

Supervisor Mann called the regular meeting of the Manchester Township Board to order at 7:30 p.m. Tuesday, February 13, 2007.

Pledge of Allegiance.

Board members present: Mann, Widmayer, Becktel, Huber, Macomber and Kolon.
Absent: Schmitt. Also present: Fire Chief Scully, Township Attorney Jesse O'Jack and Manchester Enterprise.

ADDITIONS TO AGENDA: None

MICHIGAN STATE POLICE REPORT: No report.

ACCEPENTANCE/APPROVAL OF VARIOUS MINUTES: Board received minutes of their regular meeting 1/9/07. Moved by Macomber, seconded by Huber to approve the minutes of 1/9/07 as presented. Voice vote: Ayes: all. Nays: none. **CARRIED.** The Board accepted Fire Department minutes of 1/24/07 and Planning Commission minutes of 2/1/07 & Senior Citizen Annual Audit.

OTHER MINUTES ON FILE: Manchester Village Minutes, WWRA, & WCCSWM, MTA & CEO'S.

TREASURER'S REPORT: Treasurer Huber reported General Fund balance \$202,500.

PRESENTATION OF BILLS: Bills paid since last meeting \$20,511.62 in the General Fund. Outstanding bills to be paid in the General Fund were \$18,480.79 and Fire Equipment Fund \$15,000.00 and Township Savings \$3,000.00 for New Generator to Stein Electric for Fire Department and Township Hall. Moved by Becktel, seconded by Huber to approve payment of the bills that have been paid and to pay outstanding bills. Roll call vote: Ayes: Widmayer, Huber, Macomber, Becktel, Mann, And Kolon. Nays: none. **CARRIED.**

PUBLIC COMMENT: None.

FIRE DEPARTMENT:

- Fire Department: Activity Report for January 2007: 14 total. 0 fire, 6 medicals, 3 personnel injury and 5 miscellaneous. Totals runs for 2007: 57.
- Jeep-7-5 pump motor needs repair or replacement, Rebuilt- \$400-500 or new \$800.
- Tanker 7-1- passed DOT Inspection, would like to have DOT inspection on Tanker 7-3 and check brakes, the air dryer needs replacement at approximate cost of \$3,367 from Smullen's.
- Need new State of Michigan License Plates for all vehicles at a cost of \$5.00 per vehicle.
- Fire Department Received Grant from DNR for turnout gear purchased from West Shore Fire, Inc.
- HVA Fire Alarm Dispatching Costs for 2007 report. Manchester Township cost per alarm will be \$15.39 per call. Represents a decrease of 4.1%.

DEPARTMENT REPORTS/BUSINESS:

- a) ZONING ADMINISTRATOR- Report on file, 1 Inspection. 1 barns/ garages. 1 new Address. T-Mobile requesting collocation at 20410 Geiske Rd.
- b) PLANNING COMMISSION- Widmayer advised the Board to read PC minutes. PC discussed Wireless Washtenaw, Township/Village 425, Whispering Pines resorts, Conditional use. Daubner thanked the Township Board for sponsoring his attendance to the MTA Conference.

Citizen Planner Course is now available on line. Township will pay the cost for anyone interested.

- c) SUPERVISOR- Two land divisions. Road Commission requesting meeting with Board. Motion Kolon, seconded Widmayer to hold a meeting with Washtenaw County Road Commission at 7 p.m. either 3/13/07 or 4/10/2007. Mann to contact Road Commission for exact date. Voice vote. Ayes: Kolon, Macomber, Widmayer, Huber and Mann. Nays: Becktel. **CARRIED.** Mann met with MDOT regarding M-52. Mann received request from Lodi Township for the support of Manchester Township regarding opposition to Wastewater Discharge permit. Motion Macomber, seconded Kolon to authorize the Supervisor to write a letter to MDEQ for support of Lodi Township's General Development Plan and Zoning Ordinance regarding Wastewater Discharge Permit. Voice vote. Ayes: All. **CARRIED.** Resolution supporting the Village of Clinton's Grant application for Tate Park Improvements. RESOLUTION 07-04, Motion Kolon, seconded Huber to support Village of Clinton's Grant Application for Tate Park Improvements. Roll Call vote. Ayes: Macomber, Kolon, Widmayer, Huber, Mann & Becktel. Nays: None. Absent: Schmitt. Resolution 07-04 declared **ADOPTED.** Mike Miner, cemetery sexton, some grave sights are unusable due to trees growing, would like to trade the sights for those that are purchased for new ones. This will be done in the spring when the cemetery can be accessed. Cemetery Flags can be purchased for veterans, Manchester Township costs for Oak Grove Cemetery and Reynolds Cemetery would be \$750. Manchester Legion places purchases and places the flags. Discussed Boundary adjustments.
- d) FACILITIES-BUILDING/GROUNDS- Outside door to Board room needs new molding.
- e) BOARDS/MEETINGS: WWRA and Township Website reported by Kolon. CEO by Mann.

