

LINCOLN CHARTER TOWNSHIP  
BERRIEN COUNTY, MICHIGAN  
REGULAR MEETING  
July 13, 2010

THE REGULAR MEETING of the Lincoln Charter Township Board of Trustees was called to order on July 13, at 7:00 p.m. by Dick Stauffer, Supervisor, in the Municipal Building, 2055 W. John Beers Road, Stevensville.

BOARD MEMBERS PRESENT: Marc Florian, Kevin Gillette, Stacy Loar-Porter, Tom Norbey, Deb Peterson., Terrie Smith and Dick Stauffer.

BOARD MEMBERS ABSENT: None.

The PLEDGE OF ALLEGIANCE was given.

CHANGES TO AGENDA. None.

**PRESENTATIONS.** The Township Board commended the Lakeshore Lady Lancers Softball team for winning the 2010 State Softball Championship.

**CORRESPONDENCE.** Comcast letter announcing programming changes.

**APPROVAL OF CONSENT AGENDA. MOTION CARRIED.** Gillette moved, seconded by Peterson, to approve the consent agenda as presented.

1. Minutes of the 6/8/10, special noon, regular meeting
2. Approve the 7/14/10 and 6/28/10 bills from the following funds.

General Fund	\$ 158,716.11
Parks Fund	16,088.35
Parks Capital Improvement	57,465.10
Cemetery Fund	5,236.77
Building Fund	12,993.81
Township Improvement Fund	85,940.00
Police Fund	112,669.89
Police Drug	-0-
Police Capital Improvement	18,592.00
Sewer Enterprise	
Sewer Operating	56,661.07
Sewer Improvement	-0-
Water Enterprise	
Water Operating	9.33
Water Improvement	-0-
TOTAL	526,841.30

**UNFINISHED BUSINESS.** None

**NEW BUSINESS.** None

**SUPERVISOR'S REPORT.**

**Drain Commission.** Received Notice of Apportionments for the Parker Drain, Township expense is \$1,000 and the Glenlord Drain, Township expense is \$300.

The Hollywood Drain project has begun, the \$2.5 million dollar project is scheduled to be completed in September.

**Road Commission.** The project to install a turning lane in front of the Middle School on John Beers has been delayed until July 2011. Cleveland Ave from 1/3 mile north of Rockey Weed to 1/2 mile south will be closed and detoured for approximately 50 days beginning July 6<sup>th</sup>. The project consists of enclosure of the drains and widening of the road.

**Meijer Report.** Stauffer reported the construction is slightly ahead of schedule due to the positive weather conditions.

**Volunteer Corps.** The group has painted a total of 100 hydrants to date.

### **CLERK'S REPORT.**

**June Book Balances** at 6/30/10 are as follows: \$1,998,001.09 in the general fund; \$1,032,469.99 in police; \$19,807.73 in parks; \$67,123.73 in cemetery; \$96,042.60 in building; \$204,404.30 in township improvement; \$31,155.15 in police capital; \$103,261.76 in parks capital; \$2,357,754.61 in sewer operating; \$2,118,073.63 in sewer replacement; \$279,425.27 in sewer improvement; \$2,080,916.48 in water operating; \$828,784.15 in water replacement; \$4,843,007.49 in water improvement; \$171,624.14 in trust & agency; and \$65,196.05 in street lighting. We also have funds in T & A delinquent taxes \$3,167.61; tax account \$711.00; fire station debt \$195,655.98; library bond \$401,768.39; flex spending \$7,137.96.

**TREASURER'S REPORT.** Summer tax collection has begun. There is currently \$12 million invested, with interest rates at 1.15-1.5%.

### **PLANNING COMMISSION REPORT.**

**Ordinance 10-Z02. Motion Carried** Florian moved, seconded by Gillette, to approve the second reading of Ordinance 10-Z02 to amend Section 230.402(C) of the Zoning Ordinance of the Compilation of Ordinances is hereby amended to change the zoning classification on property located east of Red Arrow Highway, west of the CSX railroad tracks, south of Defay road and north of Linco Road on parcels 11-12-0033-0013-08-5, 11-12-0032-0003-03-1 and 11-12-0033-0013-11-5, from Low Density Residential-Planned Unit Development to the Neighborhood Residential District. *Ordinance 10-Z02. Attachment A.* Roll Call Vote: Ayes: Florian, Gillette, Loar-Porter, Norbey, Peterson, Smith and Stauffer. Nays: None.

