

**EAST CHINA CHARTER TOWNSHIP**

**OFFICIAL PROCEEDINGS**

**AUGUST 21, 2023**

**CALL TO ORDER** – Supervisor Westrick called the meeting to order at 7:30 p.m., with Clerk Smith, Treasurer Hart, and Trustees Reichle, Blackstock, Babel, Knotts. Also present: Deputy Clerk Biebuyck, Township Manager Cindy Paparelli.

**PLEDGE OF ALLEGIANCE**

Three in the audience.

**APPROVE AGENDA** – Trustee Reichle, supported by Treasurer Hart, moved to approve the Agenda with the addition of NB8. Carried.

**APPROVE MINUTES** – Trustee Reichle, supported by Trustee Babel, moved to approve the Minutes of August 7, 2023. Carried.

**PRESENTATION:** UHY Annual Fiscal 2022 Audit

**PUBLIC COMMENT** - Michael Kowalski, 1525 Meisner, asked about restoration to his yard and the meter replacement charges on the water bill.

**CONSENT AGENDA** – Trustee Reichle, supported by Clerk Smith, moved to accept the Consent Agenda as follows: Financial Reports July 2023, and water plant employee request for training. Carried.

**DISBURSEMENTS** – Treasurer Hart, supported by Trustee Knotts, moved to approve Payroll \$36,816.30, Accounts Payable \$606,957.15, EFT's \$12,887.52, E-check \$302.30, Tax account \$241,667.21 and Invoices \$184,955.15. Roll call vote: Yea: Reichle, Smith, Westrick, Blackstock, Hart, Babel, Knotts. Carried.

**OLD BUSINESS**

**OB 1 – Resolution 09-2023 for Water Main Improvements and SAD**

**RESOLUTION 09-2023  
CHATER TOWNSHIP OF EAST CHINA  
St. Clair County, Michigan  
RESOLUTION DECLARING INTENT TO MAKE WATER SYSTEM  
IMPROVEMENTS AND DECLARING INTENT TO DESIGNATE A SPECIAL  
ASSESSMENT DISTRICT**

At a regular meeting of the Charter Township of East China Board of Trustees, held at the East China Township Hall, 5111 River Road, East China, Michigan 48051 on the 21<sup>st</sup> day of August, 2023, at 7:30 PM.

Present: Westrick, Smith, Hart, Babel, Blackstock, Knotts, Reichle

Absent: None.

The following preamble and resolution was offered by Westrick and supported by Smith:

WHEREAS, the following properties (collectively the “Properties”) are located in East China Township:

- (1) 4049 River Road
- (2) 4045 River Road
- (3) 4037 River Road
- (4) 4033 River Road
- (5) 4029 River Road
- (6) 4021 River Road

WHEREAS, the Properties are served by the Township’s water system by a single service line in a manner not consistent with the East China Township Code of Ordinances (the “Ordinances”).

WHEREAS, in order to become complaint with the Ordinances and improve the safety and reliability of water service to the Properties, certain improvements are required, including installation of a watermain servicing the Properties and related improvements (collectively the “Improvements”).

WHEREAS, Michigan Public Act 188 of 1954 (the “Act”) allows for the Township to make certain public improvements, including improvements to water systems, and to finance the same by special assessment against the properties benefited. MCL §41.721 *et. seq.*

WHEREAS, the Improvements are public improvements which may be completed and financed pursuant to the Act.

WHEREAS, pursuant to Section 3 of the Act, record owners of more than 50% of the Properties, by land area, have signed petitions (the “Petitions”) requesting the Township to proceed with the Improvements and to finance the same pursuant to special assessment against the Properties.

WHEREAS, the Township has received plans from Project Control Engineering, Inc. to complete the Improvements at an estimated cost of \$152,026.00 (the “Plans”).

WHEREAS, on July 17, 2023, the Board of Trustees adopted a Resolution Tentatively Declaring Intent to Make Water System Improvements and Tentatively Declaring Intent to Designate a Special Assessment District (the “Initial Resolution”).

WHEREAS, pursuant to the Initial Resolution, as required by the Act, the Board of Trustees scheduled and conducted a public hearing (the “Public Hearing”) on August 7, 2023 to consider objections: (1) to the Petitions; (2) the Improvements; and (3) a proposed Special Assessment District consisting of the Properties (the “District”).

