

**CHARTER TOWNSHIP OF HARRISON
REGULAR BOARD MEETING
JANUARY 28, 2008**

PRESENT: Anthony G. Forlini, Supervisor
Jan P. Jorgensen, CMC, Clerk
Darrin S. York, Treasurer
Sharon Eineman, Trustee
Robert I. Garvin, Trustee
Michael H. Rice, Trustee
James A. Ulinski, Trustee

ALSO PRESENT: Robert Huth, Township Attorney
Glenn Spencer, Finance Director
Vijay Parakh, Building Official
Dave Nummer, Township Engineer

BOARD FORUM

Board Members addressed individual resident concerns.

The meeting opened at 7:30 p.m. with the Pledge of Allegiance.

APPROVAL OF CONSENT AGENDA:

Motion by Mrs. Eineman, and seconded by Mr. Garvin to approve the Consent Agenda with a correction to the Minutes of 1/14/08 as discussed, and the removal of the following items to be placed in the Regular Agenda for discussion; Approval of the Bills in the Amount of \$944,475.52, Approval of the December, 2007 Revenue and Expenditures Report, and Approval to Execute the Engagement Letter from Stewart, Beauvais & Whipple PC to Perform Audit Services For the Year ended December 31, 2007 in the Amount of \$33,200.00. MOTION CARRIED.

APPROVAL OF THE REGULAR BOARD MEETING MINUTES OF 1/14/08

Motion by Mrs. Eineman, and seconded by Mr. Garvin to approve the Regular Board Meeting Minutes of 01/14/08 correcting the spelling of Selfridge and adding "Guard" on page 5 of 6, as discussed. MOTION CARRIED.

**APPROVAL OF THE KNIGHTS OF COLUMBUS ANNUAL TOOTSIE ROLL DRIVE
MARCH 14 – 16, 2008**

Motion by Mrs. Eineman, and seconded by Mr. Garvin to approve the Knights of Columbus Annual Tootsie Roll Drive in our Township on March 14, 15, and 16, 2008 as presented. MOTION CARRIED.

APPROVAL OF THE REGULAR AGENDA

Motion by Mr. York, and seconded by Mr. Garvin to approve the Regular Agenda with the addition of Consent Agenda Items; the Approval of the Bills in the Amount of \$944,475.52 as A.1, Approval of the December, 2007 Revenue and Expenditures Report as A.2, and Approval to Execute the Engagement Letter from Stewart, Beauvais & Whipple PC to Perform Audit Services For the Year ended December 31, 2007 in the Amount of \$33,200.00 as A.3. MOTION CARRIED.

SUPERVISOR/BOARD ANNOUNCEMENTS

The Supervisor announced that the Relay for Life event is scheduled for May 31, 2008 – June 1, 2008 and to refer to the Harrison Township's website to link to the Relay for Life website for additional information and to register your team. He also announced that on Tuesday, February 12, 2008 at 7:30 a.m. The Mackinac Center for Public Policy will speak to property rights at the River Rat Restaurant, 29370 S. River Rd. RSVP to Bruce Walker at 989-631-0900 by Friday, February 8, 2008. The Treasurer announced that Representative Brandenburg is supporting a Bill that will prohibit the Cable Companies forcing PEG stations to move to the 900 stations. He also stated that there are less than 200 discounted Annual Metropark stickers available at the Township. Trustee Ulinski stated that the Township Attorney is of the opinion that the Township can opt out of the County SMART program and will be bringing forth the Attorney's written opinion so that the board can prepare for a ballot question in 08 to opt out of the SMART program.

Motion by Mr. Garvin, and seconded by Mr. Ulinski to Receive and File the Supervisor and Board Announcements as presented. MOTION CARRIED.

APPROVAL OF THE BILLS IN THE AMOUNT OF \$944,475.52

Mr. Ulinski requested that the check to Michigan Marine Salvage in the amount of \$6,000.00 for work done on the Murdock Ballard Drain, between Moran/Riviera Streets not be approved for payment at this time, to make sure that the stop work order issue from the Public Works Department has been resolved and that the work is completed.

Motion by Mr. Ulinski, and seconded by Mr. Rice to approve the Bills in the Amount of \$938,475.52.

**Roll Call: Ayes: Ulinski, Rice, Eineman, Garvin, York, Jorgensen, Forlini
 Nays: None
 Excused: None
 MOTION CARRIED.**

APPROVAL OF THE DECEMBER, 2007 REVENUE AND EXPENDITURES REPORT

At the request of a resident the Finance Director went over the revenues and expenditures report relative to the reporting of the property purchase in Y2007.

Motion by Mr. Ulinski, and seconded by Mrs. Jorgensen to approve the December, 2007 Revenue and Expenditure Report as presented. MOTION CARRIED.

