

SUBMITTED: 4-16-24

APPROVED: 5-20-24

**BINGHAM TOWNSHIP
REGULAR BOARD MEETING MINUTES**

April 15, 2024, 7:00 pm

1. CALL TO ORDER

Midge Werner called the meeting to order at 7:00 p.m.

2. ROLL CALL

Midge Werner, Supervisor	Present
Kathy Morio, Clerk	Present
Sandra Grant, Treasurer	Present
Jeff Layman, Trustee	Present
Todd Stone, Trustee	Present
<i>Quorum Present</i>	

In attendance: Steve Patmore, Zach Marano, 9 others in person.

3. PLEDGE OF ALLEGIANCE

4. AGENDA APPROVAL

Grant/moved; Layman/supported to approve the agenda as presented. Motion carried.

5. CONFLICT OF INTEREST - none

6. APPROVAL OF MINUTES

March 18, 2024

Stone/moved; Grant/supported to approve the minutes of March 18, 2024 as presented. Motion carried.

7. PUBLIC COMMENT – Werner called for comments on agenda items or any other topic at this time. She allowed the public the option to add comment during the agenda items discussions.

Public comment was held until the agenda items were discussed.

8. OLD BUSINESS

a. Blight Ordinance discussion

Werner stated that this has been a recent topic of discussion with the Board.

Jens Hense- He raised his concern for the property on the corner of Shady Lane and M22. He assumes this property is in a residential zone and he suspects the owner is running a business on this property. Steve Patmore stated that a permit

for business has not been granted for this property. If indeed a business is being conducted on the property, he would need evidence in order to do anything about it.

Werner reported that the Township and the Health Department have talked to the owner about the blight on the property. The Health Department did not find any old garbage being stored or evidence of rodents when they visited the property.

People are concerned because the roof is covered with plastic and may need significant repair.

Mr. Hensel would like the Board to verify whether or not a business is being run on the property.

The Board reviewed their previous discussions about writing a blight ordinance with the public. The Board has been working on a draft ordinance. Once a draft is written, the Township attorney would review it. The Board has found that this is a complicated matter and there are many considerations.

Clayton Tribel – He stated that townships do not have to have a blight ordinance as the State has one that can be used to enforce clean-up. He gave a copy of the State ordinance to Werner. The state ordinance was recently used in Traverse City. Tribel asked several questions about the property: Are minors living there? Have the owners' mental health been checked? Do they have the physical and/or financial capability to clean up the property? Do they have a plan? Are there people or organizations that can help them? What was the result of talking with the owner?

Julia Phillips - The definition in the State ordinance fits this situation. It also allows for a number of days to get the clean-up done, and if not, fees are assessed. The neighbors are seeing trucks pulling into the property. Board members responded that this is a complex matter. Assessing fines rarely is effective. Fines are assigned and more fines are assigned and nothing gets cleaned or paid. The matter could go to court. The Township would have to pay attorney fees. The ordinance is difficult to enforce. The severity of the situation is a subjective judgment. There is a desire of the Board members to treat all residents fairly and respect the privacy and dignity of the people involved. It is difficult to decide how far to go with sanctions. The Board will look at the State ordinance that was presented.

Maureen Hensel – She is concerned that the property is a fire hazard and affects neighboring property. Werner stated that the Fire Department has looked at the property and are certain that they could handle a fire there if one should occur.

The Board expressed their concern for the property owners; that their privacy and dignity is protected and mental and physical help from the Township is offered.

Clayton Tribel - He feels that the ordinance process could work hand in hand with a humanitarian effort. He asked what would be the first step. Stone said the first step would be to have the attorney look at the state ordinance. Tribel would like that to happen by the next meeting.

Anne Avery – She feels that the neighbors are misunderstood. If the owner is receptive to help, there would be plenty of people willing to help.

Jens Hense – He reiterated that the public would be willing to help. He suggested that the Board talk to surrounding townships to see what they do in similar situations.

