

REGULAR MEETING
July 9, 2019

PERE MARQUETTE CHARTER TOWNSHIP BOARD
held at 1699 S. Pere Marquette Highway, Ludington MI 49431

Board members present: Supervisor Paul Keson; Clerk Rachelle Enbody; Treasurer Jacalyn Sroka;
Trustees: Paul Piper, Andrew Kmetz and Henry Rasmussen.
Board member absent: Trustee James Nordlund Sr.
Also present: Devon Hall, Jerry Bleau, Andy Larr, Kelly Smith, and fourteen guests.

The meeting was called to order at 6:30 p.m. by the Supervisor. Invocation was given by Smith; Pledge of Allegiance was recited by all. The minutes from the regular meeting on June 11, 2019 and the current agenda were approved by consent.

PUBLIC COMMENT: Nine residents voiced concerns over a section of proposed Ordinance No. 144, *Section 3.34 Requirements for all single-family dwellings*, and requested additional review of this section.

One resident spoke requesting the township enact a regulatory fireworks ordinance.

NEW BUSINESS: A. **First Reading of Proposed Ordinance No. 143** – Board members conducted the first reading of proposed Ordinance No. 143, an ordinance to re-affirm and re-establish the Planning Commission with zoning authority. Building and Zoning administrator Jerry Bleau explained that the ordinance establishes the structure and guidelines for the Planning Commission. The ordinance previously existed as a part of the zoning ordinance and was separated into its own chapter so that it could be more easily amended as needed as laws change.

Moved by Piper, seconded by Sroka to accept the first reading of proposed Ordinance No. 143, an ordinance to re-affirm and re-establish the Planning Commission for Pere Marquette Charter Township by adding Chapter 108, Planning Commission, to the Pere Marquette Charter Township Code of Ordinances in accordance with the requirements of the Michigan Planning Enabling Act, being Act 33 of 2008 as amended and to schedule the second reading and consideration of adoption for August 13, 2019.

Motion carried.

B. **First Reading of Proposed Ordinance No. 144** – Board members conducted the first reading of proposed Ordinance No. 144, an ordinance to repeal and replace the current Zoning Ordinance. A joint meeting was held with the Planning Commission and Township Board on May 21, 2019 to review both the proposed text and proposed zoning map. Bleau explained that the Planning Commission has spent the past seventeen months reviewing and revising the zoning ordinance. Public Hearings were held in the months of June and July for the purpose of receiving public comments on the proposed text. Bleau addressed the comments made by residents during the public comment portion of the meeting and stated that the zoning ordinance is designed for everyone in the township and is not the tool for controlling the aesthetic compatibility of proposed dwellings in the township. This type of control is more appropriately used by implementing deed restrictions or association by-laws. Bleau presented board members with correspondence from the township attorney recommending that the section of the proposed ordinance regarding requirements for single family dwellings either be removed or that it be reviewed and revised with greater detail if the township board determines that it would like to keep the requirements. Board members agreed that *Section 3.34 Requirements for all Single-Family Dwellings* should be referred back to the Planning Commission for review.

Moved by Keson, seconded by Piper to accept the first reading of proposed Ordinance No. 144, an Ordinance to repeal Chapter 109, Zoning, of the Pere Marquette Charter Township Code of Ordinances, as amended and to adopt the restated Chapter 109, Zoning, prepared in accordance with the requirements of the Michigan Zoning Enabling Act, being Act 110 of 2006 as amended, to refer *Section 3.34 Requirements for all Single-Family Dwellings* to the Planning Commission for review, and to schedule the second reading and consideration of adoption for August 13, 2019.

Motion carried.

C. **Resolution to Adopt the Building and Zoning Fee Schedule** – Bleau explained that during the process of reviewing the zoning ordinance, the fee schedule was also reviewed. Bleau researched fee schedules around the state and used the information to modify the current schedule in order to create a structure and schedule that will be easier to administer. He is recommending the updated fee schedule for approval.

The following **Resolution** was offered by Piper and supported by Sroka:

WHEREAS, the Pere Marquette Charter Township has adopted a Land Development Code chapter 104 – Buildings and Building Regulations: and

WHEREAS, it is stated in Section 104-20, the township board, from time to time by resolution, shall establish a schedule of fees for the permits, inspections, certificates and other acts and services of the township in its administration and enforcement of the state construction code.