APPROVAL TO EXECUTE THE ENGAGEMENT LETTER FROM STEWART, BEAUVAIS & WHIPPLE PC TO PERFORM AUDIT SERVICES FOR THE YEAR ENDED DECEMBER 31, 2007 IN THE AMOUNT OF \$33,200.00

At the request of a resident the Clerk confirmed the cost of \$33,200.00 for this years audit services is correct and is in accordance with the terms of the Board approved and executed three year contract.

Motion by Mrs. Jorgensen, and seconded by Mr. Garvin to approve to enter into an agreement with Stewart, Beauvais & Whipple PC to perform audit services for the year ended December 31, 2007 in the amount of \$33,200.00 as presented. MOTION CARRIED.

COMMITTEE UPDATE

ENVIRONMENTAL COMMITTEE'S REQUESTS FOR FUNDING FOR DRAIN MARKER PROJECT AND TO ALTER THE EXISTING MEMBERSHIP STRUCTURE OF ENVIRONMENTAL COMMITTEE

The Environmental Advisory Committee requests the funding necessary to install drain markers throughout the Township. The Water and Sewer Superintendent has surveyed the drains and a minimum of 719 markers would be necessary. The Committee suggests that the purchase and installation of markers be carried out in two phases. The initial purchase would be a "starter kit" in the amount of \$300.00 which includes 100 markers, adhesive for placement, a wire brush and door hangers explain the project to nearby residents. The second phase of the project will be to complete the purchase of an additional 650 markers, in the amount of \$2,135.00, which also includes the cost of adhesive and additional door hangers and 4 wire brushes. The Committee will return at a future board meeting with an update on the first phase, and to request funding for the second phase. The installation process will be primarily a volunteer-assisted project. The purchase would be made from DAS Manufacturing Incorporated. As this expense was not a budgeted expenditure in Y2008, a budget amendment is necessary. A resident comment was heard.

Motion by Mr. Garvin, seconded by Mr. Rice to approve the purchase of the starter kit in the amount of \$300.00 from DAS Manufacturing Incorporated for the Environmental Committee's Drain Marker Project as presented, and to amend the budget as follows:

Increase Expense	Acct# 101-999.000-884.000
Environmental Committee	\$300.00

Decrease Expense	Acct#101-999.000-956.000
Contingency	\$300.00

MOTION CARRIED.

The Environmental Advisory Committee recommends a change to the committee membership

structure by removing the requirement, as set forth by the Board of Trustees on January 9, 2006, that a ZBA Member and a Planning Commission Member serve as committee members, and instead that those two positions become resident positions, appointed by the Board of Trustees. The purpose of the recommendation is to allow for more resident participation and to help ensure a quorum at each meeting. The Board offered to increase the committee membership to nine members from seven members, allowing for six resident positions instead of four, and maintaining representation of the ZBA, Planning Commission, and Board of Trustees on the committee. A resident comment was heard.

Motion by Mrs. Eineman, and seconded by Mr. York to approve to increase the committee membership from seven (7) members to nine (9) members, maintaining the requirement set forth by the Board of Trustees that requires that one (1) ZBA Member, one (1) Planning Commission Member, and one (1) Board of Trustee serve as committee members on the Environmental Advisory Committee, and increase the positions held by residents of Harrison Township from four (4) to six (6) positions, appointed by the Board of Trustees. MOTION CARRIED.

BUILDING DEPARTMENT

AWARD CONTRACT FOR ZONING ORDINANCE REWRITE

At regular board meeting of 11/26/07, the Board of Trustees directed the Building Official to solicit quotes for rewriting the zoning ordinances and bring back to the Board for consideration at a future board meeting. Eight firms were contacted and four of the eight submitted quotes. Of the four firms whom submitted quotes, two firms write ordinances, Community Planning & Management \$21,500 and Vilican –Leman & Associates, Inc \$26,890.00. General Code and Municipal Code Corporation also submitted their quotes, and their companies republish and check validity of ordinances and legality of zoning enabling act only. These two companies do not rewrite ordinances, they codify. Two additional quotes were received and some Board Members suggested that this item be Tabled to the next regular board meeting for consideration the of late quotes. As this expense was not a budgeted expenditure in Y2008, a budget amendment is necessary. Residents' comments were heard.

