

**CHARTER TOWNSHIP OF BROWNSTOWN REGULAR TOWNSHIP BOARD
MEETING OF SEPTEMBER 6, 2022**

The Charter Township of Brownstown Regular Meeting of the Board of Trustees was held in the Township Hall, 21313 Telegraph Road, on Tuesday, September 6, 2022.

The meeting was called to order by Supervisor Smith at 7:00 p.m. and began with the Pledge of Allegiance.

ROLL CALL BY CLERK BRINKER:

PRESENT: Supervisor Smith, Clerk Brinker, Treasurer Eberth, and Trustees: Allen, Berecz, and Chapman. Also in attendance were Township Manager Peters, Fire Chief Drouillard, Director of Parks and Recreation Graves, Police Lieutenant Lafayette, Township Attorney Foley, and Police Chief Jeff Watson (at 7:25 p.m.)

ABSENT AND EXCUSED: Trustee Killian

MINUTE ACCEPTANCE:

Motion of Eberth, supported by Chapman, to approve the regular meeting minutes of August 15, 2022. All present voting aye.

Motion of Eberth, supported by Berecz, to approve the special meeting minutes of August 25, 2022. All present voting aye.

AGENDA APPROVAL:

Motion of Chapman, supported by Brinker, to approve the agenda of September 6, 2022 as submitted. All present voting aye.

AUTHORIZATION TO HIRE ONE FULL-TIME DIRECTOR OF PUBLIC WORKS:

Motion of Berecz, supported by Brinker, to approve to hire Justin Danosky as the full-time Director of Public Works, effective September 19, 2022. This position will be paid an annual salary of \$80,000.00, include a Teamsters current wage re-opener, and 10 days of vacation during the first year of employment. All present voting aye.

PUBLIC HEARING:

TIMBER CREEK SUBDIVISION'S SPECIAL ASSESSMENT DISTRICTS FOR THE OPERATION AND MAINTENANCE OF ITS STORM WATER MANAGEMENT SYSTEM AND STREET LIGHTING:

Motion of Eberth, supported by Berecz, to open the Public Hearing for the Timber Creek subdivision's special assessment districts for the operation and maintenance of its storm water management system and street lighting at 7:06 p.m. All present voting aye.

Public comment was received from:

Gil Ciavaglia 25611 Keswick Lane expressed concerns about the special assessment district not having a close date and stated that he was not in agreement with the special assessment for street lighting and storm water management.

Ben Miller 25846 Timber Creek Lane expressed concerns about how some of the language in the letter appeared unclear and inquired why the taxes that are paid do not go toward the street lighting and storm drains.

Motion of Chapman, supported by Allen, to close the Public Hearing for the Timber Creek subdivision's special assessment districts for the operation and maintenance of its storm water management system and street lighting at 7:11 p.m. All present voting aye.

FOX CREEK CONDOMINIUM'S SPECIAL ASSESSMENT DISTRICTS FOR THE OPERATION AND MAINTENANCE OF ITS STREET LIGHTING:

Motion of Chapman, supported by Eberth, to open the Public Hearing for the Fox Creek condominium's special assessment districts for the operation and maintenance of its street lighting at 7:12 p.m. All present voting aye.

No public comment was received.

Motion of Allen, supported by Chapman, to close the Public Hearing for the Fox Creek condominium's special assessment districts for the operation and maintenance of its street lighting at 7:12 p.m. All present voting aye.

ADDITIONAL POLICE SPECIAL ASSESSMENT:

Motion of Berecz, supported by Allen, to open the Public Hearing for the additional police special assessment at 7:12 p.m. All present voting aye.

Public comment was received from:

Tony Bembnister 27285 Springgate Dr. had several questions about the assessment regarding the amount of the assessment, whether the assessment would be for every year, and how the funds collected from the assessment would be used.

Dave Williams 23310 Sibley Rd expressed concern about the language in the letter regarding the paragraph containing the following language: "However, if an increase in the levy in any year will exceed the estimated annual increase by more than 10 percent, notice of the redetermination hearing will be mailed to property owners." He asked for clarification of this part of the letter.

