

**CHARTER TOWNSHIP OF WILLIAMS
BOARD OF TRUSTEES
Regular Meeting – July 10, 2012**

The Board of Trustees of the Charter Township of Williams held a regular meeting on Tuesday July 10, 2012 at the Township Hall. The agenda is attached Exhibit A.

I. Call to Order & Roll Call

The meeting was called to order by Paul Wasek, Supervisor at 7:00 p.m. Present: Wasek (Supervisor), Hoverman (Treasurer), Charney (Clerk), Gower (Trustee), and Putt (Trustee).

Excused: Paige (Trustee) and Plant (Trustee).

Others present are indicated on the sign in sheet, attached Exhibit B.

II. Pledge of Allegiance

The Pledge of Allegiance to the flag was said in unison.

III. Open to the Public

No one was present other than members of the Board.

IV. Changes to Agenda

The Zoning Ordinance Amendments will be added as the last agenda item.

V. Consent Agenda

1. Approve the June 12, 2012 Board of Trustee Minutes as presented.
2. Approve the payment of bills as submitted and to authorize payment of monthly health/dental insurance bill.
3. Receive the Supervisor's Update of Projects and Issues as presented.
4. Receive the List of Committee Reports, attached Exhibit C.
5. Receive the Miscellaneous Correspondence and Communication List, attached Exhibits D and E, respectively.

A motion was made by Hoverman and seconded by Putt to approve all items as listed on the Consent Agenda. Final payment to Bilacic Trucking for the Salzburg Road water line extension shall be made as soon as the final invoice is received from Bay County DWS.

5 Ayes 0 Nays Excused: Paige and Plant. Motion carried.

VI. Regular Agenda

1. Township Park Grub Control

Merit granular grub control was applied to the township park from the Dell Creek west to the pavilion area in July 2011. Township personnel applied the product which was purchased from Auburn Fertilizer with no interruption to park activities. The product needs to be applied again this year to protect against further grub invasion.

For 2012, Auburn Fertilizer has provided a quote of \$58.00 per bag, a cost increase of \$8.00 per bag. The total amount will be \$986.00 plus a “chemical” tax. It will take approximately three hours for DPW personnel to apply the product. A spreader to apply the granular product was purchased in 2011.

Tru-Green contacted the township and has agreed to apply a liquid merit for a total cost of \$1000.00.

07-12-044-P A motion was made by Putt and seconded by Charney to purchase granular
===== Merit grub control from Auburn Fertilizer to be applied in the township
park by DPW personnel.
5 Ayes 0 Nays Excused: Paige and Plant. Motion carried.

2. Section 12 Blight

During the March 13, 2012 Township Board meeting, the township attorney was authorized to commence legal action against James Kamlay if necessary, as numerous tires were strewn around a 82 X 656 parcel located on Eight Mile Road just south of Wheeler Road and adjacent to Tri City Speedway. Mr. Kamlay had been written numerous letters asking that the tires be properly disposed of. On or about June 13, 2012, the tires were removed from the 82 X 656 parcel. It was noted on or about June 13, 2012 that the same approximate number of tires were moved to a different parcel owned by Mr. Kamlay, property code number 09-140-012-200-100-00 and/or 09-140-012-200-070-00, located just north of the original location. Tree wood, demolition wood, junk furniture, appliances, tires, and other debris is now located on all or some of the parcels owned by Mr. Kamlay.

07-12-045-A/Z A motion was made by Charney and seconded by Putt to authorize
===== Jim Hammond, Township Attorney, to commence legal action, if
necessary against James Kamlay; that all accumulated trash/debris/tires be removed from
parcels 09-140-012-200-100-00, 09-140-012-200-070-00 and/or 09-140-012-200-110-00,
all located in Section 12 of Williams Township.
5 Ayes 0 Nays Excused: Paige and Plant. Motion carried.

3. Proposed Ordinance No. 181, Williams Twp Fireworks Ordinance

In January 2012, the Michigan Fireworks Safety Act (PA 256 of 2011) was enacted. An ordinance may be adopted by a local unit of government regulating the ignition, discharge, and use of fireworks other than the day before or the day after a national holiday. Thus, there are 30 days of the year that prohibit a local government from regulating the ignition of fireworks.

The Bay County Board of Commissioners has chosen not to address the problem at the county level. Currently, the city of Essexville, city of Midland, and Bangor Township, along with other municipalities throughout the state have enacted their own ordinances to address complaints regarding noise and debris falling into neighboring parcels.

Bangor Township has agreed to allow any other municipality to use their ordinance as a template, changing the name of the governmental unit. This will allow for consistency throughout Bay County.

Significant provisions of the Ordinance include:

- prohibits the use of display fireworks within the township without a permit issued by the Township Board;
- provides a procedure for obtaining a fireworks display permit from the Township Board;
- prohibits the use of consumer fireworks within the township except on the day preceding, the day of, or the day after a national holiday;
- allows the use of low impact fireworks (i.e., ground and hand-held sparklers, etc.) and novelties (i.e. toy caps, etc.) within the township;
- provides a penalty of up to 90 days in jail and/or a \$500 fine for violation; and,
- authorizes any police officer with arrest powers within the township to enforce ordinance provisions.

A brief discussion followed with questions as to whether or not an ordinance violation should result in a civil infraction with a ticket issued rather than a misdemeanor charge. Also, can fireworks be seized by a police officer if the penalty is a civil infraction?

J. Hammond will be contacted and the ordinance will again be discussed in August.

4. Proposed Ordinance No. 180

The proposed ordinance amends Williams Township Ordinance No. 33, as amended, the Township Zoning Ordinance. The township planning commission conducted a public hearing on July 2, 2012 and a recommendation was made that the Township Board proceeds with adoption of the proposed ordinance.

Significant provisions of the Ordinance include:

- eliminates all RE, Rural Estate District as a zoning designation in the township and rezones it to Ag, Agricultural District on the date of adoption of the ordinance;
- Table 2, Table 3, and Table 6 all are revised by deleting any reference to RE zoning designations.

Discussion followed. Several members of the board were concerned that subdivision parcels along Midland Road with the current land use designation of RE will be adversely affected by the parcel becoming AG zoned, as opposed to R-1, Low Density Single Family District, after adoption of the ordinance.

By unanimous consent, it was agreed to postpone a decision on the ordinance amendment until T. Paige or J. Hammond can answer questions regarding more populated areas of the township.

VII. Unfinished Business

There was no unfinished business.

VIII. New Business

The B.C.T.O.A. Quarterly Meeting will be hosted by Pinconning Township on Wednesday July 18. Refreshments are at 6:00 p.m. and dinner will be served at 6:30 p.m.

Rebecca King, Intergovernmental Committee Member, has resigned due to family commitments. Another township at large member will need to be appointed.

IX. Other Committee Reports

There were no other committee reports.

X. Adjournment

A motion was made by Hoverman and seconded by Gower to adjourn the meeting at 8:10 p.m.

5 Ayes 0 Nays Excused: Paige and Plant. Motion carried.

Williams Charter Township

Amy Charney, Clerk

Paul Wasek, Supervisor