

Township Board of Trustees Regular Meeting

December 23, 19

The Regular Meeting of the Danbury Township Board of Trustees was held at the Danbury Township Hall, December 23, 2019 and called to order at 6:30 p.m. by Chairman Dress.

The pledge of allegiance was recited. The roll was called and the following members were present: Mr. John Paul Dress, Ms. Dianne M. Rozak. and Mr. David M. Hirt. Also present were, Fiscal Officer Carolyn Adams, Road Superintendent Brett Waldron, Police Chief Mike Meisler, Fire Chief Keith Kahler, Zoning & Planning Administrator Kathryn A. Dale, and Assistant to the Fiscal Officer Susan Dress.

APPROVAL OF THE MINUTES

The regular meeting minutes of December 11, 2019 were approved on a motion by Mr. Hirt and second by Ms. Rozak. All voted in the affirmative.

CORRESPONDENCE

- Numerous Christmas wishes.
- Update from State Senator Theresa Gavarone
- Ottawa County Senior Resources
- Ottawa County Board of Elections re: setup for primary election
- Letter from Dennis Cooley opposing the proposed bike path.

ROADS-BUILDINGS-GROUNDS

Brett Waldron reported a Wreathes Across America Ceremony was held at Sackett Cemetery. Approximately 900 wreathes were placed at cemeteries within the Township. Department currently receiving quotes for brush grinding at the brush collection site. Community experienced one winter snow event. Winter service and maintenance on equipment continues. The work boot allowance will increase to \$200.00 effective 1-1-2021.

POLICE

Mr. Dress read the report submitted by Police Chief Mike Meisler that listed the department responded to 122 total incidents to date in December. Chief is continuing to explore cell phone upgrades.

FIRE

Mr. Hirt read the report submitted by Chief Keith Kahler. Details are listed below:

Fire & Ems Run Details						
	EMS	Fire	MVC*	Alarm **	CO***	Mutual Aid
Month of Dec.	39	2	2	2	0	2
As of 12-23-2019	697	40	40	58	4	23
Year-To-Date	862					

*Motor Vehicle Crash(es)
 ** Alarm Activation(s)
 ***Carbon Monoxide Investgation(s)

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December 23, 19

EMS billing for 2019 to date, \$.167,122.64

The department is seeking proposals for clearing the property for the new fire station. Chief Kahler indicated he will be on vacation and will miss the next meeting January 8th.

ZONING

Permits

To-date this month there has been 10 permit applications submitted/processed totaling \$1,236.59.

Board & Commission Activity

The Board of Zoning Appeals –

The BZA held adjudication hearings December 18, 2019 on the following cases:

a. **BZA-2019-217**

Approved as Presented

9935 E. Bayshore Road. Request for an Area Variance from Section 5.1.1.A.ii to allow for the cumulative square footage of all accessory structures to exceed the 1,200s.f. limitation (2,448s.f. existing/ additional 24' x 36' [864 s.f.] proposed/ 3,312s.f. total). **Thomas Boytim, Owner/Applicant.**

b. **BZA-2019-225**

Partially Approved

447 Lynn. Request for an Area Variance from Section 7.9.3.A to allow multiple residential additions to exceed the 20% square footage onto a nonconforming structure (214.2s.f. allowed/ 741s.f. [69%] proposed) and Section 5.2.4.A to allow for 2 on-site parking spaces to be 17.75' long where 18' is required. **Pete & Kathleen Schabo, Owner/Applicant.**

Ms. Rozak motioned appointment of Clyde Shetler, from Alternate on the BZA to a regular member, fulfilling Sharon Michael's term which is set to expire 12/31/2021. Second by Mr. Hirt. Roll Call all voted yes.

The BZA held election of officers. For 2020, Mr. Joseph Fetzer will serve as Chair, Ms. Loretta Grentzer Vice-Chair and Ms. Lisa Bauer Secretary. The Board also accepted the by-laws and meeting schedule.

The Zoning Commission -

The Zoning Commission meeting for January has been cancelled since it would fall on New Year's Day and the offices are closed.

Prior to this regular meeting of the Trustees, a Special Meeting was held on the following application:

- a. **ZC-2019-210 Request for Text Amendments** to create new Section 2.3 dedicated to just Sign Definitions, create new Section 3.4 Use Matrix eliminating the need to have multiple pages dedicated to each zoning district and duplicating information, move the end of Article 3 (General Regulations) to Article 5, Alphabetize the uses & Sections of Article 4 & 5, add new Section 5.8 about Landscaping and Buffering, make Article 6 dedicated strictly to signage, combine old Article 6 & 7 into Article 7 regarding all processes and board duties. **Danbury Township, Applicant.**

Department Updates

- Signing of Record Commission RC-1 form, transfer of records to the Village of Marblehead.
- Estimate for National Planning Conference.
- Notice of Termination was sent to ClearZoning 12.17.19.

