

ATTICA TOWNSHIP BOARD MEETING

September 12, 2019

Nancy Herpolsheimer, Clerk

At a meeting of the Attica Township Board held September 12, 2019, at the Attica Township Hall, 4350 Peppermill Road, Attica, Michigan. The meeting was called to order at 7 p.m. by Supervisor Al Ochadleus. PRESENT: Supervisor Al Ochadleus, Treasurer Pam Mason, Clerk Nancy Herpolsheimer, Trustee Phil Madeline and Trustee Rich Lacey. Absent: None. ALSO PRESENT: Attorney Chris Stritmatter and the public per the sign-in sheet attached.

Pledge of Allegiance

A moment of silence in honor of 9/11.

ACCEPT AGENDA:

Supervisor Ochadleus added number 5. Conference Report under New Business.

MOTION by Lacey, seconded by Madeline, to accept the agenda as amended. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

REVIEW MINUTES:

The minutes of August 8, 2019 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 August 8, 2019 regular Board meeting minutes as presented. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

CORRESPONDENCE:

1. Clerk Herpolsheimer read a card from Mary Summers, of the Ruth Hughes Library, thanking the township for allowing the use of the park for their summer youth programs.
2. Clerk Herpolsheimer informed the Board that the MTA is holding an On The Road Regional Meeting on October 17th if any of the Board members would like to attend.
3. Clerk Herpolsheimer informed the Board that the MTA Banquet is being held October 21st at the Pine House Restaurant. The deadline to register is October 15th.

MOTION by Herpolsheimer, seconded by Mason to authorize Township Board members and department heads and

their partners to attend the October 21st MTA Banquet. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

4. Clerk Herpolsheimer informed the Board that she received a Consumer's Energy Company Gas Franchise Ordinance. Mary Kulis, of Consumer's Energy, reviewed the ordinance which allows Consumer's Energy to construct and maintain gas lines in Attica Township for 30 years.

MOTION by Mason, seconded by Herpolsheimer to accept the attached Consumer's Energy Company Gas Franchise Ordinance. A roll call vote was taken. Mason: Aye; Madeline: Aye; Herpolsheimer: Aye; Lacey: Aye and Ochadleus: Aye. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

TREASURER'S REPORT: Treasurer Mason gave the following Treasurer's Report: General Fund Beginning Balance of \$248,826.47 receipts of \$21,224.16; Interest of \$281.11; Distributions of \$65,584.24 for a New Balance of \$204,747.50; General Fund CDARS savings account has \$203,871.97; General Fund ICS has \$300,400.37; Public Safety has \$54,822.92; Public Safety CDARS Savings account has \$50,967.98; Public Safety ICS has \$25,041.00; Fire Millage has \$23,170.23; Fire Millage CDARS Savings account has \$50,955.88; Fire Millage ICS has \$20,046.49; Fire Escrow has \$8,529.52; Fire Escrow ICS has \$41.52; Deposited Escrow has \$50,035.89.

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: Supervisor Ochadleus gave the following police report: there were 184 calls in the month of August with 90 of the calls handled by the Township deputies.

PUBLIC TIME: Lerae Mainville, of 4436 Bowers Road, stated that she would like issues with the cemetery addressed. Ms. Mainville explained that she came to the Board in May with problems with the care of the cemetery and now perennials around her family member's headstone have been weed whipped. Supervisor Ochadleus suggested a face-to-face meeting with the cemetery sexton, Bill Winslow. Clerk Herpolsheimer and Treasurer Mason will facilitate the meeting.

OLD BUSINESS: None.

NEW BUSINESS:

1. Matt Wandrie, Lapeer Community Schools Superintendent:

Superintendent Wandrie reviewed the Lapeer Community Schools District's 2019 Bond Proposal and invited residents to two forums scheduled in September and October. There was discussion.

2. Four Zoning Amendments recommended by the Planning Commission:

Planning and Zoning Administrator Maureen Lemons and Supervisor Ochadleus reviewed the zoning amendments recommended by the Planning Commission.

- (1) Changes to Performance Standards, Section 5.5.6 to noise standards.

