

Charter Township of Port Huron Board

Regular Meeting Held December 19, 2022
3800 Lapeer Road, Port Huron, MI 48060

MINUTES

ROUTINE BUSINESS:

The pledge of allegiance stated.

Roll Call: Trustees Dudas, Livingston, Reno, Riehl, Treasurer Shonka, Clerk Davis, Supervisor Lewandowski

Special Guests: Robert Goldenbogen, Fire Chief Vesper, Fire personnel

APPROVAL OF MINUTES:

Motion to approve the minutes from the December 5, 2022, meeting by Livingston and supported by Reno.

Vote: All in favor

Result: Motion Carried

PUBLIC COMMENTS:

None

UNFINISHED BUSINESS:

No unfinished business presented.

NEW AGENDA ITEMS:

A. Attorney's Report: Report was given as presented. No further discussion.

B. Engineer's Report:

SPARK Grants for the pathway the new dock for Thompson Pond were submitted.

C. Sheriff's Report: Report was given as presented. No further discussion.

D. Fire Chief's Report:

1. Approve the Hiring of James Vincent to full time Shift Officer:

Motion by Riehl, supported by Reno to approve the Hiring of James Vincent to full time Shift Officer.

2. Approve the Hiring of Chandler Martin to Full Time Firefighter:

Motion by Riehl, supported by Livingston to approve the Hiring of Chandler Martin to Full Time Firefighter.

Vote: All in favor

Result: Motion Carried

3. Approve the Hiring of Doug Moran to Full Time Firefighter:

Motion by Reno, supported by Riehl, to approve the Hiring of Doug Moran to Full Time Firefighter.

Vote: All in favor

Result: Motion Carried

4. Approve the Hiring of Jake Jones to Full Time Firefighter:

Motion by Riehl, supported by Livingston to approve the Hiring of Jake Jones to Full Time Firefighter.

Vote: All in favor

Result: Motion Carried

5. Approve the Hiring of Ryan Rubin to Part-time Firefighter:

Motion by Riehl, supported by Livingston to approve the Hiring of Ryan Rubin to Part-time Firefighter.

Vote: All in favor

Result: Motion Carried

6. Approve the Hiring of Brad Fett to Paid on Call Firefighter:

Motion by Riehl, supported by Livingston to approve the Hiring of Brad Fett to Paid on Call Firefighter.

Vote: All in favor

Result: Motion Carried

E. Approve Resolution #2022-12-19A 2023 Annual Permit with the St Clair County Road Commission:

**RESOLUTION #2022-12-19A
2023 ANNUAL PERMIT RESOLUTION**

WHEREAS, the Township of Port Huron in the County of St. Clair, Michigan desires to make public improvements, namely, to construct, locate, or repair utilities such as water & sewer lines for emergency & maintenance type work. Which requires certain operations within and upon the right-of-way of county highways known as various roads throughout Port Huron Charter Township which are under the jurisdiction of the Board of County Road Commissioners; and

WHEREAS the Board of County Road Commissioners is willing to issue a permit, therefore, provided said Board is assured of indemnity and protection against all liability arising by reason of Michigan law;

NOW, THEREFORE BE IT RESOLVED by the governing body of the Township of Port Huron, St. Clair County, Michigan that in consideration of the Board of County Road Commissioners granting a permit to the Township of Port Huron upon proper application therefore to construct and maintain its' facilities along and upon the right-of-way of certain highways of the Township of Port Huron shall save harmless and indemnify the Board of County Road Commissioners of The County of St. Clair and their successors against all liability which arises or might arise out of the actions or failure to act by the Township and those performing at the direction of the Township in the operation or maintenance of said Township facilities.

Motion offered by Livingston supported by Dudas to adopt the 2023 Annual Permit Resolution for St. Clair County Road Commission.

Roll Call Vote: Livingston, Dudas, Reno, Riehl, Shonka, Davis, Lewandowski

Nays: None

Absent: None

Supervisor declared Resolution adopted.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Board of Trustees of the Charter Township of Port Huron, County of St. Clair, Michigan at a regular meeting held on December 19, 2022, and that said meeting was conducted and public notice was given in full compliance with the Open Meetings Act, being Act 267, Public Acts of

Michigan 1976, and that the minutes were kept and will be or have been made available as required by said act.