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Violations/ Complaints:

DILAPIDATED STRUCTURES:

7597 E. Harbor Road (*Mazur Barn*)

Open

Certified Letter was sent to the property owner 12.13.19 notifying them of the hearing 01.08.20. Lien Report was also requested. (Certified letter still not delivered or signed for as of 12.19.19)

Prior Info: Certified letter sent to the property owner 11.15.19 as a courtesy notice that this structure is being investigated and requests for inspection sent to Fire Chief and CBO for determinations. Fire Chief has responded that the structure is on their "Do Not Enter" list. Owner signed for the letter 11.18.19 and called 11.20.19. Stated he needed until May to deal with the barn because he will be in Florida for the winter. Advised him this was a decision to be made by the Trustees and discussed the process. Next step is to set an Evidentiary Hearing for the owner to attend, request a lien holder report and send any notice to them as well.

7857 E. Harbor Road (*Karns House*)

Open

Certified Letter was sent to the property owner 12.13.19 notifying them of the hearing 01.08.20. Lien Report was also requested. (Certified letter still not delivered or signed for as of 12.19.19)

Prior Info: Certified letter sent to the property owner 11.15.19 as a courtesy notice that this structure is being investigated and requests for inspection sent to Fire Chief and CBO for determinations. Fire Chief has responded that the structure is on their "Do Not Enter" list. Owner signed for the letter 11.18.19. Next step is to set an Evidentiary Hearing for the owner to attend, request a lien holder report and send any notice to them as well.

ILLEGAL CAMPER:

94 Hidden Beach (*Illegal Occupancy of Camper – Cragel*)

Open

Letter was sent 12.09.19 to property owner regarding possible illegal occupancy of a camper on the property that has an extension cord running from it to the house. Owner called 12.18.19 and stated that the extension cord is being used for a battery tender and no one should be living in the camper.

TALL GRASS:

8557 Williams (*Nuisance Vegetation – Beckowitz*)

Open

KAD called owner to follow-up on 12/19/19, but VM was full and was unable to leave message.

Prior Info: Complaint received 08.23.19 regarding vegetation overgrowth around the property. Certified Letter sent 08.23.19. Owners have not signed for letter to-date. Owner signed for letter 09.11.19 and called 09.13.19. As of 09.23.19 Owner has been in contact with lawn service companies but also demolition contractors and is waiting on quotes. Owner indicated they will call back 1st week of October to let us know what they decide to do. Owner has received lawn service company quotes and is waiting on demo quotes. Once those are received she'll let us know what her & her siblings have decided. Owner is expecting last demo quote to come in 11.08.19. Owner has received all quotes & given her siblings until 12/13/19 to get back to her. If they don't then she's indicated she's ready to make a decision independently.

CONSTRUCTION WITHOUT PERMITS:

1696 Jeanie (*Deck/Bridge w/out Permit – Henderson*)

Open

Received an email from the Association 12/16/19 indicating that they have not heard anything from the Henderson's or their attorney regarding this matter. Follow-up was requested from the Attorney, he indicated he got behind in some of his paperwork and intends to file the mediation request 12/23/19.

Township Board of Trustees Regular Meeting

December 23, 19

Prior Info: Owner came in 07.01.19 after receiving letter. He provided a copy of letter sent to his association asking for approval of the bridge that may be in the private drainage easement. Association member came in 07.03.19 and 07.08.19 asking for clarification on what is and is not allowed. Awaiting decision by the association. Letter sent to the property owner 06.26.19 regarding a deck/bridge being constructed without proper permits which so happens to be over a drainage ditch easement. Awaiting decision by the association. Association emailed over 09.28.19 weekend and stated that the bridge had been denied and asked the homeowner to remove what of the structure was in place by November 1, 2019. Will monitor to see if that work takes place before pursuing any zoning action further. 11.07.19 spoke with homeowner and they indicated that they have been in touch with their attorney over this issue. Spoke to homeowner's attorney on 11.12.19 regarding the matter. Homeowners & their Atty met 12/3/19. As of 12/5/19 they are going to request mediation with the Association. They are giving the Association until 12/23 or 12/30 to respond.

2408 Knobhill (Shed w/out Permit – Kettel)

Open

Property is being prepped for a shed at the rear corner of the property. Letter was sent to the owner 12.09.19 letting them know a permit is needed prior to doing any further work. Asked that they take out a permit by December 30, 2019

2665 Amherst (Covered Porch over Patio w/out Permit – Hughes)

Open

Property has constructed a covering over the rear patio which is considered to be an addition. Letter was sent to the owner 12.09.19. Asked that they take out a permit by December 30, 2019.

New Business:

Motion by Ms. Rozak and seconded by Mr. Hirt to clarify the position of Chairman as the records commission will be the same as Board of Trustees chairman in any given year. All voted in the affirmative.

Notification from the State Liquor Commission of application transfer from Bassetts to Tibbles. Chief Meisler had no problems with the transfer. Notification to be sent to the Commission indicating a hearing is not requested.

FISCAL BUSINESS

Mr. Dress motioned the approval of the 2020 Temporary Appropriations. Seconded by Ms. Rozak. Roll Call all voted YES.

Trustees approved employee healthcare premium deductions at 10% through May 2020 with an increase to 15% effective with the first pay period in June. Step-therapy for prescription drugs was also approved and will become effective approximately the beginning of April.

A motion by Mr. Dress and seconded by Mr. Hirt to approve the payroll and bills totaling \$108,694.44 for the period of 12/12 – 12/23. Roll call was unanimous and motion carried.

There being no further business before the Board, Ms. Rozak moved and Mr. Hirt seconded a motion to adjourn.