

**CHARTER TOWNSHIP OF HAMPTON
REGULAR MEETING
September 13, 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, Wright, Wisniewski, Benchley, DeWyse, Samyn, & Close

ALSO PRESENT: Worden, Bryan Benchley, Franz, Hebner, Neveau, Johnson & 6 in audience

Motion by Wisniewski, supported by Benchley, the August 23, 2021 regular meeting minutes be approved.

Motion carried.

COMMUNICATIONS:

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

- Update on Lead Line Removal
- CVTRS Projected 2022 Revenue
- August 2021 Revenue/Expense Report
- BAWTP TAC August 5, 2021 Minutes/Monthly Operations Report
- DPW August 2021 Report

Motion carried.

AUDITORS REPORT:

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

#48808 - #48869	General Fund	\$ 78,713.32
John Hancock	Pension	16,540.20
#1853-#1855	Trust & Agency	873.00
#4311 - #4316	Sewer Fund	22,637.69
#1900 - #1904	Water Fund	12,006.59
#1107-#1120	Tax Fund	1,679,504.71
#4	Garbage Fund	45,196.71
		<u>\$1,855,472.22</u>

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

NAYS: None

Motion carried.

OPEN TO THE PUBLIC:

Ryan Neveau, Public Safety Officer, thanked the DPW and Fire Departments for their work on the 9-11 Running With the Law the Fraternal Order of Police sponsored at the Finn Road Nature Trail. They had a record turn out and the only problem was parking, but they had 268 participants.

Cindy Sinicki, 1184 W. Hampton Road, addressed the Board regarding the Burns Road water main extension.

OLD BUSINESS:

Discussion was held on the Burns Road Water Main Extension to Ridge Road.

Motion by DeWyse, supported by Wisniewski, to contract with Fleis, Vanderbrink (Gary Bartow) to get bid materials prepared for the Burns Road water main extension.

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

Possible ARPA fund expenditures were presented and discussed.

NEW BUSINESS:

Motion by DeWyse, supported by Benchley to adopt 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: DeWyse, Benchley, Wisniewski, Wright, Kenniston, Samyn, Close

NAYS: None

Motion carried.

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

GENERAL FUND (101):

Board of Appeals-Dept 410

101-410-900-000 Printing & Publishing + 600

DPW Dept 441

101-441-702-000 Salaries - 3,600

Rail Trail/Nature Trail-Dept 753

101-753-803-000 Contracted Services +3,000

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

NAYS: None

Motion carried.

Motion by Wisniewski, supported by Wright, to enter into closed session to discuss labor negotiations at 7:45 pm.

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

NAYS: None

Motion carried.

Motion by Wisniewski, supported by Samyn, to enter into open session at 7:57 pm.

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

NAYS: None

Motion carried.

ATTORNEY REPORT:

Nothing

ENGINEER REPORT:

Bartow was not present

STANDING COMMITTEE REPORTS

None.

OFFICER/TRUSTEE REPORTS

Clerk DeWyse-Nothing.

Treasurer Samyn-Nothing.

Trustees: Nothing.

Supervisor Close-Nothing.

Public Safety Chief Benchley-356 calls since last meeting, 75 traffic stops, Department attended cultural/racial profiling training, caught 4 teenage kids destroying bikes at Meijer and

harassing customers, breaking/entering at Tradewinds, armed standoff on Ridge, AED installed here in the office, structure fire on Kaczmarek Drive and one drug overdose death.

Department of Public Works Superintendent Worden-removed down trees on Rail Trail, fixed some benches and trimmed weeds; brush chipping will be done tomorrow and going back to pick up brush from the storm; discussed electrical panel installation on Nolet; and gates were picked up today for installation on Nolet and Nebobish Roads.

County Commissioner Johnson-Katie Zanotti has been appointed the new County Clerk; at the meeting tomorrow they will have the following: appointment to the Board of Canvassers, health insurance budget adjustment, Dept. of Aging issuing County ID's for senior citizens, annual review of fund balance, website update for public to ask questions, lost revenue from ARPA funds and donation to Boys & Girls Club. Supervisor Close questioned ambulance service.

Bryan Benchley added today was Shawn Bacon's first day as a Public Safety Officer, Fire Academy will start in January 2022 for 8 weeks and Medical First Responder class will start in October 2021. Also, cameras will be installed on the new gates once they are installed on Nolet & Nebobish Roads.

OPEN TO THE PUBLIC:

None

Motion by Kenniston, seconded by Wisniewski, to adjourn the meeting at 8:08 p.m.
Motion carried.

Respectfully submitted:

Approved by

Frances DeWyse, Clerk

Terri Close, Supervisor