

1. 6:00 P.M. Committee Agenda (PDF)

Documents:

[COMMITTEE AGENDA.PDF](#)

2. 7:00 P.M. Board Agenda (PDF)

Documents:

[BOARD AGENDA.PDF](#)

3. 7:00 P.M. 9-3 Agenda Packet (PDF)

Documents:

[9-3 AGENDA PACKET.PDF](#)

DELHI CHARTER TOWNSHIP COMMITTEE OF THE WHOLE

Community Services Center
2074 Aurelius Road, Holt, MI 48842
(517) 694-2137

Tuesday
September 3, 2019

6:00 p.m.

Agenda

- A. Sewer Fund Financial Management Report Presentation
- B. Township Board 2020 Goals and Objectives
- C. Department of Public Services – February Activity Report

Public Comment

DELHI CHARTER TOWNSHIP BOARD MEETING

2074 Aurelius Road, Holt 48842 (517) 694-2137

Tuesday, September 3, 2019

7:00 p.m.

Agenda

Call the Meeting to Order

Pledge of Allegiance

Roll Call

Comments from the Public – FOR COMPLETE GUIDELINES FOR ADDRESSING THE BOARD, PLEASE SEE “PROCEDURES FOR ADDRESSING THE BOARD” LOCATED AT THE BACK TABLE. ANYONE WISHING TO COMMENT ON ANY MATTER NOT ON THE AGENDA MAY DO SO AT THIS TIME. ALL COMMENTS WILL BE DIRECTED ONLY TO THE TOWNSHIP BOARD MEMBERS AND PERSONS ADDRESSING THE BOARD MUST STATE THEIR NAME AND ADDRESS FOR THE RECORD AND WILL BE GIVEN TWO (2) MINUTES. ANY COMMENTS LONGER THAN 2 MINUTES SHOULD BE REDUCED TO WRITING AND SUBMITTED TO THE CLERK AND WILL BE MADE A PART OF THE RECORD.

Set/Adjust Agenda

Unfinished Business

Consent Agenda

1. a) Approval of Minutes – Committee Meeting of August 20, 2019
- b) Approval of Minutes – Regular Meeting of August 20, 2019
- c) Approval of Claims – August 27, 2019
- d) Approval of Payroll – August 22, 2019

Zoning and Development

2. Special Use Permit No. 19-290 – Metro Fibernet, LLC – 1868 Holloway Drive – Tax Parcel #33-25-05-24-200-015 – Outdoor Storage

New Business

3. Amendment to Delhi Township Ordinance No. 71 – Disorderly Conduct Ordinance, Second Consideration (Proposed Township Ordinance No. 71.7)
4. Amendment to Delhi Township Ordinance No. 128 – Consumer Fireworks, Second Consideration (Proposed Township Ordinance No. 128.1)

Items Removed From Consent Agenda For Discussion

Late Agenda Items

- 5.
- 6.
- 7.

Reports

8. Supervisor:
9. Treasurer:
10. Clerk:
11. Trustees:
12. Manager:

Limited Comments

MEMBERS OF THE PUBLIC WILL BE AFFORDED THE OPPORTUNITY TO ADDRESS THE BOARD REGARDING ANY ITEM ON THE AGENDA AT THE TIME SUCH ITEM IS OPEN FOR DISCUSSION BY THE BOARD. ANYONE WISHING TO COMMENT ON ANY MATTER NOT ON THE AGENDA MAY DO SO AT THIS TIME.

Adjournment

The Township will provide reasonable auxiliary aids and services, such as interpreters for the hearing impaired and audio tapes of printed materials considered at the meeting for the visually impaired, for individuals with disabilities at the meeting upon five (5) working days notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact Delhi Charter Township, Evan Hope, Township Clerk, 694-2135.

ALL PAGERS, CELL PHONES, RADIOS AND SIMILAR DEVICES ARE TO BE TURNED OFF OR TO SILENT MODE DURING ALL BOARD MEETINGS.

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Delhi Charter Township

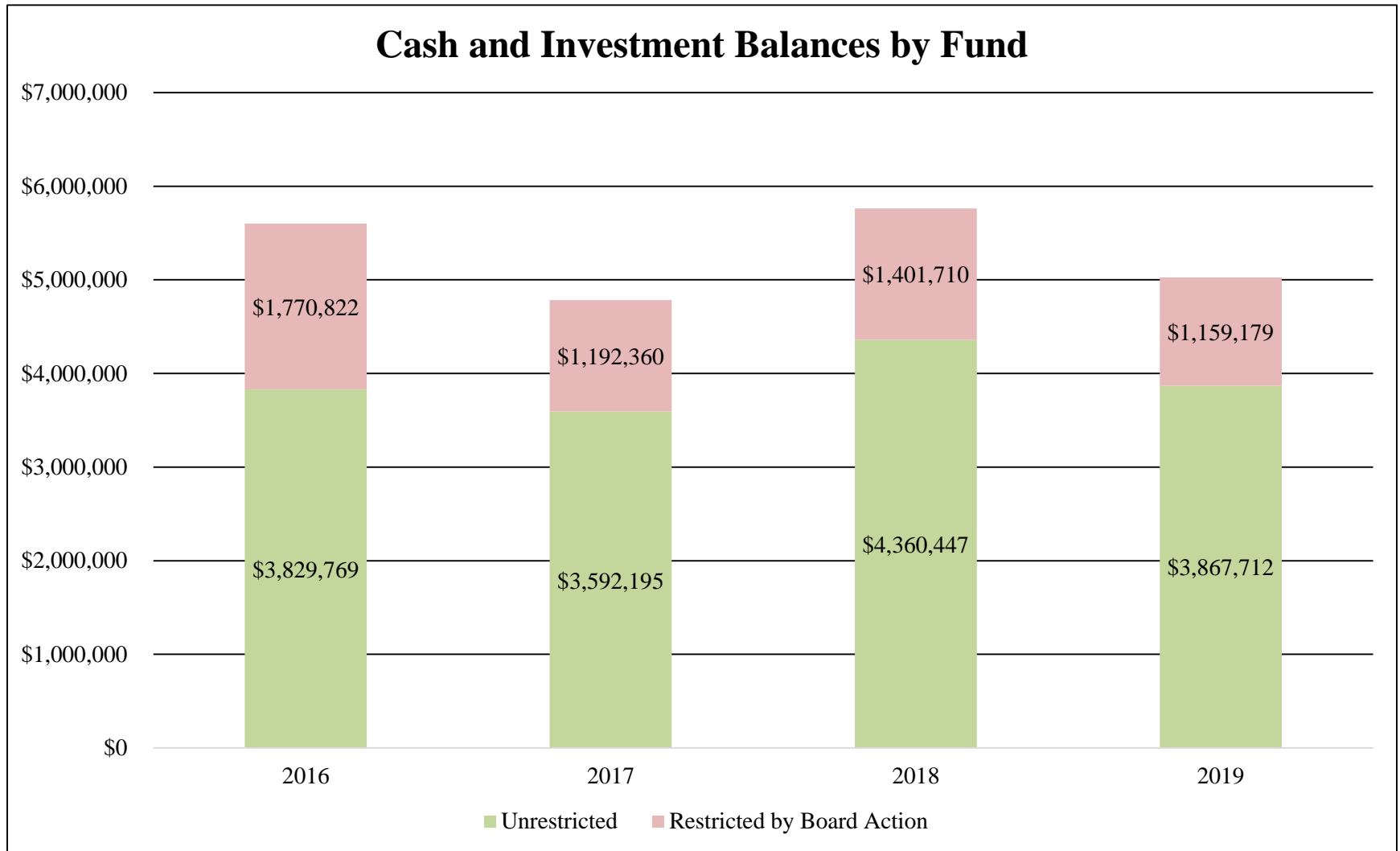
Financial Management Report Overview

Andy Campbell, CPA
Senior Manager

Overview

- What is a Financial Management Report?
- Key Performance Indicators
- Capital Plans
- Rate Adjustment

Key Performance Indicators



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Key Performance Indicators (Cont'd)

- Operating Disbursements/Meter Equivalent
 - 2016 = \$309.20
 - 2017 = \$311.68
 - 2018 = \$288.86 (lower maintenance and engineering)
 - 2019 = \$338.25 (budget)
- Asset Depreciation Ratio
 - 2016 = 47.83%
 - 2017 = 48.42%
 - 2018 = 49.90%

Key Performance Indicators (Cont'd)

| | <u>Gallons Billed</u> | vs. | <u>Gallons Treated</u> | <u>I&I</u> |
|------|-----------------------|-----|------------------------|----------------|
| 2016 | 515,450,976 | | 916,915,000 | 43.78% |
| 2017 | 502,175,256 | | 961,606,000 | 47.78% |
| 2018 | 506,246,662 | | 956,550,000 | 47.08% |

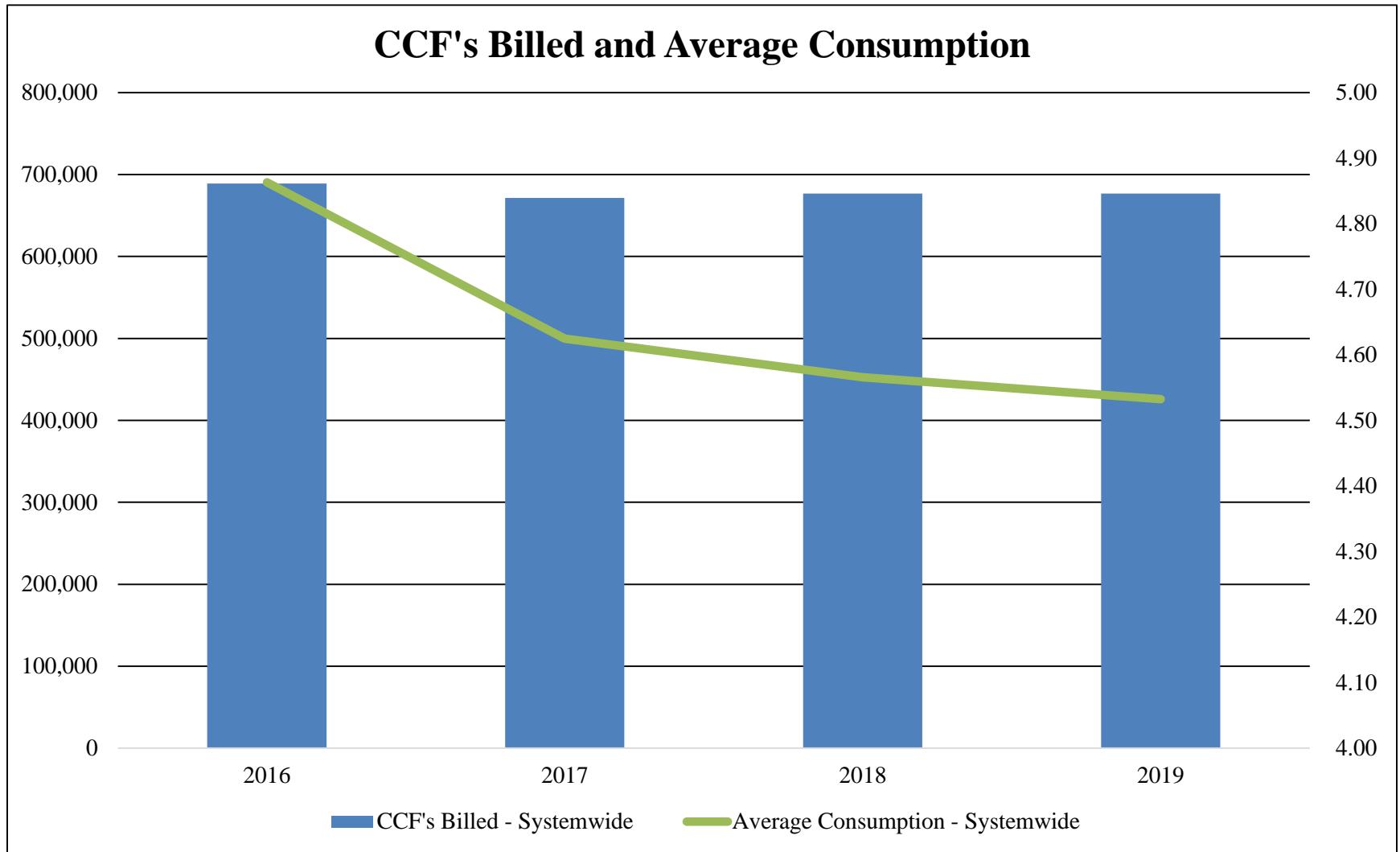
Average Consumption/Month/Residential Equivalent

2016 3,637 gallons or 4.86 ccf

2017 3,459 gallons or 4.62 ccf

2018 3,415 gallons or 4.57 ccf

Key Performance Indicators (Cont'd)



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Capital Plans – Cash-Funded

| | <u>2019</u> | <u>2020</u> | <u>2021</u> | <u>2022</u> | <u>2023</u> | <u>2024</u> | <u>2025</u> | <u>Totals</u> |
|---|-------------|-------------|-------------|-------------|----------------|----------------|----------------|------------------|
| Estimated Cash-Funded Capital Improvements: | | | | | | | | |
| Vehicle Purchases | \$60,000 | - | - | - | - | - | - | \$60,000 |
| POTW Pond Generator | 132,000 | - | - | - | - | - | - | 132,000 |
| POTW Valve Actuator Replacement | 150,000 | - | - | - | - | - | - | 150,000 |
| POTW Lab Cabinets Replacement | 110,000 | - | - | - | - | - | - | 110,000 |
| Sullair Generators | 100,000 | - | - | - | - | - | - | 100,000 |
| Stormwater Removal Program | - | \$50,000 | \$50,000 | \$50,000 | \$50,000 | \$50,000 | \$50,000 | 300,000 |
| Generator Interconnection | - | - | - | - | - | 65,000 | - | 65,000 |
| 30" Interceptor Lining | - | - | 100,000 | - | - | - | - | 100,000 |
| Holt Road Force Main | - | - | 250,000 | - | - | - | - | 250,000 |
| Keller Road Sanitary Sewer Replacement | - | - | 900,000 | - | - | - | - | 900,000 |
| Odor Media Replacement | - | - | 27,000 | - | - | - | - | 27,000 |
| POTW Transformers & Switch Replacement | - | - | - | - | 150,000 | - | - | 150,000 |
| Other Miscellaneous Replacements | - | - | - | - | <u>300,000</u> | <u>385,000</u> | <u>450,000</u> | <u>1,135,000</u> |
| Total annual cash-funded capital budget | \$552,000 | \$50,000 | \$1,327,000 | \$50,000 | \$500,000 | \$500,000 | \$500,000 | \$3,479,000 |



