

ATTICA TOWNSHIP BOARD MEETING

April 14, 2016,

Nancy Herpolsheimer, Clerk

At a meeting of the Attica Township Board held April 14, 2016, at the Attica Township Hall, 4350 Peppermill Road, Attica, Michigan. The meeting was called to order at 7 p.m. by Supervisor Ochadleus. PRESENT: Supervisor Al Ochadleus, Clerk Nancy Herpolsheimer, Treasurer Pam Mason, Trustee Rich Lacey and Trustee Phil Madeline. Absent: None. ALSO PRESENT: Attorney Mike Gildner and the public per the sign-in sheet attached.

Pledge of allegiance led by Chief Warford.

REVIEW MINUTES:

The minutes of the March 10, 2016 regular Board meeting were reviewed by the Board; and there being no additions, corrections or deletions;

MOTION by Lacey, seconded by Madeline, to approve the March 10, 2016 regular Board meeting minutes as presented. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

CORRESPONDENCE: None.

TREASURER'S REPORT: Treasurer Mason gave the following Treasurer's Report: General Fund Beginning Balance of \$638,424.31 receipts of \$78,831.63; Interest of \$58.04; Distributions of \$50,803.65 for a New Balance of \$666,510.33; General Fund CDARS savings account has \$201,980.05. Public Safety has \$125,848.27; Public Safety CDARS Savings account has \$50,495.00; Fire Millage has \$92,373.01; Fire Millage CDARS Savings account has \$50,495.00; Fire Escrow has \$73,871.90; Fire Escrow CDARS Savings account has \$50,495.00.

MOTION by Lacey seconded by Madeline to approve the Treasurer's Report as presented. A vote was taken. Ayes: All; Nays: None. Absent: None. **MOTION CARRIED.**

POLICE REPORT: Deputy Vandenberg gave the following police report: there were 215 calls in the month of March with 119 of those calls handled by the township deputies.

PUBLIC TIME: Lapeer County Commissioner Dave Eady introduced himself as a candidate for Lapeer County Sheriff and gave a brief history of his resume and achievements.

OLD BUSINESS:

1. Museum:

Supervisor Ochadleus stated that the board is waiting for the bid package from the architect. There was a question regarding a dry walled ceiling vs. an open ceiling

and Supervisor Ochadleus requested an open ceiling in the bid package. The bid package should be in next week.

Supervisor Ochadleus stated that the Attica Museum Curator Janet O'Donnell and the museum volunteers visited the State of Michigan Museum to obtain ideas to implement into the Attica Museum.

2. **Library Lights and Posts:** Supervisor Ochadleus stated that he is working on this.
3. **Township Hall Restrooms:** Supervisor Ochadleus gave a review of the two bids received so far and stated that another contractor is going to look at the restrooms next week and submit a bid.

NEW BUSINESS:

1. **Request Budgets from Department Heads:**

Clerk Herpolsheimer will distribute budget paperwork to department heads by April 18th, they should be returned to her by April 25th and the budget workshop will be April 27th at 10 a.m.

2. **Rezoning of 44-003-010-006-40 and 44-003-010-006-09 from R-1 to B-2, A2Z Storage Facility:**

Supervisor Ochadleus reviewed the Planning Commission's recommendation to rezone 44-003-010-006-40 and 44-003-010-006-09 from R-1 to B-2 and recommended the rezoning.

MOTION by Madeline, seconded by Lacey to approve the Planning Commission's recommendation of the rezoning from R-1 One Family Residential to B-2 General Business of 440 N. Lake Pleasant Road parcel number 44-003-010-006-40 and 440 N. Lake Pleasant Road parcel number 44-003-010-006-09, A2Z self-storage facility for the reasons stated in *clearzoning*®'s review of the rezoning of the parcels and due to the fact that the rezoning is consistent with Attica Township's Master Plan. A roll call vote was taken. Ochadleus: Aye; Mason: Aye; Herpolsheimer: Aye; Madeline: Aye and Lacey: Aye. Ayes: All. Nays: None. **MOTION CARRIED.**

3. **DTE Energy's Maintenance Tree Trim Plans:**

Supervisor Ochadleus reviewed a letter he received from DTE Energy regarding their plans to trim trees in Attica Township in 2016.

4. Noise Ordinance:

Supervisor Ochadleus distributed a copy of an email that was received from a resident complaining about the noise level at a neighbor's house. There was discussion regarding the problems with the present noise ordinance. Deputy Vandenberg stated that the present noise ordinance is unenforceable. Attorney Gildner stated that drafting a noise ordinance that is enforceable is difficult and that decibel reading is unenforceable because it is too objective. Attorney Gildner stated that he drafted a new noise ordinance for Attica Township that is not too objective or too subjective. It is an all-encompassing ordinance that will give the deputies the tools they need to do their job. Supervisor Ochadleus recommended adopting the attached Noise Ordinance to take effect thirty days after publication.

