

**CHARTER TOWNSHIP OF HAMPTON
REGULAR MEETING
August 23, 2021**

The regular meeting of the Charter Township of Hampton Board of Trustees was called to order at 7:00 p.m. in the Township Boardroom by the Supervisor.

The pledge of allegiance was given to the flag. The invocation was read and a moment of silence was observed.

PRESENT: Kenniston, Wisniewski, Benchley, Wright, DeWyse, Samyn, & Close

ALSO PRESENT: Rob Worden, Bryan Benchley, Jayme Johnson, Tara Franz, & 3 in audience

Motion by Wisniewski, supported by Kenniston, the August 9, 2021 regular meeting minutes be approved.

Motion carried.

COMMUNICATIONS:

Motion by Wisniewski, supported by Wright, to receive the following:

- July 2021 Revenue/Expense Report
- 2020 Census Report
- DPW July 2021 Report
- PSD July 2021 Report

Motion carried.

AUDITORS REPORT:

Motion by Wisniewski, seconded by Kenniston, the following warrants be approved for payment:

#48743 - #48807	General Fund	\$ 107,946.78
#1850-#1852	Trust & Agency	873.00
#4302 - #4310	Sewer Fund	518,247.01
#1895 - #1899	Water Fund	18,312.06
#1094-#1106	Tax Fund	347,990.69
#1001	ERR Fund	2,907.50
		<u>\$ 996,277.04</u>

AYES: Wisniewski, Kenniston, Benchley, Wright, DeWyse, Samyn, Close

Motion carried.

OPEN TO THE PUBLIC:

Chad Milkowski, 119 Tuscola Road, inquired about the new Ordinance 36A-30.

OLD BUSINESS:

Motion by Kenniston, seconded by Benchley, to hire Joseph DeWyse as the full-time Building Official/Inspector, Zoning Administrator, Blight Inspector, and Code Enforcement Officer at a salary of \$52,500.

AYES: Kenniston, Benchley, Wright, Wisniewski, Samyn, Close

NAYS: None

ABSTAIN: DeWyse

Motion carried.

NEW BUSINESS:

Motion by Wisniewski, supported by Wright, to approve the following budget adjustments:

GENERAL FUND (101):

<u>Clerk-Dept 215</u> 101-215-717	Life/STD/LTD Insurance	+ 85
<u>Board of Appeals-Dept 410</u> 101-410-703-002	Fees & Per Diem	+ 650
<u>DPW Dept 441</u> 101-441-702-000	Salaries	- 5,735
<u>Rail Trail/Nature Trail-Dept 753</u> 101-753-803-000	Contracted Services	+5,000

AYES: Wisniewski, Wright, Benchley, Kenniston, DeWyse, Samyn, Close
NAYS: None
Motion carried.

Motion by Wisniewski, supported by DeWyse, to remove/delete the following policies:

- One-Man Patrol Policy
- Pool Fills
- Transfer Station Restricted Items
- Emergency Numbers
- Part-Time Office Personnel
- DPW Paint Shop-Only used for Township Purposes
- Hire only people authorized to work in United States
- Permits on Dike
- Ride along with Police
- Call In Policy For Meetings
- Inspector's Office Hours
- Voided Check Policy
- Smoking Policy
- Non-Smoking Policy

AYES: Wisniewski, DeWyse, Benchley, Wright, Kenniston, Samyn, Close
NAYS: None
Motion carried.

Motion by Wisniewski, supported by Samyn to introduce Ordinance 36A-30 as follows:

ORDINANCE 36A-30

The Board of Trustees of the Charter Township of Hampton, Bay County, Michigan, ordains:

That Ordinance No. 36A of the Charter Township of Hampton, being the Charter Township of Hampton Zoning Ordinance, and all amendments thereto, be further amended as follows:

NOTE: Additions are underlined and deletions ~~look like this~~. Only the proposed amendment to the Ordinance and the portion of the Ordinance to be amended is shown below.

SECTION A

The Charter Township of Hampton Ordinance No. 36A and all prior amendments thereto, designated as Charter Township of Hampton Zoning Ordinance, adopted June 8, 1992, and effective July 11, 1992, is hereby amended, in part, as follows:

CHAPTER 8 B-1 General Business District

SECTION 8.02 PERMITTED USES

No building or land shall be used and no building shall be erected except for one or more of the following specific uses unless provided in this Ordinance.

A. Principal Uses Permitted by Right. [No changes made]

B. PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS

1. Thru 7. [No changes made]

8. Bowling alley, ~~indoor archery range, indoor tennis courts,~~ indoor skating rink, or similar forms of indoor commercial recreation, provided that all buildings shall have a minimum setback of one hundred (100) feet from any Residential District unless the district is separated from the use by a public street.

~~8-9. Indoor archery range, indoor tennis courts, or similar forms of indoor commercial recreation that are quiet in nature, provided that all buildings shall have a minimum setback of 35 feet from any Residential District unless the district is separated from the use by a public street.~~

- ~~9-10.~~ Mini-storage rental structures, and warehousing and recreational vehicle or boat storage yards subject to the following:
- a. All buildings and outside storage areas shall have a minimum setback of one hundred (100) feet from any Residential District unless the district is separated from the use by a public street.
 - b. Any outside storage area or access drive shall be constructed in accordance with the provisions of Chapter 15 for off-street parking lots.
 - c. There shall be a minimum distance of thirty (30) feet between buildings.

- e. Any outside storage area shall be visually screened from any public street right-of-way by the placement of a ten (10) foot wide greenbelt along the entire length of the street frontage.
- f. There shall be no outdoor storage permitted within any front yard area.