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Capital Plans – Debt-Funded (2019)

| | <u>2019</u> |
|--|----------------|
| Food Waste Separator | \$275,000 |
| Delhi Commerce Drive Lift Station Elimination | 750,000 |
| POTW Camera System & Gate Security | 1,073,960 |
| Lift Station Control Panel & PLC Replacement | 200,000 |
| POTW Sludge Mixing Improvements | 764,000 |
| POTW Secondary Rehabilitation | 1,540,000 |
| POTW Tertiary Pump Station Tank Rehabilitation | 582,000 |
| POTW Influent Pump Replacement | 400,000 |
| POTW Digester Complex Chiller Replacement | 85,000 |
| Michael Street Sanitary Sewer Repair/Replacement | 170,000 |
| Tertiary Supervisory Control & Data Acquisition Panels (SCADA) | 32,000 |
| Mixers and Airflow Improvement | <u>600,000</u> |
| Total annual debt-funded capital budget | \$6,471,960 |



Capital Plans – Debt-Funded (Future)

| | <u>2021</u> | <u>2024</u> |
|---|-------------|--------------------|
| Grit Handling | \$2,500,000 | - |
| Pine Tree Road Forcemain | 750,000 | - |
| Solids Handling Building | 3,600,000 | - |
| POTW Transformers & Switch Replacement | 100,000 | - |
| Bio-Gas Storage | 500,000 | - |
| Evoqua Cover Rehabilitation | 650,000 | - |
| Boiler/Generator | 750,000 | - |
| POTW Consolidation Work | - | - |
| POTW Generator #1 & #2 Replacement | 700,000 | - |
| Collection System Improvements | - | <u>\$4,500,000</u> |
| Total annual debt-funded capital budget | \$9,550,000 | \$4,500,000 |



Current Debt Service Payments

| Fiscal Year | 2007 SRF Bonds | 2010 SRF Bonds | 2014 LTGO Bonds | 2016 LTGO Bonds | 2016 DDA Bonds | 2016 QECB Bonds | 2017 IPA | 2018 LTGO Bonds | Total |
|-------------|-------------------|-------------------|--------------------|--------------------|-------------------|--------------------|--------------|--------------------|-----------------|
| 2019 | \$581,478.06 | \$532,750.00 | \$176,796.25 | \$360,878.42 | \$86,172.02 | \$123,690.24 | \$71,541.27 | \$541,300.02 | \$2,474,606.28 |
| 2020 | 583,434.30 | 533,125.00 | 178,095.00 | 367,811.06 | 86,925.52 | 122,865.84 | 71,541.27 | 537,000.02 | 2,480,798.01 |
| 2021 | 580,228.04 | 533,250.00 | 179,276.25 | 370,369.90 | 87,145.96 | 123,783.12 | 71,541.27 | 532,475.02 | 2,478,069.56 |
| 2022 | 581,940.54 | 533,125.00 | 180,340.00 | 372,791.22 | 88,845.36 | 124,583.76 | | 532,800.02 | 2,414,425.90 |
| 2023 | 578,490.54 | 532,750.00 | 181,286.25 | | 89,996.66 | 125,267.76 | | 527,900.02 | 2,035,691.23 |
| 2024 | 579,959.28 | 532,125.00 | 182,115.00 | | 90,605.86 | 125,835.12 | | 527,775.02 | 2,038,415.28 |
| 2025 | 581,265.52 | 536,187.50 | | | | 124,485.84 | | 522,350.02 | 1,764,288.88 |
| 2026 | 582,409.26 | 534,937.50 | | | | 126,678.24 | | 521,775.02 | 1,765,800.02 |
| 2027 | 578,390.50 | 533,437.50 | | | | 126,895.68 | | 520,900.02 | 1,759,623.70 |
| 2028 | 579,262.50 | 531,687.50 | | | | 126,996.48 | | 519,725.02 | 1,757,671.50 |
| 2029 | | 534,625.00 | | | | 128,780.64 | | 523,250.02 | 1,186,655.66 |
| 2030 | | 532,250.00 | | | | 128,589.84 | | 521,325.02 | 1,182,164.86 |
| 2031 | | 534,562.50 | | | | 130,082.40 | | 524,025.02 | 1,188,669.92 |
| 2032 | | 531,562.50 | | | | | | 526,350.02 | 1,057,912.52 |
| 2033 | | | | | | | | 527,868.77 | 527,868.77 |
| 2034 | | | | | | | | 528,162.52 | 528,162.52 |
| 2035 | | | | | | | | 532,737.52 | 532,737.52 |
| 2036 | | | | | | | | 536,200.01 | 536,200.01 |
| 2037 | | | | | | | | 538,825.00 | 538,825.00 |
| Totals | \$5,806,858.54 | \$7,466,375.00 | \$1,077,908.75 | \$1,471,850.60 | \$529,691.38 | \$1,638,534.96 | \$214,623.81 | \$10,042,744.10 | \$28,248,587.14 |



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Rate Adjustment

| | 2019 | 2020 |
|--|---------|----------|
| Basic Service Charge | \$16.80 | \$17.62 |
| Metered Usage Charge | \$5.90 | \$6.19 |
| Flat Charge | \$52.20 | \$54.76 |
| IPP Charge - Small | \$6.88 | \$7.22 |
| IPP Charge - Large | \$98.51 | \$103.34 |
| Typical homeowner's monthly bill (assumes 4.5 ccf) | \$43.35 | \$45.47 |
| Typical homeowner's monthly bill (assumes 6 ccf) | \$52.20 | \$54.76 |

Questions?

Andy Campbell, CPA

Senior Manager

andy.campbell@bakertilly.com

517-321-0110

I. Overview

On June 13 and 14, 2017, the Board of Trustees and Department Heads met to begin the process of creating a shared vision of the Township's future with major goal areas, key objectives and one-year tasks. The following summary reflects the main points of that discussion and the discussion that took place at this meeting. In 2018, in preparing for the budget process, the Board discussed the 2017 vision and goals and confirmed that progress was being made and that it was still relevant. This was included in the adopted 2019 budget. The same analysis was conducted in preparation for the 2020 budget, and the results are as follows:

II. BOARD VISION TOUR

A. Awareness of public safety, community, entertainment, arts and gathering.

- ~~• Discussion was held on the need for a public safety and/or Parks and Recreation millage to be placed on the November 6, 2018 General Election. The Byrum Fisk Advocacy Co. is currently conducting polling and focus groups to obtain public input.~~
- **The voters approved a 1.5 mil renewal each for fire and police and reinstated .5 mils for fire and emergency medical equipment and vehicles. Votes also approved a new 1 mil for parks, trails, and recreation. The Board will continue to budget in a manner that ensures fiscal responsibility and long term viability, while providing transparent reporting on the use of millage funding.**
- The DDA is currently contributing to a portion of the funding of various entertainment, arts and gathering events.
- It is hoped that the Township will be selected ~~in the next round~~ for **future LEAP Public Art Grant**. The art would be placed in the Realize Cedar area.
- Murals, under the Sign Ordinance, have in the past been considered signage. A procedural change now exempts murals as signs unless the mural contains the name of the business.

B. Increase opportunities for community interaction through activities and destination events.

C. Increase communication and awareness of the accessibility and connectivity of our community.

- ~~• A new Township website is currently being designed. It is anticipated that the new website will go live this year.~~
- **The new Township website has been launched and is providing a more user friendly online environment.**
- ~~• Social media is continuing to grow and engaging more residents each year.~~
- **The Township continues to refine and expand the methods by which effective public communication occurs. A new e-newsletter is being developed that will provide the community with meaningful information and engagement.**
- **The Township continues to refine its social media presence, with an eye towards developing helpful and positive community engagement.**
- ~~• The Township is currently experimenting with citizen input/surveys regarding movie selection for the Moonlight Movies.~~
- **The Township used surveys to gather community input regarding marijuana businesses and establishments as a basis for the development**

of public policy on the matter. This formal approach was successful in discerning public opinion on a complex topic. The use of less formal surveys and polls has also been used successfully on non-policy decisions (e.g. movie in the park selection) to encourage community participation.

D. A strong connection between the Township and school district.

- *The strong connection between the Township and school district continues to be favorable.*

E. Downtown – restaurants, retail, apartments.

- *Commercial development should follow residential areas in the outskirts of town.*
- ***With the completion of the Realize Cedar infrastructure project, continue to actively encourage the development of “downtown” uses in the corridor.***

F. Trails and sidewalks creating connectivity.

- *The Township continues to build trails and sidewalks.*
- *The Ram to Burchfield Trail has been placed on hold for the time being.*
- *The Holt (from Esker Square Park) to Mason (College Road) Trail is in the early planning and design stages.*
- ***Phase 1 of the Holt to Mason Trail is underway, as made possible by the funding awarded by Ingham County. It is anticipated that the remaining funding necessary to complete Phase 2 will be awarded by the County in the near future and that completion of the Holt to Mason trail will occur in the next several years.***

G. Realize Cedar Street – A new Cedar Street with vibrant businesses and residential living providing a place for community activity.

- *The Realize Cedar Street Project is in progress. Permits for Esker Square have been issued.*
- *Two vacant lots that are owned by the DDA across from the Hope Middle School have been purchased and two new homes will be built there.*
- *Discussion was held regarding the need for trash and recyclable receptacles in the Realize Cedar Street area.*
- ***Realize Cedar has been completed, and construction on the mixed use Esker Square development is expected to commence soon.***
- ***Two vacant lots that were previously owned by the DDA, adjacent to Hope Middle School, were purchased by a private developer for constructing two new homes. The first home has been completed and is currently for sale. It is anticipated that construction on the second home will commence soon. These homes are to serve as “models” or “test projects” for an upcoming pocket neighborhood development on the former Holt Products site.***
- ***The first annual “Holt Fest” was held in August 2019. The event was very successful and included a parade, music, and food – all focused on Cedar Street. The event will be expanded and continually improved in coming years.***

H. Esker Landing Park (Cedar Lake Park).

- *It is anticipated that Esker Landing Park will be completed in 2020.*
- ***Esker Landing Park was opened in August 2019.***

I. A collaborative community engagement.

- *Community engagement was conducted for the Realize Cedar Street project.*

- *Community engagement and input should continue.*

III. MAJOR GOALS AREAS (Not in Order of Priority)

1) Connectivity – Community Life

a. Downtown destination – retail, restaurants and unique residential opportunities

One Year Tasks

- Developing legitimate identity for “new” downtown area
- Fully implement the Realize Cedar Project
- Create and implement wayfinding system
 - ***The DDA and Township are working on implementation of the first phase of community wayfinding. It is anticipated that full implementation will take a few years, but the first phase should be completed in 2020.***
 - ***Ingham County has used some of the County Trail millage to implement a comprehensive trail-based wayfinding system. Installation of the Township’s trial wayfinding signage, which will include trailhead signs, trail blade signs, and mile markers, will be installed in 2020.***

b. Parks – Esker Landing Park (Cedar Lake Park)

One Year Tasks

- Construct Esker Landing Park (Cedar Lake Park) – **completed in 2019.**
 - ~~*This project is anticipated to begin late in 2018.*~~

c. Trail and sidewalk connections

One Year Tasks

- Obtain funding from Ingham County for Ram to Burchfield trail construction.
 - ~~*The Ram to Burchfield Trail will be put on hold. The Township will seek funding from the Ingham County Trail Millage for a trail from Holt (Esker Landing Park) to Mason (College Road).*~~
 - ***The Ram to Burchfield trail project was put on hold. Instead, the County has provided \$1M in funding for Phase 1 of the Holt to Mason Trail. The Township expects funding for Phase 2, which includes final construction of the trail, to occur in the next couple of years.***
- Implement Safe Routes to School project.
 - ~~*This project will be designed in 2018 and should be completed in 2019.*~~
 - ***Design of this project has been completed. It has been bid out in 2019 and construction is anticipated to occur in 2020.***

- ~~*Plan yearly Evaluate potential for sidewalk construction to create connectivity to the trails.*~~

- ~~*Continue to provide sidewalk **and ramp** inspections/repairs throughout the Township.*~~

d. Activities and Events

One Year Tasks

- Create a successful volunteer bureau
 - ~~*Software has been identified for a volunteer bureau. The DDA is in the process of obtaining an individual to head the bureau.*~~
- Develop/increase the number and type of events and community activities for engagement and participation

- *The Township currently has a fair number of events/activities.*

2) Community Engagement

a. Increased/expanded ongoing two-way communication

One Year Tasks

- Public participation in strategic planning through workshop opportunity
 - *Continue to keep community informed prior to the start of projects.*
- Create surveys on events and Township services to obtain community input
 - *Continue to monitor to see when surveys on events could be beneficial.*

b. Increased awareness of Township government and community events

One Year Tasks

- Work with schools on presenting to youth what township government entails
 - *Continue this task; however, it is more difficult to obtain time with the schools due to their full curriculum.*
- Provide Township information and receive feedback at various community events
 - *Continue to provide information and receive feedback during community events.*
 - *Inform the community of board/commission vacancies.*

3) Infrastructure

a. Realize Cedar Street

One Year Tasks

- Build infrastructure (roads, sidewalks, crosswalks, etc.) to support the envisioned “new” downtown
 - ~~*This item is in progress*~~ **completed.**

b. Pedestrian/Road Improvements

One Year Tasks

- *Mid-Block Pedestrian Crossings*
 - *Mid-Block Pedestrian Crossings on Aurelius and Holt Roads*
- *Road Special Assessment Districts*
 - *The Board will revisit the Local Road Improvement Process Policy (Township Policy No. 132)*
 - ***Update: Policy No. 132 has been repealed by the Board. The Ingham County Road Department is now administering local road improvements via SAD.***
- Create Wayfinding System
 - *Ingham County has applied for MDOT Funding to help purchase Trail Wayfinding Signs*
 - ***Update: Staff has worked with the County to specify the trail wayfinding signs. It is expected that the signage will be installed by the County in 2020.***
 - *The Township may want to supply additional Trail Wayfinding Signs*
 - ***Update: additional trail wayfinding signs may be necessary at some point in the future. However, work has begun on local wayfinding that is not oriented to the trail, but rather will provide wayfinding to key locations throughout the Township. This work is being done in partnership with the DDA and is expected to be implemented in 2019 and 2020.***
- Continue to implement ADA Transition Plan
 - This task is ongoing

- Build Ram to Burchfield Trail
 - *This Trail will be put on hold for the time being; the County Trail Millage will help pay for engineering costs for a Holt (Esler Landing Park) to Mason (College Road) Trail*
- Implement Safe Routes to School project
 - *This project will begin in 2019 **June, 2020.***
- Maintain and repair existing sidewalks through cost-sharing program
 - *Sidewalk maintenance and repair is a continued effort*

Staff recommends that a comprehensive community and Board visioning effort be undertaken every 5 years or so. As such, staff suggests that Lou Bender (or similar) be contracted in 2020 to complete this effort. Funding will be budgeted.