Benita Davis, Township Clerk

Motion by Livingston and supported by Dudas to approve Resolution #2022-12-19A 2023 Annual Permit with the St Clair County Road Commission.

*Roll Call Vote: Ayes: Livingston, Dudas, Reno, Riehl, Shonka, Davis, Lewandowski
Nays: None*

Result: Motion Carried

F. Approve Resolution #2022-12-19B Resolution Approving the Amended Restated Development Plan and Tax Increment Financing Plan Charter Township of Port Huron Downtown Development Authority:

RESOLUTION #2022-12-19B

**RESOLUTION APPROVING THE AMENDED AND RESTATED DEVELOPMENT PLAN
AND TAX INCREMENT FINANCING PLAN
CHARTER TOWNSHIP OF PORT HURON
DOWNTOWN DEVELOPMENT AUTHORITY**

WHEREAS, the Charter Township of Port Huron, County of St. Clair, State of Michigan, has previously established the Port Huron Township Development Authority pursuant to the provisions of Act 197, Public Acts of Michigan, 1975, as amended; and

WHEREAS, the Authority had previously approved a Development Plan and Tax Increment Financing Plan for the Development Area described in the Plan, and

WHEREAS, the Board of Trustees of the Charter Township of Port Huron approved the original plan on November 1, 1993; and

WHEREAS, it is necessary to amend and restate the Plan at this time in order to implement the Authority's defined vision and objectives for the Development Area as outlined in the Plan; and,

WHEREAS, in accordance with the provisions of Act 197, as amended, the Authority has prepared an Amended and Restated Development Plan and Tax Increment Financing Plan; and

WHEREAS, prior to the approval of the Amended Plan, the Board of Trustees conducted a public hearing on the Amended Plan as required by Act 197; and

WHEREAS, it is in the best interest of the public to halt a decline in property values, increase property tax valuation, eliminate the cause of the decline in property tax values and promote economic growth within the District, as authorized by Act 197 as amended; and

WHEREAS, it is determined that it is in the best interest of the public to approved the proposed Amended Plan to enable the Authority to its purposes, effectively.

NOW THEREFORE, BE IT RESOLVED, by the Charter Township of Port Huron Board of Trustees hereby adopts the Amended and Restated Development Plan and Tax Increment Financing Plan, and

BE IT FURTHER RESOLVED, that the Secretary of the Downtown Development Authority is hereby authorized, empowered, and directed to file at its earliest opportunity a certified resolution with the State of Michigan, and shall also cause this resolution to be published at least once in the local newspaper of general circulation within the Township, said publication to be made withing 30 days of adoption of this resolution.

Motion made by Livingston, seconded by Dudas to adopt the Resolution Amending and Restating the Development Plan for the Port Huron Charter Township Downtown Development Authority.

Roll Call Vote: Livingston, Dudas, Reno, Riehl, Shonka, Davis, Lewandowski

Ayes: None

Nays: None

The Supervisor declared the motion carried and the resolution duly adopted this 19th day of December 2022.

I hereby certify that the attached is a true and complete copy of a resolution adopted by the Board of Trustees of the Charter Township of Port Huron, County of St. Clair County, State of Michigan, at a regular meeting held on the 19th day of December, 2022, that the public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said act.

Benita Davis, Township Clerk

Motion by Dudas and supported by Livingston to approve Resolution #2022-12-19B Resolution Approving the Amended Restated Development Plan and Tax Increment Financing Plan Charter Township of Port Huron Downtown Development Authority.

Roll Call Vote: Ayes: Dudas, Livingston, Riehl, Reno, Shonka, Davis, Lewandowski

Nays: None

Result: Motion Carried

G. Approve Final Reading of Ordinance 252 Port Huron Township Medical Marihuana Caregivers Personal Recreation Marihuana Ordinance:

Motion by Reno and supported by Dudas to approve Final Reading of Ordinance 252 Port Huron Township Medical Marihuana Caregivers Personal Recreation Marihuana Ordinance

Roll Call Vote: Ayes: Reno, Dudas, Livingston, Riehl, Shonka, Davis, Lewandowski

Nays: None

Result: Motion Carried***H. Approve Final Reading of Proposed Amendments to the Port Huron Township Zoning Ordinance Section 40-698 Home Occupation; Prohibited Uses and Section 40-527, Permitted Uses and Structures: (b) Land Uses:***

Motion by Livingston supported by Reno to approve the 2021 Budget adjustment for Refuse.