Motion by Mr. Garvin, and seconded by Mr. Rice to award to Community Planning & Management PC the contract to rewrite the zoning ordinances pursuant to the proposal as presented in the amount of \$21,500.00, with an agreement from Community Planning & Management PC to discount the price by \$5,000.00 if the cause is Community Planning & Management PC that the Rewrite is not completed in October of 2008, and to amend the budget to expend the funds as follows:

Increase Expense	Acct# 101-801.000-900.002
Zoning Ordinance Update	\$21,500.00

Decrease Expense	Acct#101-999.000-956.000
Contingency	\$21,500.00

Roll Call: Ayes: Garvin, Rice, Jorgensen, Forlini
Nays: Eineman, Ulinski, York
Excused: None
MOTION CARRIED.

INTRODUCTION OF ORDINANCE TO AMEND CHAPTER 34 ENVIRONMENT, ARTICLE IV. VEGETATION TO MAKE MINOR CHANGES FOR LANGUAGE CLARIFICATION ONLY

INTRODUCTION

**CHARTER TOWNSHIP OF HARRISON
MACOMB COUNTY, MICHIGAN**

AN ORDINANCE amending the Charter Township of Harrison Code of Ordinances, Chapter 34, Article IV Vegetation, Section 34-103 and Section 34-105 to make minor changes for language clarification only.

IT IS HEREBY ORDAINED BY THE CHARTER TOWNSHIP OF HARRISON:

Chapter 34, Article IV, Vegetation, Section 34-103 and Section 34-105 of the Code of Ordinances, Charter Township of Harrison, Michigan is hereby amended to read as follows:

ARTICLE IV. VEGETATION*

***State law references:** Weed control, MCL 247.61 et seq.

Sec. 34-101. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Noxious weeds means Canada thistle, dodders, mustard, wild carrot, bind weed, perennial sowthistle, hoary alyssum, ragweed, poison ivy, poison sumac, and any other weeds which may create a condition detrimental to the public health, safety and welfare.

(Comp. Ords. 1988, § 35.101)

Cross references: Definitions generally, § 1-2.

Sec. 34-102. Allowing growth of weeds; unlawful.

It shall be unlawful for the owner and occupant of any lot or lands, either public or private, within the township to allow or maintain on any portion of such lot or lands the growth of any noxious weeds.

(Comp. Ords. 1988, § 35.102)

Sec. 34-103. Limit on height, distance from building; shrubs, brush.

It shall be unlawful for the owner or occupant of any lot or lands, either public or private, within the township to allow or permit grass or weeds of any kind to grow upon any such lot or lands to a height of more than 12 inches from the ground or within a distance of 80 feet from any existing building on the property of another **or from the property line**. It shall be unlawful to permit the growth of shrubs, wild bushes or brush on any property in the township to a height or density which might constitute a traffic or fire hazard. The obligation of the owner or occupant of any property in the township **is** to cut down, remove or destroy any grass, weeds, shrubs, bushes or brush **that** shall extend to the center of the road fronting on the property of such owner or occupant. (Comp. Ords. 1988, § 35.103)

Cross references: Buildings and building regulations, ch. 18.

Sec. 34-104. Violation; fine.

No person who receives an official notice to cut down, remove or destroy any grass, weeds, shrubs, bushes or brush shall neglect, refuse or otherwise fail to obey such order. (Comp. Ords. 1988, § 35.104)

Sec. 34-105. Removal by township.

(a) Whenever it appears to the ordinance enforcement officer, the township supervisor or the person appointed by the township board as weed commissioner, either by a written complaint signed by a resident of the township or upon their own knowledge and belief, that there exists on any lot or lands situated in the township grass, noxious weeds, weeds of any kind, or in any combination, which have grown to a height of more than 12 inches from the ground, the ordinance enforcement officer or any person so appointed by the township board shall possess the authority to enter upon any premises in the township in order to cut or otherwise remove any such grass or weeds exceeding 12 inches in height.

(b) Where grass and/or weeds are cut or removed by the township in the manner set forth in subsection (a) of this section, the charges per lot sizes shall be review each year by the board of trustees to determine the amount to be charged to the landowner, such charges to be assessed pursuant to section 34-106. The amount shall be charged to the landowner as set forth in section 34-106. Performance of such work by the township under this section shall not relieve the owner or occupant of the prosecution or penalties prescribed in section 34-104.

(c) A written notice shall be sent to all vacant lots or lands by the 15th of April each year and also noticed in the newspaper. When grass or noxious weeds are sought to be removed by the township, prior to entry upon the premises by the township, written notice shall be posted on the premises or sent by mail. **If sent by mail, This notice shall be mailed to the lot or property in question and also to the owner at the address listed on the township tax rolls.** This notice shall include a demand to remove or destroy the noxious weeds or grass present on the property within five days after receipt of the notice and that failure to perform such work in that time stated shall result in entry upon the premises by the ordinance enforcement officer or other persons so appointed by the township board to perform the work, charging the cost plus administrative costs to the landowner. These charges are to be assessed pursuant to section 34-106.