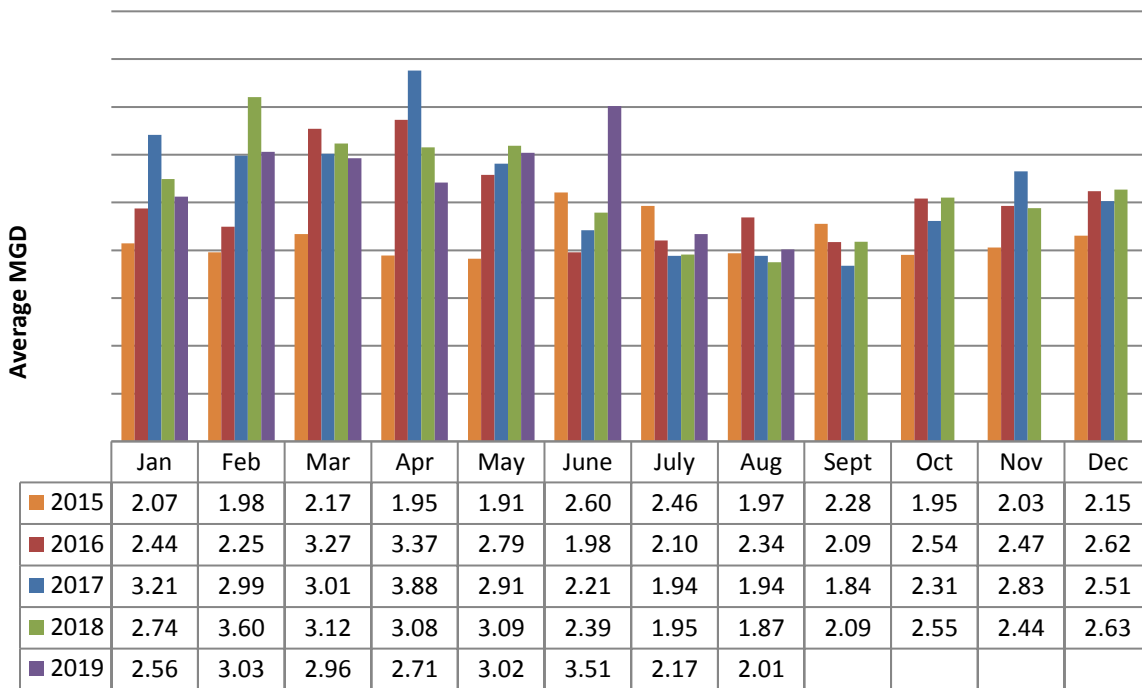


DEPARTMENT OF PUBLIC SERVICES

Monthly Report

August 2019

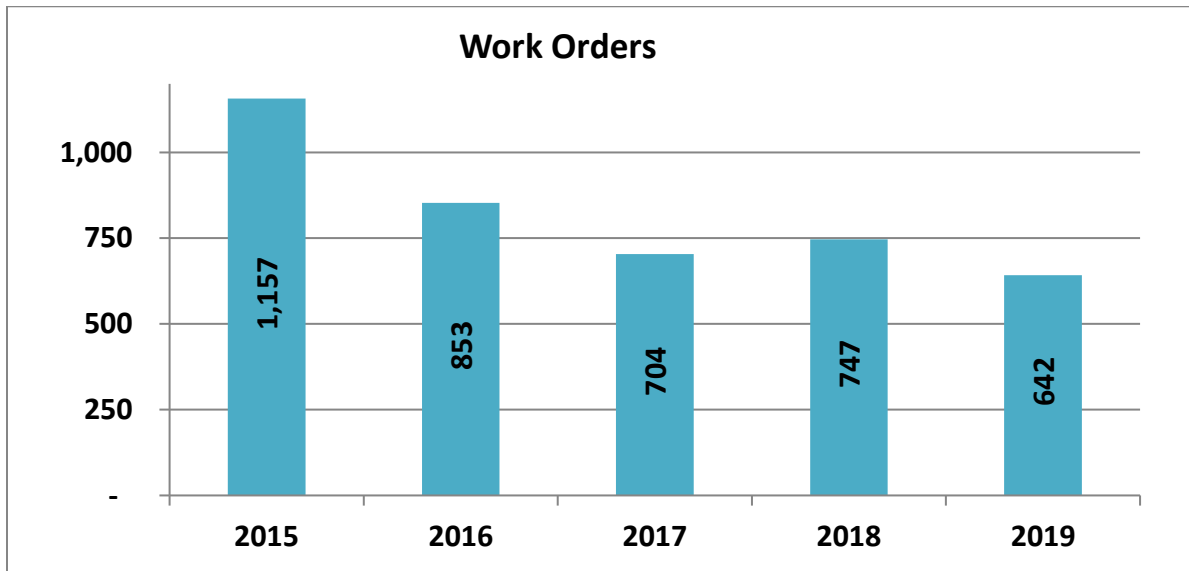
Flow Data – (Million Gallons per Day of water processed by the plant)



Laboratory Testing and Quality Control – Quality Assurance Program

| Tests Run For | | % Passing |
|----------------------------|-------------|------------|
| Permit Compliance | 239 | |
| Process Control | 2179 | |
| Quality Control | 144 | 96% |
| Check Samples | 2 | 100% |
| DMRQA-Study 36 Proficiency | | |
| Miscellaneous Sampling | 16 | |
| Totals | 2580 | 98% |

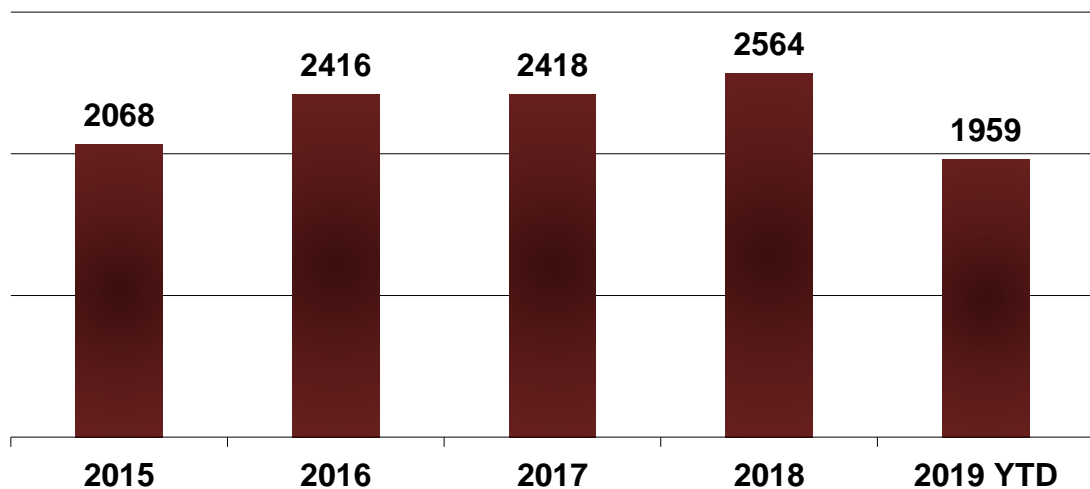
Maintenance



Note: Below are highlights of some of the repairs performed.

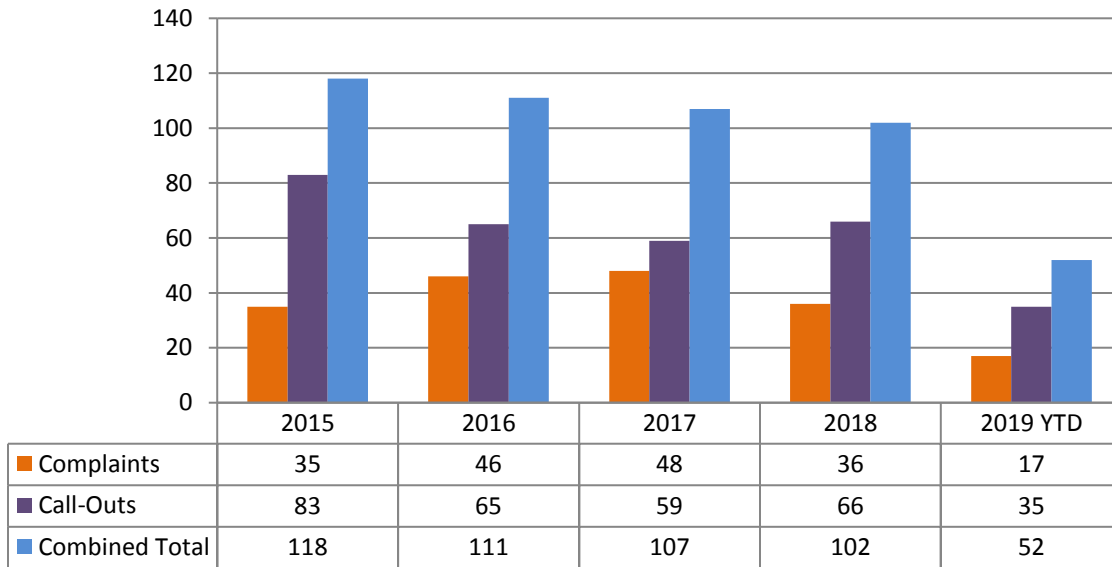
- Swept school parking lots
- Loaded hay in barn
- Prepped for Water Quality Awareness open house at Holt Fest
- Replaced fan motor on old chiller and installed new solenoid valve on new chiller
- Repaired the plastic and cardboard recycling platforms