Arlene Agy 23428 Bluegrass Drive inquired about how many police officers and dispatchers the Township currently employs as well as how many additional officers and dispatchers we are looking to hire with the funds that will be collected.

Tom Mihalov 23426 Tumbleweed Lane had questions regarding the new police millage as well as the other police millages that currently appear on the tax bills. Additionally, he had questions about the median salary of a police officer.

Motion of Berecz, supported by Chapman, to close the Public Hearing for the additional police special assessment at 7:36 p.m. All present voting aye.

PUBLIC FORUM:

Public Forum was held from 7:37 p.m. to 7:42 p.m.

During public forum at 7:39 p.m. Trustee Allen temporary left the meeting and returned at 7:41 p.m.

RESOLUTION 2022-23 DECLARING THE TOWNSHIP BOARD'S INTENT TO INCLUDE ADDITIONAL LAND AND PROPERTIES IN THE TIMBER CREEK SUBDIVISION'S SPECIAL ASSESSMENT DISTRICTS FOR THE OPERATION AND MAINTENANCE OF ITS STORM WATER MANAGEMENT SYSTEM AND STREET LIGHTING:

Motion of Eberth, supported by Chapman, to approve and adopt Resolution 2022-23 declaring the Township Board's intent to include additional land and properties in the Timber Creek subdivision's special assessment districts for the operation and maintenance of its storm water management system and street lighting. This resolution will also create, determine, and define the special assessment to include all properties located within the Timber Creek subdivision. Additionally, the Supervisor and Township Assessor are directed to prepare the Special Assessment Roll and submit it to the Clerk's Department. It is estimated that the costs of operating and maintaining both the district's storm water management system and street lighting will be \$4,050.00 (\$25.00 each for 162 lots). Roll call vote: Chapman, aye; Eberth, aye; Allen, aye; Brinker, aye; Berecz, aye; and Smith, aye. Absent and excused: Killian. Motion carried.

RESOLUTION 2022-24 SCHEDULING HEARING ON ASSESSMENT ROLL FOR THE TIMBER CREEK SUBDIVISION'S SPECIAL ASSESSMENT DISTRICT NO. 2 FOR THE OPERATION AND MAINTENANCE OF ITS STORM WATER MANAGEMENT SYSTEM AND STREET LIGHTING:

Motion of Eberth, supported by Berecz, to approve and adopt Resolution 2022-24 to schedule a hearing on the assessment roll for the Timber Creek subdivision's special assessment district no. 2 for the operation and maintenance of its storm water management system and street lighting. The public hearing will be held on October 3, 2022 at 7:00 p.m. with the purpose to review the special assessment roll and hear any objections and notice will be sent in accordance to publication requirements with the law. The resolution directs the special assessment roll to be filed with the Township Clerk and be available for public inspection during normal business hours. Roll call vote: Eberth, aye; Berecz, aye; Allen, aye; Chapman, aye; Brinker, aye; and Smith, aye. Absent and excused: Killian. Motion carried.

RESOLUTION 2022-25 DECLARING THE TOWNSHIP BOARD'S INTENT TO INCLUDE ADDITIONAL LAND AND PROPERTIES IN THE FOX CREEK CONDOMINIUM'S SPECIAL ASSESSMENT DISTRICTS FOR THE OPERATION AND MAINTENANCE OF STREET LIGHTING:

Motion of Eberth, supported by Berecz, to approve and adopt Resolution 2022-25 declaring the Township Board's intent to include additional land and properties in the Fox Creek Condominium's special assessment districts for the operation and maintenance of its street lighting. This resolution will also create, determine, and define the special assessment to include all properties located within Fox Creek Condominiums. Additionally, the Supervisor and Township Assessor are directed to prepare the Special Assessment Roll and submit it to the Clerk's Department. It is estimated that the costs of operating and maintaining both the district's storm water management system and street lighting will be \$10,820.00 (\$41.30 each for 262 lots). Roll call vote: Allen, aye; Brinker, aye; Chapman, aye; Eberth, aye; Berecz, aye; and Smith, aye. Absent and excused: Killian. Motion carried.