NEW BUSINESS:

- a) Board of Review Resignation/Appointments: A letter of Resignation was received from Board of Review member Wilma Lentz. Motion Becktel, seconded Huber to accept the resignation of Wilma Lentz from the Board of Review with regrets and gratitude for the years of service to Manchester Township Board of Review and the citizens of Manchester Township. Voice Vote. Ayes: All. **CARRIED.** Huber recommended the appointments for BOR: Patricia Carlton, Fred Zimmer & Wilma Lentz as Alternate. Motion Huber, seconded Becktel to appoint Patricia Carlton, Fred Zimmer and Wilma Lentz as alternate to Manchester Township Board of Review for a 2-year appoint, expires December 31, 2008. Voice vote: Ayes; all. **CARRIED**
- b) Planning Commission Resignation/Appointment: A letter of resignation was received from Planning Commission member Mark Neigebauer. Motion Macomber, seconded Huber to accept the resignation of Mark Neigebauer from the Planning Commission with regrets and gratitude for his service to the Manchester Township Planning Commission and the citizens of Manchester Township. Voice vote. Ayes: All. **CARRIED.** . Mann recommended the appointment of John Seefeld to the Planning Commission to serve the remainder of the term. Motion Macomber, seconded Huber to appoint John Seefeld to the Manchester Township Planning Commission to replace the vacancy of Mark Neigebauer to expire May of 2007. Voice vote. Ayes: All. **CARRIED.**

c) Resolutions 06-14-19 redo as Ordinance #'s and Site Condo Review amendments.

**Adoption of amendments to the Manchester Township
Zoning Ordinance to conform with provisions contained
in the recently adopted Michigan Zoning Enabling Act,
Public Act 110 of 2006
RESOLUTION 07-05**

WHEREAS, zoning powers granted to the TOWNSHIP by the Township Zoning Act, Public Act 184 of 1943, as amended, has been superseded by the Michigan Zoning Enabling Act, Public Act 110 of 2006 (MCL 125.3101), effective July 1, 2006.

WHEREAS, that due to a change in zoning enabling legislation the TOWNSHIP recognizes that portions of the Manchester Township Zoning Ordinance requires revision to conform to provisions of Public Act 110 of 2006 (MCL 125.3101).

NOW, THEREFORE, BE IT RESOLVED that the Manchester Township Board supports and endorses the proposed amendments to Section 2.03, Section 3.04, Section 3.29, Section 11.03, Section 11.21, Section 12.01, Section 12.06, Section 12.09, Section 19.03, Section 19.06, Section 19.08, Section 20.01, Section 20.04, Section 20.06, and Section 20.09 of the Manchester Zoning Ordinance.

The foregoing resolution offered by Board Member Huber, Second offered by Board Member Macomber. Upon roll call vote the following voted: "Aye" Widmayer, Kolon, Macomber, Becktel, Huber & Mann. "Nay" None. Absent: Schmitt.

The Supervisor declared resolution 07-05 **ADOPTED**.

**Adoption of an amendment to general law ordinance
number 53, *Multiple Residence Driveways and
Residential Private Roads*
RESOLUTION 07-06**

WHEREAS, the TOWNSHIP recognizes there are existing private roads in the Township that are in poor condition due to improper maintenance, which represent a potential harm to the health, welfare, and safety of residents of Manchester Township

WHEREAS, to protect the health, welfare, and safety of residents of Manchester Township, a special assessment district shall be established prior to the issuance of a permit for a new private road to ensure that a mechanism is in place to finance future maintenance or improvements to the said private road.

WHEREAS, the special assessment district once established, shall be redrawn as if the number of parcels included in the original special assessment district or if the number of parcels that enjoy access to the private road is increased.