Miss Digs Performed



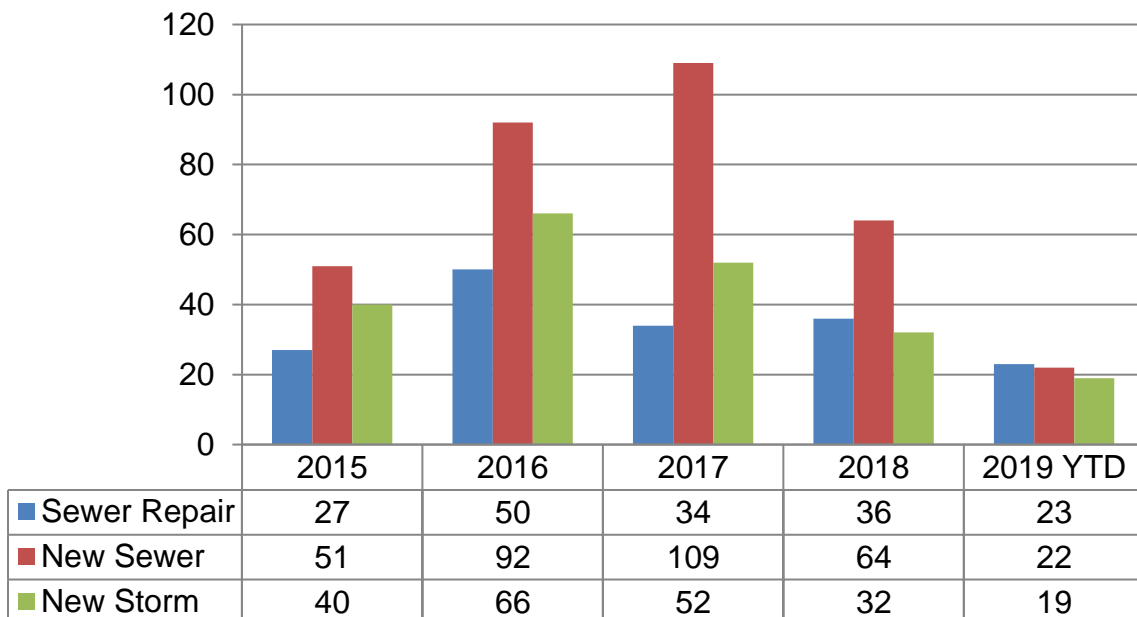
Unscheduled Service Calls

Collections Unscheduled Service Calls

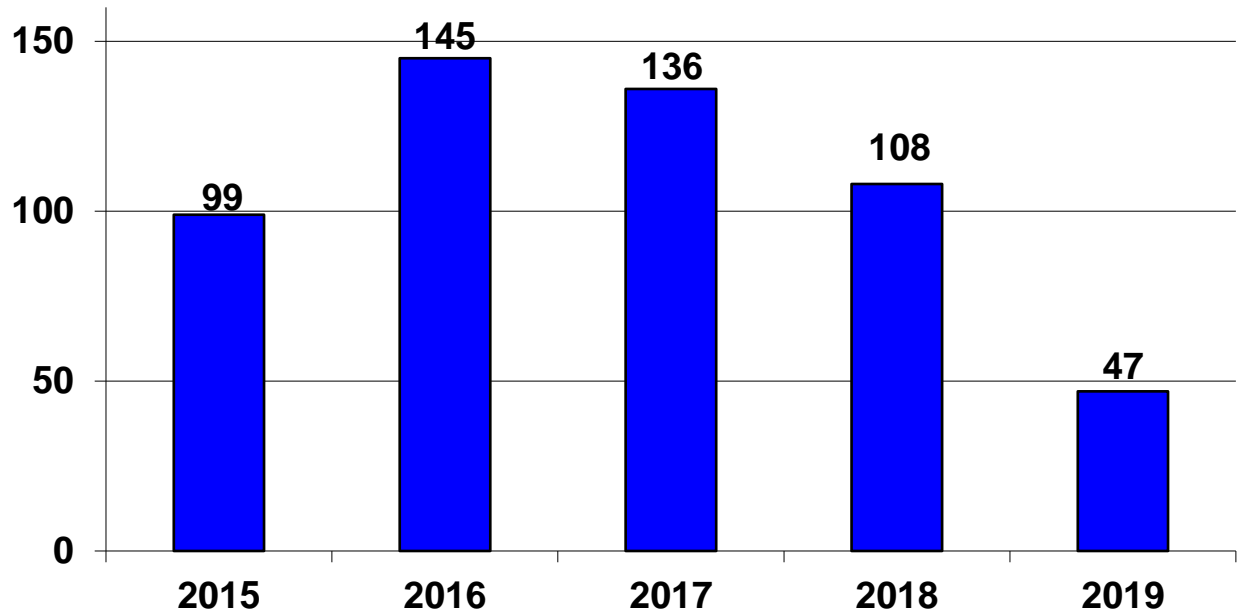


Sanitary Sewer Permits

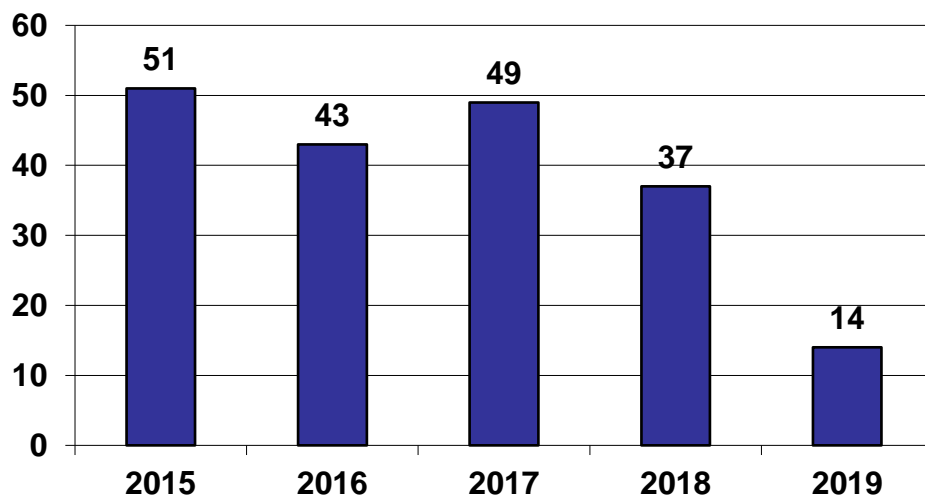
Sanitary Sewer Permits Issued



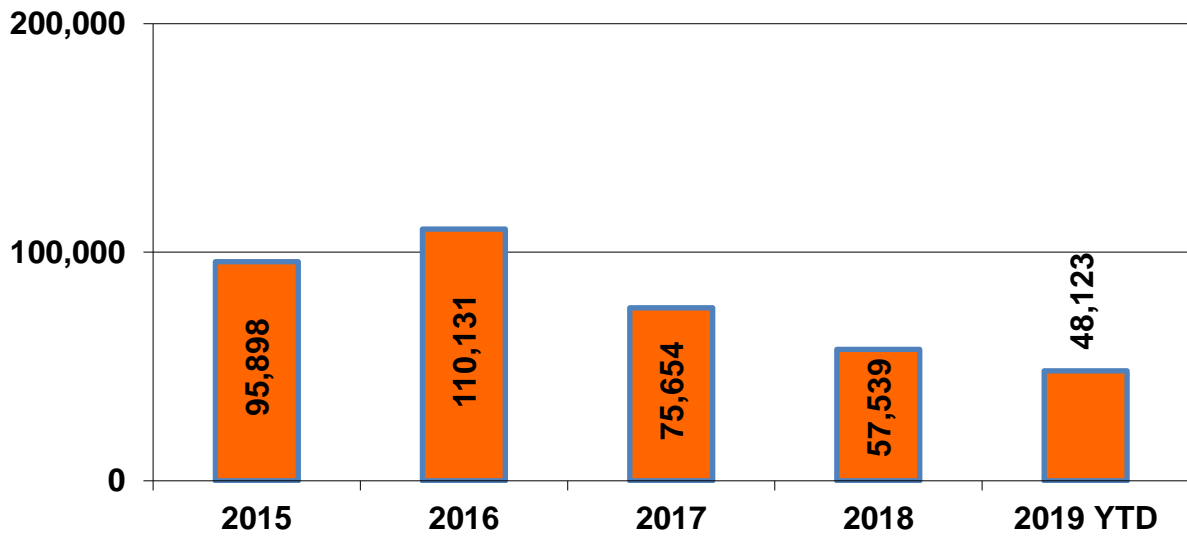
Sanitary Sewer Inspections Performed



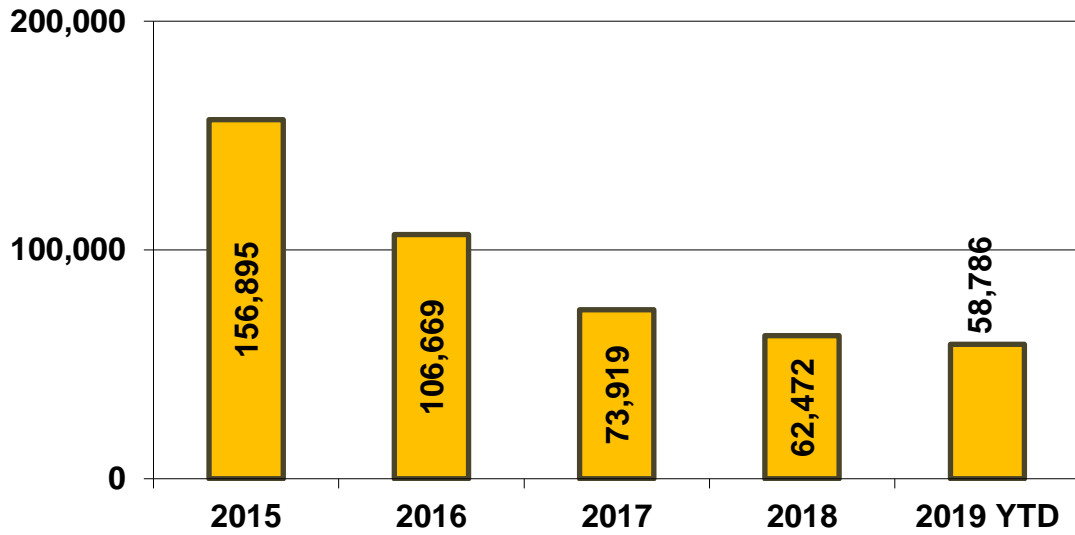
Storm Sewer Inspections Performed



Feet of Sanitary Sewer Cleaned (Vactor Truck Work)



Feet of Sanitary Sewer Televised (Camera Truck Work)



Stormwater and Environmental Efforts

On Monday August 12th the Environmental Coordinator delivered plywood fish cutouts to participating Holt Fest Water Quality 'Business Fish Contest' participants.

On Tuesday August 13th the Environmental Coordinator met with seasonal student interns to review data.

On Saturday August 17th the Environmental Coordinator staffed the Stormwater Demonstration booth during Holt Fest.

Industrial Pretreatment Program

| August IPP Activities | | |
|------------------------|-----------|----------------------------------|
| Review/Approval | | |
| Building Plan Approval | 8/8/2019 | 1298 N. Cedar - Kennel |
| Building Plan Approval | 8/8/2019 | 2363 N. Cedar- Prestwick Village |
| Building Plan Review | 8/27/2019 | 2073 Aurelius - McLaren Health |
| Site Plan Review | 8/8/2019 | 2765 Eaton Rapids Rd. - Speedway |

Thirty-seven (37) grease traps were inspected at local businesses; one (1) needed service.

New Construction

Meadow Ridge began construction for phases 7-10. Redwood Living LLC held their pre-construction meeting. They have yet to begin construction.

DELHI CHARTER TOWNSHIP BOARD MEETING

2074 Aurelius Road, Holt 48842 (517) 694-2137

Tuesday, September 3, 2019

7:00 p.m.

Agenda

Call the Meeting to Order

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Unfinished Business

Consent Agenda

1. a) Approval of Minutes – Committee Meeting of August 20, 2019
- b) Approval of Minutes – Regular Meeting of August 20, 2019
- c) Approval of Claims – August 27, 2019
- d) Approval of Payroll – August 22, 2019

Zoning and Development

2. Special Use Permit No. 19-290 – Metro Fibernet, LLC – 1868 Holloway Drive – Tax Parcel #33-25-05-24-200-015 – Outdoor Storage

New Business

3. Amendment to Delhi Township Ordinance No. 71 – Disorderly Conduct Ordinance, Second Consideration (Proposed Township Ordinance No. 71.7)
4. Amendment to Delhi Township Ordinance No. 128 – Consumer Fireworks, Second Consideration (Proposed Township Ordinance No. 128.1)

Items Removed From Consent Agenda For Discussion

Late Agenda Items

- 5.
- 6.
- 7.

Reports

8. Supervisor:
9. Treasurer:
10. Clerk:
11. Trustees:
12. Manager:

Limited Comments

MEMBERS OF THE PUBLIC WILL BE AFFORDED THE OPPORTUNITY TO ADDRESS THE BOARD REGARDING ANY ITEM ON THE AGENDA AT THE TIME SUCH ITEM IS OPEN FOR DISCUSSION BY THE BOARD. ANYONE WISHING TO COMMENT ON ANY MATTER NOT ON THE AGENDA MAY DO SO AT THIS TIME.

Adjournment

The Township will provide reasonable auxiliary aids and services, such as interpreters for the hearing impaired and audio tapes of printed materials considered at the meeting for the visually impaired, for individuals with disabilities at the meeting upon five (5) working days notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact Delhi Charter Township, Evan Hope, Township Clerk, 694-2135.

ALL PAGERS, CELL PHONES, RADIOS AND SIMILAR DEVICES ARE TO BE TURNED OFF OR TO SILENT MODE DURING ALL BOARD MEETINGS.

Recommended Motion:

To approve the Consent Agenda as presented.

**DELHI CHARTER TOWNSHIP
COMMITTEE OF THE WHOLE MEETING HELD ON AUGUST 20, 2019**

The members of the Delhi Charter Township Committee of the Whole met on Tuesday, August 20, 2019 in the Multipurpose Room at the Community Services Center, 2074 Aurelius Road, Holt, MI. Supervisor Hayhoe called the meeting to order at 6:00 p.m.

Members Present: Supervisor John Hayhoe, Clerk Evan Hope, Treasurer Roy Sweet,
Trustees Pat Brown, Stuart Goodrich, Tom Lenard, DiAnne Warfield

Members Absent: None

BUSINESS

DEPARTMENT OF PUBLIC SERVICES – JULY ACTIVITY REPORT

The Board reviewed the Department of Public Services July Activity Report (ATTACHMENT I).

Sandra Diorka, Director of Public Services, reported on the highlights of the July Activity Report.

Ms. Diorka reported that the pre-construction meeting has been held for Redwood Living.

Ms. Diorka reported on the success of the Holt Hometown Festival and on the school food digester program.

COMMUNITY DEVELOPMENT DEPARTMENT – JULY ACTIVITY REPORT

The Board reviewed the Community Development Department July Activity Report (ATTACHMENT II).

Twp. Mgr. Miller reported that the Holt Quality Dairy store had their soft opening on August 16, 2019.

Twp. Mgr. Miller reported that Redwood USA has applied for 198 building permits for each of their units; it is hopeful that they will be issued before the end of the year.

Twp. Mgr. Miller reported that the Esker Landing Park's Ribbon Cutting is schedule for August 28, 2019.

Twp. Mgr. Miller reported on the Safe Routes to School project. Due to unforeseen circumstances the project will not begin until Spring of 2020.

Twp. Mgr. Miller stated that the 50/50 cost share sidewalk project is underway. It is anticipated that another round will take place next year.

FIRE DEPARTMENT – JULY ACTIVITY REPORT

The Board reviewed the Fire Department July Activity Report (ATTACHMENT III).

SUBJECT TO APPROVAL

**DELHI CHARTER TOWNSHIP
COMMITTEE OF THE WHOLE MEETING HELD ON AUGUST 20, 2019**

INGHAM COUNTY SHERIFF'S OFFICE/DELHI DIVISION – JULY ACTIVITY REPORT

The Board reviewed the Ingham County Sheriff's Office/Delhi Division July Activity Report (ATTACHMENT IV).

Lt. Jungel, Ingham County Sheriff's Office/Delhi Division, reported on highlights of the July Activity report.

Lt. Jungel reported that the National Night Out event which was held on August 6, 2019 enjoyed a good turnout.

Lt. Jungel stated that with the start of the new school year the Safer School Initiative will also begin.

PUBLIC COMMENT – None

ADJOURNMENT

Meeting adjourned at 6:29 p.m.

Date: August 20, 2019

Evan Hope, Township Clerk

Date: August 20, 2019

John Hayhoe, Supervisor

/af

SUBJECT TO APPROVAL

**DELHI CHARTER TOWNSHIP
MINUTES OF REGULAR MEETING HELD ON AUGUST 20, 2019**

Delhi Charter Township Board of Trustees met in a regular meeting on Tuesday, August 20, 2019 in the Multipurpose Room at the Community Services Center, 2074 Aurelius Road, Holt, Michigan. Supervisor Hayhoe called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Members Present: Supervisor John Hayhoe, Clerk Evan Hope, Treasurer Roy Sweet,
Trustees Pat Brown, Stuart Goodrich, Tom Lenard, DiAnne Warfield

Members Absent: None

COMMENTS FROM THE PUBLIC - None

CONSENT AGENDA

- A. Approval of Minutes – Committee Meeting of July 16, 2019
- B. Approval of Minutes – Regular Meeting of July 16, 2019
- C. Approval of Claims – July 16, 2019 (ATTACHMENT I)
- D. Approval of Claims – July 30, 2019 (ATTACHMENT II)
- E. Approval of Claims – August 13, 2019 (ATTACHMENT III)
- F. Approval of Payroll – July 25, 2019 (ATTACHMENT IV)
- G. Approval of Payroll – August 8, 2019 (ATTACHMENT V)

Warfield moved, Hope seconded, to approve the Consent Agenda as presented.

A Roll Call Vote was recorded as follows:

Ayes: Warfield, Brown, Goodrich, Hayhoe, Hope, Lenard, Sweet

MOTION CARRIED

ZONING AND DEVELOPMENT

**SPECIAL USE PERMIT NO. 19-289 – DART DEVELOPMENT – 3120 SPANISH OAK DRIVE –
TAX PARCEL #33-25-05-02-402-004 – OUTDOOR STORAGE**

The Board reviewed a memorandum dated August 13, 2019 from Twp. Mgr. Miller (ATTACHMENT VI).

SUBJECT TO APPROVAL

**DELHI CHARTER TOWNSHIP
MINUTES OF REGULAR MEETING HELD ON AUGUST 20, 2019**

Sweet moved, Brown seconded, to approve Special Use Permit No. 19-289 for Dart Development, 3120 Spanish Oak Drive, Tax Parcel #33-25-05-02-402-004, as recommended by the Planning Commission at their August 12, 2019 meeting.

A Roll Call Vote was recorded as follows:

Ayes: Brown, Goodrich, Hayhoe, Hope, Lenard, Sweet, Warfield

MOTION CARRIED

NEW BUSINESS

DELHI TOWNSHIP ORDINANCE NO. 130 – MARIHUANA FACILITIES AND RECREATIONAL MARIHUANA ESTABLISHMENTS, SECOND CONSIDERATION

The Board reviewed a memorandum dated July 29, 2019 from Twp. Mgr. Miller (ATTACHMENT VII).

Sweet moved, Lenard seconded, upon second consideration, to adopt Delhi Township Ordinance No. 130, Marihuana Facilities and Recreational Marihuana Establishments.

Trustee Brown asked if the Township could change this ordinance at some point in the future, if so desired. Ms. Miller stated that this ordinance could be amended at any point by the Board of Trustees.

A Roll Call Vote was recorded as follows:

Ayes: Goodrich, Hayhoe, Hope, Sweet, Warfield, Brown

Nays: Lenard

MOTION CARRIED

AMENDMENT TO DELHI TOWNSHIP ORDINANCE NO. 71 – DISORDERLY CONDUCT ORDINANCE, FIRST CONSIDERATION (PROPOSED TOWNSHIP ORDINANCE NO. 71.7)

The Board reviewed a memorandum dated August 1, 2019 from Twp. Mgr. Miller (ATTACHMENT VIII).

Warfield moved, Hope seconded, upon first consideration, to amend Ordinance No. 71, and Code Section 10-75 and 10-77 regarding Disorderly Intoxication and Disorderly Conduct, respectively (Proposed Township Ordinance No. 71.7).

