>th</sup>, 2014.
- E. Peter White Public Library Monthly Report for June 2014.
- F. Summary of August 5<sup>th</sup> Primary Election Results.

Clerk Engle adjourned the meeting at 8:25 p.m.

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Max Engle, Clerk

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Gary Walker, Supervisor

September 15, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, September 15 , 2014 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Dale Throenle, Kelly Woodward, Suzanne Sundell, Pat Beck, Mike Disch, Brad Johnson, Chris Lucas, Don Bode, Scott Jennings.

MINUTES –August 18, 2014 REGULAR MEETING.

Carlson moved Greenberg seconded to approve the minutes of the Regular meeting of August 18, 2014 as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Engle moved White seconded to accept the agenda with the addition of a item XV-H. - Discussion of a memo dated May 1<sup>st</sup> from Mark Maki to the Planning Commission.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Olive Hillier, 118 W. Wright Place- Commented on her rezoning request at 118 W. Wright Place from commercial to residential. They cannot sell their home because any purchaser wishing to use the home as a residence cannot get home insurance with the nonconforming status of the residence in a commercial zoning district.

ACCOUNTS PAYABLE.

Maki moved Bohjanen seconded that bills totaling \$38,536.21 including checks numbered 19655-19678 and bills totaling \$10,494.52 including checks numbered 19679 to 19700 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

PAYROLL.

Engle moved Carlson seconded that the payroll for August 28, 2014 for \$36,640.78 including checks numbered 10052-10057 and 21642-21675 and ACH payments for Federal tax, State tax and MERS and September 11, 2014 payroll for \$32,582.74 including checks numbered 10058-10063 and 21676-21697 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

Bohjanen moved Maki seconded to accept the July 2014 financial report as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

Treasurer Greenberg stated that we have 2 C/D's maturing in September and that interest rates continue to be very low.

Engle moved Carlson seconded to accept the Treasurer's report as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

Treasurer Greenberg and Manager Lawry explained that the new Deposit/Withdrawal report comes from a recommendation of the Michigan Township Association. This report should be presented to the Board at least quarterly; the Treasurer will present it monthly.

PRESENTATIONS- FUTURE LAND USE MAPS FOR NEW MASTER PLAN.

Presentation by Planning Director, Kelly Drake Woodward on the future land use maps for the new master plan. We are adding three future land use categories that are mixed use, four that are primarily residential and one that is primarily working lands and two that are recreation/conservation based.

**Corridor mixed use (MU-C)** is to accommodate a mix of commercial, light industrial, industrial, residential and institutional uses to create a live/work node along the highway corridor, with the primary focus on non-residential uses (residential as accessory). It is proposed to be located at the industrial area adjacent to Lion's field (Varvil Center).

The future land use map is not necessarily equal to future zoning, but is meant to guide future zoning for these areas. The Planning Commission made these future land use recommendations and the Board is seeing it for the first time today.

Trustee Maki asked how we would expect to put residential housing in an industrial park. Planner Woodward responded that there are some vacant adjacent parcels that could accommodate multi-family development, or there could be living quarters over non-residential uses. Trustee Maki was concerned about losing industrial land since there is not much available in the Township.

Trustee White suggested correcting the spelling of Basal Rd on the future land use map.

**Village mixed-use (MU-V)** (mostly Harvey) accommodates a mixed use of commercial, light industrial, higher density residential, civic and institutional uses adjacent to the sewer district. The goal is to support commerce near affordable housing, and increase density to support utility infrastructure. Diverse residential housing types are encouraged, and new single family housing is discouraged except as part of a compact overlay development pattern. There would be design standards for buffers between residential and non-residential uses.

Trustee Maki feels that this is too large of a district. It should not go down Cherry Creek Road to the school, or down Silver Creek Road, or another ½ mile down M-28. This may encourage strip development. He is in favor of the mixed-use designation only in existing commercial areas with no expansion. Planner Woodward said, for example, that including the Cherry Creek School in the mixed-use area would allow this large structure to be redeveloped with a variety of uses if the school use was discontinued. The plan provides more opportunity on large vacant parcels.

Trustee Bohjanen commented that future land use planning is not rezoning. Currently these lands are stable, but they may not be in the best future use for the area. For example, if Fraco shut down, only industrial type uses could be at that location. Mixed-use designation would allow the property to be redeveloped into a condominium village that would increase the population within walking distance of the commercial district, which would be more appropriate. This would be accomplished without the rezoning process.

Supervisor Walker stated that this is part of the master plan and the idea is that the master plan is a guide for future decisions that are made within the Township. This is to guide the Planning Commission in their zoning decisions. Trustee Maki feels that the zoning change will follow acceptance of the Master Plan and the Future Land Use Map.

Trustee Bohjanen said the driving force in what gets developed is property owners, and what they want to do with their land, not the Township. Trustee Engle said the idea is that these areas can be developed more heavily by giving an economic incentive to small businesses by enabling them to have the opportunity for more than one kind of income. Treasurer Greenberg said the original 1970's zoning ordinance was rejected because of a lack of flexibility – the public seemed to want something more fluid. He feels that this mixed use approach gives flexibility and fluidity to zoning. Maybe the borders are not quite right yet, but the flexibility appeals to him. Planner Woodward said the Planning Commission discussed phasing in zoning changes over certain areas over time.

The Board agreed to bring this back to either a special meeting or to be placed on the next meeting agenda. Supervisor Walker asked Planner Woodward to continue through the future land use descriptions.

**Neighborhood mixed-use (MU-N)** accommodates a lower intensity mix of commercial, medium density residential, civic and institutional uses that are meant to serve the neighborhoods.

**Water-oriented residential (R-W)** consists primarily of single family residential uses on the waterfront on Lake Superior other inland lakes or river.

Trustee Maki questioned if the current waterfront district allows resort rentals. He feels it is not allowed, and that Township residents do not want vacation rentals. Treasurer Greenburg said that it sounds like the zoning ordinance doesn't say it's permitted, but we might have a difficult time legally saying "you can't do that". Trustee Maki referenced the public survey as evidence of what people want.

**Village residential (R-V)** is similar to the current R-2 zoning district in the village of Harvey.

**Neighborhood residential (R-N)** is similar to the current R-1 zoning District.

**Rural residential (R-R)** is a new idea the Planning Commission had for areas that are currently non-conforming in the A/F district because they are not 20 acres, and they are less rural in character and may merit different standards for accessory buildings, for example.

**Primary working lands – agriculture/forestry (A/F)** is pretty much the same as the current A/F district.

**Conservation recreation lands (CR)** are basically properties that have so many environmental concerns that they are not really suitable for development.

**Public use (P)** includes Township owned and other privately owned publically used lands (i.e. Lakenenland) and state lands. These are lands that have been developed for public use and are intended to stay in public use, regardless of ownership.

Supervisor Walker asked the Board to go over the future land use plan presented by Kelly tonight and if there are areas that you wish to specifically alter; come prepared to make a motion. We will either hold a special Board meeting or this will be on the agenda at the next regular board meeting.

#### SUPERVISOR'S REPORT.

- Update on fire supply cistern freezing corrections. Associated Constructors replaced a section of plastic pipe with copper (so it can be thawed if needed) and added a stop and waste valve to empty water from the pipe. We may put a valve in the fire station and use a compressor to blow the line free of water.
- MDOT has started a repaving project on U S 41 South from Juliet Street to South Big Creek Road. Marquette County Road Commission contacted the Township with a suggestion that we may take advantage of Payne & Doyle working in the area to get the first few hundred feet of South Big Creek Road repaved. It is the road that we get the most complaints on. The elevation can be built up with the gravel being dumped over the existing road surface and paving over that. The estimate is \$21,800.00 to do the first 500 feet. The Road Commission needs to properly shape the drainage ditches and shoulders for the road repair to last more than a couple of years.