NOW, THEREFORE, BE IT RESOLVED to rescind and repeal all previous schedules (adopted July 11, 2006, amended January 9, 2007 and amended June 11, 2013) and to adopt the said schedule of fees determined and established as follows:

Demolition

Residential Demo Permit: \$ 75.00

Commercial Demo Permit: \$100.00

All Demo permits will require a dump receipt for a final!

New Construction Residential

Base Fee (One per permit): \$ 100.00 Includes inspection(s) and a certificate of occupancy

<input type="checkbox"/> One & Two Family Dwellings (stick built)	Per Sq. Ft.	\$.40
<input type="checkbox"/> Townhouses (MRC)	Per Sq. Ft.	\$.35
<input type="checkbox"/> Manufactured and Pre Manufactured (BOCA or HUD) Single and Double wide	Per Sq. Ft.	\$.18
<input type="checkbox"/> Unfinished Basements	Add	\$50.00
<input type="checkbox"/> Finished Basements	Add	\$150.00
<input type="checkbox"/> Attached Garage or Accessory Building	Add	\$75.00
<input type="checkbox"/> Detached Garage, Accessory Buildings, Decks and Porches (Covered), Sunrooms, Attached Garage (after the fact)	Per Sq. Ft.	\$.15
<input type="checkbox"/> All other Utility and Miscellaneous Group U	Flat Fee	\$75.00
<input type="checkbox"/> Fences 7' and taller	Flat Fee	\$25.00
<input type="checkbox"/> Swimming Pools (above ground)	Flat Fee	\$50.00 No Base fee
<input type="checkbox"/> Swimming Pools (In ground)	Per Sq. Ft.	\$.10
<input type="checkbox"/> Foundation only	Flat Fee	\$50.00
<input type="checkbox"/> Plan review if required	Percent of entire permit	30 % of permit cost
<input type="checkbox"/> Additional Inspection	Per inspection/ Per Hr.	\$50.00
<input type="checkbox"/> Relocation of building	Per Sq. Ft.	\$.15
<input type="checkbox"/> Outdoor furnaces (must obtain permit from County for Mechanical)	Flat Fee	50.00

**Renovations, Alterations, Remodel
Commercial and Residential**

Base Fee (One per permit): \$ 100.00 Includes inspection(s) and a certificate of occupancy

<input type="checkbox"/> Reroof	Flat fee \$50.00; No Base Fee; Includes inspection(s)
<input type="checkbox"/> Replacement windows and doors	Flat Fee \$50.00; No Base Fee; Includes inspection(s)
<input type="checkbox"/> Siding, Soffit, Trim	Flat Fee \$50.00; No Base Fee; Includes inspection(s)
<input type="checkbox"/> Alteration Level 1- alterations include the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment or fixtures that serve the same purpose.	Base + \$50.00
<input type="checkbox"/> Alteration Level 2- alterations include the reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment.	Base + \$75.00
<input type="checkbox"/> Alteration Level 3- alterations apply where the work area exceeds 50 percent of the building area	Base + 100.00

Signs (Residential & Commercial)

Base Fee (One per permit): \$ 100.00 Includes inspection(s); Does not include an electrical permit—Mason County

<input type="checkbox"/> All Signs without a foundation	\$50.00 each
<input type="checkbox"/> Signs with a foundation	\$100.00
<input type="checkbox"/> Temporary signs exceeding 20 sq. ft.	\$50.00 each, No base fee

A sign must be installed within six months of the issuance of the permit.