Stone has investigated 6 of 11 township ordinances. He has been given advice that the Township should not write an ordinance if they are not ready to go all the way with it. Cases like these go to court and the cost for clean-up for the Township is far greater than the cost it would be for the owner to clean it up. Layman suggested that the neighbors write a letter of concern to the owner and they all sign it.

Christy Brow – she reported that the Township could use the State ordinance but could not make any changes to it.

Werner will share the MI blight ordinance to the lawyer and hopefully report back at the next meeting.

9. NEW BUSINESS

a. Assessor Committee Report

There have been two interviews for Angela Fiske's position. Other applications have come in as well. Angela agreed to help out for another month.

Park & Rec 5-Year Plan Proposed contract – Todd Stone

Parks & Rec is using Steve Hannon to help put together the 5-year plan. He gave a proposal for his work for \$3,312. The Committee thought it would be reasonable to add an additional 10 hours (\$320) to the plan, if needed. Stone reviewed some of the goals of the Parks and & Rec. Steve Hannon could start working on now.

Grant/moved; Morio/supported to approve the Parks & Rec proposal for professional services at \$3,312 with an additional 10 hours (\$320) if necessary, coming out of the 245-248 Parks and Rec improvement line, bringing the total to \$3,632. Motion carried.

10. COMMITTEE, STAFF AND OFFICER REPORTS

a. Parks and Recreation Committee – Todd Stone

The Board had approved contracting for concrete pads for porta johns in the parks. One contractor was interested: Graham Builders would do it for \$2000.

Grant/moved; Layman/supported to approve the bid for \$2000 from Graham Builders for concrete pads at the parks. Motion carried.

Stone has obtained the soil erosion permit and he will notify the builder to make arrangements to get it done.

A work day is scheduled for April 27 and will start at Bingham Park. They will need lumber, a sander, and paint to repair tables.

Grant/moved, Werner/supported to approve \$175 for lumber, a sander, and paint for the Work Day on April 27. Motion carried.

Stone contacted Gosling-Czubak about doing the parking lot at Boughey Park for about \$75,000. They will put together a proposal for what they could do.

b. Building and Grounds Committee – Kathy Morio

Nothing new to report. Flooring will be put in after the May 7 election.

c. Cemetery Committee – Midge Werner

There will be a meeting on Friday. They will be discussing the tree work that needs to be done. There was discussion about a key to a building at Keswick cemetery. The key is missing and the door is unlocked.

d. Zoning Administrator/STR Administrator – Steve Patmore

A lot of permit applications came in. The ZBA granted a variance for a house on Sandy Beach Drive.

The STR's count is at 72. Patmore expects the STR's will be at the limit of 86 before it is over.

A Master Plan meeting will be next week.

We need to replace Charlie Dashner on the Planning Commission. There will be a notice in summer tax bill about the position. Another member is needed for the Parks & Rec as well. Heather Jordan is resigning and there will be an ad for her replacement.

e. Planning Commission – Steve Patmore, Jeff Layman

There will be a Special Work session meeting next week on April 23.

f. Fire Authority (documents mailed) – Sandra Grant

g. Assessor's Quarterly Report (January, April, July, October)

Angela Friske submitted a quarterly report.

Werner/moved; Grant/supported to approve the final report from Angela Friske. Motion carried.

h. Treasurer

No report.

i. Trustee

No report.

j. Clerk

- Vendor and Payroll Reports

Grant/moved; Stone/supported to approve payment of vendor invoices of \$20,182.93 and payroll of \$11,078.73. Motion carried.

691 absentee ballots were mailed out. Kathy Morio will not be running for re-election. If you are interested in running, applications need to be in by 4pm on April 23.

- k. Supervisor
No report

11. PUBLIC COMMENTS AND ANNOUNCEMENTS - None

12. ADJOURNMENT

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,
Cindy Kacin
Recording Secretary