Greenberg moved, White seconded to expend up to \$25,000.00 from the Capital Improvements Fund Water Department to be applied to the Streets Department to pave the distance necessary on South Big Creek; contingent upon Manager Lawry's satisfaction with the proposed engineering. A budget amendment will be presented at the October meeting.

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

Motion Carried.

#### PROPOSED OUTDOOR AND OPEN BURNING ORDINANCE, ORDINANCE #59 AND REPEAL OF ZONING ORDINANCE PROVISIONS 6.5 (D) 1.-3.– SECOND READING.

Proposed Outdoor and Open Burning Ordinance, Ordinance #59 and Repeal of Zoning Ordinance Provisions 6.5 (D) 1.-3.– Second Reading.

White moved, and Carlson seconded to approve the second reading of Ordinance #59 Outdoor and Open Burning as changed [instead of using the word curtilage change to - **area immediately surrounding a residence, including yards and closely associated buildings and structures used for domestic activities of**

**the residents]**, and to file the ordinance with the Township Clerk, to publish a notice of adoption in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township Ordinance book within one week after publication.

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

Motion Carried.

Maki moved, and Greenberg seconded to waive the second reading and adopt the proposed Zoning Amendment Case #ZA001-14 (amendment #34-14-01) to delete Section 6.5(D) items 1-3 from the Township Zoning Ordinance, such provisions having been replaced by Ordinance #59 Outdoor and Open Burning, and to file the ordinance with the Township Clerk, to publish a notice of adoption in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township Zoning Ordinance book within one week after publication.

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

Motion Carried.

#### DISCUSSION OF DRAFT 2015 ANNUAL BUDGET.

Manager Lawry explained the additional graphs included in the Board packet. Revenues show that we have had very low growth over the past nine years. Other graphs included are employee health care cost and employee contribution to health care cost, capital expenditures and police and fire department responses. Kelly Woodward did an in depth analysis of fees related to zoning. Manager Lawry addressed all the new information presented in his memo.

Carlson moved Greenberg seconded to schedule public hearings for adoption of the Sewer User Fee Resolution for 2015, adoption of the general fee schedule of 2015, adoption of the proposed property tax millage rates and General Appropriations Act and budget for 2015 at 7:00 p.m. on October 20, 2014 in the Board Room of the Township Hall and to direct the Clerk to advertise same.

AYES: 7

NAYS: 0

MOTION CARRIED.

White moved Maki seconded to increase garbage tags in 2015 by .10, which would be \$1.80 per tag.

AYES: 6

NAYS: 1

MOTION CARRIED.

Maki moved Carlson seconded to set the zoning compliance fee for residential new structure and alterations at \$25.00

AYES: 3

NAYS: 4

MOTION FAILED.

Maki moved Carlson seconded to set the fee for variance, non-conforming Use Alteration Permit and Zoning/Land Division Appeal at \$250.00.

AYES: 2

NAYS: 5

MOTION FAILED.

White moved Bohjanen seconded to increase the sewer user fee to \$2.40 per month per equivalent user; \$1.40 per month toward costs and \$1.00 going toward the sinking fund.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki asked how much loss of revenue we would see with the garbage tag price only going up .10 per tag instead of .20. The loss in revenue would be approximately \$9,000.00.

There were no further changes in the proposed 2015 budget.

#### CONSIDERATION OF PLANNING COMMISSION RECOMMENDATION ON REZONING APPLICATION ZA002-14 FOR 118 W. WRIGHT PLACE. (PARCEL ID #52-02-106-043-80).

Greenberg moved, and White seconded, to waive the second reading and approve the proposed rezoning Case #ZA002-14, to rezone Parcel #52-02-106-043-80 for 118 W. Wright Place from Commercial to R-2, and to file the amendment with the Township Clerk, to publish a notice in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township Zoning Ordinance book within one week after publication.

ROLL CALL:

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

Motion Carried.

**CAPITAL IMPROVEMENT FUND BUDGET ADJUSTMENT #3 TO REFLECT RECEIPT OF UTILITY REVIEW COMMITTEE DISBURSEMENT.**

Maki moved Carlson seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on November 18<sup>th</sup>, 2013 for fiscal year 2014, and Whereas, as a result of receipt of unanticipated revenue it is necessary to modify the aforesaid budget, Now Therefore, Be It Hereby Resolved, that the aforesaid budget be modified as follows:

<b>ACCOUNT</b>	<b>PREVIOUS</b>	<b>CHANGE BUDGET</b>	<b>AMENDED BUDGET</b>
<b>REVENUE</b>			
Miscellaneous Revenue			
401.698.000	\$ 125.00	+\$1,075.57	\$1,200.57
<b>EXPENDITURE</b>			
Streets			
401.440.972			
Land Improvements	\$ 7,826.55	+\$1,075.57	\$8,902.12

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None

Motion Carried.

**AUTHORIZATION TO PURCHASE IN-CAR TICKET PRINTERS WITH COMBINATION OF CAPITAL IMPROVEMENT AND GENERAL FUND DOLLARS.**

Maki moved Greenberg seconded to approve the purchase of two Printek Printer and accessories for the Police Department. Cost will not exceed \$1700. The amount of \$1200 will be paid from the Capital Improvement Fund - Equipment, Account #401-305.977 and the remaining balance from the Police General Fund, Account #101-305-742.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None

Motion Carried.

**AUTHORIZATION TO PURCHASE FENCING IMPROVEMENTS FOR LIONS FIELD WITH CAPITAL IMPROVEMENT FUND DOLLARS.**

Carlson moved White seconded to authorize the purchase of ball field fence and related improvements from the Recreation and Grants Capital Improvement Fund account for a cost not to exceed \$15,000

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None

Motion Carried.

**AUTHORIZATION TO PURCHASE RAIN GUTTERS WITH FIRE MILLAGE FUND DOLLARS.**

Greenberg moved Bohjanen seconded that up to \$2,073.00 from the Fire Millage Fund be allocated to the purchase of rain gutters for the fire station from Northern Awning & Window Company.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None

Motion Carried.

**AUTHORIZE WAIVER OF PARK HOURS OF OPERATION FOR UP DISC GOLF ASSOCIATION GLOW ROUND TOURNAMENT.**

Greenberg moved Engle seconded to waive the park hours and approve the request of U.P. Disc Golf Association to conduct a "glow round" fun disc golf tournament on Saturday November 1, 2014 called the "Rotten Pumpkin Classic" at the Silver Creek Disc Golf Course. This event should end by 9:00 pm.

AYES: 7

NAYS: 0

MOTION CARRIED.

**CONSIDERATION OF A RESOLUTION ADOPTING AN INTERGOVERNMENTAL AGREEMENT TO CREATE THE SUPERIOR TRADE ZONE UNDER THE URBAN COOPERATION ACT.**

Engle moved White seconded

WHEREAS, subject to the approval of the Michigan Strategic Fund (the "MSF"), the Next Michigan Development Act, 2010 P.A. 275, MCL, as amended by P.A. 238 and P.A. 239 of 2013, allows for the

creation of a Next Michigan Development Corporation (“NMDC”) among local government parties for economic development purposes; and

WHEREAS, Act 275 provides, in part, that there first be in place an Interlocal Agreement under the Urban Cooperation Act of 1967, 1967 P.A. 7, MCL 124.501-512 (“ACT 7”); and

WHEREAS, it is further provided in Act 275 that the Act 7 Interlocal Agreement be approved by the Governor of the State of Michigan before submitted to the MSF; and

WHEREAS, this Charter Township of Chocolay Board of Trustees has been presented an Interlocal Agreement creating the **Superior Trade Zone** Next Michigan Development Corporation (the “Interlocal Agreement”) for economic development purposes and deems it to be in the best interest of the Charter Township of Chocolay to approve the Interlocal Agreement and become a voting participant in the Superior Trade Zone; and

WHEREAS, the acceleration of business growth in Delta and Marquette counties is consistent with community goals and objectives to provide jobs for residents, make efficient use of existing resources, improve infrastructure and promote the use of regional assets as provided for in comprehensive regional plans; and

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Chocolay Board of Trustees, Michigan hereby approves the Interlocal Agreement; and

BE IT FURTHER RESOLVED that the Township Supervisor and Township Clerk are authorized to execute the Agreement on behalf of the Charter Township of Chocolay Board of Trustees and to consent to non-material adjustments and corrections to the Interlocal Agreement, as may be required by the State of Michigan officers and agencies.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None

Motion Carried.