RESOLUTION 2022-26 SCHEDULING HEARING ON ASSESSMENT ROLL FOR THE FOX CREEK CONDOMINIUM SPECIAL ASSESSMENT DISTRICT NO. 2 FOR THE OPERATION AND MAINTENANCE OF ITS STREET LIGHTING:

Motion of Eberth, supported by Berecz, to approve and adopt Resolution 2022-26 to schedule a hearing on the assessment roll for the Fox Creek Condominium's special assessment district no. 2 for the operation and maintenance of its street lighting. The public hearing will be held on October 3, 2022 at 7:00 p.m. with the purpose to review the special assessment roll and hear any objections and notice will be sent in accordance to publication requirements with the law. The resolution directs the special assessment roll to be filed with the Township Clerk and be available for public inspection during normal business hours. Roll call vote: Brinker, aye; Eberth, aye; Berecz, aye; Allen, aye; Chapman, aye; and Smith, aye. Absent and excused: Killian. Motion carried.

RESOLUTION 2022-27 DECLARING THE TOWNSHIP BOARD'S DECLARATION OF AN ADDITIONAL POLICE SPECIAL ASSESSMENT:

Motion of Eberth supported by Berecz, to approve and adopt Resolution 2022-27 declaring the Township Board's declaration of an additional police special assessment district which will include all lands and premises within the Township that are not exempt from property taxes. Additionally, the Supervisor and Township Assessor are directed to prepare the Special Assessment Roll and submit it to the Clerk's Department. It is estimated that the costs of equipping, maintaining, and operating the Police Department in the total annual amount of 2.00 mills (\$2.00 per \$1,000.00 of taxable value), which is estimated to raise \$2,247,000.00 in the first year. Roll call vote: Allen, aye; Chapman, aye; Eberth, aye; Berecz, aye; Brinker, aye; and Smith, aye. Absent and excused: Killian. Motion carried.

RESOLUTION 2022-28 SCHEDULING HEARING ON ASSESSMENT ROLL FOR ADDITIONAL POLICE SPECIAL ASSESSMENT:

Motion of Eberth, supported by Berecz, to approve and adopt Resolution 2022-28 to schedule a hearing on the assessment roll for the Additional Police Special Assessment District. The public hearing will be held on October 3, 2022 at 7:00 p.m. with the purpose to review the special assessment roll and hear any objections and notice will be sent to all lands and premises within the Township that are not exempt from property taxes in accordance to publication requirements with the law. The resolution directs the special assessment roll to be filed with the Township Clerk and be available for public inspection during normal business hours. Roll call vote: Berecz, aye; Eberth, aye; Brinker, aye; Chapman, aye; Allen, aye; and Smith, aye. Absent and excused: Killian. Motion carried.

RESOLUTION 2022-29 APPROVE LEVY OF 3.9603 MILLS FOR ASSESSED PROPERTY:

Motion of Eberth, supported by Berecz, to approve and adopt Resolution 2022-29, a levy of 3.9603 for assessed property of the Charter Township of Brownstown for the year 2022 as follows:

- a) 0.8527 mill for General Township Operation
- b) 1.7054 mills for Police Department Operation
- c) 0.4674 mill for Police Department Capital
- d) 0.4674 mill for Fire Department Capital
- e) 0.4674 mill for Road Improvement Capital

Roll call vote: Chapman, aye; Brinker, aye; Allen, aye; Eberth, aye; Berecz, aye; and Smith, aye. Absent and excused: Killian. Motion carried.

RESOLUTION 2022-30 APPROVE LEVY OF 3.9603 MILLS FOR 2022 INDUSTRIAL FACILITIES TAXABLE VALUE:

Motion of Eberth, supported by Berecz, to approve and adopt Resolution 2022-30 a levy of 3.9603 mills for 2022 Industrial Facilities Taxable value. The taxable value of the Township is \$1,183,725,062.00 and the Industrial Facilities Taxable Value of the Township is \$3,300,161.00. The levy is broken down as follows:

- a) 1.7054 mills for Police Department Operation
- b) 0.4674 mill for Police Department Capital
- c) 0.4674 mill for Fire Department Capital
- d) 0.4674 mill for Road Improvement Capital
- e) 0.8527 mill for General Township Operation

Roll call vote: Eberth, aye; Brinker, aye; Berecz, aye; Allen, aye; Chapman, aye; and Smith, aye.
Absent and excused: Killian. Motion carried.

