

CHARTER TOWNSHIP OF EAST CHINA
OFFICIAL PROCEEDINGS

FEBRUARY 17, 2009

CALL TO ORDER – Supervisor Randolph called the meeting to order at 7:30 p.m., with Clerk Arnold, Treasurer Beaudua, and Trustees Bober, Simons, Horn, and Patsalis.

PLEDGE OF ALLEGIANCE

One in the audience.

APPROVE MINUTES – Trustee Bober, supported by Trustee Horn, moved to approve the Minutes of February 2, 2009, with changes to comments. Carried.

CONSENT AGENDA – Trustee Patsalis, supported by Trustee Bober, moved to accept the Consent Agenda as follows: Marine City Fire report for January 2009, Building Department report for January 2009, Beautification Committee Minutes of January 8, 2009, Historical Commission Minutes of February 4, 2009, St. Clair Area Fire Report for January 2009 and a conference recap report from Craig Harris and Joshua Corbat. Carried.

Supervisor Randolph will contact Richard Tucker for a correction to the billing report from the Marine City Fire Department.

DISBURSEMENTS - Treasurer Beaudua, supported by Trustee Simons, moved to approve payment of the bills in the amount of \$93,154.74, payroll in the amount of \$18,399.54, ACH payments in the amount of \$29,694.76, and tax account in the amount of \$63,082.56. Roll call vote: Yea: Beaudua, Arnold, Patsalis, Horn, Simons, Bober, and Randolph. Nay: None. Carried.

MEMBER REPORTS - Treasurer Beaudua reported on the Historical Commission meeting held February 4, 2009. The Voice newspaper is planning to publish an article about the Red Brick School. They are receiving feedback from an article in the Times Herald newspaper requesting past memories from former attendees of the Red Brick School. Historical Commission members are planning to host an open house during the September 12, 2009 festivities.

Trustee Horn reported on the Beautification Committee meeting held February 5, 2009. Arrangements will be made for access to tools they will need for planting days. A projector is available for their lecture series. There is not a laptop computer available at the Township Hall for use by groups. The person conducting the lecture will have to provide his or her own computer or one will have to be purchased. Bid requests are being sent out for a large flowering pear tree for the Arbor Day tree planting on April 25, 2009 at the Township Hall.

Trustee Simons reported on the Park Commission meeting held February 11, 2009. He asked if there was anything that can be done to reduce heating costs for the park restrooms. They discussed the new disc golf course. Reg Malcolm resigned from his park position. Herbert Blackstock is still gathering information to purchase the state fishing park at the end of Springborn along Belle River Road.

The Suicide Prevention Walk group has requested permission to install a perennial garden in the main park and the Beautification Committee will follow up with the group. The Marine City Fire Advisory Board will hold their next meeting here at the Township Hall on February 25, 2009, at 9:30 a.m.

OLD BUSINESS - After much discussion, Trustee Horn, supported by Treasurer Beaudua, moved to deny the 2009 SEMCOG Designated Management Agency service charge of \$190.00. Carried.

Trustee Bober, supported by Trustee Simons, moved to approve a sewer credit for H.B. Dodson, 5902 River Road. He requested a 16,000 gallon credit for this billing cycle and 115,000 gallon credit for next quarter's billing cycle, with a total sewage credit of \$465.05. Carried.

NEW BUSINESS – Trustee Patsalis, supported by Trustee Horn, moved to approve attendance by Craig Harris at the Disinfection Basics class in Richmond on March 5, 2009 at a cost of \$150.00 and necessary expenses. The class provides 0.5 CEC's towards his water license. Roll call vote: Yea: Patsalis, Horn, Beaudua, Simons, Bober, Arnold, and Randolph. Nay: None. Carried.

Treasurer Beaudua, supported by Trustee Simons, moved to approve the following appointments: Charles Miller and Jerry Jones to the Board of Review, terms ending January 1, 2011; Arthur Peters to the Zoning Board of Appeals, term ending March 4, 2012; Arturo Carey to the Planning Commission, term ending March 6, 2012; and Walter Street to the Planning Commission, term ending March 7, 2012. Carried.