DISCUSSION OF LETTER TO CHOCOLAY TOWNSHIP PLANNING COMMISSION FROM TRUSTEE MARK MAKI. Trustee Maki explained that this was a letter that he sent to the Planning Commission with the idea that it came out of the Board’s joint meeting with the Planning Commission. He said this was a letter to the Planning Commission from the Board through himself, who offered to draft it. He got a response from the Planning Director, but not the Planning Commission. One question was how did the property on Hotel Place get rezoned from residential to multi-family residential. The second question was how the property west of Willow Road got rezoned from R-3 to residential. Planner Woodward had replied that it was changed in the 2008 Zoning Ordinance revision. Trustee Maki said there should be some record as to why the zoning was changed. The third question was why the PUD on Corning Street was not updated on the zoning map. He feels the online zoning map should be up to date. He said the Board had talked about the fact that mini warehouses were allowed in the commercial zone in Harvey and that they should be a conditional use based on the fact that we have public sewer in Harvey. He thinks the Planning Commission should have discussed this, and he proposed that the Board should make a motion to change mini storage from a permitted to a conditional use in this area. He said the Board also requested that permitted and conditional uses in the commercial zone be reviewed to see if they are appropriate. He doesn’t think the Planning Commission has done this.

Another question posed by Trustee Maki was how mini warehouses near Family Dollar were approved in a residential zone. Planner Woodward had replied that they were permitted as an accessory use to the mobile home park. Trustee Carlson said it makes sense for there to be storage for the mobile home park residents, who don’t have basements, garages, etc. Trustee Maki said he objected to the sign – why would you need to advertise if it was really for the use of the residents? The sixth point was about the variance granted to the Chocolay Apartments. On reflection, he said it was actually a nonconforming use. He expected that the Planning Commission would have had some discussion on this letter.



Supervisor Walker indicated that there was discussion on these items but he did not recollect that the Board as a whole took any action to direct the Planning Commission. There was no vote or conclusion drawn.

Treasurer Greenberg asked how much time it would take to get the zoning map on the website updated. Planner Woodward said that she could produce a zoning map based on Equalizer data tomorrow, but to do the research to make sure all the changes are correct would take longer. Treasurer Greenberg said the information should not be on the website unless it is current. Planner Woodward said it is common practice to post a zoning map with a disclaimer that it is current as of a certain date, and that people should call the office to confirm their zoning district. She will work on an update.

Trustee Bohjanen said that many of the questions raised by Trustee Maki require staff research, and that Supervisor Walker had indicated he was trying to address this, but the Planning Commission would not have those answers.

#### PUBLIC COMMENT.

Jill Bradford Little Lake Road – Commented on attending vision meetings a few years ago for the Master Plan, citizen apathy, and the fact that Township survey information can be distorted by input from non-residents.

Jim Goodman Orchard Lane – Asked what Township services would have to be cut if revenues do not come in.

Mark Maki 370 Karen Road – Commented on zoning changes not being recorded in Planning Commission records. Land division approvals in the Township may not have been done properly.

Judy White Lakewood Lane – Thanked the Board for the opportunity to attend the Michigan Township Association U P Summit.

#### INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, August 4<sup>th</sup>, 2014.
- B. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of August 20<sup>th</sup>, 2014 Draft.
- C. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of July 17<sup>th</sup>, 2014.
- D. Minutes – US 41 Corridor Advisory Group, Regular Meetings of July 8<sup>th</sup>, 2014 and August 12<sup>th</sup>, 2014.

Supervisor Walker adjourned the meeting at 9:35 p.m.

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Max Engle, Clerk

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Gary Walker, Supervisor

October 20, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, October 20, 2014 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders, Dale Throenle, Kelly Woodward, Suzanne Sundell, Pat Beck, Mike Disch, Brad Johnson, Chris Lucas, Jennifer Stanaway, Greg Zyburt, Gary Johnson.

MINUTES – SEPTEMBER 15, 2014 REGULAR MEETING.

Carlson moved Bohjanen seconded to approve the minutes of the Regular meeting of September 15, 2014 as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki commented that he appreciated the detail in the minutes regarding the Land Use and asked the Manager if the paving of the entrance of South Big Creek Road and was it a good use of Township Funds.

Manager Lawry replied that he expects to be billed on the work on South Big Creek Road it was a good use of funds. It will also help with the drainage issue in that section of South Big Creek Road.

Trustee Maki also commented on his May 1<sup>st</sup> letter to the Planning Commission. Did it ever get to the Planning Commission and did they discuss it and why have we not received an answer to the letter?

Supervisor Walker stated that it did go to the Planning Commission and they were verbally informed of the letter by the Planning Director; the Planning Commission did not discuss it.

AGENDA ADDITIONS/DELETIONS.

Greenberg moved Carlson seconded to accept the agenda with the addition of item XIV. F. Discussion of Trustee Maki's May 1, 2014 letter to the Planning Commission.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Deborah Mulcahey, 633 Lakewood Lane- Commented on transparency and record costs, documents that she has requested that could not be found. She feels that Chocolay Township Board should require Township staff to follow procedures for retaining records.

Pete Mackin, 203 Hotel Place – Commented that he is a candidate for the 109<sup>th</sup> State House Seat and also commented on the Presque Isle Power plant issue. He feels the plant closure is political not due to the plant being obsolete.

Mark Maki, 370 Karen Road – Commented on record retention, retention of voice recordings of minutes, and a letter from Scott Emerson regarding resort rentals.

PUBLIC HEARINGS.

PROPOSED CHANGES TO SEWER USE FEES FOR 2015.

The Public Hearing was opened and no public comment received.

Engle moved White seconded Whereas, the revenues and expenditures for the wastewater collection and treatment system have been reviewed, and

Whereas, the current user fee of \$28.60 per month is not adequate for the projected replacement cost of the system, and

Whereas, the equivalent user fee of \$31.00 per month will be sufficient to offset the Township share of 16.43 per equivalent user per month, to pay the O. M. & R. cost for the wastewater treatment plant.

Now, therefore be it resolved the Chocolay Township Board establishes the equivalent user fee of \$31.00 per month and a new user connection fee of \$350.00 beginning January 1, 2015 through December 31, 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

#### ADOPTION OF THE PROPOSED 2015 FEE SCHEDULE.

The Public Hearing was opened and public comment was received from Deborah Mulcahey, questioning if we are paying taxes, why do we have to pay a fee for reports, minutes etc. We need to decrease the cost of garbage collection and increase recycling efforts, also put weekly recycling on both sides of the Township sign. When the Township sends out mailings to residents; they should include information to educate people on recycling and garbage fees. Chocolay Township Board has too much money at their disposal and charges too much for fees.

Trustee Maki feels that the increases in the zoning/planning/assessing fees are too high. He asked to amend the 2015 fee schedule for variances, nonconforming use alteration permits, private roads, zoning/land division appeal, ordinance amendment requests, land division applications and lot split applications.

Greenberg moved, Engle seconded that we adopt the 2015 fee schedule with no change/increase to the fees for Variance \$250.00, Non-conforming Use Alteration Permit \$250.00, Private Roads \$250.00, Zoning/Land Division Appeal \$250.00, Ordinance Amendment Requests \$250.00, Land Division Application \$50.00 and Lot Split Applications \$50.00.

ROLL CALL.

AYES: Maki, Carlson, White.

NAYS: Bohjanen, Greenberg, Engle, Walker.