C. USES BY SPECIAL USE PERMIT

1. Multiple Family Dwellings may be permitted as a transitional use separating existing or future business uses from other nearby less-intensive uses; if the Planning Commission determines that multiple family dwellings would be more compatible with the existing pattern of development than permitted business uses; or, when the proposed use is designed and included as part of a development that extends onto adjacent land which is zoned for high-density residential development. As a minimum, all approved developments shall satisfy the requirements of Section 7.03.B, except that all building setbacks shall satisfy the requirements of Section 8.03.A.1. and 2.
2. Adult Foster Care ~~Congregate~~ Facilities, Convalescent Homes, Assisted Living Facilities, Homes for the Aged and Nursing Homes may be permitted as a transitional use separating existing or future business uses from other nearby less-intensive uses or if the Planning Commission determines that the proposed use would be more compatible with the existing pattern of development than permitted business uses. As a minimum, all developments shall have:
 - a. Minimum site size of two (2) acres. [Small Adult Foster Care Facilities \(3-12 residents\) shall have a minimum site size of one \(1\) acre.](#)
 - b. Two hundred (200) feet of frontage on a public street. [Small Adult Foster Care Facilities \(3-12 residents\) shall have a minimum of 150 feet of frontage on a public street.](#)
 - c. Minimum rear yard setback of fifty-five (55) feet.
 - d. Minimum side yard setback of fifty-five (55) continuous feet on one side and twenty-five (25) continuous feet on the other side. If the building height is over thirty-five (35) feet, the fifty-five (55) feet side yard setback shall be increased by one (1) foot for each two (2) feet in height over thirty-five (35) feet.
 - e. All building setbacks shall also satisfy the requirements of Section 8.03.A.1. and 2.
 - f. The Planning Commission is authorized to increase the minimum yard requirements by an additional one (1) horizontal foot setback for each vertical foot of height of the structure over thirty-five (35) feet, up to an additional fifteen (15) feet of setback. This is to enable adequate area for firefighting equipment, emergency personnel, and otherwise including the “fall zone” of the structure in the event of catastrophe.

2. Thru 5. [No changes made]

[Balance of Chapter 8 - no changes made]

SECTION B

PENALTY

The penalty for violation of this ordinance shall be the same as set forth in Chapter XXVI of the Charter Township of Hampton Zoning Ordinance, being Ordinance No. 36A, as amended.

SECTION C

PUBLICATION AND EFFECTIVE DATE

After adoption by the Township Board, this ordinance or a summary thereof shall be published in a newspaper circulated within the Township of Hampton, Bay County, Michigan, and shall take effect on the 30th day after the date of such publication.

SECTION D

REPEAL

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION E

SEVERABILITY AND SAVINGS CLAUSE

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof, other than the part declared to be invalid.

AYES: Wisniewski, Samyn, Benchley, Wright, Kenniston, DeWyse, Close

NAYS: None

Motion carried.

Motion by DeWyse, seconded by Benchley, that Shawn Bacon be offered the position of Public Safety Officer to begin at a salary of \$21.59 per hour. Starting date to be determined by Public Safety Director.

AYES: DeWyse, Benchley, Wisniewski, Kenniston, Wright, Samyn, Close

NAYS: None

Motion carried.

Discussion was held on the water main extension on Burns Road south to Ridge Road. Rob will get bids.

Discussion also held on the ARPA survey results. Executive Committee to get a list of projects with estimated costs for the Board to review at a future meeting.

ATTORNEY REPORT:

Nothing

ENGINEER REPORT:

Bartow was not present

STANDING COMMITTEE REPORTS

Motion by Wisniewski, seconded by Kenniston, to receive the Planning Commission meeting minutes from July 8, 2021.

Motion carried.

OFFICER/TRUSTEE REPORTS

Clerk DeWyse-Nothing.

Treasurer Samyn-Nothing.

Trustees: Nothing.

Supervisor Close-Nothing.

Public Safety Chief Benchley-Thanked the Board for filling the PSO position, 262 calls since last meeting, 54 traffic stops, 5 arrests, recovered stolen van on Cotter Road, assisted Essexville on 2 garage fires, and received the new AXON body cameras.

Department of Public Works Superintendent Worden-had to complete a water main repair where the County came in and froze the main, repaired side mower, working on mowing the road sides south side of Center, sprayed and cut grass at Finn Road Park, extending conduit 150 feet on the end of Nolet, storm sewer on Alpine caved in and it was repaired, chlorine residual is good, Dependable Sewer worked on Fair Oakes, and 2 pump stations were jammed with rags (Saginaw Bay Estates & Alpine Ct.).

County Commissioner Johnson-audit was completed and they added to the unrestricted fund which has a hefty balance, refinanced Department of Water and Sewer Bonds, grant-funded pre-trial personnel increased by 1 full-time person, and they will be reviewing the surveys they received for the ARPA funds.

OPEN TO THE PUBLIC:

Chad Milkowski, 119 Tuscola Road, spoke about the ARPA survey results and what can be done with the funds and possibly having the different parks have a theme.

Don Klass, 166 E. Borton Road, discussed the high cost of playground equipment and possibly installing basketball courts where the tennis courts were at Jones Road/Pondside Park.

Motion by DeWyse, seconded by Wisniewski, to adjourn the meeting at 8:25 p.m.

Motion carried.

Respectfully submitted:

Approved by

Frances DeWyse, Clerk

Terri Close, Supervisor