A Roll Call Vote was recorded as follows:

Ayes: Hayhoe, Hope, Lenard, Sweet, Warfield, Brown, Goodrich

MOTION CARRIED

AMENDMENT TO DELHI TOWNSHIP ORDINANCE NO. 128 – CONSUMER FIREWORKS, FIRST CONSIDERATION (PROPOSED TOWNSHIP ORDINANCE NO. 128.1)

The Board reviewed a memorandum dated July 29, 2019 from Twp. Mgr. Miller (ATTACHMENT IX).

SUBJECT TO APPROVAL

**DELHI CHARTER TOWNSHIP
MINUTES OF REGULAR MEETING HELD ON AUGUST 20, 2019**

Lenard moved, Warfield seconded, upon introduction and first consideration, to amend Delhi Township Ordinance No. 128 – Consumer Fireworks (Proposed Township Ordinance No. 128.1).

A Roll Call Vote was recorded as follows:

Ayes: Hope, Lenard, Sweet, Warfield, Brown, Goodrich, Hayhoe

MOTION CARRIED

AGREEMENT BETWEEN INGHAM COUNTY AND DELHI TOWNSHIP FOR THE HOLT TO MASON TRAIL, PHASE I

The Board reviewed a memorandum dated August 15, 2019 from Twp. Mgr. Miller (ATTACHMENT X).

Hope moved, Lenard seconded, to approve the Agreement and Amendment No. 1 between the County of Ingham and Charter Township of Delhi for the Holt to Mason Trail, Phase I, which includes funding of \$1,000,000 towards Phase I.

Trustee Brown inquired about the Mason Trail that is proposed to connect to this trail. Twp. Mgr. Miller stated that to date, Mason's trail is to their northern boundary. The Michigan Department of Transportation has agreed to participate in the construction of a pedestrian bridge over the 127 highway. Dart has agreed to play a large part in extending the trail in front of their property.

A Roll Call Vote was recorded as follows:

Ayes: Lenard, Sweet, Warfield, Brown, Goodrich, Hayhoe, Hope

MOTION CARRIED

PROPOSAL FOR PROFESSIONAL ENGINEERING SERVICES FOR THE HOLT TO MASON TRAIL, PHASE I – HUBBELL, ROTH AND CLARK, INC.

The Board reviewed a memorandum dated August 15, 2019 from Twp. Mgr. Miller (ATTACHMENT XI).

Lenard moved, Goodrich seconded, to approve the proposal from Hubbell, Roth and Clark in the amount of \$358,860 for design and construction engineering/oversight for the Holt to Mason Trail, Phase I, with funding being provided by the Ingham County Trail millage grant.

A Roll Call Vote was recorded as follows:

Ayes: Sweet, Warfield, Brown, Goodrich, Hayhoe, Hope, Lenard

MOTION CARRIED

AMENDMENT TO DELHI TOWNSHIP POLICY NO. 131 – FREEDOM OF INFORMATION ACT

The Board reviewed a memorandum dated August 15, 2019 from Evan Hope, Clerk (ATTACHMENT XII).

SUBJECT TO APPROVAL

**DELHI CHARTER TOWNSHIP
MINUTES OF REGULAR MEETING HELD ON AUGUST 20, 2019**

Hope moved, Warfield seconded, to amend Delhi Township Policy No. 131 – Freedom of Information Act Policy effective August 21, 2019.

A Roll Call Vote was recorded as follows:

Ayes: Warfield, Brown, Goodrich, Hayhoe, Hope, Lenard, Sweet

MOTION CARRIED

AMENDMENT TO PROPOSAL FOR AUDITING SERVICES – SIEGFRIED CRANDALL PC

The Board reviewed memorandums dated August 5, 2019 from Gail Meredith, Accounting Technician and Twp. Mgr. Miller (ATTACHMENT XIII).

Warfield moved, Goodrich seconded, to approve Addendum 1 to the proposal for audit services dated January 3, 2019 from Siegfried Crandall P.C. in the amount of \$4,800 from Fiscal years 2019-2022.

A Roll Call Vote was recorded as follows:

Ayes: Brown, Goodrich, Hayhoe, Hope, Lenard, Sweet, Warfield

MOTION CARRIED

RESOLUTION NO. 2019-008 – ANNUAL DETERMINATION OF STREETLIGHT RATES

The Board reviewed a memorandum dated August 9, 2019 from Twp. Mgr. Miller (ATTACHMENT IVX).

Lenard moved, Warfield seconded, to adopt Resolution No. 2019-008 which adjusts the annual streetlight assessments, per Exhibit A, to reflect rate changes imposed by the Lansing Board of Water and Light and Consumers Energy.

Trustee Goodrich asked if the streetlights had been changed to LED lights. Twp. Mgr. Miller stated that LED lights were evaluated; however, it would be very cost prohibitive to change the streetlights to LED and to pass the cost onto the district would have been pretty significant.

A Roll Call Vote was recorded as follows:

Ayes: Goodrich, Hayhoe, Hope, Lenard, Sweet, Warfield, Brown

MOTION CARRIED

REPORTS

SUPERVISOR

Supervisor Hayhoe reported that the Joint Holt Public School Board/Board of Trustees meeting will take place at the Holt Schools Administrative Building on October 7, 2019 at 6:00 p.m. Supervisor Hayhoe further stated that this year, the Dimondale Village Council will also be a part of this meeting.

SUBJECT TO APPROVAL

**DELHI CHARTER TOWNSHIP
MINUTES OF REGULAR MEETING HELD ON AUGUST 20, 2019**

CLERK

Clerk Hope invited the Board members to attend the Michigan Municipal League Convention which will take place September 25-27, 2019.

TRUSTEES

Trustee Brown

Trustee Brown reported on various ribbon cutting events that will be taking place in the Township.

Trustee Lenard

Trustee Lenard reported that he attended the First Annual House District 67 Summit at the State Capitol.

TOWNSHIP MANAGER

Twp. Mgr. Miller asked the Board if a start time of 8:30 a.m. for a September 10, 2019 Budget Workshop would be acceptable to them. The Board concurred.

Twp. Mgr. Miller stated that over the past year she has received several requests to consider a truck ordinance in the Township. Twp. Mgr. Miller stated that Delhi Township is one of a few townships of our size in the region that does not have a truck ordinance.

LIMITED PUBLIC COMMENTS – None

ADJOURNMENT

Meeting adjourned at 7:37 p.m.

Date: September 3, 2019

Evan Hope, Township Clerk

Date: September 3, 2019

John Hayhoe, Supervisor

/af

SUBJECT TO APPROVAL

ACCOUNTS PAYABLE APPROVAL

August 27, 2019

I. Certification of Authorized Signatures: The attached Check Register and Invoice Distribution Report encompass checks dated August 27, 2019 numbered 98013 thru 98070 & ACH 6470 thru 6487. Every invoice has a payment authorizing signature(s).

Dated: August 27, 2019

Jaymie Guzzo, Accounting Clerk

II. Certification of Fund Totals:

The attached Invoice Distribution Report and Check Register for checks dated August 27, 2019 show payments made from the following funds:

| | | |
|----------------------------------|----|-------------------|
| General Fund | \$ | 41,943.35 |
| Fire Fund | | 18,466.67 |
| Police Fund | | 232,784.41 |
| Parks, Trails, & Recreation Fund | | 13,067.97 |
| Fire EMS Equipment & Vehicle | | 5,129.87 |
| Downtown Development Fund | | 165,852.98 |
| Sewer Fund | | 56,382.44 |
| Current Tax Account | | 1,081.19 |
| Grand Total | \$ | <u>534,708.88</u> |

Includes the following to be reimbursed from separate bank accounts:

| | | |
|---------------------|----|----------|
| Current Tax Account | \$ | 1,081.19 |
|---------------------|----|----------|

III. Approval for Distribution: I have reviewed the above checks and invoices and all of them should be distributed. All invoices over \$20,000.00 have been approved by general policy or previous motions of the board.

Tracy Miller, Township Manager

Evan Hope, Township Clerk

Roy W. Sweet, Treasurer

IV Board Audit and Approval: At a regular meeting of the Township Board held on September 3, 2019 a motion was made by _____ and passed by ___yes votes and ___no votes (____absent) that the list of claims dated August 27, 2019 was reviewed, audited and approved

Evan Hope, Township Clerk

INVOICE GL DISTRIBUTION REPORT FOR DELHI CHARTER TOWNSHIP
 EXP CHECK RUN DATES 08/14/2019 - 08/27/2019

| Vendor | Invoice Line Desc | Amount |
|------------------------------------|--|----------|
| Fund 101 GENERAL FUND | | |
| Dept 000.00 | | |
| DELTA DENTAL PLAN OF | COBRA | 36.69 |
| BLUE CROSS BLUE SHIELD | RETIREEES HEALTH INSURANCE | 172.31 |
| | Total For Dept 000.00 | 209.00 |
| Dept 171.00 MANAGER | | |
| BLUE CROSS BLUE SHIELD | HEALTH INSURANCE | 1,470.53 |
| DELTA DENTAL PLAN OF | DENTAL INSURANCE | 342.48 |
| UNUM LIFE INSURANCE COMP | DISABILITY INSURANCE | 124.46 |
| DBI BUSINESS INTERIORS | OFFICE SUPPLIES | 137.54 |
| VERIZON WIRELESS | CELLULAR | 218.33 |
| | Total For Dept 171.00 MANAGER | 2,293.34 |
| Dept 191.00 ACCOUNTING | | |
| BLUE CROSS BLUE SHIELD | HEALTH INSURANCE | 490.18 |
| DELTA DENTAL PLAN OF | DENTAL INSURANCE | 36.69 |
| UNUM LIFE INSURANCE COMP | DISABILITY INSURANCE | 40.38 |
| | Total For Dept 191.00 ACCOUNTING | 567.25 |
| Dept 215.00 CLERK | | |
| BLUE CROSS BLUE SHIELD | HEALTH INSURANCE | 3,137.14 |
| DELTA DENTAL PLAN OF | DENTAL INSURANCE | 219.62 |
| UNUM LIFE INSURANCE COMP | DISABILITY INSURANCE | 113.96 |
| VERIZON WIRELESS | CELLULAR | 45.27 |
| USA TODAY NETWORK | PUBLISHING/LEGAL NOTICES | 884.00 |
| DELHI TOWNSHIP TREASURER | NOTARY RENEWAL - FINCH | 10.00 |
| | Total For Dept 215.00 CLERK | 4,409.99 |
| Dept 228.00 INFORMATION TECHNOLOGY | | |
| BLUE CROSS BLUE SHIELD | HEALTH INSURANCE | 490.18 |
| DELTA DENTAL PLAN OF | DENTAL INSURANCE | 36.69 |
| UNUM LIFE INSURANCE COMP | DISABILITY INSURANCE | 44.71 |
| APPLICATION SPECIALIST KO | OFFICE LICENSES | 285.47 |
| | Total For Dept 228.00 INFORMATION TECHNOLOGY | 857.05 |
| Dept 253.00 TREASURERS | | |
| BLUE CROSS BLUE SHIELD | HEALTH INSURANCE | 1,470.53 |
| DELTA DENTAL PLAN OF | DENTAL INSURANCE | 182.93 |
| UNUM LIFE INSURANCE COMP | DISABILITY INSURANCE | 76.15 |
| BRINK'S INCORPORATED | BRINKS SERVICES AUGUST | 470.93 |
| DELHI TOWNSHIP TREASURER | MILEAGE - TEBEAU MMTA WORKSHOP | 24.36 |
| | Total For Dept 253.00 TREASURERS | 2,224.90 |

| | | |
|--------------------------|---------------------------------|-----------------|
| Dept 257.00 ASSESSING | | |
| BLUE CROSS BLUE SHIELD | HEALTH INSURANCE | 490.18 |
| DELTA DENTAL PLAN OF | DENTAL INSURANCE | 265.01 |
| UNUM LIFE INSURANCE COMP | DISABILITY INSURANCE | 73.43 |
| BAUCKHAM, SPARKS, THALL | LEGAL FEES | 1,517.00 |
| DELHI TOWNSHIP TREASURER | DUES/MMAAO | 20.00 |
| DELHI TOWNSHIP TREASURER | LUNCHEON MMAAO | 20.00 |
| ELIZABETH TOBIAS | MILEAGE REIMBURSEMENT | 193.72 |
| | Total For Dept 257.00 ASSESSING | <u>2,579.34</u> |

| | | |
|--------------------------------|--|-----------------|
| Dept 265.00 BUILDING & GROUNDS | | |
| BLUE CROSS BLUE SHIELD | HEALTH INSURANCE | 2,646.96 |
| DELTA DENTAL PLAN OF | DENTAL INSURANCE | 182.93 |
| UNUM LIFE INSURANCE COMP | DISABILITY INSURANCE | 126.44 |
| MICHIGAN FLEET FUELING | GASOLINE | 418.16 |
| MODEL COVERALL SERVICE | UNIFORMS | 48.99 |
| GRANGER | MONTHLY DUMPSTER SERVICE | 142.95 |
| QUALITY FIRST MAID SERVICE | CLEANING SERVICES/CSC | 1,050.00 |
| QUALITY FIRST MAID SERVICE | CLEANING SERVICES/SHERIFF | 454.00 |
| VERIZON WIRELESS | CELLULAR | 45.27 |
| BOARD OF WATER & LIGHT | WATER 2074 AURELIUS | 914.34 |
| DELHI TOWNSHIP TREASURER | SEWER 2074 AURELIUS | 445.80 |
| DELHI TOWNSHIP TREASURER | SEWER 2045 CEDAR | 64.00 |
| BYRUM ACE HARDWARE | REPAIR FLAG POLE | 3.99 |
| BYRUM ACE HARDWARE | SILICONE | 13.98 |
| BYRUM ACE HARDWARE | LEVER, FLAPPER | 17.98 |
| PURE GREEN LAWN & TREE | CSC 2074 AURELIUS RD | 160.00 |
| PURE GREEN LAWN & TREE | CSC 2074 AURELIUS RD | 690.00 |
| BYRUM ACE HARDWARE | WASP KILLER | 3.99 |
| D & G EQUIPMENT INC | MOWER PARTS | 146.89 |
| D & G EQUIPMENT INC | SWITCH | 9.06 |
| D & G EQUIPMENT INC | REPAIRS | 265.20 |
| SPARROW OCC HEALTH SERV | PHYSICALS | 48.00 |
| | Total For Dept 265.00 BUILDING & GROUNDS | <u>7,898.93</u> |

| | | |
|--|--|-----------------|
| Dept 721.00 PLANNING/COMMUNITY DEVELOPMENT | | |
| BLUE CROSS BLUE SHIELD | HEALTH INSURANCE | 5,097.85 |
| DELTA DENTAL PLAN OF | DENTAL INSURANCE | 370.47 |
| UNUM LIFE INSURANCE COMP | DISABILITY INSURANCE | 180.23 |
| BYRUM ACE HARDWARE | TAPE | 9.18 |
| MICHIGAN FLEET FUELING | GASOLINE | 92.58 |
| BAUCKHAM, SPARKS, THALL | LEGAL FEES | 951.50 |
| VERIZON WIRELESS | CELLULAR | 278.06 |
| DELHI TOWNSHIP TREASURER | PARKING-NOELLE MAP | 18.75 |
| DELHI TOWNSHIP TREASURER | RECORD 2 ITEMS - NOELLE | 60.00 |
| | Total For Dept 721.00 PLANNING/COMMUNITY DEVELOPMENT | <u>7,058.62</u> |

| | | |
|-----------------------------|---------------------------------------|------------------|
| Dept 850.00 OTHER FUNCTIONS | | |
| BLUE CROSS BLUE SHIELD | RETIREES HEALTH INSURANCE | 12,486.15 |
| DBI BUSINESS INTERIORS | OFFICE SUPPLIES | 15.67 |
| BAUCKHAM, SPARKS, THALL | LEGAL FEES | 1,147.00 |
| ENCOMPASS/EAP | EAP | 196.11 |
| | Total For Dept 850.00 OTHER FUNCTIONS | <u>13,844.93</u> |