MOTION FAILED.

Maki moved Carlson seconded to adopt the 2015 fee schedule with the following changes - the fees for Variance \$300.00, Non-conforming Use Alteration Permit \$300.00, Private Roads \$300.00, Zoning/Land Division Appeal \$300.00, Ordinance Amendment Requests \$300.00, Land Division Application \$75.00 and Lot Split Applications \$75.00.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

#### HEARING ON PROPOSED 2015 MILLAGE RATES, BUDGET, AND GENERAL APPROPRIATIONS ACT.

The Public Hearing was opened on proposed millage rates for the 2015 budget year; Operating 3.7526, Library (collected by the Township and paid to Peter White Library) 0.7514 and Fire Hall 1.6833.

No public comment was received.

#### ACCOUNTS PAYABLE.

Maki moved Bohjanen seconded that bills totaling \$84,223.80 including checks numbered 19701-19777 and bills totaling \$17,272.16 including checks numbered 19778 to 19807 and \$16,307.99 including checks numbered 19808-19829 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

#### PAYROLL.

Carlson moved White seconded that the payroll for September 25, 2014 for \$34,111.91 including checks numbered 10064-10069 and 21698-21736 and ACH payments for Federal tax, State tax and MERS and October 9, 2014 payroll for \$37,621.85 including checks numbered 10070-10075 and 21737-21782 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

White moved Bohjanen seconded to accept the September 2014 financial report as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

TREASURER'S REPORT.

Engle moved Carlson seconded to accept the Treasurer's report including the investment and monthly account activity report as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

PRESENTATIONS - MARQUETTE COUNTY VETERAN'S ALLIANCE PRESENTATION ON BALLOT ISSUE.

Bernie Stanaway representing the Veterans Alliance presented information to the Board on the millage proposal that will appear on the November 4, 2014 ballot. The request is for 0.1 mills to provide support and assistance to veterans residing in Marquette County.

SUPERVISOR'S REPORT.

1. Schedule for Future Board Meetings – Supervisor Walker requested that the December 2014 Board meeting be moved to Monday December 8<sup>th</sup> because of a conflict he has with a State Board meeting in Lansing.

Engle moved Carlson second to change the December 2014 meeting to December 8, 2014.

AYES: 7

NAYS: 0

MOTION CARRIED.

Supervisor Walker also asked the Board to consider scheduling the Regular Township Board meeting in 2014 to another date in the month. He asked that the Board think about it and be ready to discuss at the November Board meeting when meeting dates are approved for the next year.

2. Supervisor Walker read a letter of commendation for Kelly Drake Woodward. It was written by Wallace Haley, Haley Law Firm, PLC, in regard to her work on a report and analysis for the Planning Commission on the cell site in Chocolay Township.

Trustee Maki asked if there was any public comment received at the Cell Tower Public Hearing and does the tower expand service in Chocolay. Planner Woodward replied that yes there was one letter in favor and one resident that came to the meeting with health and safety concerns. Attorney Haley did speak with the resident on Health and Safety issues with the tower. This tower will replace an older tower on the Ski Hill and service will go from 2G to 4G.

BOARD CONSIDERATION OF COMPENSATION FOR PLANNING COMMISSION, BOARD OF ZONING APPEALS, AND BOARD OF REVIEW APPOINTEES.

White moved Bohjanen seconded that no change be made for 2015 per diem compensation levels for Chocolay Township Planning Commission, Zoning Board of Appeals and Board of Review.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF EMPLOYEE WAGES, EMPLOYEE HEALTH CARE CONTRIBUTION RATES, AND ADOPTION OF REVISIONS TO APPENDIX L OF THE PERSONNEL POLICY MANUAL.

Greenberg moved Engle seconded, to amend Appendix L of the Personnel Policy and Procedures Manual by applying an increase of \$0.40 per hour to wage and salary levels at all steps of the matrix and to set the employee participation rate for the cost of the medical benefit plan provided by Chocolay Township at 12% of the combined cost of health insurance premiums and Health Reimbursement Account payments for 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF PUBLIC ACT 152 WAIVER.

Maki moved Carlson seconded

WHEREAS, 2011 Public Act 152 (the "Act") was passed by the State Legislature and signed by the Governor on September 24, 2011; and

WHEREAS, the Act contains three options for complying with the requirements of the Act; and

WHEREAS, the three options are as follows:

- 1) Section 3 – “Hard Caps” Option – limits a public employer’s total annual health Care costs for employees based on coverage levels, as defined in the Act;
- 2) Section 4 – “80%/20%” Option - limits a public employer’s share of total annual Health care costs to not more than 80%. This option requires an annual majority vote of the governing body;
- 3) Section 8 – “Exemption” Option – a local unit of government, as defined in the Act, may exempt itself from the requirements of the Act by an annual 2/3 vote of the governing body;

WHEREAS, the Board of Trustees of the Charter Township of Chocolay has decided to adopt the Exemption Option as its choice of compliance under the Act;

NOW, THEREFORE BE IT RESOLVED the Board of Trustees of the Charter Township of Chocolay elects to comply with the requirements of 2011 Public Act 152, the Publicly funded Health Insurance Contribution Act, by adopting the annual Exemption Option for the medical benefit plan coverage year December 1, 2014 through November 30, 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF GENERAL APPROPRIATIONS ACT FOR 2015 BUDGET.

Greenberg moved Engle seconded, that

Whereas, the Township Supervisor has submitted a complete itemized budget proposal for the fiscal year beginning January 1<sup>st</sup>, 2015, and ending December 31<sup>st</sup>, 2015, 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 10<sup>th</sup>, 2014; and

Whereas, a public hearing was held on the proposed budget on October 20<sup>th</sup>, 2014 at the Chocolay 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<sup>st</sup>, 2015, and ending on December 31<sup>st</sup>, 2015, in the amount of \$1,700,000.00 for the General Fund, in the amount of \$0 in the Road Fund, in the amount of \$322,000.00 in the Fire Department Millage Fund, in the amount of \$144,400.00 in the Library Millage Fund, in the amount of \$31,400.00 in the Capital Improvements Fund, and in the amount of \$311,400.00 for the Sewer Fund.
2. The Township Board does hereby appropriate the sum of \$1,731,400.00 for general operating expenses and capital improvements of the Township to be used for the fiscal year beginning January 1<sup>st</sup>, 2015, and ending December 31<sup>st</sup>, 2015.
3. The Township Board does hereby appropriate the sum of \$311,400.00 to defray the expense of the operation and debt retirement of the Sanitary Sewer System for the fiscal year beginning January 1<sup>st</sup>, 2015, and ending December 31<sup>st</sup>, 2015.
4. The Township Board does hereby appropriate the sum of \$0 for the repairing of the Township Roads to be used for the fiscal year beginning January 1<sup>st</sup>, 2015, and ending December 31<sup>st</sup>, 2015.

5. The Township Board does hereby appropriate the sum of \$322,000 for the fiscal year beginning January 1<sup>st</sup>, 2015 and ending December 31<sup>st</sup>, 2015 for retirement of debt associated with constructing and equipping the fire station.
6. The Township Board does hereby appropriate the sum of \$144,400 for contractual services with the Peter White Public Library for the fiscal year beginning January 1<sup>st</sup>, 2015, and ending December 31<sup>st</sup>, 2015.
7. The Township Board does hereby levy 3.7526 mills for general operations; extra voted are 0.7514 for library, and 1.6833 for fire department.
8. All resolutions and parts of resolutions in so far as they conflict with provisions of this resolution are rescinded.
9. The budget adoption and appropriation resolution shall now and hereafter also be known as the General Appropriation Act conforming to Public Act No. 621 of 1978, the Michigan Uniform Budgeting Act.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

Trustee Maki asked if anyone could remind him what our Road plan was for 2015. Manager Lawry explained that the Board had a work session and looked at dollars available in the Capital Improvement Fund that could be reallocated toward road maintenance but no action was taken at that point. No decision was made to move forward with the request to put a road millage back on the ballot until the Manager can prepare a reprioritized list of roads. That list should be complete before early winter.