Roll Call Vote: Ayes: Livingston, Reno, Dudas, Riehl, Shonka, Davis, Lewandowski

Nays: None

Result: Motion Carried***I. Approve Final Reading of Proposed Amendments to Section 40-669 of the Zoning Ordinance, Ordinance #251 Solar Energy Systems:***

Motion by Dudas, supported by Livingston to approve Final Reading of Proposed Amendments to Section 40-669 of the Zoning Ordinance, Ordinance #251 Solar Energy Systems.

J. Approve Reappointments to Various Boards and Commissions:

Motion by Livingston supported by Riehl to approve Reappointments to Various Boards and Commissions.

Vote: All in favor

Result: Motion Carried***K. Approve Danieal J. Moore and Peter Shonka to serve on the DDA Board:***

Motion by Dudas supported by Reno to approve Danieal J. Moore and Peter Shonka to serve on the DDA Board.

Roll Call Vote: Ayes: Dudas, Riehl, Livingston, Reno, Shonka, Davis, Lewandowski

Nays: None

Result: Motion Carried***L. New Streetlight Agreement for Spruce and Atkins Rd***

Motion by Dudas supported by Livingston to approve the Master agreement for municipal lighting

Vote: All in favor

Result: Motion Carried

Motion by Livingston supported by Dudas to approve the purchase of the street light in the amount \$3,981.43

Vote: All in favor

Result: Motion Carried***M. Approve Budget Adjustments as presented:***

Motion by Livingston supported by Reno to amend the budget & use Fund Balance in the amount of \$211,480.38

Roll Call Vote: Ayes: Livingston, Reno, Dudas, Riehl, Shonka, Davis, Lewandowski

Nays: None

Result: Motion Carried

Motion by Livingston supported by Dudas to amend the budgeted amount of the DPS fund from \$587,875 to \$660,000

Roll Call Vote: Ayes: Livingston, Dudas, Reno, Riehl, Shonka, Davis, Lewandowski

Nays: None

Result: Motion Carried

Motion by Riehl supported by Livingston to amend the Refuse budget from \$687,000 to \$722,000

Roll Call Vote: Ayes: Riehl, Livingston, Reno, Dudas, Shonka, Davis, Lewandowski

Nays: None

Result: Motion Carried

Motion to Fund the DDA Balance of \$109,645

Roll Call Vote: Ayes: Livingston, Dudas, Reno, Riehl, Shonka, Davis, Lewandowski

Nays: None

Result: Motion Carried

Motion by Reno supported by Riehl to use the Fund Balance for the Building Department:

Roll Call Vote: Ayes: Reno, Riehl, Livingston, Dudas, Shonka, Davis, Lewandowski

Nays: None

Result: Motion Carried

N. Approve Contract between Port Huron Township and The Firefighters Union:

Motion by Livingston supported by Reno to approve Contract between Port Huron Township and The Firefighters Union.

Roll Call Vote: Ayes: Livingston, Reno, Riehl, Dudas, Shonka, Davis, Lewandowski

Nays: None

Result: Motion Carried

O. Approve Contract between Port Huron Township and The DPW Union:

Motion by Livingston supported by Dudas to approve Contract between Port Huron Township and The Firefighters Union.

Roll Call Vote: Ayes: Livingston, Dudas, Riehl, Reno, Shonka, Davis, Lewandowski

Nays: None

Result: Motion Carried

Approval of Bills:

Prepaid Bills: None

Motion to approve payment of the current bills by Shonka supported by Livingston.

Amount: \$492,779.06

Check #: 51898-51947

Roll Call Vote: Ayes: Shonka, Livingston, Dudas, Riehl, Reno, Davis, Lewandowski

Nays: None

Result: Motion Carried

BOARD CORRESPONDENCE:

None

ADJOURNMENT:

Motion by Riehl supported by Livingston to adjourn at 7:50 p.m. Motion carried.

Robert G. Lewandowski, Jr., Supervisor

Benita E. Davis, Clerk