(Comp. Ords. 1988, § 35.106; Ord. No. 351, § I, 3-12-2006)

Sec. 34-106. Collection of expenses.

The full amount of any charges assessed pursuant to section 34-105, with respect to each lot or parcel of land upon which grass or noxious weeds have been cut or removed pursuant to this article, shall be a special assessment to be spread against such land and property to be assessed, levied and collected at the same time and in the same manner for nonpayment.

(Comp. Ords. 1988, § 35.107)

Motion by Mr. York and seconded by Mr. Ulinski to maintain the current fee for weed cutting services for this year and to amend the Charter Township of Harrison’s Code of Ordinances, Charter 34, Environment, Article IV, Vegetation, Section 34-103 and Section 34-105 to make minor changes for language clarification only, and to publish for the first time with the intent to adopt at the next regular board meeting at the Charter Township of Harrison.

**Roll Call: Ayes: York, Ulinski, Eineman, Garvin, Rice, Jorgensen, Forlini
Nays: None
Excused: None
MOTION CARRIED.**

INTRODUCTION OF ORDINANCE TO AMEND CHAPTER 42 FLOODS, ARTICLE II FLOOD PREVENTION, SECTION 42-38 COASTAL BASE FLOOD ELEVATION AND CHAPTER 94 WATERWAYS, ARTICLE III WATERFRONT CONSTRUCTION, SECTION 94-74 SEAWALLS TO CHANGE THE BASE FLOOD ELEVATION REQUIREMENT

INTRODUCTION

**CHARTER TOWNSHIP OF HARRISON
MACOMB COUNTY, MICHIGAN**

AN ORDINANCE amending the Charter Township of Harrison Code of Ordinances, Chapter 42 Floods, Article II, Section 42-38, by providing for the adoption of new Coastal Base Flood Elevation and Chapter 94, Waterways, Article III, Section 94-74, by providing for the adoption of new seawalls to change the base flood elevation requirement.

IT IS HEREBY ORDAINED BY THE CHARTER TOWNSHIP OF HARRISON:

Chapter 42, Floods, Article II, Section 42-38 of the Code of Ordinances, Charter Township of Harrison, Michigan is hereby amended to read as follows:

Sec. 42-38. Coastal base flood elevation.

The base flood elevation in coastal special flood hazard areas shall be ~~580.00~~ 580.2 NGVD and comply with part 323 of the Natural Resources and Environmental Protection Act (MCL 323.32301 et seq.).

(Comp. Ords. 1988, § 25.553(C))

IT IS HEREBY ORDAINED BY THE CHARTER TOWNSHIP OF HARRISON:

Chapter 94, Waterways, Article III Waterfront Construction, Section 94-74 Seawalls, of the Code of Ordinances, Charter Township of Harrison, Michigan is hereby amended to read as follows:

Sec. 94-74. Seawalls.

Seawall construction shall be in accordance with the following requirements:

(1) Top elevation shall be a minimum of ~~580.0~~ **580.2** USGS. (This is 0.4 feet above projected high water.)

(2) Construction shall be a minimum of two-inch tongue-and-groove pressure-treated wood, steel, minimum three-sixteenths inch concrete or other similar material. The wall shall be complete with waler, capping, tiebacks, three-fourths inch diameter, and deadman which shall be sufficient to maintain the wall on proper line after backfilling. All wood shall be pressure-treated.

(3) All walls shall have approximately 40 percent of the length of the sheet piling in the ground to provide stability and proper toe-in. Sheet piling in canals should be of sufficient length so that canals could be excavated to elevation 569.0. ~~This will leave 11.0 feet from 569.0 to 580.0.~~ **580.2** ~~Based on 40 percent, there would be four feet in the ground.~~ This is a minimum; and any wall other than a simple bulkhead in a canal shall be designed to take into account weight or backfill, any surcharge due to parking, buildings, etc. This minimum is based on average ground conditions, and specific design should be required for any unusual conditions.

(Comp. Ords. 1988, § 22.743)

Motion by Mr. Garvin, and seconded by Mr. York to amend the Charter Township of Harrison Code of Ordinances, Chapter 42 Floods, Article II, Section 42-38, by providing for the adoption of new Coastal Base Flood Elevation and Chapter 94, Waterways, Article III, Section 94-74, by providing for the adoption of a new Coastal Base Flood Elevation for new seawalls and to publish for the first time with the intent to adopt at the next regular board meeting at the Charter Township of Harrison.