**Ordinance 10-01. Motion Carried.** Florian moved, seconded by Smith, to approve the first reading of Ordinance 10-01 to amend the compilation of ordinances of Lincoln Charter Township to provide application requirements and regulations concerning certain licenses within the Township. *Ordinance 10-01. Attachment B.* Roll Call Vote: Ayes: Florian, Gillette, Loar-Porter, Norbey, Peterson, Smith and Stauffer. Nays: None.

### **Ordinance 10-Z03.**

Florian presented the ordinance to regulate electronic message boards for education facilities, government offices and places of public assembly. Two public hearings were held concerning the ordinance amendment. The ordinance addresses the sign area size, sign height, illumination permitted, the times that the sign is allowed to be on, and prohibits flashing, sudden burst of light, motion, animation, movement, or flow of the message, image or display.

A resident addressed the board stating opposition to the ordinance. This ordinance would allow an

electronic sign at Christ Lutheran Church on Cleveland Ave. She opposes the sign because it would cause flashing of light in her home. She felt she was not properly notified of the amendment.

Gillette stated concern with the zoning ordinance, that it could be causing a sign to be allowable on one side of the road but not the other. He also addressed size concerns and consistency with the current sign ordinance and the orientation of the sign as pertaining to the primary road. Florian responded the ordinance addresses those specific facilities. Florian and Gillette will speak for clarification.

**Ordinance 10-Z03. Motion Carried.** Florian moved, seconded by Peterson, to approve the first reading of Ordinance 10-Z03 to amend section 230.804 of article 8 of the zoning ordinance of the compilation of ordinances of Lincoln Charter Township to add regulations concerning electronic message boards for education facilities, government offices, and places of public assembly in the Township. *Ordinance 10-Z03. Attachment C.* Roll Call Vote: Ayes: Florian, Loar-Porter, Norbey, Peterson, Smith and Stauffer. Nays: Gillette,

**Amendment to ordinance. Motion Carried.** Florian moved, seconded by Peterson, to include modification of the ordinance to include; the sign orientation shall be perpendicular to the primary road right-of-way.

Smith stated she appreciated the work the Planning Commission did on the ordinance to address several concerns presented at the public hearings by the residents.

**ZONING BOARD OF APPEALS REPORT.** No Meeting.

**ASSESSOR'S REPORT.** Distributed to board.

**BUILDING DEPARTMENT REPORT.** Two single family residential permits were issued in June. There have been 7 single family residential permits issued year-to-date.

**AIRPORT AUTHORITY REPORT.** Distributed to board.

**FIRE BOARD.** Peterson reported 8,995 feet of hose has been tested, bar-coded and recorded. There were no failures in any of the lines during testing.

Joe Carpenter and Brian Gist have successfully passed the State of Michigan Firefighter I and II tests.

The new radios purchased with the 2009 grant funds are all in use. The fire department is now a fully compliant NFPA 14 department.

Florian questioned the result of the lack of sirens during the tornado in June. Stauffer reported that Corey Burk from the Berrien County Sheriff's Department of the 911 Emergency Preparedness divisions will be at the next meeting to speak about the sirens.

**POLICE DEPARTMENT REPORT.** Distributed to the board by e-mail.

**LIBRARY REPORT.** Dina Reilly has turned in her resignation effective July 31<sup>st</sup> due to health issues. The Township Board expressed their sadness in losing such a wonderful library director and wished Dina well in her recovery.

**PARKS REPORT.** Smith reported restroom/concession stand at the soccer complex is nearly complete.

The preliminary final walk through should be next week.

The Township will be receiving the dirt from the Hickory Creek Sewer interceptor project; the dirt will be used to develop rocket football fields at the 80 acre park.

At noon there was long discussion on the care and maintenance of Glenlord Overlook. The board and the public discussed possibility of solutions. It was agreed that the overlook needs some attention. The board will look into funding for fencing, dead tree removal, cutting down the sumac on the overlook portion and basic trimming of the shrubs.

**5 year recreation plan.** Smith reported our engineer has spoken with all the sports associations and has received all of the requests the associations have made. The 5 year plan has four goals; provide formal structure for parks and recreation areas, regularly inform citizens about facilities and programs, optimize existing parks facilities and to continue to pursue a network of sidewalks and non-motorized trails. The complete plan should be available for public review in September.

**WATER/SEWER.**

**Water Authority.** A valve turning program recommendation was approved at noon.

**Public Comment.** None.

ADJOURN. There being no further business, the chair adjourned the meeting at 7:50 p.m.

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Stacy Loar-Porter, Clerk

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