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|---------------------------------|-------------------------|
| Total For Fund 101 GENERAL FUND | <u><u>41,943.35</u></u> |
|---------------------------------|-------------------------|

Fund 206 FIRE FUND

Dept 336.00 FIRE DEPARTMENT

| | | |
|--------------------------|---------------------------------------|------------------|
| BLUE CROSS BLUE SHIELD | RETIREES HEALTH INSURANCE | 1,378.48 |
| BLUE CROSS BLUE SHIELD | HEALTH INSURANCE | 10,881.95 |
| DELTA DENTAL PLAN OF | DENTAL INSURANCE | 1,664.29 |
| UNUM LIFE INSURANCE COMP | DISABILITY INSURANCE | 776.48 |
| BARYAMES CLEANERS | UNIFORM CLEANING | 224.60 |
| DBI BUSINESS INTERIORS | OFFICE SUPPLIES | 29.96 |
| MICHIGAN FLEET FUELING | GASOLINE | 748.68 |
| SPARROW OCC HEALTH SERV | PHYSICALS | 403.50 |
| ENCOMPASS/EAP | EAP | 294.50 |
| VERIZON WIRELESS | CELLULAR | 911.55 |
| BOARD OF WATER & LIGHT | WATER 6139 BISHOP | 46.42 |
| DELHI TOWNSHIP TREASURER | SEWER 6139 BISHOP | 47.90 |
| DELHI TOWNSHIP TREASURER | BALL MISC SHOP SUPPLIES | 5.88 |
| THE PARTS PLACE | MISCELLANEOUS HARDWARE | 12.48 |
| DELHI TOWNSHIP TREASURER | PARAMEDIC LICENSE - ELLIOTT | 25.00 |
| DUSTIN DICKERSON | 2019 EDUCATION REIMBURSEMENT | 690.00 |
| SCHOOLCRAFT COLLEGE FIRE | NFPA INSPECTOR II CLASS/YOUNG | 325.00 |
| | Total For Dept 336.00 FIRE DEPARTMENT | <u>18,466.67</u> |

Total For Fund 206 FIRE FUND 18,466.67

Fund 207 POLICE FUND

Dept 301.00 POLICE

| | | |
|-------------------------|------------------------------|-------------------|
| BAUCKHAM, SPARKS, THALL | LEGAL FEES | 4,009.50 |
| INGHAM COUNTY TREASURER | POLICE CONTRACT | 228,774.91 |
| | Total For Dept 301.00 POLICE | <u>232,784.41</u> |

Total For Fund 207 POLICE FUND 232,784.41

Fund 208 PARKS, TRAILS, & RECREATION FUND

Dept 000.00

| | | |
|---------------|---------------------------------|---------------|
| AMANDA TITUS | REIMBURSEMENT FOR FLAG FOOTBALL | 30.00 |
| BRENT TAYLOR | FLAG FOOTBALL REFUND | 30.00 |
| DEB ROESKE | FLAG FOOTBALL REFUND | 30.00 |
| JONETTA BYRD | FLAG FOOTBALL REFUND | 30.00 |
| JOSHUA DAWSON | FLAG FOOTBALL REFUND | 30.00 |
| KASEY FLORES | FLAG FOOTBALL REFUND | 40.00 |
| KIM REED | FLAG FOOTBALL REFUND | 40.00 |
| MONICA MILLER | FLAG FOOTBALL REFUND | 30.00 |
| TRACI JACKSON | FLAG FOOTBALL REFUND | 40.00 |
| | Total For Dept 000.00 | <u>300.00</u> |

Dept 752.00 PARKS ADMINISTRATION

| | | |
|--------------------------|--|-----------------|
| BLUE CROSS BLUE SHIELD | HEALTH INSURANCE | 1,470.54 |
| DELTA DENTAL PLAN OF | DENTAL INSURANCE | 110.07 |
| UNUM LIFE INSURANCE COMP | DISABILITY INSURANCE | 123.91 |
| HOLT PUBLIC SCHOOLS | FLYERS | 60.00 |
| ENCOMPASS/EAP | EAP | 51.89 |
| VERIZON WIRELESS | CELLULAR | 96.03 |
| | Total For Dept 752.00 PARKS ADMINISTRATION | <u>1,912.44</u> |

| | | |
|----------------------------|----------------------------------|----------|
| Dept 771.00 PARKS | | |
| BLUE CROSS BLUE SHIELD | HEALTH INSURANCE | 3,431.24 |
| DELTA DENTAL PLAN OF | DENTAL INSURANCE | 265.01 |
| UNUM LIFE INSURANCE COMP | DISABILITY INSURANCE | 92.43 |
| MICHIGAN FLEET FUELING | GASOLINE | 733.00 |
| MODEL COVERALL SERVICE | UNIFORMS | 26.76 |
| SUPERIOR SAW | COVERS FOR CHAINSAWS AND GLOVES | 60.89 |
| BYRUM ACE HARDWARE | TAPE | 19.98 |
| BYRUM ACE HARDWARE | DOOR HOLD | 8.59 |
| AMERICAN RENTALS, INC. | PORTABLE TOILETS | 88.00 |
| AMERICAN RENTALS, INC. | PORTABLE TOILETS | 241.00 |
| GRANGER | MONTHLY DUMPSTER SERVICE | 167.65 |
| QUALITY FIRST MAID SERVICE | CLEANING SERVICES/SENIOR CENTER | 280.00 |
| STATE OF MICHIGAN | WATER SAMPLES/VALHALLA | 405.00 |
| BOARD OF WATER & LIGHT | WATER 2074 AURELIUS #PARK | 1,094.28 |
| BOARD OF WATER & LIGHT | WATER 1750 MAPLE | 178.38 |
| DELHI TOWNSHIP TREASURER | SEWER 1750 MAPLE | 34.50 |
| DELHI TOWNSHIP TREASURER | SEWER 2108 CEDAR | 193.40 |
| DELHI TOWNSHIP TREASURER | SEWER 2287 PINE TREE | 59.70 |
| DELHI TOWNSHIP TREASURER | SEWER 4030 KELLER | 160.00 |
| BYRUM ACE HARDWARE | REPAIR SINK | 1.59 |
| BYRUM ACE HARDWARE | PAINT/GRAFFITI UNDER 96 ON TRAIL | 95.52 |
| PURE GREEN LAWN & TREE | FEILD #6 4200 BOND ST | 145.00 |
| PURE GREEN LAWN & TREE | 2287 PINE TREE ROAD | 145.00 |
| PURE GREEN LAWN & TREE | TR00ST FEILD AT JR HIGH | 110.00 |
| PURE GREEN LAWN & TREE | TR00ST FEILD AT JR HIGH | 220.00 |
| PURE GREEN LAWN & TREE | FEILD #6 4200 BOND ST | 175.00 |
| BYRUM ACE HARDWARE | SAND BELT/SKATE PARK | 5.99 |
| VAN ATTA'S FLOWER SHOP | PLANTS | 135.10 |
| D & G EQUIPMENT INC | REPAIRS | 452.33 |
| BYRUM ACE HARDWARE | PAINT SKATE PARK | 10.36 |
| BYRUM ACE HARDWARE | ROLLERS/SKATE PARK | 10.77 |
| TASMANIAN TIRE CO. | TUBE FOR GOLF CART | 16.00 |
| | Total For Dept 771.00 PARKS | 9,062.47 |

| | | |
|------------------------|----------------------------------|----------|
| Dept 774.00 RECREATION | | |
| D & M SILKSCREENING | TSHIRTS | 42.00 |
| BSN SPORTS LLC | FLAG BELTS, SOCCER BALLS | 591.45 |
| PIONEER ATHLETICS | HOSE/GAUGE | 47.10 |
| DBI BUSINESS INTERIORS | OFFICE SUPPLIES | 23.45 |
| BRONNER'S CHRISTMAS | CHRISTMAS LIGHTS | 714.06 |
| KITSMILLER RV, INC | HOLT FEST - WATER HOSE NEEDED | 375.00 |
| | Total For Dept 774.00 RECREATION | 1,793.06 |

| | |
|---|-----------|
| Total For Fund 208 PARKS, TRAILS, & RECREATION FUND | 13,067.97 |
|---|-----------|

Fund 211 FIRE EMS EQUIP & VEHICLE FUND

Dept 339.00 EQUIPMENT & APPARATUS

| | | |
|---------------------------|----------------------------------|----------|
| FIRST DUE FIRE SUPPLY CO. | RESSCUE HELMETS (PMI LIME GREEN) | 491.48 |
| FIRST DUE FIRE SUPPLY CO. | RESCUE ROPE (12.5MM RED 200') | 565.58 |
| FIRST DUE FIRE SUPPLY CO. | SHIPPING | 39.34 |
| GRAND POINTE MARINA | 2019 MERCURY BOAT MOTOR | 2,855.00 |
| GRAND POINTE MARINA | S&H | 100.00 |
| THE PARTS PLACE | OIL DRY | 62.40 |
| BOUND TREE MEDICAL, LLC | MISC MEDICAL SUPPLIES | 87.92 |

| | | |
|---|-----------------------|-----------------|
| BOUND TREE MEDICAL, LLC | MISC MEDICAL SUPPLIES | 236.91 |
| BOUND TREE MEDICAL, LLC | MISC MEDICAL SUPPLIES | 14.00 |
| WEST SHORE SERVICES INC | SIREN REPAIR | 472.24 |
| FRANKIE D'S AUTO & TRUCK | BATTERY #373 | 130.00 |
| FRANKIE D'S AUTO & TRUCK | LOF #529 | 75.00 |
| Total For Dept 339.00 EQUIPMENT & APPARATUS | | <u>5,129.87</u> |

Total For Fund 211 FIRE EMS EQUIP & VEHICLE FUND 5,129.87

Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY

Dept 000.00

| | | |
|-----------------------|----------------------|--------------|
| ROBERT PAUL FALSETTA | SENIOR PROJECT FRESH | 10.00 |
| Total For Dept 000.00 | | <u>10.00</u> |

Dept 728.00 DDA ADMINISTRATION

| | | |
|--|--------------------------------|---------------|
| ENCOMPASS/EAP | EAP | 15.50 |
| WOLVERINE ENGINEERS | CEDAR & NORTH BOUNDARY MARKING | 130.00 |
| C. HOWARD HAAS | CELL PHONE REIMBURSEMENT/HAAS | 75.00 |
| Total For Dept 728.00 DDA ADMINISTRATION | | <u>220.50</u> |

Dept 729.00 DDA MARKETING & PROMOTION

| | | |
|---|--------------------------------|-----------------|
| BLOHM CREATIVE PARTNERS | JULY OUR TOWN FRAMED ARTICLES | 300.00 |
| BLOHM CREATIVE PARTNERS | HOLT FEST FB AD | 375.00 |
| BLOHM CREATIVE PARTNERS | HOLT NOW JULY SOCIAL MEDIA | 1,000.00 |
| BLOHM CREATIVE PARTNERS | ESKER LANDING BANNERS | 510.00 |
| BLOHM CREATIVE PARTNERS | JULY SOCIAL ADS | 323.81 |
| MENARDS LANSING SOUTH | 7 SAFETY VESTS/6 POCKET APRONS | 74.97 |
| BLOHM CREATIVE PARTNERS | JULY WEB HOST/MAINT | 370.00 |
| Total For Dept 729.00 DDA MARKETING & PROMOTION | | <u>2,953.78</u> |

Dept 850.00 OTHER FUNCTIONS

| | | |
|---------------------------------------|--------------------------|---------------|
| GRANGER | MONTHLY DUMPSTER SERVICE | 54.65 |
| QUALITY FIRST MAID SERVICE | CLEANING SERVICES/DDA | 175.00 |
| DELHI TOWNSHIP TREASURER | SEWER 2150 CEDAR | 29.58 |
| DELHI TOWNSHIP TREASURER | SEWER 4410 HOLT | 23.68 |
| DELHI TOWNSHIP TREASURER | SEWER 2064 CEDAR | 23.68 |
| DELHI TOWNSHIP TREASURER | 1964 CEDAR | 41.30 |
| CONSUMERS ENERGY | 2150 CEDAR YEARLY LEASE | 25.00 |
| Total For Dept 850.00 OTHER FUNCTIONS | | <u>372.89</u> |

Dept 903.00 CAPITAL OUTLAY-DDA

| | | |
|--|----------------------------------|-------------------|
| H & H WELDING & REPAIR LLC | ESKER LANDING PARK/SIGN | 475.20 |
| HUBBELL, ROTH & CLARK, INC | ESKER LANDING CONT ADMIN | 10,342.41 |
| LAUX CONSTRUCTION, LLC | ESKER LANDING PAY ESTIMATE NO. 4 | 137,977.50 |
| HAMMOND FARMS SOUTH | SOIL COMPOST/ESKER SIGN | 93.75 |
| Total For Dept 903.00 CAPITAL OUTLAY-DDA | | <u>148,888.86</u> |

Dept 903.17 2017 DDA DEVELOPMENT

| | | |
|--|-------------------------------------|------------------|
| HUBBELL, ROTH & CLARK, INC | REALIZE CEDAR AUR-WILL THRU 8/10/19 | 192.30 |
| HUBBELL, ROTH & CLARK, INC | REALIZE CEDAR ADMIN THRU 8/10/19 | 4,886.97 |
| LEAVITT & STARCK EXCAVATING | PAY ESTIMATE 31: REALIZE CEDAR | 8,327.68 |
| Total For Dept 903.17 2017 DDA DEVELOPMENT | | <u>13,406.95</u> |

Total For Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY 165,852.98

Fund 590 SEWAGE DISPOSAL SYSTEM

Dept 000.00

| | | |
|------------------------|---------------------------|--------|
| BLUE CROSS BLUE SHIELD | RETIREES HEALTH INSURANCE | 137.85 |
| Total For Dept 000.00 | | 137.85 |