RESOLUTION 2022-31 CHARITABLE GAMING LICENSE FOR ZERODUCK30, INC FOR THE MICHIGAN LOTTERY CHARITABLE GAMING DIVISION:

Motion of Eberth, supported by Berecz, to approve and adopt Resolution 2022-31, Charitable Gaming License for ZERODUCK30, Inc. for the Michigan Lottery Charitable Gaming Division. ZERODUCK30, Inc. is a non-profit organization located in Brownstown Township that teaches discharged veterans how to hunt ducks and other water fowl during the winter months. The organization is holding an event titled Summer Shakedown Ride on September 25, 2022 where a 50/50 raffle will be held with the proceeds being donated to programs that assist veterans combat stress and anxiety. Roll call vote: Allen, aye; Chapman, aye; Brinker, aye; Berecz, aye; Eberth, aye; and Smith, aye. Absent and excused: Killian. Motion carried.

U.S. SILICA COMPANY – 2022 ANNUAL BLASTING PERMIT RENEWAL:

Motion of Allen, supported by Berecz, to approve the U.S. Silica Company Class “A” Annual Blasting Permit located at 20837 N. Huron River Dr., Rockwood, MI 48173, for a twelve (12) month period from September 18, 2022 through September 17, 2023 in accordance with Ordinance #232-3. All present voting aye.

APPROVAL OF LAND SALE TO STAMFORD PROPERTIES, LLC OF TOWNSHIP OWNED PARCEL 70-004-01-0669-000:

Motion of Eberth, supported by Berecz, to approve the sale of Township owned parcel no. 70-004-01-0669-000 to Stamford Properties, LLC which is affiliated with General RV who has been purchasing properties in the area for a potential expansion of their footprint on Racho Rd. The parcel is approximately 0.12 acres and deeded to the Township by the State of Michigan. The purchase agreement lists the price of the property as \$5,143.00. All present voting aye.

SUPERVISOR:

HUMAN RESOURCES: APPROVAL FOR AN ADDITIONAL PART-TIME COMMUNITY CENTER ATTENDANT POSITION AND TO POST AND ADVERTISE FOR THE POSITION:

Motion of Brinker, supported by Chapman, to approve an additional part-time community center attendant position and to post and advertise for the position. This new position would assist with covering shifts that the current staff is not able to due to changes in their availability. This would be a non-union position with no eligibility for benefits and a wage of \$15.00 per hour. Funds for this position are available in the approved budget. All present voting aye.

HUMAN RESOURCES: REQUEST FOR UNPAID LEAVE OF ABSENCE: ROB TREVINO

Motion of Allen, supported by Brinker, to approve an unpaid leave of absence for Community Center Laborer Rob Trevino from September 9, 2022 through October 14, 2022. This request is in compliance with the AFSCME Union Contract, Section 07.04. All present voting aye.

POLICE: APPROVAL TO ESTABLISH A LIEUTENANT PROMOTIONAL LIST:

Motion of Berecz, supported by Brinker, to approve a request to establish a lieutenant promotional list. The process of being promoted to a lieutenant takes approximately three months and the establishment of a list will help prepare the department for any future promotions. There is a minimum budget cost to establishing this list and any future promotions would come to the Township Board for approval. All present voting aye.

POLICE: REQUEST PERMISSION TO PLACE 13 DECOMMISSIONED POLICE VEHICLES INTO A FUTURE AUCTION AT MARTIN'S TOWING:

Motion of Berecz, supported by Eberth, to approve to place 13 decommissioned police vehicles into a future auction at Martin's Towing. These vehicles have been or are in the process of being decommissioned by the Police Department due to high mileage and/or mechanical issues. The vehicles to be immediately auctioned include the following: a 2013 Chevrolet Tahoe VIN: 1GNSK2E03DR325239; a 2016 Chevrolet Tahoe PPV VIN: 1GNSKDEC9GR404411; a 2015 Chevrolet Tahoe PPV VIN: 1GNSK2EC8FR722684; a 2008 Chevrolet Tahoe PPV 2WD K-9 VIN: 1GNEC03028R277465; a 2011 Chevrolet Tahoe VIN: 1GNLC2E09BR151630; a 2015 Chevrolet Tahoe VIN: 1GNSK2EC5FR719290; a 2008 GMC Acadia FWD VIN: 1GKER13788J263499; a 2011 GMC Terrain VIN: 2CTFLTE56B6333650; a 2012 Ford Fusion SE VIN: 3FAHP0HG1CR201514; and a 2012 Ford Fusion SE VIN: 3FAHP0HG0CR257606. The vehicles that will be replaced with vehicles currently on order include the following: a 2018 Chevrolet Tahoe PPV VIN: 1GNSKDEC6GR410117; a 2018 Chevrolet Tahoe PPV VIN: 1GNSKDEC1JR337214; and a 2019 Chevrolet Tahoe PPV-AWD VIN: 1GNSKDEC6KR349635. The revenue from the auctions will be returned to the police budget. All present voting aye.

CLERK:

BUDGET AMENDMENT 2022-11:

Motion of Eberth, supported by Brinker, to approve Budget Amendment 2022-11 to transfer funds for the purpose of removing several trees in Thorn Park. There are several trees that need to be removed immediately due to safety concerns while the others will be removed during the end of the summer into late fall of 2022. This transfer will not have an impact on the General Fund balance. The amount of \$38,000.00 will be transferred from Recreation Building Improvements account no. 101.750.975.000 to Parks – Parks and Grounds Maintenance account no. 101.751.939.000. All present voting aye.

BOARD INFORMATION:

Motion of Berecz, supported by Eberth, to accept the Clerk's report which consists of three sets of disbursements and correspondence from Comcast. The first set of disbursements are from August 19, 2022. The second set of disbursements from August 25, 2022 include payment of utility bills that were due prior to the September 6, 2022 meeting, and one regular payroll transfer for the pay of August 19, 2022. The third set of disbursements are for the meeting of September 6, 2022. The correspondence from Comcast is in regards to a programming advisory stating that the Olympic Channel will cease operations effective September 30, 2022. All present voting aye.

TREASURER:**DISBURSEMENTS FROM AUGUST 19, 2022: \$6,699.68**

Motion of Brinker, supported by Berecz, to approve disbursements as follows: Police Fund in the amount of \$6,699.68, bringing the total amount of disbursements to \$6,699.68. Roll call vote: Brinker, aye; Berecz, aye; Eberth, aye; Chapman, aye; Allen, aye; and Smith, aye. Absent and Excused: Killian. Motion carried.

DISBURSEMENTS FROM AUGUST 25, 2022 A.) PAYMENT OF UTILITIES DUE PRIOR TO THE SEPTEMBER 6, 2022 MEETING: \$15,502.96, B.) REGULAR PAYROLL TRANSFER FOR THE PAY OF AUGUST 19, 2022: \$499,848.58:

Motion of Berecz, supported by Brinker, to approve disbursements as follows: General Fund Disbursements in the amount of \$5,698.69; Fire Protection in the amount of \$4,058.37; Police Fund in the amount of \$809.07; Downtown Development in the amount of \$21.23; Sewer Fund in the amount of \$3,896.84; Water Fund in the amount of \$284.01; Payroll in the amount of \$734.75; bringing the sub-total amount of disbursements to \$15,502.96. There was also one payroll transfer listed on the report for Regular Payroll in the amount of \$484,345.62; bringing the total amount of disbursements to \$499,848.58. Roll call vote: Allen, aye; Berecz, aye; Chapman, aye; Eberth, aye; Brinker, aye; and Smith, aye. Absent and Excused: Killian. Motion carried.

DISBURSEMENTS FROM THE MEETING OF SEPTEMBER 6, 2022: \$1,403,999.96:

Motion of Brinker, supported by Berecz, to approve disbursements as follows: General Fund Disbursements in the amount of \$324,760.31; Fire Protection in the amount of \$14,659.60; Police Fund in the amount of \$37,847.45; Greenbelt in the amount of \$10,508.74; Downtown Development in the amount of \$7,500.39; Police Improvement in the amount of \$18,188.26; Fire Improvement in the amount of \$2,768.00; Sewer Fund in the amount of \$174,999.93; Water Fund in the amount of \$55,615.17; Tax Collection in the amount of \$2,074.62; School & County in the amount of \$51,248.00; bringing the sub-total amount of disbursements to \$700,170.47. There were also two payroll transfers listed on the report: one for Regular Payroll in the amount of \$654,755.59 and one for Retirees Insurance for September 2022 in the amount of \$49,073.90; bringing the total amount of disbursements to \$1,403,999.96. Roll call vote Berecz, aye; Chapman, aye; Allen, aye; Eberth, aye; Brinker, aye; and Smith, aye. Absent and Excused: Killian. Motion carried.