RESOLUTION FOR OFFICERS' SALARIES.

SUPERVISOR'S SALARY.

White moved, Bohjanen seconded, that the salary for the office of Supervisor shall be set in the amount of \$12,000.00 for the Fiscal Year 2015, which begins January 1<sup>st</sup>, 2015, and ends December 31<sup>st</sup>, 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

TREASURER'S SALARY.

Carlson moved Maki seconded that the salary for the office of Treasurer shall be set in the amount of \$10,000.00 for the Fiscal Year 2015, which begins January 1<sup>st</sup>, 2015, and ends December 31<sup>st</sup>, 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CLERK'S SALARY.

Maki moved Carlson seconded that the salary for the office of Clerk shall be set in the amount of \$11,850.00 for the Fiscal Year 2015, which begins January 1<sup>st</sup> 2015, and ends December 31<sup>st</sup>, 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

TRUSTEE'S PER DIEM.

Greenberg moved Engle seconded that the per diem for the office of Trustee shall be set in the amount of \$75.00 per meeting for the Fiscal Year 2015, which begins January 1<sup>st</sup>, 2015, and ends December 31<sup>st</sup>, 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONSIDERATION OF FUTURE LAND USE MAPS AND DESCRIPTIONS FOR NEW MASTER PLAN

Supervisor Walker stated that because of the complexity of this issue, he plans on going through the written descriptions of the land use and the overlay patterns category by category and ask the Board if there are any proposed changes.

Clerk Engle stated that by statute the Planning Commission is given the Master Plan and it does not even have to go to the Township Board unless the Board makes a motion to take that away from the Planning Commission for the Board to approve. The Planning Commission is the final say on the Master Plan. He did not see anywhere in the past that the Board made a motion to that effect. We can make comment, but the Planning Commission has the final say on the Master Plan.

Corridor Mixed Use- Trustee Maki still does not understand the concept of having residential in that industrial zone. He would like to have this sent back to the Planning Commission to elaborate on why they feel this is a good idea.

Trustee and Planning Commission member Richard Bohjanen said that the reason behind this mix is to allow a business owner to have more use of his land with a dwelling above or attached to the business.

No requested change by the Board.

Village Mixed Use- No requested change by the Board.

Neighborhood Mixed Use - No requested change by the Board.

Water Oriented Residential – Trustee Maki feels that this is a major change to the zoning along the water. His primary objection is to allow vacation rentals. They have never been allowed in the past and it impacts the quiet residential neighborhoods.

Supervisor Walker said that it would only be allowed upon special review by the Planning Commission with a conditional use.

Trustee Maki feels the conditional use then puts the burden of stopping the conditional use on the neighbor that does not want to see a vacation rental allowed.

Trustee Carlson asked if the structural set back in the water oriented area would change.

Planner Woodward stated that we already have special setbacks in this area, they would not change.

Treasurer Greenberg indicated that this is a national trend to allow residents to be able to rent their homes on a part time basis (weekends or weeks at a time).

Trustee Bohjanen stated that this is not a zoning change at this time. It is enabling change for the future.

Village Residential - No requested change by the Board.

Neighborhood Residential - No requested change by the Board.

Rural Residential - No requested change by the Board.

Primary Working Lands A/F - No requested change by the Board.

Conservation Recreation Land - No requested change by the Board.

Public Use - No requested change by the Board.

Overlay Development Patterns.

Conservation Cluster - No requested change by the Board.

Development –Supported Agriculture - No requested change by the Board.

Planned Unit Development - No requested change by the Board.

Sectors.

Redevelopment/Infill Sector - No requested change by the Board.

Intended Growth Sector - No requested change by the Board.

Future Land Use Map Changes.

Agriculture Farm District – No requested change by the Board.

Conservation Recreation District - No requested change by the Board.

Mixed Use-Corridor District - No requested change by the Board.

Mixed Use-Neighborhood District - No requested change by the Board.

Mixed Use-Village District - Trustee Maki asked that the Board send this portion of the map back to the Planning Commission to explain the rather large district that includes Cherry Creek Road, M-28 and Silver Creek Road.

Trustee/Planning Commissioner Bohjanen commented that this is not a zoning change; this is an enabling plan for the future if a development heads in that direction. For example if the Cherry School closed and a new use for that land had to be found this enables mixed use village uses on the property.

No requested change by the Board.

Public Lands District - No requested change by the Board.

Residential Neighborhood District - No requested change by the Board.

Rural Residential District - No requested change by the Board.

Residential Village District - No requested change by the Board.

Residential Water Oriented - No requested change by the Board.

DISCUSSION TRUSTEE MAKI LETTER TO THE PLANNING COMMISSION.

Trustee Maki stated that this letter came about by a discussion on the Board level after Wahlstrom's Restaurant closed. We lost a lot of equivalent sewer users with the closure. We discussed allowing users of the sewer system in the commercial district instead of a business that did not use the sewer system. His thought was that by sending this letter to the Planning Commission it would produce a response from the Planning Commission recommending changes in the commercial district that would only allow businesses that would utilize the sewer system. We do not want to have mini warehouses in the commercial sewer district when they do not utilize the sewer. This was a request for the Planning Commission to do something and they did not act.

Planner Woodward said that the Planning Commission did do something on this with the Master Plan; which is what they are working on now. If you look at Village Mixed Use future land use description in the Master Plan it says **Low intensity commercial uses that do not utilize the sewer system such as single-use storage facilities will be discouraged in this area.** She thinks that the Planning Commission feels that they have addressed the first step, with the Master Plan. Later they can focus on zoning changes.

Trustee Maki asked if they ever talked about his letter at any of the Planning Commission meetings.

Trustee Bohjanen added that the letter was presented as informational reports and communications, not an agenda item for rezoning. In terms of changing the zoning, that is a process that has to be worked through.

Trustee Maki will present a letter for the next Township Board agenda (on this zoning issue).



AAAUTHORIZATION OF HEALTH INSURANCE PLAN CONTRACT WITH CONSUMERS MUTUAL INSURANCE,  
DELTA DENTAL AND VISION CARE DIRECT.

White moved Carlson seconded, to authorize the Supervisor to execute the appropriate agreements with VAST and the insurance providers listed above for the plans and coverages quoted in the attached materials and to authorize the Manager to negotiate minor changes in the co-pays eligible for reimbursement under the HRA within the constraints of the 2015 budget.

AYES: 7

NAYS: 0

MOTION CARRIED.

AUTHORIZATION OF EMPLOYEE ASSISTANCE PROGRAM CONTRACT WITH NORTHSTAR.

Carlson moved Engle seconded that Northstar Employee Assistance Program be selected as the provider of Employee Assistance Program services for the Township, beginning in January, 2015.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

AUTHORIZATION TO PURCHASE EXTENSION LADDER WITH CAPITAL IMPROVEMENT FUND DOLLARS.

Maki moved Bohjanen seconded to authorize the fire department to purchase a 35 foot aluminum extension ladder from Pomasl Fire Equipment amount not to exceed \$895.00, using the Fire Department Capital Improvement Funds 401.340.977.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

CONTRACT AWARD FOR SAFETY IMPROVEMENTS TO LIONS FIELD BALL FIELD FENCING.

Carlson moved Greenberg seconded to award the bid for the fence replacement project at Lion's Field in the amount of \$15,000.00 to Marquette Fence Inc.

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None.

MOTION CARRIED.

RECONSIDERATION OF BRUSH COLLECTION SERVICES IN THE TOWNSHIP.

Trustee White indicated that she is the one that brought this question up because there are people in Chocolay Township that do not have a way to bring brush to the Township brush collection site. Some people have to pay to have it moved. She will bring this up again in the future.

PUBLIC COMMENT.