WHEREAS, after having reviewed the Improvements, the Petitions, the Plans, the District and considered the comments at the Public Hearing, the Board of Trustees has determined the following.

**NOW THEREFORE, BE IT HEREBY RESOLVED BY THE EAST CHINA TOWNSHIP BOARD OF TRUSTEES AS FOLLOWS:**

1. Record owners of more than 50% of the Properties, by land area, within the District submitted signed Petitions to the Township Clerk requesting the Township complete the Improvements and create the District to assess the cost of the Improvements. The Petitions are sufficient to proceed under the Act. Pursuant to MCL §41.725(1)(c) the sufficiency of the Petitions is not subject to attack except in an action brought in a court of competent jurisdiction within 30 days after the adoption of this resolution.
2. The Plans, including cost estimate, are approved. The Township shall complete the Improvements in substantially the same form as contemplated in the Plans, subject to: (i) revisions to the scope of work and estimate for final engineering; (ii) potential reductions in scope to reduce costs; and (iii) approval of bids deemed acceptable by the Township Board of Trustees.
3. A special assessment district consisting of the Properties is created for a period of years sufficient to repay all costs associated with the Improvements, together with interest as approved on a special assessment roll. Each of the Properties within the District shall be assessed equally for the final cost of the Improvements.
4. The Township Supervisor, in cooperation with Project Control Engineering, Inc, shall initiate the process to obtain sealed bids to complete the Improvements. Cost estimates for the Improvements will be redefined after receipt and review of sealed bids.
5. As required by MCL §41.725(1)(d), once sealed bids are received and the cost estimate for the Improvements redefined, the Township Supervisor shall create a special assessment roll consisting of the Properties, which will be equally assessed for the cost of the Improvements over a period of years, less any contributions toward the cost from other sources, including a contribution from the Township, if any.
6. After the Supervisor creates the special assessment roll, the Board of Trustees, by resolution, will schedule a public hearing regarding the special assessment roll as required by MCL §41.726.
7. If the special assessment roll is approved, the Township Board of Trustee will consider bids to complete the Improvements and award a contract to complete the Improvements as it deems fit.

After discussion of the above resolution, the names of Board of Trustees of East China Township and their votes are as follows:

	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
<u>Westrick</u>	x	___	___	___
<u>Smith</u>	x	___	___	___
<u>Hart</u>	x	___	___	___
<u>Babel</u>	x	___	___	___
<u>Blackstock</u>	x	___	___	___
<u>Knotts</u>	x	___	___	___
<u>Reichle</u>	x	___	___	___

RESOLUTION DECLARED ADOPTED.

**NEW BUSINESS**

**NB 1 – SCC Parks & Recreation Millage Request**

Trustee Knotts, supported by Trustee Reichle, moved to approve \$19,916 for Parks from the St. Clair County Parks & Recreation Millage. Carried.

**NB 2 – AT&T Metro Act Extension Agreement**

Trustee Knotts, supported by Trustee Reichle, moved to approve the Township Supervisor to sign the AT&T Metro Act Agreement. Carried.

**NB 3 – Water Plant Employee Training**

Supervisor Westrick, supported by Trustee Babel, moved to approve attendance at the MI-AWWA Treatment Course in Lansing by two employees at a cost of \$1132.19 each. Roll call vote: Yea: Westrick, Smith, Hart, Babel, Blackstock, Reichle, Knotts. Carried.