**Roll Call: Ayes: Garvin, York, Eineman, Rice, Ulinski, Jorgensen, Forlini
 Nays: None
 Excused: None
 MOTION CARRIED.**

INTRODUCTION OF ORDINANCE TO AMEND ARTICLE 9 OF SECTION 9.00A OF THE CHAPTER TOWNSHIP CODE OF ORDINANCES BY PROVIDING FOR THE ADOPTION OF NEW REGULATIONS REGARDING ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS

INTRODUCTION

**CHARTER TOWNSHIP OF HARRISON
MACOMB, MICHIGAN**

AN ORDINANCE TO AMEND ZONING ORDINANCE, ARTICLE 9 OF SECTION 9.00A. OF THE CHARTER TOWNSHIP CODE OF ORDINANCES BY PROVIDING FOR THE ADOPTION OF NEW REGULATIONS REGARDING ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS.

IT IS HEREBY ORDAINED BY THE CHARTER TOWNSHIP OF HARRISON:

Section 1. Section 9.00A. shall be deleted in its entirety and is hereby replaced with the following:

Section 9.00. Provisions applicable to residential districts.

A. Accessory buildings in the **Residential Districts** shall be subject to the following regulations:

1. Accessory buildings in the **Mobile Home Park District** shall be limited and regulated as provided in **Section 9.30**. **Multiple-Family Residential** accessory buildings are regulated the same as principal buildings, as provided in **Section 9.40**.
2. Where an accessory building is structurally attached to a main building, it shall conform to all regulations of this **Ordinance** applicable to the main building.
3. All accessory farm structures for uses other than those usually incidental to the dwelling shall be located not less than **one hundred (100')** feet from any dwelling or front property line and not less than **twenty-five (25')** feet from any side or rear lot line or property boundary.
4. **Detached** accessory buildings shall not exceed **sixteen (16')** feet in height.
5. **The height of any garage door or access opening shall not exceed ten (10') feet in height.**
6. **A maximum of two (2) detached accessory buildings shall be permitted per site.**
7. **Detached accessory buildings shall not occupy more than twenty-five (25%) percent of a required rear yard.**
8. **Detached accessory buildings shall not occupy more than forty (40%) percent of any non-required rear yard.**
9. **Prior to approval of detached accessory buildings, the applicant shall demonstrate compliance with maximum lot coverage and maximum impervious surface allowances of the applicable zoning district.**

10. The total floor area of all accessory buildings, including attached garages, shall not

exceed two-thirds (2/3) of the floor area of the principal dwelling (as defined in Section 17.01. Floor area, residential).

11. A detached accessory building incidental to the dwelling shall be located only in a rear yard, except as provided in Section 3.33.

12. When a detached accessory building or structure is located on a corner lot, the building or structure shall meet the front yard setback on all street frontages.

13. No detached accessory structure shall be located closer than ten (10') feet to any main building.

Exception: Open type structures, such as pergolas, gazebos, in-ground swimming pools and similar non-storage type structures, having a total wall area at least sixty (60%) percent open and not structurally connected to the main building.

14. No accessory building shall be located closer than two (2') feet to any side or rear lot line. In no instance shall an accessory building be located within a dedicated easement.

With respect to this Section, those premises abutting a lake, river or canal shall maintain a yard setback opposite the street of at least thirty (30') feet, anything in this Ordinance to the contrary notwithstanding.

15. No accessory building shall be constructed prior to the enclosure of the main building.

16. An accessory building, irrespective of location, shall be incidental to the principal permitted use and shall not involve any business, profession, trade or occupation. Accessory buildings intended for other than the storage of private motor vehicles and covered boat wells shall be subject to Zoning Board of Appeals review.

17. Accessory buildings shall not be of a metal clad pole barn or similar type structure.

18. The applicant shall submit recordable deed restrictions which prohibit use of the accessory buildings for business purposes or as residential dwellings.

19. Covered boat wells shall count towards the number of detached accessory structures permitted.

Exception: Covered boat wells shall not count towards the maximum allowable square footage permitted under this section. Portions of boat wells built over land shall be included in the maximum allowable square foot calculations as required in Section 3.33.

If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent portion of this Ordinance, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 3. REPEAL

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 4. EFFECTIVE DATE

This Ordinance shall be effective thirty (30) days from the date of publication hereof.

Motion by Mr. Garvin, and seconded by Mr. York to amend the Charter Township of Harrison, Chapter Zoning Ordinance, Article 9, Section 9.00 (A) Relating to Accessory Buildings in Residential Districts by providing for the adoption of new regulations regarding accessory buildings in residential districts and to publish for the first time with the intent to adopt at the next regular board meeting at the Charter Township of Harrison.