Pete Mackin 203 Hotel Place- He has been researching his suggestion of a Treaty Park along the Chocolay River. He will continue to look at ways to have the Township and local tribes work together on this idea.

INFORMATIONAL REPORTS AND COMMUNICATIONS.

- A. Minutes – Township Planning Commission, September 8<sup>th</sup>, 2014.
  
- B. Minutes – Marquette County Solid Waste Management Authority, Special Meetings of September 10<sup>th</sup> and October 1<sup>st</sup>, 2014 and Regular Meeting of September 17<sup>th</sup>, 2014 Drafts.
  
- C. Minutes – US 41 Corridor Advisory Group, Regular Meeting of September 9<sup>th</sup>, 2014.
  
- D. Minutes – Marquette County Townships Association, Meeting of May 28, 2014.
  
- E. Correspondence from Upper Peninsula Substance Enforcement Team.

Supervisor Walker adjourned the meeting at 9:05 p.m.

\_\_\_\_\_  
Max Engle, Clerk

\_\_\_\_\_  
Gary Walker, Supervisor

November 17, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, November 17, 2014 at the Chocolay Township Office, 5010 U.S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

OATH OF OFFICE.

Clerk Engle swore in Trustee Richard Bohjanen who was appointed as Chocolay Township Trustee in October 2013 and was elected to the office on the November 4, 2014 ballot.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Judy White, Susan Carlson, Richard Bohjanen.

ABSENT: None.

STAFF PRESENT: Steve Lawry, Mary Sanders.

MINUTES –October 20, 2014 REGULAR MEETING.

Carlson moved White seconded to approve the minutes of the Regular meeting of October 20, 2014 as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Bohjanen moved Greenberg seconded to accept the agenda as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

PUBLIC COMMENT.

Greg Seppanen, 1019 Ortman Road – Requested time for himself and others in the audience to speak on Ortman Road weight restrictions when the agenda item is discussed.

ACCOUNTS PAYABLE.

White moved Carlson seconded that bills totaling \$13,591.02 including checks numbered 19830-19832 and bills totaling \$20,951.31 including checks numbered 19833 to 19856 and bills totaling \$46,894.24 including checks numbered 19857-19888 are approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki asked if the Township has discussed recouping some of the legal fees on the Ray zoning enforcement action. Supervisor Walker indicated that discussion has taken place, but the court has not issued an order dealing with costs. Typically even if costs are ordered, they do not tend to be the entire amount of the proceedings.

PAYROLL.

Maki moved Greenberg seconded that the payroll for October 23, 2014 for \$36,610.34 including checks numbered 10076-10081 and 21783-21815 and ACH payments for Federal tax, State tax and MERS and November 6, 2014 payroll for \$31,979.52 including checks numbered 10082-10087 and 21816-21836 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 7

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

Bohjanen moved Maki seconded to accept the October 2014 financial report as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

TREASURER’S REPORT.

Engle moved Carlson seconded to accept the Treasurer’s report as presented.

AYES: 7

NAYS: 0

MOTION CARRIED.

Trustee Maki suggested that we move the Ortman Road agenda item up to this point in the agenda, so the Ortman Road people do not have to wait. The full Board agreed.

#### CONSIDERATION OF WEIGHT RESTRICTIONS FOR A PORTION OF ORTMAN ROAD.

Greg Seppanen, 1019 Ortman Road - thanked Trustee Maki for moving this up on the agenda. He also commented that there is an ongoing concern for safety and the deterioration of Ortman Road between Cherry Creek and U S 41 due to heavy truck usage. The trucks do have a viable alternate route on U S 41 South and Cherry Creek. Safety concerns are speed of trucks, school location, pedestrian traffic on foot and bike traffic without a sidewalk or trail, limited sight and blind curve at Apple Trail/Hidden Creek. The roads are also heavily damage due to the amount of truck traffic using Ortman as an alternate route.

A letter was presented; written by Gordy Worchuck, President of the Hidden Creek Association. He has safety concerns for residents that walk and bike on Ortman Road with the heavy truck traffic. Ortman Road is being used like a by-pass and steps should be taken to stop that.

Marvin Roberson, 1094 Ortman Road – The blind curve is a safety concern with truck traffic. The trucks are using it unnecessarily and the road is being damaged by the truck traffic.

Sandra Page, 1082 Ortman Road agrees with all the points that have been raised about the truck traffic and safety on Ortman Road.

Penny DeRocher, 1049 Ortman Road – Has lived on Ortman Road over 20 years and the road has disintegrated due to the heavy truck traffic. People do not walk and bike on Ortman as they did in the past because of the dangers of truck traffic. Fully supports weight restrictions on Ortman Road.

Carol Henry, 1019 Ortman Road – She has lived on Ortman Road over 30 years and there never used to be all the truck traffic. Many people walk and bike on Ortman and it is no longer safe.

Mike Stefanac, 1072 Ortman Road – Lives right on the curve on Ortman. The road has deteriorated so badly from truck traffic that the County snow blades plowed up chunks of the road. It is an extremely dangerous curve.

Bob Grimes, 1029 Ortman Road – Has lived on Ortman since 1962. He has seen the road go from gravel to being paved and it is almost like gravel again. He has safety concerns for the residents on Ortman and feels traffic moves too fast. He would also like to see more police coverage on Ortman.

Maki moved Greenberg seconded that staff be directed to develop a draft ordinance restricting the weight of trucks using certain roads in Chocolay Township and that the draft be submitted to the Township Planning Commission for review and comment, with a public hearing to be scheduled when Planning Commission input is available.

AYES: 7

NAYS: 0

MOTION CARRIED.

#### APPOINTMENTS TO BOARDS AND COMMITTEES.

Walker moved Greenberg seconded the reappointment of:

- Mike Summers to the Pension Committee for a term ending 12-31-2020,
- Susan Carlson to the Personnel Committee for a term ending 12-31-2016,
- John Greenberg to the Personnel Committee for a term ending 12-31-16,
- Scott Jennings to the Personnel Committee for a tem ending 12-31-15,
- Dale Throenle to the Personnel Committee for a term ending 12-31-15,
- Dr. Richard Bohjanen as Board of Trustees representative on the Planning Commission for a term ending 12-31-16,
- Kendall Milton to the Planning Commission for a term ending 12-31-17,
- Bruce Ventura to the Planning Commission for a term ending 12-31-17,
- And for the approval of term extensions on the Planning Commission from 5-24-15 to 12-31-15 for Andy Sikkema and Eric Meister.

AYES: 7

NAYS: 0

MOTION CARRIED.

Greenberg moved Carlson seconded to reappoint the following individuals to the boards, committees, and councils for the specified terms:

- Gary Walker as delegate and Brad Johnson as alternate to the East Marquette County Solid Waste Disposal Authority for terms ending 12-31-15,
- Kendall Milton as Planning Commission representative to the Zoning Board of Appeals for a term ending 12-31-17,
- Paul Charboneau as Alternate to the Zoning Board of Appeals for a term ending 12-31-17,
- Approval of term extension on the Zoning Board of Appeals from 05-09-15 to 12-31-15 for Karen Alholm,
- Albert Denton, Dennis Hickey, and Robert Pecotte to the Board of Review for terms ending 12-31-16,
- Max Engle to the Marquette County Townships Association for a term ending 12-31-16,
- John Trudeau to the Utility Review Committee for a term ending 12-31-18,
- Pete Mackin to the Chocolay River Watershed Council for a term ending 12-31-17,
- Mary Sanders as delegate and Max Engle as alternate to the Northern Michigan Public Service Academy Board for a term ending 12-31-16.

AYES: 7

NAYS: 0

MOTION CARRIED.

SUPERVISOR’S REPORT – None

CAPITAL IMPROVEMENT FUND BUDGET ADJUSTMENT #4 TO REFLECT EXPENDITURE OF FUNDS FOR PAVING A PORTION OF SOUTH BIG CREEK ROAD.