New Construction Commercial and Industrial

Base Fee (One per permit): \$ 100.00 Includes inspection(s) and a certificate of occupancy

<input type="checkbox"/> All use groups	Value using Pere Marquette Township Table (page 5)	Cost of project multiply by .0035
<input type="checkbox"/> Relocation of building	Per Sq. Ft.	\$.20
<input type="checkbox"/> Towers and receiver antennas	Flat Fee + Base Fee	\$350.00 Per Tower \$25.00 Per Antenna
<input type="checkbox"/> Wind Energy Turbine	Value using Pere Marquette Township Table (page 5) - Use Group U	Cost of project multiply by .0055
<input type="checkbox"/> Fences 7' and taller	Flat Fee + Base	\$50.00
<input type="checkbox"/> Plan Review required for all Commercial Projects	Percentage	30% of permit cost
<input type="checkbox"/> Additional Inspections	Per inspection/ Per Hr.	\$50.00
<input type="checkbox"/> Construction Board of Appeals Meeting		\$300.00

Zoning Permit Fee Schedule

Banners, Pennants, Buntings, and Flag Permits:

A person shall not erect, install, remove, rehang or maintain over public property any banner, pennant, bunting or flag until an approved bond has been filed in such amount as may be determined by resolution of the Pere Marquette Charter Township Board from time to time, and or until an insurance policy shall have been filed for public liability in the amount per accident and an amount for property damage as may be determined by resolution of the Pere Marquette Charter Township Board from time to time.

For public liability and property damage;

The following bond shall be required:	\$500,000.00
The following insurance policy limits shall be required:	\$500,000.00
<input type="checkbox"/> Permit Fee:	\$100.00
<input type="checkbox"/> Zoning Compliance Permit	\$25.00
<input type="checkbox"/> Short Term rental inspection	\$50.00
<input type="checkbox"/> Temporary Uses or Structures	\$50.00
<input type="checkbox"/> Short Term Open Air Businesses Permit	Deposit: \$100.00 and Fee: \$50.00
<input type="checkbox"/> Accessory buildings under 200 sq. ft./ Farm buildings exempt from building permits	\$25.00
<input type="checkbox"/> Fences & Walls not requiring a bldg permit	\$25.00
<input checked="" type="checkbox"/> Site Plan Review (Planning Commission)	\$100.00
<input type="checkbox"/> Site Plan Review (Zoning Administrator)	\$50.00
<input type="checkbox"/> Access Easement review (Planning Commission)	\$100.00
<input type="checkbox"/> Conditional Use Permit Application and Public Hearing	\$500.00
<input type="checkbox"/> PUD Application/Rezone/Public Hearing	\$500.00
<input type="checkbox"/> PUD Escrow (Required)	\$1500.00
<input type="checkbox"/> Request for Rezoning / Change of Classification	\$400.00
<input type="checkbox"/> Request for Zoning Text Amendment	\$400.00
<input type="checkbox"/> Any Other Zoning Request	\$400.00
<input type="checkbox"/> Special Meeting (PC & ZBA) Any meeting that is not on the regular schedule.	Additional \$350.00

<input type="checkbox"/> Variance Request (ZBA)	\$400.00
<input type="checkbox"/> Ordinance Interpretation (ZBA)	\$300.00
<input type="checkbox"/> Review of Administrative Decision (ZBA)	\$300.00
<input type="checkbox"/> All Other Matters Per (ZBA)	\$300.00
<input type="checkbox"/> Land Division Application Fee	Per Division \$200.00
<input type="checkbox"/> Subdivision Application Fee	1-25 lots \$500.00
<input type="checkbox"/> Subdivision Application Fee	26 or more \$750.00

Late Applications: Double Fees. Any person who fails to obtain a permit and pay the required fee prior to the commencement of work shall pay a fee twice that as shall be prescribed by the provisions of this resolution for the issuance of said permit.

Pere Marquette Township Value Table
(This table is for the calculation of value based permit fees.)