**NB 4 – 2<sup>nd</sup> Quarter Budget Amendments Resolution 08-2023**

Approved 9.5.2023

## 2023 2nd Quarter Budget Amendments

	FROM	TO	NCREASE/DECREASE	
<b>GENERAL FUND</b>				
<b>Revenue</b>				
Grant Revenue	\$0.00	\$51,350.00	\$51,350.00	ARPA TRANS:FUNRACE & COLUMBARIUM DEP.
Investment Income	<u>\$2,500.00</u>	<u>\$55,000.00</u>	<u>\$52,500.00</u>	RETURN RATES
<b>Total</b>	<b>\$2,500.00</b>	<b>\$106,350.00</b>	<b>\$103,850.00</b>	
<b>Expense</b>				
Assessor	\$500.00	\$2,250.00	\$1,750.00	BOR NOTICES
Buildings and Grounds	\$40,500.00	\$91,000.00	\$50,500.00	FURNACE,WINDOWS,AED/FIRST AID
Contingency	\$35,000.00	\$36,700.00	\$1,700.00	TIMESHEETS MODULE
Drains-Repairs & Maintenance	\$4,500.00	\$6,850.00	\$2,350.00	PUTTYGUT CULVERT
Historical Commission	<u>\$1,050.00</u>	<u>\$1,540.00</u>	<u>\$490.00</u>	MEETINGS BUDGET
<b>Total</b>	<b>\$81,550.00</b>	<b>\$138,340.00</b>	<b>\$56,790.00</b>	
<b>BOND DEBT</b>				
<b>Expense</b>				
2013A	\$0.00	\$142,348.00	\$142,348.00	PLANNED TRANSFER FROM FUND BAL
2013B	<u>\$0.00</u>	<u>\$71,258.00</u>	<u>\$71,258.00</u>	PLANNED TRANSFER FROM FUND BAL
<b>Total</b>	<b>\$0.00</b>	<b>\$213,606.00</b>	<b>\$213,606.00</b>	
<b>CAPITAL PROJECTS</b>				
<b>Revenue</b>				
Investment Income	\$0.00	\$47,500.00	\$47,500.00	RETURN RATES
<b>Total</b>	<b>\$0.00</b>	<b>\$47,500.00</b>	<b>\$47,500.00</b>	
<b>Expense</b>				
Buildings and Grounds	\$0.00	\$137,100.00	\$137,100.00	B2B TRAIL IMPR BUDGETED IN 2022
Misc Improvements	\$30,000.00	\$40,800.00	\$10,800.00	DPW BUILDING
Cemetery Parking Lot	<u>\$0.00</u>	<u>\$55,000.00</u>	<u>\$55,000.00</u>	BUDGETED/COLLECTED IN 2021/2022
<b>Total</b>	<b>\$30,000.00</b>	<b>\$232,900.00</b>	<b>\$202,900.00</b>	

RESOLUTION DECLARED ADOPTED.

### **NB 5 Township Hall Exterior Painting**

Supervisor Westrick, supported by Trustee Reichle, moved to approve a painting quote from Chapdelaine Painting in the amount of \$4,850 to exterior rooftop cupola, dormers, pipes & shed. Roll call vote: Yea: Westrick, Reichle, Knotts, Blackstock, Babel, Hart, Smith. Carried. GL#101-265-970.00.

### **NB 6 Township Hall Parking Lot Lighting Repairs**

Supervisor Westrick, supported by Trustee Knotts, moved to approve Delude Construction quote of \$1,600 to bore an underground power source for the parking lot rear lights. Roll call vote: Yea: Westrick, Knotts, Reichle, Blackstock, Babel, Hart, Smith. Carried. GL#101-265-930.00.

Supervisor Westrick, supported by Clerk Smith, moved to approve Hunter Electric quote for \$1,450 to rewire parking lot light fixture. Roll call vote: Yea: Westrick, Smith, Hart, Reichle, Knotts, Babel, Blackstock. Carried. GL#101-265-930.00.

**NB 7 Sewer Credit Request 4117 River Road**

Trustee Knotts, supported by Treasurer Hart, moved to deny a sewer credit request based on the recommendation of the DPW Supervisor's inability to verify the leak and where the water went. Carried.

**NB 8 Appoint Ron Miller to the Park Commission**

Supervisor Westrick, supported by Trustee Reichle, moved to appoint Ron Miller to the Park Commission with a term ending November 20, 2024. Carried.

**MEMBER COMMENTS** – Trustee Reichle verified a workshop with the Park Commission at 6:30 pm, prior to the September 18, 2023 Board meeting.

**ADJOURN** – Trustee Reichle, supported by Trustee Babel, moved to adjourn at 8:46 p.m. Carried.

---

Sandra Smith, Clerk

---

Verne Westrick, Supervisor

Approved 9.5.2023