White moved Maki seconded that Whereas, a budget was adopted by the Chocolay Township Board to govern the anticipated Capital Improvement Fund receipts within the Township on November 18<sup>th</sup>, 2013 for fiscal year 2014, and Whereas, as a result of changing priorities and an unforeseen opportunity to repair a badly deteriorated section of street within the Township it is necessary to modify the aforesaid budget to properly account for the street maintenance expenditure, Now Therefore, Be It Resolved, that the aforesaid budget be modified as follows:

ACCOUNT	PREVIOUS BUDGET	CHANGE	AMENDED BUDGET
EXPENDITURE			
Water Department -			
Land Improvements			
401.591.972	\$45,000.00	-\$22,945.00	\$22,055.00
EXPENDITURE			
Streets – Land Improvements			
401.440.972	\$ 8,902.12	+\$22,945.00	\$31,847.12

ROLL CALL.

AYES: Maki, Bohjanen, White, Carlson, Greenberg, Engle, Walker.

NAYS: None

Motion Carried.

APPROVAL OF 2015 MEETING SCHEDULE.

Chocolay Township Board – 5:00 PM

January 7	July 1
February 4	August 5
March 4	September 2
April 1	October 7
May 6	November 4
June 3	December 2

Chocolay Township Planning Commission – 7:00 PM

January 19	July 20
February 16	August 17

March 16	September 21
April 20	October 19
May 18	November 16
June 15	December 21

Chocolay Township Zoning Board of Appeals – 7:00 PM

January 22	July 23
February 26	August 27
March 26	September 24
April 23	October 22
May 28	November 19
June 25	December 17

Chocolay Township Fire Department – 7:00PM

1<sup>st</sup> Thursday of each Month – Business Meeting  
 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> Thursday of each month – Training

Chocolay Township Tax Board of Review – Times to be set March 3rd

March 3, 9, 10  
 July 21  
 December 15

Engle moved Greenberg seconded that the above dates for the Chocolay Township Board, Chocolay Township Planning Commission, Chocolay Township Zoning Board of Appeals, Chocolay Township Fire Department, and Chocolay Township Tax Board of Review be approved for 2015.

AYES: 6                                      NAYS: 1 (White)                                      MOTION CARRIED.

**CONSIDERATION OF AMENDMENTS TO THE FIRE DEPARTMENT BYLAWS AND STANDARD OPERATING PROCEDURES.**

Greenberg moved Carlson seconded to approve the changes to the Fire Department By-Laws and Standard Operating Guidelines.

AYES: 7                                      NAYS: 0                                      MOTION CARRIED.

**APPLICATION OF DELINQUENT SEWER CHARGES AS TAX LIENS.**

Greenberg moved White seconded to accept the list of delinquent sewer charges and penalties as allowed in Ordinance 39 section E.2.c. to be added to the Chocolay Township December tax roll.

Name	Tax ID Number	Address	City, State, Zip	Amount Due
Marc Gilmore	52-02-490-002-00	110 Chocolay River Tr	Mqt MI 49855	\$ 372.60
Ray & Margaret Sprowl	52-02-212-001-00	209 Corning Street	Mqt MI 49855	\$ 372.60
Chocolay Childrens Center	52-02-251-006-00	324 Corning Street/197 Terrace	Mqt MI 49855	\$ 707.93
Menhennick	52-02-254-003-00	500 Corning Street/4021 U S 41 So.	Mqt MI 49855	\$ 372.60
Steven & Heather Shaw-Quizno's	52-02-106-043-50	505 Corning Street	Mqt MI 49855	\$ 2,161.06
Susan Racine	52-02-215-006-00	156 E. Fairbanks Street	Mqt MI 49855	\$ 372.60
Randall Goin	52-02-215-009-00	164 E. Fairbanks	Mqt MI 49855	\$ 372.60
David Hillock	52-02-216-010-00	158. E. Wright Place	Mqt MI 49855	\$ 372.60
Linda Morgan	52-02-216-015-00	161 E. Wright Place	Mqt MI 49855	\$ 372.60
Robert & Joni Taylor	52-02-455-036-00	204 Jean Street	Mqt MI 49855	\$ 372.60
Anthony & Karri Rabitaille	52-02-455-038-00	214 Jean Street	Mqt MI 49855	\$ 364.32
Kim & Randell Kronschnable	52-02-455-042-00	209 Judy Street	Mqt MI 49855	\$ 249.32
Oliver Burns	52-02-455-046-00	225 Judy Street	Mqt MI 49855	\$ 372.60
Linda Bice	52-02-215-015-00	115 Kellog Street	Mqt MI 49855	\$ 372.60
Amanda Baldwin	52-02-216-008-00	128 Kellog Street	Mqt MI 49855	\$ 372.60
Josh Howard	52-02-107-012-00	204 Silver Creek Road	Mqt MI 49855	\$ 372.60
Joe & Barb Menze	52-02-107-063-00	328 Silver Creek	Mqt MI 49855	\$ 372.60
Marc Gilmore	52-02-106-025-20	2220 U S 41 South	Mqt MI 49855	\$ 733.59
David Laurich/Medical Benefits	52-02-106-020-00	2366 U S 41 South	Mqt MI 49855	\$ 372.60
Steve & Sandra Johnson	52-02-206-012-00	2424 US 41 South	Mqt MI 49855	\$ 372.60
Walt & Susan Racine	52-02-251-012-00	2801 US 41 South	Mqt MI 49855	\$ 670.66
A.J. Menhennick	52-02-254-003-00	4021 U S 41 South	Mqt MI 49855	\$ 372.60
Harvey Oil Company	52-02-254-004-00	4025 U S 41 South/4021 U S 41 So.	Mqt MI 49855	\$ 372.60

Mike & Eva Schlenkert	52-02-455-001-00	132 Veda Street	Mqt MI 49855	\$ 372.60
Michael Hainstock	52-02-251-004-00	218 West Fairbanks	Mqt MI 49855	\$ 273.24
Jennifer Simula	52-02-207-010-00	219 West Fairbanks	Mqt MI 49855	\$ 182.16
Dave & Bonnie Schwiderson	52-02-107-078-00	735 Willow Road	Mqt MI 49855	\$ 372.60
Tonya Scott	52-02-205-003-00	341 W. Main Street	Mqt MI 49855	\$ 372.60
Matthew & Crystal Dale	52-02-251-023-10	205 W. Terrace Street	Mqt MI 49855	\$ 372.60
Gardner Bess	52-02-210-005-00	334 W. Terrace Street	Mqt MI 49855	\$ 372.60
Judith Charles/Marilyn Kramer	52-02-208-003-00	371 W. Terrace Street	Mqt MI 49855	\$ 372.60
Jeff Bushey	52-02-208-002-00	387 W. Terrace Street	Mqt MI 49855	\$ 372.60
Kristine & Michael Dionne	52-02-106-043-00	110 W. Wright Place	Mqt MI 49855	\$ 372.60
Glen Carlson	52-02-213-004-00	350 W. Wright Place	Mqt MI 49855	\$ 372.60
Total Delinquent Amount				\$15,029.88

AYES: 7

NAYS: 0

MOTION CARRIED.

**TOWNSHIP MANAGER'S ANNUAL EVALUATION.**

The Board accepted the Manager Evaluation form as presented and will each complete by December 2, 2014 and return to Dale Throenle, Community Development Coordinator. The results will be compiled and presented to the Board at the December meeting.

**PUBLIC COMMENT.**

Greg Seppanen thanked the Board for their decision on Ortman Road and asked staff to keep him informed of the process.

**INFORMATIONAL REPORTS AND COMMUNICATIONS**

- A. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of October 15<sup>th</sup>, 2014 and Special Meeting of October 27<sup>th</sup>, 2014 Drafts.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of September 19<sup>th</sup>, 2014.
- C. Peter White Public Library Monthly Report for September/October 2014.
- D. Correspondence from Mr. Dan Hakala Regarding Paving on South Big Creek Road.
- E. Election Results Tabulation.