USE GROUP	(2009 Michigan Building Code)	TYPE OF CONSTRUCTION									
		IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB	
A-1	Assembly, theaters, with or without stage	176.44	169.93	165.20	157.56	146.98	142.20	151.76	132.98	127.07	
A-2	Assembly, nightclubs, restaurants, bars, banquet halls	151.03	146.72	141.70	136.83	127.57	124.97	131.74	115.44	113.02	
A-3	Assembly, religious worship buildings, general, community halls, libraries, museums	178.16	171.65	166.92	159.28	148.82	144.24	153.47	134.83	128.91	
A-4	Assembly, arenas	175.54	169.03	163.40	156.66	145.18	141.50	150.86	131.18	126.17	
A-5	Assembly, bleachers, grandstands, stadiums	156.59	150.08	144.45	137.72	125.75	122.53	131.91	112.21	107.20	
B	Business	155.28	149.60	144.52	137.45	124.67	120.03	131.78	109.55	104.34	
E	Educational	163.53	157.90	153.20	146.21	136.19	128.91	141.11	118.49	114.47	
F-1	Factory and industrial, moderate hazard	92.97	88.61	83.30	80.08	71.35	68.29	76.52	58.88	55.23	
F-2	Factory and industrial, low hazard	92.07	87.71	83.30	79.18	71.35	67.39	75.62	58.88	54.33	
H-1	High Hazard, explosives	87.11	82.75	78.34	74.22	66.57	62.61	70.66	54.10	N.P.	
H234	High Hazard	87.11	82.75	78.34	74.22	66.57	62.61	70.66	54.10	49.55	
H-5	HPM	155.28	149.60	144.52	137.45	124.67	120.03	131.78	109.55	104.34	
I-1	Institutional, supervised environment	154.20	148.79	144.63	138.36	127.07	123.71	134.85	114.01	109.95	
I-2	Institutional, hospitals, nursing homes	263.67	257.99	252.91	245.84	232.14	N.P.	240.17	217.03	N.P.	
I-3	Institutional, restrained	176.87	171.19	166.11	159.04	147.61	142.08	153.37	132.50	125.48	
I-4	Institutional, day care facilities	154.20	148.79	144.63	138.36	127.07	123.71	134.85	114.01	109.95	
M	Mercantile	113.22	108.91	103.89	99.02	90.41	87.80	93.93	78.28	75.86	
R-1	Residential, hotels and motels	155.54	150.13	145.97	139.70	128.56	125.20	136.34	115.49	111.44	
R-2	Residential, multiple family including dormitories, convents, monasteries	130.40	124.99	120.83	114.56	104.04	100.68	111.82	90.97	86.92	
R-3	Residential, one- and two-family	122.74	119.39	116.36	113.47	108.94	106.23	109.87	101.79	95.34	
R-4	Residential, care/assisted living facilities	154.20	148.79	144.63	138.36	127.07	123.71	134.85	114.01	109.95	
S-1	Storage, moderate hazard	86.21	81.85	76.54	73.32	64.77	61.71	69.76	52.30	48.65	
S-2	Storage, low hazard	85.31	80.95	76.54	72.42	64.77	60.81	68.86	52.30	47.75	
U	Utility, miscellaneous	64.61	61.02	57.11	53.93	48.40	45.26	51.34	37.85	35.85	

REFUND POLICY

Building Permit Fees: The full amount of the permit will be refunded if the project has not started and no inspections have been completed. In the event the project has started and inspections have been made, refunds will not be given.

Zoning Permit Fees / Application Fees: Refunds will not be given.

PERMIT RENEWAL FEES

Building Permit: \$75.00; Valid for one year. Only one renewal allowed; new application will be required if projects go longer than two years.

Zoning Permit: No renewals.

Building and Zoning permits are not transferable.

DURATION OF PERMITS

Building Permit: 1 year

Zoning Permit: 1 year

Sign Permit: 6 months

Site Plan Review and Conditional Use Permit: Permit will expire 1 year after granted, unless construction is complete or commencement of the use has substantially begun.

Temporary Uses or Structures: 6 months

All resolutions in conflict herewith in whole or in part are hereby revoked to the extent of such conflict. This resolution shall be effective August 1, 2019.

Roll call vote: Yes: Kmetz, Rasmussen, Sroka, Keson, Enbody, and Piper.
 No: None.
 Absent: Nordlund.

Resolution declared adopted.

D. Consider Hiring a Utilities and Public Works Operator – Keson stated that the township received twenty-three applications for the position. Together with Larr, the personnel committee conducted interviews of the candidates and is recommending Sean Roach for the position.

Moved by Kmetz, seconded by Piper to approve the hiring of Sean Roach for the Utilities and Public Works Operator position and to establish the 2019 hourly wage for the Utilities and Public Works Operator at \$16.00 per hour

Motion carried.

COMMITTEE REPORTS: Planning Commission (Kmetz) – Reported that the Planning Commission completed the required public hearings on the proposed zoning ordinance. After conducting the review and hearings, the planning commission recommended the updated zoning ordinance, zoning map and the list of parcels affected by the multiple changes in zoning districts to the township board for approval.