**Roll Call: Ayes: Garvin, York, Eineman, Rice, Ulinski, Jorgensen, Forlini
Nays: None
Excused: None
MOTION CARRIED.**

INTRODUCTION OF ORDINANCE TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE AS PART OF THE PROPERTY MAINTENANCE CODE OF THE CHARTER TOWNSHIP OF HARRISON

INTRODUCTION

**CHARTER TOWNSHIP OF HARRISON
MACOMB COUNTY, MICHIGAN**

AN ORDINANCE TO AMEND CHAPTER 18, BUILDING AND BUILDING REGULATIONS, OF THE CHARTER TOWNSHIP OF HARRISON CODE OF ORDINANCES BY AMENDING ARTICLE I, IN GENERAL, SECTION 18-1 TO INCLUDE THE ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE BY REFERENCE.

IT IS HEREBY ORDAINED BY THE CHARTER TOWNSHIP OF HARRISON:

Section 18-1 (a) Adoption of the Property Maintenance Code

The International Property Maintenance Code, 2003 edition, as published by the International Code Council, be and is hereby adopted by reference as the Property Maintenance Code of the Charter Township of Harrison, in the State of Michigan for regulating and governing

the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Charter Township of Harrison are hereby referred to, adopted, and made a part hereof, as if fully set out in this, with the additions, insertions, deletions and changes, if any, prescribed in Article I of this ordinance.

<p style="text-align: center;">Publication Summary of Property Maintenance Code</p>
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The Charter Township of Harrison adopted the Property Maintenance Code (the "Code"), which will be effective ten (10) days from this publication. The code is based upon the International Property Maintenance Code published by the International Code Council, Inc. A copy of the entire code may be viewed at the Harrison Township Building Department. Violations of the code are a municipal civil infraction punishable by a fine of up to \$500 plus costs. The following is a brief summary of the provisions of the Code.

The Code:

- Provides standards for the maintenance of property, structures and equipment located in the city.
- Provides notice to owners, occupants or other responsible parties of violations and requirements to correct violations.
- Provides for the appointments and outlines the duties and responsibilities of the enforcement official (city building inspector).
- Authorizes the closing of structures that are not fit for occupancy, the posting of notice of closing and prohibits occupancy of such structures.
- Authorizes the building inspector to take emergency action when there is a dangerous condition.
- Upon notice by the building inspector, requires owners or persons in control of unsafe or unsanitary structures to repair or remove the structure; allows the city to remove such structure in the event that the owner or person in control fails to do so; and authorizes the city to place a lien upon the property to recover the costs of demolition.
- Designates a board of appeals and provides the procedure for an appeal of a decision or order of the building inspector.
- Requires owners of property to maintain the exterior of such property:
 - in a safe, sanitary and clean condition.
 - graded to prevent erosion or accumulation of water.
 - by keeping sidewalks in good repair.
 - free of weeds or plant growth over 10 inches in height.
 - by preventing discharge of smoke, odor or gases to adjacent properties.
 - in good repair, including exterior surfaces and structures.
 - by limiting or prohibiting unregistered vehicles.

- by prohibiting outside storage of vehicles in disrepair.
 - by requiring the display of house numbers.
 - by maintaining windows and doors in good repair and operable condition.
- Requires owners to maintain the interior of structures, including interior surfaces and structural members.
- Requires owners and occupants to keep exteriors and interiors neat and clean, free of accumulation of garbage or rubbish, except in approved containers.
- Requires owners and occupants to keep property free of rodents.
- Requires adequate interior and exterior lighting by windows and/or artificial lighting.
- Requires adequate ventilation by windows or mechanical exhaust systems.
- Provides for minimum dimensions of rooms in dwellings and lodging units, egress from bedrooms, accessibility to bathrooms and provides for maximum numbers of occupants in a dwelling unit.
- Requires owners to provide and maintain adequate plumbing, including required bathroom and drinking facilities for dwellings and lodging units.
- Requires adequate sanitary water supply system for all plumbing fixtures and specifies location and operation of water heaters.
- Requires all plumbing fixtures to be connected to public sanitary sewer or other approved private sewer system.
- Prohibits storm drainage that creates a public nuisance.
- Requires owners to install adequate mechanical facilities and maintain the facilities in good working order, including:
 - heating facilities in dwellings and indoor workspaces.
 - fireplaces and stoves.
 - cooking facilities.
- Requires owners to maintain electrical systems in compliance with the specifications of the code and the state electrical code, free of hazards and requires laundry and bathroom receptacles to be grounded.
- Requires elevators and escalators to be properly maintained.
- Requires owners to be responsible for fire safety by:
 - providing and maintaining unobstructed and adequate means of exit from any building.
 - providing and maintaining barriers to resist movement of smoke in certain circumstances.
 - providing and maintaining handrails for stairs with more than four steps and on porches or decks of greater than 30 inches above adjoining grade.
 - providing and maintaining proper signage of floor numbers and exits for certain buildings.
 - providing and maintaining an emergency exit from sleeping rooms.
 - prohibiting storage of combustibles, explosive or hazardous materials except in accordance with fire codes.
 - installing and maintaining fire doors and fire resistant materials as required.
 - installing and maintaining required fire suppression systems.