WHEREAS, the TOWNSHIP is permitted to initiate improvements or maintenance to a private road in accordance with Public Act 188 of 1954 (MCL 41.721).

WHEREAS, if an owner or owners of parcels that are included in the private road special assessment district request that improvements be made to a private road, in accordance with Public Act 139 of 1972 (MCL 247.391), as amended, the Township Board shall then determine the costs of the improvement and update the special assessment district, if necessary.

NOW, THEREFORE, BE IT RESOLVED that the Manchester Township Board supports and endorses an amendment to the general law ordinance, *Multiple Residence Driveways and Private Roads*, to protect the health, welfare, and safety of residents of Manchester Township.

The foregoing resolution offered by Board Member Huber, seconded by Board Member Widmayer. Upon roll call vote the following voted: "Aye" Widmayer, Kolon, Macomber, Mann & Huber & Becketl. "Nay" None. Absent: Schmitt.

The Supervisor declared resolution #07-06 **ADOPTED**.

**Adoption of amendments to the Manchester Township
Zoning Ordinance regarding adult-oriented businesses
RESOLUTION 07-07**

WHEREAS, the TOWNSHIP recognizes that there are some uses, hereinafter referred to as Controlled Uses, which, because of their very nature, have operational characteristics that have a serious and deleterious impact upon residential, office and commercial areas and that regulation of the locations of these uses is necessary to ensure that the negative secondary impact, that such businesses have been documented to have will not cause or contribute to the blighting or downgrading of the Township's residential neighborhoods, community uses which support a residential environment, and commercial centers.

WHEREAS, due to the nature of and potential deleterious impact to the Township that Controlled Uses may have, it is in the best interests of the Township to limit establishment of Controlled Uses as a conditional use in the Community Manufacturing, CM zoning district.

WHEREAS, regulation of Controlled Uses shall not be provided by the Manchester Township Zoning Ordinance rather through a general ordinance entitled, *Controlled Uses*.

NOW, THEREFORE, BE IT RESOLVED that the Manchester Township Board supports and endorses the proposed amendments to Section 9.04, Section 10.04, and Section 16.09 of the Manchester Zoning Ordinance.

The foregoing resolution offered by Board Member Macomber, Second offered by Board Member Kolon.

Upon roll call vote the following voted:"Aye" Widmayer, Kolon, Macomber, Huber, Becketl & Mann."Nay" None. Absent: Schmitt.

The Supervisor declared resolution #07-07 **ADOPTED**.

**Adoption of a general law ordinance, *Controlled Uses*, to
regulate adult-oriented businesses.
RESOLUTION 07-08**

WHEREAS, the TOWNSHIP recognizes that there are some uses, which, because of their very nature, have operational characteristics that have a serious and deleterious impact upon residential, office and commercial areas and that regulation of the locations of these uses is necessary to ensure that the negative secondary impact, that such businesses have been documented to have will not cause or contribute to the blighting or downgrading of the Township's residential neighborhoods, community uses which support a residential environment, and commercial centers.

WHEREAS, the regulations in the general ordinance, *Controlled Uses*, are for the purpose of locating these uses in areas where the adverse impact of their operations may be minimized by the separation of such uses from one another and from residential neighborhoods and places of public congregation.

WHEREAS, the provisions of the general ordinance, *Controlled Uses*, have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials nor is it the intent nor effect of the general ordinance, *Controlled Uses*, to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market.

NOW, THEREFORE, BE IT RESOLVED that the Manchester Township Board supports and endorses the adoption of the general law ordinance, *Controlled Uses*, to protect the health, welfare, and safety of residents of Manchester Township.

The foregoing resolution offered by Board Member Macomber, Second offered by Board Member Kolon.

Upon roll call vote the following voted: "Aye" Widmayer, Kolon, Macomber, Mann, Becketl & Huber. "nay" None. Absent: Schmitt.

The Supervisor declared resolution 07-08 **ADOPTED**.

**Adoption of amendments to the Manchester Township Zoning Ordinance regarding
the regulation of Community Wastewater Utility Systems
RESOLUTION 07-09**

WHEREAS, pursuant to Act No. 451 of the Public Acts of 1994 (MCL 324.4108) as amended, the Michigan Department of Environmental Quality is authorized to issue permits for on-site sewage disposal systems that service more than one (1) property, referred to as Community Wastewater Utility Systems.