Personnel Committee – Keson reported that the committee met along with Larr to conduct interviews of applicants for the utilities and public works operator position.

EMPLOYEE REPORTS: Assessor (Hall) – Reported that the Board of Review will be meeting next Tuesday. The July Board of Review meets to review and correct any clerical errors or mutual mistakes of fact, mainly involving late primary residency exemptions.

Building/Zoning Administrator (Bleau) – Provided a report detailing permit activity for June 2019. Bleau stated that development in both the industrial and residential areas has been exceptional in 2019.

DPW/Water/Sewer Superintendent (Larr) – Reported busy with Miss Dig requests and water connections. The department has completed the second quarter meter readings.

Fire Department (Gaylord) – Absent (excused).

Parks Manager / Code Enforcement (Smith) – Reported attending a stakeholder group meeting in June regarding the property acquisition. The pump house on the Dow property on Pere Marquette Highway was recently removed in preparation for the land to be transferred to the township. The acquisition will take place in two separate closings, with the first closing taking place on the four parcels located south of the Pere Marquette river this fall and the second closing for the remaining parcel located north of the river taking place in the spring of 2020. Dates have been set for meetings for community participation that will help to shape the development of the property. Buttersville campground was busy over the July 4th holiday and Smith organized a volunteer group for beach clean-up on July 5th.

OFFICERS REPORTS: Clerk (Enbody) – Provided second quarter financial reports to the trustees showing revenues and expenditures as of June 30th. Reported working on preparing notices for publications of first reading(s) in the local newspaper and on the website. Reported preparing the IRS filing due July 31st for fees associated with health care plans. Reported that she is beginning to work on the 2020 department budgets that she administers. Enbody provided a list of current invoices for approval.

Moved by Enbody, seconded by Piper to approve payment of invoices totaling \$272,387.27. Motion carried.

Treasurer (Sroka) – Provided a report detailing quarterly cash, bank and investment balances by fund and by bank account for the second quarter of 2019. Reported that summer tax bills were sent out on July 1st and that quarterly water and sewer bills will be going out on July 15th. Sroka reported that her deputy submitted her resignation and she will be requesting that the personnel committee meet to review compensation for appointing a new deputy.

Supervisor (Keson) – Keson asked board members for their input regarding a speed trailer shared with Amber Township. Because the ownership is shared, it makes the trailer difficult to insure and maintain. He asked if there would be any objection to selling the trailer to the Sheriff's Department who would then take over maintenance and insuring the trailer. Without objection, Keson will have the township attorney draw up an agreement to transfer ownership to the Mason County Sheriff's Department. Keson stated that he has spoken with school superintendent Jason Kennedy who informed him that the schools will be sending out an RFP in the near future in anticipation of beginning construction on the new elementary school at the corner of Bryant and Jebavy in March/April 2020. Keson reported conducting a bid opening for the Lakeshore Drive watermain project. A single bid was received that was incomplete because it did not include all inspections. The engineer's estimate for the project was \$425,000.00 and the bid received came in at \$539,675.00, which was much higher than estimated. The engineer recommended to re-bid the project in the fall and plan for the project to begin in the spring of 2020. Keson reported that the Ludington Area schools will be taking over the administration of the Ludington Area Recreation Program and Keson requested that Pere Marquette Township continue to have representation on the recreation board. With the construction of the new school, Keson is trying to stay in front of any traffic issues at Jebavy and Bryant. Keson added that the school superintendent also informed him that there may be funding available to help with congested traffic and safety issues on property connected to school parcels. Keson is working on organizing a meeting between MDOT, the Mason County Road Commission and the Ludington Area Schools superintendent to discuss reconstruction options to help with traffic control around the school property. Keson is working on organizing another tire collection event for Pere Marquette residents in August or September.

EXTENDED PUBLIC COMMENT: One resident spoke to ask if the township has a cell phone policy. The resident also thanked the supervisor for bending the meeting rules to allow for interaction between the board and the residents and added that the zoning should not have special rules for one neighborhood but should be uniform for all neighborhoods.

ADJOURNMENT: The meeting was adjourned by the Supervisor at 7:53 p.m.