- o installing and maintaining smoke detectors in sleeping areas in residences and group homes.

Motion by Mr. Garvin, and seconded by Mr. Ulinski to Introduce the International Property Maintenance Code as part of the Michigan Building and Residential Code, the 2003 Michigan Building Code, by amending Article I, In General, Section 18- 1 to include the adoption of the International Property Maintenance Code by reference and to publish for the first time The Publication Summary of the Harrison Township Property Maintenance Code, with the intent to adopt at the next regular board meeting at the Charter Township of Harrison.

**Roll Call: Ayes: Garvin, Ulinski, Rice, York, Jorgensen, Forlini
 Nays: Eineman
 Excused: None
 MOTION CARRIED.**

CLERK'S OFFICE

COUNTY REQUEST TO ABANDON A PORTION OF S. RIVER ROAD AND CERTAIN ALLEYS PC 151/604, HARRISON TOWNSHIP, MACOMB COUNTY, MICHIGAN

Per a request from the Macomb County Road Commission, the Township has been asked to express their opinion regarding the abandonment of a portion of S. River Road and certain alleys in Private Claim 151 and 604, located between streets Clearview and Chart, and south of S. River Road. The Water & Sewer Department and the Assessor's Office have reviewed the abandonment request and offer no objections. The abandonment process is governed by law, and the authority to grant the abandonment is with the County. Seeking comments, objections, and/or no objections regarding the abandonment of a piece of property, from the local municipality, are part of the abandonment process. Residents abutting the property to be abandon have been noticed by mail from the Clerk's Office with regard to the proposed abandonment of the mentioned properties as well as noticed of tonight's meeting to share their comments or concerns. Mr. Greg Buss, Attorney representing petitioner was present and informed the Board that the petitioners intentions are to deed back to the adjoining property owners one half of the abandoned alley. A resident comment was heard.

Motion by Mrs. Eineman, and seconded by Mr. Garvin to support the Macomb County Road Commission and go on record with no objections to the abandonment of a portion of S. River Road and Certain Alleys in Private Claim 151 and Private Claim 604, as platted in Harrison Township, Macomb County, Michigan, as presented, with the understanding that the petitioner shall deed back to the adjoining property owners one half of the abandoned alley(s) as discussed. MOTION CARRIED.

TREASURER'S OFFICE

APPROVAL TO COLLECT SUMMER TAXES FOR L'ANSE CREUSE PUBLIC SCHOOLS AND MICHIGAN INTERMEDIATE SCHOOL DISTRICT (MISD)

Motion by Mr. Garvin, and seconded by Mr. Rice to approve to enter into an agreement with

L'Anse Creuse Public Schools and Michigan Intermediate School District for the collection of 2008 Summer School taxes at a cost per parcel of \$1.47. MOTION CARRIED.

SUPERVISOR'S OFFICE

APPROVAL TO PURCHASE ADVERTISEMENT SPACE UP TO \$2,000 FOR HARRISON TWP IN "MACOMB COUNTY MAGAZINE"

Presented for the Board's consideration is an offer from Macomb County to purchase advertisement space for Harrison Township in a "Macomb County Magazine". The magazine will be distributed by county officials. Costs for advertisement space range from custom 80 word paragraph for \$200.00, plus one picture for \$400.00, or a half a page for \$1,350.00, to a full page full color ad including design for \$2,000.00. The recommendation is for a custom 80 word paragraph plus 1 photo for \$400.00. Commitments to the magazine must be received by February 1, 2008. Funding for this item is available through line item 101-999.000-902.000 Printing/Booklets, etc. The Board had a lengthy discussion whether or not to purchase advertising for Harrison Township in the new publication for various reasons, such as costs and because each Macomb County community will be featured in the magazine, some board members questioned why advertise. A resident comment was heard.

Motion by Mr. York, and seconded by Mrs. Jorgensen to purchase advertisement space in the amount of \$400.00 for a custom 80 word paragraph plus one picture for Harrison Township in the Macomb County Magazine as recommended by the Supervisor's Office.