Trustee Simons, supported by Trustee Horn, moved to approve the proposal of Michigan Pipe Inspection, Inc. to clean, video, and seal leaks in the main sanitary sewer line due to infiltration by ground water in the area of Pleasant Street and Urban Drive at a cost not to exceed \$11,212.00. Roll call vote: Yea: Simons, Horn, Patsalis, Beaudua, Bober, Arnold, and Randolph. Nay: None. Carried.

ORDINANCE – After the second reading, Trustee Simons, supported by Trustee Patsalis, moved to adopt Ordinance 300 as follows. Carried.

ORDINANCE NO. 300

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CHAPTER 453, WATER AND SEWERS, SECTION 453-14, WATER SERVICE RATE AND SECTION 453-24, SEPARATE WATER METER FOR UNDERGROUND IRRIGATION.

THE CHARTER TOWNSHIP OF EAST CHINA ORDAINS:

SECTION 1. PURPOSE

The purpose of this Ordinance is to amend the Code of Ordinances, Chapter 453, Water and Sewer, Section 453-14, Water service rates and Section 453-24, Separate water meter for underground irrigation.

SECTION 2. AMENDMENTS

1. Chapter 453-14 E. is hereby deleted and replaced with the following:

- E. Separate water meter for underground irrigation. At the time of application for a separate water meter for underground irrigation, the applicant shall pay a fee for a water meter and appurtenances, administration, and inspections. Billings shall include charges for water consumption, special meter readings, meter replacement, and water turn-on/turn-off. No sewer charges shall be applied to water delivered through meters installed and used for underground irrigation.

2. Chapter 453-24, C. is hereby deleted.

SECTION 3. SEVERABILITY.

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, rule, regulation, section or subsection is declared void or inoperable for any reason by any Court, it shall not affect any other part or portion thereof, other than the part declared void or inoperable.

SECTION 4. REPEAL.

All Ordinances in conflict herewith are hereby repealed.

SECTION 5. PENALTY.

All violations of this Code shall be civil infractions, and upon conviction thereof, shall be punishable by a fine of not more than Five Hundred (\$500.00) Dollars.

- .01 No Exemption From Compliance. The imposition of any sentence shall not exempt an offender from compliance with the provisions of this Ordinance.
- .02 Other Appropriate Relief. The foregoing penalties shall not prohibit the Township from seeking injunctive relief against a violator or such other appropriate relief as may be provided by law.
- .03 Each Day A Separate Offense. A separate offense shall be deemed committed upon each day during or when a violation occurs or continues.
- .04 Rights and Remedies are Cumulative. The rights and remedies provided herein are cumulative and in addition to any other remedies provided by law.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall become effective upon publication after adoption.

SECTION 7. INSPECTION OF ORDINANCE.

February 17, 2009

A copy of this Ordinance may be inspected or purchased at the Township Hall, 5111 River Road, East China, Michigan 48054, during regular posted office hours.

ORDINANCE DECLARED ADOPTED.

BOARD MEMBER COMMENTS – Supervisor Randolph thanked all of the service agencies that assisted our residents during the flooding around the Belle River corridor last week and for their equipment and personnel, as well as our own staff for all of their efforts. Our residents are back in their homes around the Bryson, Woodland, and Lavelly Lane area. A very large tree fell into Belle River and is slowing the flow of the river and will need to be removed soon to prevent obstruction of the waterway. The Drain Commission and Watershed Group are being contacted for assistance to remove the tree.

After the public information meeting held with residents about the flooding in East China, the biggest complaint was communication between the Township and residents. There will be a committee formed by residents to monitor Belle River during times of high water levels to improve communication about what is going on in that area.

Treasurer Beaudua said the bike path along Recor Road in the flood area is washing away. There are currently contractors at the water plant installing new piping for the modules.

Trustee Horn said he informed Supervisor Randolph the bridge in Marine City was plugged so the Fire Department could clear the blockage during the flood.

Trustee Patsalis and the other members thanked the surrounding communities for their assistance during the flooding crisis last week.

ADJOURN – Trustee Simons, supported by Trustee Bober, moved to adjourn at 8:27 p.m. Carried.

John A. Randolph, Supervisor

Gary J. Arnold, Clerk

February 17, 2009