Dept 548.00 ADMINISTRATION & OVERHEAD

| | | |
|---|---------------------------|-----------|
| BLUE CROSS BLUE SHIELD | RETIREES HEALTH INSURANCE | 3,308.35 |
| BAUCKHAM, SPARKS, THALL | LEGAL FEES | 1,517.00 |
| KCI | SEWER BILL POSTAGE | 8,105.81 |
| ENCOMPASS/EAP | EAP | 162.75 |
| Total For Dept 548.00 ADMINISTRATION & OVERHEAD | | 13,093.91 |

Dept 558.00 DEPT OF PUBLIC SERVICE

| | | |
|--|------------------------------------|-----------|
| BLUE CROSS BLUE SHIELD | HEALTH INSURANCE | 10,979.98 |
| DELTA DENTAL PLAN OF | DENTAL INSURANCE | 1,152.19 |
| UNUM LIFE INSURANCE COMP | DISABILITY INSURANCE | 543.76 |
| MICHIGAN FLEET FUELING | GASOLINE | 1,120.41 |
| MODEL COVERALL SERVICE | STAFF UNIFORMS/POTW | 78.34 |
| MODEL COVERALL SERVICE | STAFF UNIFORMS/MTC | 44.63 |
| BARYAMES CLEANERS | UNIFORM DRY CLEANING | 92.70 |
| DBI BUSINESS INTERIORS | BANNER PAPER FOR LARGE PRINTER | 444.62 |
| AIRGAS USA, LLC | CYLINDER RENTAL | 186.68 |
| APPLIED IMAGING | COLOR COPIES/POTW | 1,142.85 |
| HACH COMPANY | 8528500 AUXILERY CABLES 9FT | 755.00 |
| HACH COMPANY | FREIGHT | 56.51 |
| HAVILAND PRODUCTS COMP | SODIUM HYPOCHLORITE | 3,514.41 |
| PVS NOLWOOD CHEMICALS | FERRIC CHLORIDE | 4,573.22 |
| UNITED PARCEL SERVICE | SHIPPING CHARGES | 280.19 |
| UNITED PARCEL SERVICE | SHIPPING CHARGES | 30.12 |
| GRANGER | YARD WASTE DUMPSTER | 390.00 |
| GRANGER | MONTHLY DUMPSTER SERVICE | 273.66 |
| COMCAST | HIGH-SPEED INTERNET/MTC | 156.85 |
| VERIZON WIRELESS | CELLULAR | 716.99 |
| BOARD OF WATER & LIGHT | WATER 5961 MC CUE | 51.04 |
| BOARD OF WATER & LIGHT | WATER 1492 AURELIUS | 166.64 |
| DELHI TOWNSHIP TREASURER | SEWER 1490 AURELIUS | 134.40 |
| BOARD OF WATER & LIGHT | ELECTRIC 1870 NIGHTINGALE | 103.79 |
| BYRUM ACE HARDWARE | BATTERIES/GATE REMOTE, LIGHT BULBS | 14.58 |
| BYRUM ACE HARDWARE | MISC BOLTS & NUTS/POTW | 13.60 |
| BLACKBURN MANUFACTURING | MARKING PAINT 12 PER CASE | 424.80 |
| BLACKBURN MANUFACTURING | SHIPPING | 49.00 |
| D & G EQUIPMENT INC | AM102116 NEUTRAL START SWITCH | 41.73 |
| FASTENAL COMPANY | M8 X 25MM FHSCS A-2 SCREWS 110/EA | 42.05 |
| FASTENAL COMPANY | THREADLOCK 242 | 68.33 |
| KENNEDY INDUSTRIES, INC | 1013367 4" FRICTION CONES | 192.00 |
| KENNEDY INDUSTRIES, INC | 1013456 6" FRICTION CONES | 150.00 |
| KENNEDY INDUSTRIES, INC | FREIGHT | 14.72 |
| PURE GREEN LAWN & TREE | SEASONAL TREATMENT / MAINTENANCE | 232.00 |
| DYER WELL DRILLING & SERVICE, I | PULL PUMP & ABANDON WELL | 1,200.00 |
| QUALITY FIRST MAID SERVICE | CLEANING SERVICES/MAINTENANCE | 280.00 |
| QUALITY FIRST MAID SERVICE | CLEANING SERVICES/POTW | 280.00 |
| DBI BUSINESS INTERIORS | BANNER PAPER FOR LARGE PRINTER | 444.62 |
| Total For Dept 558.00 DEPT OF PUBLIC SERVICE | | 30,436.41 |

Dept 578.01 CAPITAL IMPROVEMENTS

| | | |
|--|---------------------------------|------------------|
| HUBBELL, ROTH & CLARK, INC | TERTIARY CHAMBERS CRACK REPAIRS | 451.17 |
| HUBBELL, ROTH & CLARK, INC | SECONDARY CLARIFIERS REHAB | 7,677.51 |
| HUBBELL, ROTH & CLARK, INC | INFLUENT SCREW PUMPS REPLACE | 616.77 |
| HUBBELL, ROTH & CLARK, INC | SEQUENCING TANK MIXING | 2,245.47 |
| HUBBELL, ROTH & CLARK, INC | AERATION BASINS MIXING | 1,723.35 |
| Total For Dept 578.01 CAPITAL IMPROVEMENTS | | <u>12,714.27</u> |

Total For Fund 590 SEWAGE DISPOSAL SYSTEM 56,382.44

Fund 703 CURRENT TAX ACCOUNT

Dept 000.00

| | | |
|-------------------------|-----------------------|-----------------|
| CAPITAL REAL ESTATE TAX | REFUNDS DUE TAXPAYERS | 1,081.19 |
| Total For Dept 000.00 | | <u>1,081.19</u> |

Total For Fund 703 CURRENT TAX ACCOUNT 1,081.19

Total For All Funds: 534,708.88

**DELHI CHARTER TOWNSHIP
FUND TRANSFERS AND PAYROLL APPROVAL
For Payroll Dated August 22, 2019**

I. Certification of Preparation and Distribution

The attached check and payroll registers encompass check numbers: 111683 through 111700 & direct deposits numbers: DD30189 through DD30297. The payroll was prepared in accordance with established payroll rates and procedures. The Treasurer's & Clerk's signatures were printed on the payroll checks using an electronic image signature

Jaymie Guzzo, Accounting Clerk

The attached Check and Payroll Registers were reviewed. The payroll checks were distributed in accordance with established procedures.

Dated: August 22, 2019

Director of Accounting

II. Payroll Report

The August 22, 2019 payroll encompasses the following funds and expenditures:

| | Gross Payroll | Payroll Deductions | Net Pay |
|----------------------|--------------------------|--|---|
| General Fund | \$58,739.18 | \$18,591.92 | \$40,147.26 |
| Fire Dept. Fund | 65,419.04 | 20,222.44 | \$45,196.60 |
| Parks & Rec | 25,441.39 | 6,486.76 | \$18,954.63 |
| DDA | 5,004.52 | 1,056.22 | \$3,948.30 |
| Sewer Fund/Receiving | 46,900.06 | 14,558.49 | \$32,341.57 |
| Total Payroll | \$201,504.19 | \$60,915.83 | \$140,588.36 |
| | | | |
| | Township FICA | Township RHS & Pension Plan | Total Deductions & TWP Liabilities |
| General Fund | \$4,261.19 | \$6,528.57 | \$29,381.68 |
| Fire Dept. Fund | 4,897.63 | 5,977.81 | 31,097.88 |
| Parks & Rec | 1,890.27 | 1,796.81 | 10,173.84 |
| DDA | 197.77 | 89.55 | 1,343.54 |
| Sewer Fund/Receiving | 3,468.44 | 3,970.95 | 21,997.88 |
| Total Payroll | \$14,715.30 | \$18,363.69 | \$93,994.82 |

Director of Accounting

III. FUND TRANSFERS

Transfers covering the foregoing payroll were made on August 22, 2019 and identified as follows:

8/22 Net Pay Disbursement in Common Savings (\$140,588.36)

Roy W. Sweet, Treasurer

IV. Board Audit and Approval:

At a regular meeting of the Township Board held on September 3, 2019, a motion was made by _____ and passed by _____ yes votes and _____ no votes(_____ absent) that the payroll dated August 22, 2019 was reviewed, audited, and approved.

Attachment to Payroll Register

cc: Sweet(1)Vander Ploeg(1)

Evan Hope, Clerk



MEMORANDUM

TO: Delhi Township Board Members

FROM: Tracy L.C. Miller, Township Manager

DATE: August 27, 2019

RE: SUP#19-290 – Special Use Permit for 1868 Holloway Drive

At their meeting on August 26, 2019 the Planning Commission (PC) reviewed a request from Metro Fibernet, LLC for a Special Use Permit (SUP) to permit outdoor storage. The company provides high speed Fiber internet, Fiber phone, Fiber television and home security services. The SUP, if approved by the Board, will permit the company to have outdoor storage for materials and equipment. An opaque fence will fully screen the storage area. The attached staff report provides detailed information about this request.

The PC held the required public hearing at the meeting on the 26th. There were no members of the public that appeared or spoke at the hearing. I have attached an excerpt from the draft meeting minutes for your review.

After the public hearing, the PC took the following action:

O'Hara moved, seconded by Goodall to recommend to the Township Board approval of SUP 19-290 that would permit outdoor storage at 1868 Holloway Drive (33-25-05-24-200-015) in the IP: Industrial Park zoning district with the listed conditions below pursuant to Section 5.19.3(1). The Planning Commission has reviewed the "Basis for Determination for Granting a Special Use Permit" and has found that the general and specific standards outlined in Sections 8.1.3 have been satisfied and that those findings are accurately reflected and fully incorporated into this motion and the official meeting minutes and the document titled "Basis for Determination for SUP 19-290 Outdoor Storage" dated August 22, 2019 is hereby adopted.

- 1. Outdoor storage must be entirely within the fenced in area to the north and east side of the building, and shall occur only in the gravel area.*
- 2. The fence must be properly maintained and be fully opaque.*

A Roll Call Vote was recorded as follows:

Ayes: Craig, Ford, Goodall, Lincoln, O'Hara, Zietlow

Nays: None

Absent: Berry-Smokoski, Brown, Todd

Abstain: None

Discussion: None.

MOTION CARRIED

I believe that the necessary information is included in the attachments. However, if there is anything additional that you need, please let me know. Otherwise, I respectfully request that you for this information, along with your concurrence, to the Township Board for their consideration and action at the September 3rd meeting. Thank you.

Recommended Motion to APPROVE:

To approve Special Use Permit No. 19-290 for Metro Fibernet, LLC, 1868 Holloway Drive, Tax Parcel #33-25-05-24-200-015, as recommended by the Planning Commission at their August 26, 2019 meeting.

-OR-

Recommended Motion to DENY:

To deny Special Use Permit No. 19-290, Tax Parcel #33-25-05-24-200-015, for Metro Fibernet, LLC, 1868 Holloway Drive.

**DELHI CHARTER TOWNSHIP
INGHAM COUNTY, MICHIGAN**

SPECIAL USE PERMIT NO. 19-290

APPLICANT: Metro Fibernet, LLC

SPECIAL USE PERMIT ADDRESS: 1868 Holloway Drive
33-25-05-24-200-015

DATE ADOPTED: September 3, 2019

PURPOSE: Outdoor Storage

CONDITIONS:

BASIS OF DETERMINATION: Pursuant to the Michigan Zoning Enabling Act, Act 110 of 2006, as amended, Section 125.3504 (4), the condition imposed by this Special Use Permit is:

- 1. Outdoor storage must be entirely within the fenced in area to the north and east side of the building, and shall occur only in the gravel area.**
- 2. The fence must be properly maintained and be fully opaque.**

(1) Reasonable conditions may be required with the approval of a special land use, planned unit development, or other land uses or activities permitted by discretionary decision. The conditions may include conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed meet all of the following requirements:

- (a) Are designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being, of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole, and
- (b) Are related to the valid exercise of the police power and purposes which are affected by the proposed use or activity, and
- (c) Are necessary to meet the intent and purpose of the zoning requirements, are related to the standards established in the Zoning Ordinance for the land use or activity under consideration, and are necessary to insure compliance with

those standards, and

(2) The conditions imposed with respect to the approval of a land use or activity is recorded in the record of the approval action and remain unchanged except upon the mutual consent of the approving authority and the landowner.

The foregoing Special Use Permit declared adopted on date written above.

Evan Hope, Township Clerk

STATE OF MICHIGAN)
)ss
COUNTY OF INGHAM)

I, the undersigned, the duly qualified Clerk of the Charter Township of Delhi, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of the proceedings taken by the Township Board at a regular meeting held on the 3rd day of September, 2019.

IN WITNESS THEREOF, I have hereunto affixed my official signature this _____ day of September, 2019.

Evan Hope, Township Clerk

In most cases, Special Use Permits shall be assignable from one party to another, provided, however, that the site, location, and any other restrictions placed on the original Special Use Permit do not change. Assignability of said permit shall be subject to the following requirements and conditions:

1. *Prior to reassignment of the Special Use Permit to any owner, lessee, Occupant, or operator, the current permit holder shall notify the Delhi Township Zoning Administrator of his/her intention to assign the permit to a third party.*
2. *The assignee of the permit shall complete the appropriate application for continued use of the permitted operation.*
3. *The assignee of the permit shall meet with the Zoning Administrator in an effort to become familiar with all existing requirements of the Special Use Permit. Unless provided elsewhere in Zoning Ordinance No. 39, the new assignee must comply with all Special Use Permit requirements of the current permit holder.*

Approved uses, except seasonal uses, which cease for a period of 180 days are hereby considered abandoned and any such abandonment shall render the Special Use Permit

null and void. Seasonal uses which cease for a period of one (1) year must meet the requirements of Zoning Ordinance No. 39 and will require a new Special Use Permit as required in Section 8.1 of the Ordinance. Seasonal uses shall be defined as uses that require or are affected or caused by certain weather availability.

**PLANNING COMMISSION STAFF REPORT
SPECIAL USE PERMIT #19-290, 1868 Holloway Drive
August 21, 2019**



Noelle Tobias, Planning & Zoning Secretary
Community Development Department

PROPOSED USE:

The applicant has requested a Special Use Permit (SUP) for Outdoor Storage pursuant to Section 5.19.3(1) of the Zoning Ordinance (ZO) in the IP: Industrial Park zoning district.

DESCRIPTION:

The property owner and applicant, is Metro Fibernet, LLC. The company moved to this location in July of 2019. Metro Fibernet is a fiber optic telecommunication services company that provides high speed Fiber internet, Fiber phone, Fiber television and home security.

Figure 1 shows the property location on the northeast corner of Holloway Drive.