MOTION by Herpolsheimer, seconded by Mason to approve the attached Noise Ordinance to take effect thirty days after publication. A roll call vote was taken. Mason: Aye; Herpolsheimer: Aye; Madeline: Aye; Lacey: Aye and Ochadleus: Aye. Ayes: All. Nays: None. **MOTION CARRIED.**

COMMITTEE REPORTS:

1. FIRE: Fire Chief Chris Warford reported:
 - a) The fire department is gearing up for grass fires
 - b) The fire department is participating in a fire drill this weekend.
 - c) There was one house fire since the last meeting. The home sustained a lot of damage and was condemned by Construction Code Authority's Code Official Lonnie Hayes.
2. Park: Park Manager Phil Madeline reported:
 - a) He is in the process of getting quotes to resurface the track.
 - b) There was discussion regarding filling the cracks in the track.
3. PLANNING COMMISSION: Planning Administrator Maureen Lemons reported:
 - a) *Clearzoning*® is working on an application to be used for private and commercial kennels.
 - b) The Planning Commission is still working on updating the Master Plan.
 - c) There will be three Public Hearings at the May Planning Commission meeting:
 - A2Z Storage Special Land Use
 - Amendment of the Zoning Ordinance to add Small Wine Maker, Micro-brewery and Micro Spirits Distiller.

- Performance Bond

- d) She was in contact with Land Surveyor, Rick Duthler regarding Ryan Stoldt's Special Land Use site plan and Mr. Duthler stated that he never heard from Mr. Stoldt.
4. ATTORNEY REPORT: Attorney Gildner stated that he has been working on the noise ordinance and performance bond ordinance.
 5. AMBULANCE: Supervisor Ochadleus stated that the ambulance meeting is next Thursday and that the ambulance board voted at a special meeting to put a .59 mills, five year millage request on the August ballot. There was discussion.
 6. CEMETERY: None.
 7. COMMISSIONER REPORT: Commissioner Linda Jarvis reported:
 - a) Equalization gave a report today and the administration is going to put together a chart showing the values since 2007.
 - b) James Novak was appointed to fill a vacancy on the Road Commission.
 - c) A renewal of the millage for Suncrest will be on the August ballot.
 - d) Gave her complete support of Dave Eady for Lapeer County Sheriff.
 - e) Al Ochadleus was appointed to the VAAA (Valley Area Agency on Aging) to represent Lapeer County.
 8. Board:
 - a) Clerk Herpolsheimer asked about clearing dead trees along the roadways. Supervisor Ochadleus explained how money is allocated by the Road Commission. There was discussion.
 - b) Loving Hands Clinic requested the use of the Attica Township Hall without charge to put on a free medical program for interested residents. Resident Chuck Herpolsheimer explained how the organization works. Attorney Gildner stated that the township would just be offering space and would not have any liability. There was discussion.

MOTION by Herpolsheimer, seconded by Mason to approve the request of Loving Hands to make the Attica Township Hall available for a one time use of the facility to provide a free medical program for residents. A roll call vote was taken. Lacey: Aye; Mason: Aye; Madeline: Aye; Herpolsheimer: Aye and Ochadleus: Aye. Ayes: All. Nays: None. **MOTION CARRIED.**

9. Public Time: Chief Warford stated that Lapeer County Sheriff Candidate Dave Eady is a man of great integrity, accountability and knowledge and would be a great sheriff and went on to say that The Attica Fire Department is backing Dave Eady.

REVIEWING AND PAYING BILLS:

The bills were reviewed by the Board for the General Fund for the amount of \$55,354.82 (check #17588 through check #17652); Public Safety for the amount of \$8,333.71 (check #1210) and the Fire Fund for the amount of \$5,632.51 (check #4137 through check #4164). For a total of \$69,321.04. There being no further questions:

MOTION by Lacey seconded by Madeline to approve the bills as presented. A roll call vote was taken. Herpolsheimer: Aye; Madeline: Aye; Mason: Aye; Lacey: Aye and Ochadleus: Aye. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

There being no further business before the Board, **MOTION** by Lacey seconded by Madeline to adjourn the meeting at 7:50 p.m. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

Submitted by:

Respectfully Submitted by:

Valerie Schultz, Deputy Clerk

Nancy Herpolsheimer, Clerk