WHEREAS, the TOWNSHIP recognizes that Community Wastewater Utility Systems may be in the best interests of the health, safety, and welfare of the Township and the residents in some limited circumstances, the Township requires assurance that, any Community Wastewater Utility System will be designed, constructed, operated, maintained, repaired and/or replaced in a manner that best serves and protects the health, safety, and welfare of the Township and its residents.

WHEREAS, the TOWNSHIP requires that it shall be indemnified by the owner and operator of the Community Wastewater Utility System from any costs or liability in connection with the design, construction, operation, maintenance, repair and/or replacement of the system.

NOW, THEREFORE, BE IT RESOLVED that the Manchester Township Board supports and endorses the proposed amendments to Section 2.03, Section 3.23, Section 5.03, Section 6.03, Section 11.13, Section 16.03, Section 16.08, Section 16.19, and Section 16.22 of the Manchester Zoning Ordinance to regulate Community Wastewater Utility Systems to protect the health, welfare, and safety of residents of Manchester Township.

The foregoing resolution offered by Board Member Kolon, Second offered by Board Member Widmayer. Upon roll call vote the following voted: “Aye” Widmayer, Kolon, Macomber, Huber, Becketl & Mann. “nay” None. Absent: Schmitt.
The Supervisor declared resolution 07-09 **ADOPTED**.

Adoption of a new general law ordinance titled
Community Wastewater Utility Systems
RESOLUTION 07-10

WHEREAS, pursuant to Act No. 451 of the Public Acts of 1994 (MCL 324.4108) as amended, the Michigan Department of Environmental Quality is authorized to issue permits for on-site sewage disposal systems that service more than one (1) property, referred to as Community Wastewater Utility Systems.

WHEREAS, the TOWNSHIP recognizes that Community Wastewater Utility Systems may be in the best interests of the health, safety, and welfare of the Township and the residents in some limited circumstances, the Township requires assurance that, any Community Wastewater Utility System will be designed, constructed, operated, maintained, repaired and/or replaced in a manner that best serves and protects the health, safety, and welfare of the Township and its residents.

WHEREAS, the TOWNSHIP requires that it shall be indemnified by the owner and operator of the Community Wastewater Utility System from any costs or liability in connection with the design, construction, operation, maintenance, repair and/or replacement of the system.

NOW, THEREFORE, BE IT RESOLVED that the Manchester Township Board supports and endorses the proposed general law ordinance, *Community Wastewater Utility Systems*, to protect the health, welfare, and safety of residents of Manchester Township.

The foregoing resolution offered by Board Member Huber, Second offered by Board Member Macomber. Upon roll call vote the following voted: “Aye” Widmayer, Kolon, Macomber, Huber, Becketl & Mann. “Nay” None.
The Supervisor declared resolution 07-10 **ADOPTED**.

Zoning Ordinance Amendment-Section 16.19, *Site Condominium Review*.

Changes: Page 4- paragraph G. 2.a.

Page 6- paragraph G. 4. a. 2. And 3.

Page 7 - paragraph G. 4. e.

Motion Huber, seconded Macomber to approve changes to *Site Condominium Review*, Section 16.19 requested by Manchester Township Planning Commission as presented.

Roll call vote:

Ayes: Huber, Widmayer, Kolon, Becketl, Mann & Macomber. **CARRIED**.

The Manchester Township Board of Trustees recently adopted changes to Section 16.19, *Site Condominium Review*, of the Manchester Township Zoning Ordinance. Previously, Section 16.19 allowed the construction of driveways off existing local roads. For example, if a condominium development included several lots with frontage on a public road, many driveways would likely result. Automobiles turning in to and out of each of these driveways could have increased the potential of traffic accidents. The revised Zoning Ordinance now require driveways to be located off a drive that is internal to a condominium development thus reducing driveway curb cuts off public roads and improving safety for motorists and pedestrians.

OTHER BUSINESS:

- a) Board Room Policy: Board discussed the use of the Board room for Public use, it was decided the use of the Board room will be used for Township use only at this time. Manchester Township Attorney Jesse O'Jack will present a policy at the Board meeting 3/13/07.

CORRESPONDENCE:

- a) Washtenaw County Road Commission Staff Report.

ADJOURNMENT:

They're being no further business to come before the Board, Huber moved, seconded by Widmayer to Adjourn. Voice vote: Ayes: all. **CARRIED.**

Meeting Adjourned at 9:50 p.m.

Ann M. Becketl, Clerk