**Roll Call: Ayes: York, Jorgensen, Forlini
 Nays: Eineman, Garvin, Rice, Ulinski
 Excused: None
 MOTION FAILED.**

APPROVAL FOR COMMUNITY PLANNING & MANAGEMENT TO DESIGN A LANDSCAPE PLAN FOR THE NEW BRIDGEVIEW BRIDGE IN THE AMOUNT OF \$1,000

The Road Commission is looking to incorporate landscaping into the reconstruction of the Bridgeview Bridge project and is looking for a landscape plan from the Township, which may be an opportunity to beautify a main thoroughfare in our community to enhance the aesthetic appeal of the Township. It was suggested that Community Planning & Management conduct this work at a cost not to exceed \$1,000.00. It is also suggested that the Beautification Commission have the opportunity to review the plan before submittal to the Road Commission. The Board discussed other options to obtaining a landscape plan vs. paying for it. Because some Board Members were opposed to spending township dollars for the plan, they called for all board members to make a financial donation to cover the cost of the plan as well as any one else interested in donating. Mrs. Eineman asked that donors contact her or the Clerk's Office with their pledges. It was suggested that Community Planning & Management be asked to donate their services for a landscape plan, as well as the Township to contact Representative Miller for a financial donation from her campaign funds for a landscape plan. Residents' comments were heard.

Motion by Mr. Rice, and seconded by Mr. York to approve for Community Planning & Management to prepare a landscape plan into the reconstruction of the Bridgeview Bridge project not to exceed \$1,000.00 as presented.

**Roll Call: Ayes: Rice, York, Eineman, Jorgensen, Forlini
 Nays: Garvin, Ulinski
 Excused: None
 MOTION CARRIED.**

TRUSTEE'S REQUEST

RESOLUTION ESTABLISHING A MORATORIUM TO SELL THE 155 ACRE PARKWAY PARCEL FOR NINETY NINE YEARS

Mr. Garvin requests that the Board consider establishing a moratorium to sell the 155 acre Parkway Parcel for ninety nine years, because he is concerned when he heard that there is interest to purchase a portion of the property to build a water park hotel. He stated that he is interested in saving the property as is. The Township was called upon regarding the legality of placing a moratorium to sell the parcel, and the Township Attorney stated that a vote may cause a moratorium to be in affect, and a vote can remove it. Board Members offered comments to their position in placing, or not placing a moratorium to sell the property. A discussion was had regarding carbon credits and that the 155 acre parcel was to small to benefit from this program. Residents' comments were heard.

Motion by Mr. Garvin, and seconded by Mrs. Eineman to establish a moratorium to sell the 155 Acre Parkway Parcel for ninety-nine years.

**Roll Call: Ayes: Garvin, Eineman
 Nays: Rice, Ulinski, York, Jorgensen, Forlini
 Excused: None
 MOTION FAILED.**

PUBLIC COMMENTS

1. Bill Servial, resident spoke in support of not establishing a moratorium to see the 155 acre parkway parcel, and scolded board members for attempting to accuse a board member of wrong doing.
2. Rich Rapp, Jr., resident, spoke in favor of establishing a moratorium to sell the 155 acre parkway parcel.
3. Jeff Ulbrich, resident, requested that the board address the behavior of a resident committee member that he alleges is misusing his authority.
4. Jim Senstock, resident, requests that the Board bring back discussion on a Superintendent form of government before May, stated that he was of the understanding that a new law was presented that would protect Selfridge Air National Guard Base from becoming a joint use airport and urged the Board to follow-up with our U.S. Representative to support it, and asked the Board to

follow-up to ensure that the 2007 health care benefit payments, for the full time elected officials were repaid to the Township in full.

BOARD COMMENTS

1. Mr. Rice, no board comments were offered.
2. Mr. Ulinski spoke to the 155 acre Parkway Parcel, and to the federal grants submitted to build hike bike paths in the Township, and that he will be bringing to the next regular board meeting a Resolution regarding PA 345 for the Board's consideration.
3. Mrs. Eineman spoke to the 155 acre Parkway Parcel and that she is not in support of selling any portion of the proerty.
4. Mr. York stated it is the political season, and spoke to his position regarding the selling of the 155 acre Parkway Parcel.
5. Mr. Forlini thanked U.S. Representative Miller for her support on environmental issues, regarding phosphates.
6. Mrs. Jorgensen, no board comments were offered.
7. Mr. Garvin requested a Closed Session Special Meeting for the purpose of receiving an update from the Fishman Group on the 1103 Union negotiations. He also spoke to the 155 acres and to his position to not sell any part of the property.

ADJOURNMENT

Motion by Mr. Garvin, and seconded by Mrs. Eineman to adjourn. Meeting was announced adjourned at 11:45 p.m. MOTION CARRIED.

Prepared and Submitted by,

Approved by,

**Jan P. Jorgensen, Clerk, CMC
Charter Township of Harrison**

**Anthony G. Forlini, Supervisor
Charter Township of Harrison**