MOTION by Herpolsheimer, seconded by Mason, to amend the Zoning Ordinance Performance Standards, Section 5.5.6, noise ordinance, (as attached) as recommended by the Attica Township Planning Commission. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

- (2) Changes to Accessory Buildings, Sections 5.1.9 and 5.1.10 to regulate the use of shipping containers.

MOTION by Lacey, seconded by Mason, to amend the Zoning Ordinance to add Section 5.1.9 and 5.1.10, (as attached), to the Accessory Buildings portion of the Zoning Ordinance in order to regulate the use of shipping containers and tent pole barns as recommended by the Attica Township Planning Commission. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

- (3) Changes to Section 6.1 (F), Site Plan Review, and 6.2, Special Land Use, adding a timeframe for appeal.

MOTION by Mason, seconded by Herpolsheimer, to amend the Zoning Ordinance Section 6.1, Site Plan Review, under subsection 6.1(F), (as attached) and to amend Section 6.2 Special Land Use Approval, (as attached) adding an additional statement stating that a decision to deny a Special Land Use may be appealed to the Zoning Board of Appeals within thirty (30) days of the Township Board's decision as recommended by the Attica Township Planning Commission. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

- (4) Changes to Commercial WECS, Section 4.64, replacing statements granting power to the Planning Commission to be granted to the Township Board, make motion:

MOTION by Herpolsheimer, seconded by Mason, to amend the Zoning Ordinance Section 4.64 Commercial Operations of WECS (C-WECS), as attached, to replace all statements that grant power to the Planning Commission to be granted to the Attica Township Board as recommended by the Attica Township Planning Commission. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

3. Fireworks Ordinance:

Supervisor Ochadleus discussed the need for a fireworks ordinance. Attorney Stritmatter will do some research and draft a fireworks ordinance.

4. Request to use the Township Hall for a Museum Tea Fundraiser:

Museum volunteer, Nancy Schodowski, asked to use the township hall to hold a fundraiser at no cost. Supervisor Ochadleus recommended authorizing the use of the hall at no cost.

MOTION by Herpolsheimer, seconded by Mason, to authorize the Friends of the Museum to use the hall to host a Museum Tea Fundraiser at no cost. A vote was taken. Ayes: All. Nays: None. Absent: None. **MOTION CARRIED.**

5. MTA Hot Topics Conference Report:

Deputy Clerk Valerie Schultz and Supervisor Ochadleus reviewed and discussed the MTA Hot Topics conference report.

COMMITTEE REPORTS:

1. FIRE: None
2. PARK: Park Manager Madeline reported that the track is still getting a lot of usage.
3. PLANNING COMMISSION: Planning Administrator Lemons reported:
 - a) Three dangerous buildings are being addressed.
 - b) Information regarding properties with blight in the township was given to Attorney Gildner today.
 - c) Blight officer, Bill Winslow, has been given addresses with blight complaints to photograph.
 - d) Dusty Customs will be receiving a letter from the township due to complaints of a junk yard and impeding traffic while doing work in the road alongside the business.
4. ATTORNEY REPORT: The Summons and Complaint to Mr. Ribiat (755 N. Youngs Rd.) has been mailed.
5. AMBULANCE: Supervisor Ochadleus reported:
 - a. EMS is asking for a millage renewal in the March Primary election.
 - b. Working on a five-year budget plan
 - c. Will be meeting with County Board of Commissioners to present them with proposed millage language and the budget.

COMMISSIONER'S REPORT: None.

Board: None.

Public Time: None.

REVIEWING AND PAYING BILLS:

The bills were reviewed by the Board for the General Fund for the amount of \$71,078.68 (check #20834 through check #20925); Public Safety for the amount of \$11,321.73 (check #1258) and the Fire Fund for the amount of \$12,027.83 (check #5404 through check #5431). For a total of \$94,428.24. There being no further questions:

MOTION by Lacey, seconded by Madeline to approve the bills as presented in the amount of \$94,428.24. A roll call vote was taken. Lacey: Aye; Madeline: Aye; Ochadleus: Aye, Mason: Aye and Herpolsheimer: 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 7:41 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