Trustee White asked if we are set to bid the garbage contract. Manage Lawry stated that we are working on the final draft and we should be ready to put the bids out by the end of the year.

Trustee White asked what is going on with the Solid Waste Authority. Manager Lawry said that the minutes show that they have placed the Director on suspension while they do some investigating on the books. The Assistant Director is now doing the day to day operations with the Board becoming more involved.

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

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Max Engle, Clerk

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Gary Walker, Supervisor

December 8, 2014

A Regular meeting of the Chocolay Township Board was held on Monday, December 8, 2014 at the Chocolay Township Office, 5010 U S. 41 South, Marquette, MI. Supervisor Walker called the Township Board meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE.

TOWNSHIP BOARD.

PRESENT: Gary Walker, John Greenberg, Max Engle, Mark Maki, Susan Carlson.

ABSENT: Judy White, Richard Bohjanen.

STAFF PRESENT: Steve Lawry, Kelly Woodward, Mary Sanders.

MINUTES –November 17, 2014 REGULAR MEETING.

Greenberg moved Carlson seconded to approve the minutes of the Regular meeting of November 17, 2014 as presented.

AYES: 5

NAYS: 0

MOTION CARRIED.

AGENDA ADDITIONS/DELETIONS.

Carlson moved Greenberg seconded to accept the agenda as presented.

AYES: 5

NAYS: 0

MOTION CARRIED.

Trustee Maki asked that the agenda item for rezoning application ZA0003-14 be moved to the first item under new business as Mr. Conrad is in the audience. The Board concurred.

PUBLIC COMMENT.

None.

ACCOUNTS PAYABLE.

Engle moved Maki seconded that bills totaling \$14,693.54 including checks numbered 19889-19905 and bills totaling \$14,180.39 including checks numbered 19906 to 19922 are approved for payment.

AYES: 5

NAYS: 0

MOTION CARRIED.

Treasurer Greenberg had a question on the bill for ammo for the police department. Manager Lawry replied that ammo must be purchased with a credit card and this is an annual purchase.

PAYROLL.

Maki moved Carlson seconded that the payroll for November 20, 2014 for \$37,486.76 including checks numbered 10088-10093 and 21837-21875 and ACH payments for Federal tax, State tax and MERS and December 4, 2014 payroll for \$32,223.38 including checks numbered 10094-10099 and 21876-21895 and ACH payments for Federal tax, State tax and MERS retirement be approved for payment.

AYES: 5

NAYS: 0

MOTION CARRIED.

FINANCIAL REPORT.

None.

TREASURER'S REPORT.

Engle moved Carlson seconded to accept the Treasurer's report as presented.

AYES: 5

NAYS: 0

MOTION CARRIED.

SUPERVISOR'S REPORT – None

CONSIDERATION OF PLANNING COMMISSION RECOMMENDATION ON REZONING APPLICATION ZA003-14 FOR 225 W. TERRACE STREET. (PARCEL ID #52-02-251-011-00).

Greenberg moved Engle seconded, to waive the second reading and approve the proposed rezoning Case #ZA003-14, to rezone Parcel #52-02-251-011-00 for 225 W. Terrace Street from Residential 2 (R-2) to Commercial (C), and to file the amendment with the Township Clerk, to publish a notice in the local newspaper and on the Township website within 15 days of adoption, and record the amendment in the Township Zoning Ordinance book within one week after publication.

Trustee Maki commented that this property was zoned commercial in the past and is was changed with the 2008 zoning ordinance adoption. He suspects there was an error on the zoning map with the 2008 change. Did we get a Marquette County Planning Commission review and any public comment on this rezoning? Director Woodward replied that the County received it the day following the Chocolay Township Planning Commission meeting and they sent their approval over today. There was no public comment. Trustee Maki also questioned if it is procedurally correct to have the conditional use hearing prior to the zoning change? Planner Woodward stated that the conditional use was approved contingent upon the rezoning approval.

Trustee Carlson asked about parking for the business. Mr. Conrad replied that they have worked out an agreement with the Racine's to get an easement on the west side of the property to utilize that driveway to get to parking behind the building.

AYES: 5

NAYS: 0

MOTION CARRIED.

#### TOWNSHIP MANAGER'S ANNUAL EVALUATION.

Greenberg moved Maki seconded that the Manager receive the \$0.40 per hour wage adjustment that the other employees will receive for the 2015 fiscal year.

#### ROLL CALL.

AYES: Maki, Carlson, Greenberg, Engle, Walker.

Nays: None

ABSENT: Bohjanen, White.

MOTION CARRIED.

Trustee Maki asked what Manager Lawry had in mind as his priorities for the next two years. Manager Lawry replied that his priorities are finishing up the garbage contract and having it ready to go out on bid; including recycling compostable materials as a deductible alternate. Other priorities are completing the rewrite of the Personnel Policy and appending Township Board policies to the manual, Master Plan completion and most importantly, the road plan. The 2007 plan needs to be reprioritized and funding must be found. He will focus on employee evaluations as the Board requested and the Communications Cell Tower and Lion's Field project will be in the forefront in 2015.

Supervisor Walker informed the Board that Manager Lawry was in the process of gathering road information when the November snow storm hit and stopped that project.

#### DISCUSSION OF DRAFT MASTER PLAN: A PORTION OF CHAPTER 6 AND CHAPTERS 7 & 8.

Trustee Maki asked if the Board's recommended changes went back to the Planning Commission. Planner Woodward indicated that they did go to the Planning Commission. Trustee Maki asked the Board if they were going to comment on the Master Plan and let the Planning Commission be the final approval or make a resolution to give the Board the final approval.

Supervisor Walker noted that the Board has the ability to say if we are going to publish the Master Plan or not. He is not sure what would happen if the Board was not satisfied with the Master Plan.

Planner Woodward said that The Zoning Enabling Act might say that if the Board is not satisfied with the document, they can send it back to the Planning Commission with suggestions for changes that they should consider.

Treasurer Greenberg had a question on page 115 Policy 11. What is the reason that recently resurfaced roads should have a higher priority for repair? Planner Woodward replied that the reasoning was to protect the initial investment. Trustee Maki suggested that wording be added to Policy 11 explaining that the reason is to protect the initial investment in the road.

#### SCHEDULING A JOINT MEETING WITH THE PLANNING COMMISSION.

The Board discussed that a January meeting would be too soon to discuss the final Master Plan. The Board agreed to have the joint Township Board/Planning Commission meeting on February 4<sup>th</sup>, 2015 along with the regularly scheduled Board meeting. Topics will be the Master Plan and Planning Commission priorities for 2015.

#### PUBLIC COMMENT.

None.



INFORMATIONAL REPORTS AND COMMUNICATIONS

- A. Minutes – Township Planning Commission, October 6<sup>th</sup>, 2014.
- B. Minutes – Marquette Area Wastewater Treatment Authority, Regular Meeting of October 23, 2014.
- C. Minutes – Marquette County Solid Waste Management Authority, Regular Meeting of November 12<sup>th</sup>, 2014 and Special Meeting of November 6<sup>th</sup>, 2014 Drafts.
- D. Minutes – Northern Michigan Public Service Academy Regular Meeting of November 13<sup>th</sup>, 2014 Draft.
- E. Correspondence – Thank You from U. P. Child Passenger Safety Project.
- F. Correspondence – Thank You from Chocolay Lions Club.
- G. Correspondence – Thank You to Midwest Skills Development Center.
- H. Correspondence – Notice of Rate Adjustment from Charter Communications.
- I. Correspondence — Project Update from Iron Ore Heritage Trail.
- J. Correspondence –Notice of December 15<sup>th</sup> Public Hearing from Michigan Public Service Commission – Semco Energy Gas Company.

Supervisor Walker adjourned the meeting at 7:40 p.m.

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Max Engle, Clerk

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Gary Walker, Supervisor