COMMUNITY SERVICES:**BOARD INFORMATION:**

Motion of Berecz, supported by Chapman, to accept the Community Services report which consists of Planning Commission meeting minutes of July 25, 2022; Downtown Development Authority meeting minutes of June 16, 2022; and Zoning Board of Appeals meeting minutes of July 21, 2022. All present voting aye.

RECREATION:**BUDGET REALLOCATION AND REQUEST TO WAIVE THE BID FOR TREE REMOVAL:**

Motion of Eberth, supported by Berecz, to approve a request to waive the bid process for tree removal in order to resolve safety issues at Thorn Park concerning seven trees. A bid has been put out and will be due September 30, 2022 for removing dead trees, but it was deemed necessary to remove these seven trees immediately because of the potential hazards they pose. After reviewing the two quotes received from Blaine's and Island Trees for this project, the decision was made to select Island Trees. The emergency removal of the trees will cost of \$38,000. The Downtown Development Authority will provide the money for the emergency removal of the trees and the Recreation department will reallocate the funds to pay the DDA back upon board approval. All present voting aye.

BOARD INFORMATION:

Motion of Eberth, supported by Berecz, to accept the Recreation report which includes an update regarding program and event updates; senior programs; capital improvements and parks; and grants and sponsorships. Regarding the portion of the report about capital improvements and parks there are many ongoing and upcoming projects. The move of the Recreation front service counter and the replacement of the yellow Shade Sails are now complete. New play equipment will be installed at Dawnshire Park in November. The installation of a teeter tunnel at Thorn Park by Midstates Recreation has been extended to next spring due to the back order of parts. Additionally, Midstates Recreation is also scheduled to begin work on the shelter at Woodland Heights Park the first week of September. All present voting aye.

PUBLIC WORKS:**APPROVE GREAT LAKES WATER AUTHORITY (GLWA) CONTRACT:**

Motion of Eberth, supported by Berecz, to approve Amendment No. 4 to the water service contract between Great Lakes Water Authority (GLWA) and Brownstown Township. The contract is a standard three year community contract to provide drinking water to Brownstown Township and has been reviewed by Wade Trim and legal counsel. All present voting aye.

REPLENISH PETTY CASH:

Motion of Brinker, supported by Chapman, to approve a request to replenish the Water/Sewer department petty cash fund in the amount of \$151.25. All present voting aye.

TOWNSHIP MANAGER UPDATE:

Township Manager Peters provided a brief update about several items that may be of interest to Brownstown residents:

- An update was provided regarding a Request for Proposal to go out to bid for Community Development Services Consultant that was previously approved by the Township Board to allow us to provide better services to our businesses. The position of Economic Development Manager continues to remain vacant despite numerous attempts to fill this role. Currently the Township is accepting bids for this project through September 30th online through Bidnet.
- Currently the Township is working with Wade Trim to develop a Capital Improvement Plan related to the PASER study which was conducted to evaluate the condition of the Township's roads. Since funding from the county for local road improvement projects in Townships was not included in the current budget, this plan will ultimately help the Township plan for future road improvement projects. Currently there is a road project on Sapphire Drive is set to begin on September 12th, weather permitting, which is a continuation of a project that was started last year in Cambridge Meadows.
- Discussions are currently being held between the Supervisor, Township Manager, Building Official, and the prosecutor about ways to improve the ordinance enforcement process within the Township.

ADJOURNMENT:

Motion of Eberth, supported by Chapman, to adjourn the regular Township board meeting at 8:20 p.m. All present voting aye.

Respectfully submitted,



Maureen Brinker, Clerk
Charter Township of Brownstown
MB/slm