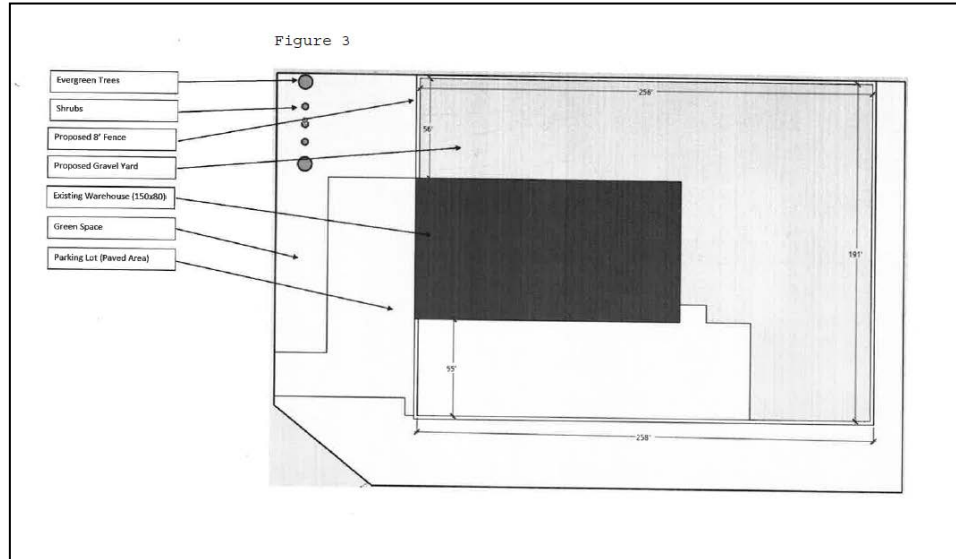
The requested SUP would, if granted, permit the outdoor storage of equipment and supplies, such as; spools of fiber optic cable, trucks, boring machines, booms along with other machinery. The applicant states that once the fence is constructed, this equipment will not be visible from the street.



A new fence will be installed, as illustrated in Figure 2. The fence is approximately 8' high, vinyl, and will be fully opaque. The fence encloses the outdoor storage area along with some of the parking lot.

The proposed storage area will be a gravel yard and located on the north and east side of the building area as shown in Figure 3. The existing parking area will remain the same.

Staff suggests that, if approved, the staff report contain a condition which specifies that storage must occur only within this gravel area on the site. Further, that the fence be properly maintained at all times to prevent unauthorized access and ensure that the outdoor storage area is not visible.



STAFF RECOMMENDATION

Staff recommends approval of the requested SUP 19-290 to permit outdoor storage, with the following conditions:

1. Outdoor storage must be entirely within the fenced in area to the north and east side of the building, and shall occur only in the gravel area.
2. The fence must be properly maintained and be fully opaque.

RECOMMENDED MOTION TO APPROVE:

Move to recommend to the Township Board approval of SUP 19-290 that would permit outdoor storage at 1868 Holloway Drive (33-25-05-24-200-015) in the IP: Industrial Park zoning district with the listed conditions below pursuant to Section 5.19.3(1). The Planning Commission has reviewed the “Basis for Determination for Granting a Special Use Permit” and has found that the general and specific standards outlined in Sections 8.1.3 have been satisfied and that those findings are accurately reflected and fully incorporated into this motion and the official meeting minutes and the document titled “Basis for Determination for SUP 19-290 Outdoor Storage” dated August 22, 2019 is hereby adopted.

1. Outdoor storage must be entirely within the fenced in area to the north and east side of the building, and shall occur only in the gravel area.
2. The fence must be properly maintained and be fully opaque.

MOTION TO DENY:

Move to recommend to the Township Board denial of SUP 19-290 that would permit outdoor storage at 1868 Holloway Drive (33-25-05-24-200-015) because the proposal does not comply with the required Basis of Determination Subsection _____ (fill in).

DESCRIPTION OF THE SITE

The site is located on Holloway Drive south of Holt Road.

GENERAL INFORMATION

APPLICANT: Metro Fibernet, LLC

OWNER OF RECORD: Metro Fibernet, LLC

LOCATION: 1868 Holloway Drive

PARCEL I.D. NO.: 33-25-05-24-200-015

ZONING: IP: Industrial Park

REQUESTED ACTIVITY: Outdoor Storage

PROPERTY SIZE: 1.896 acres +/-

EXISTING LAND USE: Industrial building

ADJACENT LAND USE: North: Vacant
South: Pratt & Whitney Autoair Inc.
East: Vacant
West: Dakkota Integrated Systems

ADJACENT ZONING: North: IP: Industrial Park
South: IP: Industrial Park
East: IP: Industrial Park
West: IP: Industrial Park

MASTER PLAN OF DELHI CHARTER TOWNSHIP:

The applicable *Master Plan of Delhi Charter Township (MP)* shows the subject property as planned for Commercial land uses on the Future Land Use Map.

CONFORMANCE WITH SECTION 8.1.3:

Prior to action on any SUP application, the Planning Commission shall establish that the general and specific standards and requirements contained in section 8.1.3 have been satisfied. The Planning Commission must review “Section 8.1.3 Basis for Determination for SUP 17-284 Outdoor Storage” dated December 8, 2017 and make a determination regarding compliance with each finding.

**Section 8.1.3 Basis for Determination
SUP #19-290 Outdoor Storage**

Section 8.1.3 1 a) Be harmonious and in accordance with the general principals and proposals of the Master Plan.

The Master Plan envisions this area of the community as continuing to develop with industrial land uses. The property is zoned IP: Industrial Park.

Section 8.1.3 1 b) Be designed, constructed, operated, and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

Proposed SUP#19-290 conditions address this issue.

Section 8.1.3 1 c) Not be hazardous or disturbing to existing or future uses in the same general vicinity and will be a substantial improvement to the property in the immediate vicinity and to the community as a whole.

It is not anticipated that there would be any hazardous or disturbing conditions created for existing or future users. The property is surrounded by industrial land uses.

Section 8.1.3 1 d) Be served adequately by essential public services, such as highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools.

The development receives fire and police protection from Delhi Charter Township. All infrastructure, including public roads and sewers, is available to the property.

Section 8.1.3 1 e) Not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property, or general welfare by reason of excess production of traffic, noise, smoke, fumes, glare or odors.

See 8.1.3 1 b) above.

Section 8.1.3 1 f) Be consistent with the intent and purposes of the zoning district in which it is proposed to locate such use.

Outdoor storage in the IP district is permitted with the issuance of a Special Use Permit. The conditions on the SUP will help to ensure that the use is consistent with the intent and purposes of the district.

Section 8.1.3 1 g) Be designed to protect natural resources, the health, safety, welfare, and social and economic well-being of those who will use the land use or activity, and the community as a whole.

See 8.1.3 1 b) above.

Section 8.1.3 1 h) Be related to the valid exercise of the police power and purposes which are affected by imposed use of activity.

The requirement for an SUP is a valid exercise of police power and Zoning. The intent is to reduce or eliminate negative impacts and the placement of operational conditions on the SUP can help facilitate achievement of this goal.

Section 8.1.3 1 i) Be necessary to meet the intent and purpose of the zoning ordinance, be related to the standards established in the ordinance for the land use or activity under consideration, and be necessary to insure compliance with those standards.

See 8.1.3.1 h) above.

Section 8.1.3 2) Conditions and Safeguards: The Planning Commission may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights and for insuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard, or requirement shall automatically invalidate the permit granted.

The conditions and safeguards that are recommended to be made a part of requested SUP amendment are listed in Section 8.1.3 (3) below.

Section 8.1.3 3) Specific Requirements: The general standards and requirements of the Section are basic to all uses authorized by Special Use Permit. The specific and detailed requirements set forth in the following Sections relate to particular uses and are requirements which must be met by those uses in addition to the foregoing general standards and requirements where applicable.

- 1. Outdoor storage must be entirely within the fenced in area to the north and east of the building, and shall occur only in the gravel area.**
- 2. The fence must be properly maintained and be fully opaque.**

Date: August 22, 2019

PUBLIC HEARING, CASE #19-290, 1868 HOLLOWAY DRIVE, 33-25-05-24-200-015, SPECIAL USE PERMIT TO ALLOW OUTDOOR STORAGE

Ms. Tobias reviewed the staff report for this case. This property is zoned IP: Industrial Park. A Special Use Permit (SUP) is required for Outdoor Storage in this zoning district. The owner and applicant, in this case, is Metro Fibernet, LLC. Metro Fibernet, LLC is fiber optic telecommunication services company that provides high speed internet, phone, television, and home security which located on Holloway Drive in July of 2019. If approved, this would permit the storage of equipment and supplies, such as; spools of fiber optic cable, trucks, booms along with other machinery. The applicant states that once the fence is constructed, this equipment will not be visible from the street. Staff suggests that, if approved, any outdoor storage must occur within the fenced in area to the north and east side of the building, and shall occur only in the gravel area. Further, that the fence shall be fully opaque and well maintained.

Butch Orr and Michael Cicchini from Metro Fibernet, LLC, were both present.

Craig asked if the applicant intended on stacking the spools of fiber. Mr. Orr stated that they would not be stacked or any equipment visible from the street.

O'Hara asked what the area is now that would be gravel and used as the storage area. Mr. Orr indicated that it is now all grass.

Ford questioned if there would be any hazardous waste issues on the site. Mr. Orr stated that there would be onsite hazardous clean up, however, he did not foresee this being an issue. He does not believe there would be storage of boom trucks and if they did store them it would be on the current paved area. The majority of activity on the site would be semi-trucks dropping off supplies for contractors to pick up.

Public Hearing Opened at 6:36 PM

None

Public Hearing Closed at 6:37 PM

MOTION

O'Hara moved, seconded by Goodall to recommend to the Township Board approval of SUP 19-290 that would permit outdoor storage at 1868 Holloway Drive (33-25-05-24-200-015) in the IP: Industrial Park zoning district with the listed conditions below pursuant to Section 5.19.3(1). The Planning Commission has reviewed the "Basis for Determination for Granting a Special Use Permit" and has found that the general and specific standards outlined in Sections 8.1.3 have been satisfied and that those findings are accurately reflected and fully incorporated into this motion and the official meeting minutes and the document titled "Basis for Determination for SUP 19-290 Outdoor Storage" dated August 22, 2019 is hereby adopted.

- 1. Outdoor storage must be entirely within the fenced in area to the north and east side of the building, and shall occur only in the gravel area.**
- 2. The fence must be properly maintained and be fully opaque.**

A Roll Call Vote was recorded as follows:

Ayes: Craig, Ford, Goodall, Lincoln, O'Hara, Zietlow

DRAFT MINUTES EXCERPT
8/26/19 PLANNING COMMISSION MEETING

Nays: None
Absent: Berry-Smocoski, Brown, Todd
Abstain: None

Discussion: None.
MOTION CARRIED



MEMORANDUM

TO: Delhi Township Board Members

FROM: Tracy L.C. Miller, Township Manager

DATE: August 1, 2019

RE: Ordinance 71.7 – Intoxication

Attached please find proposed Ordinance 71.7, which amends the Township's regulations pertaining to disorderly conduct and public intoxication. Township Attorney Revore recommends this amendment to clarify the Ordinance language pertaining to Disorderly Intoxication and Disorderly Conduct. Mr. Revore has consulted with the Sherriff's Department on this matter, and both conclude that the change would assist in future enforcement efforts and prosecution of the same.

Recommended Motion:

Upon second consideration, to amend Township Ordinance No. 71, and Code Section 10-75 and 10-77 regarding Disorderly Intoxication and Disorderly Conduct, respectively (Township Ordinance No. 71.7).

BAUCKHAM, SPARKS, THALL, SEEBER & KAUFMAN, P.C.

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1923 - 2015

HARRY F. SMITH
1906 - 1972

OF COUNSEL
KENNETH C. SPARKS
MICHAEL D. SCHLACK
ROBERT J. ROBINSON

July 31, 2019

Tracy Miller, Manager
Delhi Charter Township
2074 Aurelius Road
Holt, Michigan 48842

Via Email Delivery

Re: Ordinance Update: Disorderly – Intoxication

Dear Tracy:

Recently I have prosecuted a number of cases charged as Disorderly Person involving alcohol and intoxication. The Township's Ordinance No. 71 and two Code sections address the violation; however, differently: Section 10-75 "Disorderly intoxication" and Section 10-77 "Disorderly conduct" paragraph (4).

The Township's **Section 10-75** states:

Sec. 10-75. - Disorderly intoxication.

It shall be unlawful for any person to be intoxicated in a public place and endangering directly the safety of another person or property.

(Ord. No. 71.1, § 1(3)(d), 5-3-88; Ord. No. 71.2, § 2(4), 7-5-89; Ord. No. 71.3, § 2(4), 12-21-93; Ord. No. 71.5, § 2(47), 5-19-98)

State Law reference— Such person deemed a disorderly person, MCL 750.167(1)(e).

The Township's **Section 10-77** states in relevant part:

Sec. 10-77. - Disorderly conduct.

* * *

(4) A person who is intoxicated in a public place and who is either endangering directly the safety of another person or a property or is acting in a manner that causes a public disturbance.

* * *

The issue is that “Disorderly – Intoxication,” under Section 10-75 is dated and does not track state law as cited in the Township’s Code; this has caused confusion at the court. Of further concern is that if a person is charged under 10-75, and contested at trial, a case may be lost. As such I respectfully recommend that the Township amend its Ordinance 71.5, Section 2(4), and Code Section as discussed below.

Currently, as mentioned above, Township Ordinance No. 71.5, Section 2(4), Section 10-75, Article III – Offenses Against Person, Chapter 10 – Offenses of the Township Code, reads as follows:

Sec. 10-75. - Disorderly intoxication.

It shall be unlawful for any person to be intoxicated in a public place and endangering directly the safety of another person or property.

(Ord. No. 71.1, § 1(3)(d), 5-3-88; Ord. No. 71.2, § 2(4), 7-5-89; Ord. No. 71.3, § 2(4), 12-21-93; Ord. No. 71.5, § 2(47), 5-19-98)

State Law reference— Such person deemed a disorderly person, MCL 750.167(1)(e).

Notwithstanding, under state law, relevant section 167(1)(e) states:

A person is a disorderly person if the person is any of the following:

* * *

(e) A person who is intoxicated in a public place and who is either endangering directly the safety of another person or of property **or is acting in a manner that causes a public disturbance.** (Emphasis added.)

I have “**bolded**” (i.e., “Emphasis added”) above to show the difference between Township ordinance No. 71.5, Code Section 10-75 and state law.

I respectfully recommend that the Township amend its ordinance (No. 71.5, Section 2(4)) and Code Section 10-75 (to track state law) to reads as follows:

Sec. 10-75. - Disorderly intoxication.

It shall be unlawful for any person to be intoxicated in a public place and endangering directly the safety of another person or property **or is acting in a manner that causes a public disturbance.**

I enclose for your consideration an ordinance to amend the Township’s Disorderly Person – Intoxication. (Please see attached DRAFT amending Ordinance No. 71.5 __.)

Tracy Miller, Manager
July 31, 2019
Page 3 of 3

The attached proposed ordinance is recommended by our law office in discussion with Lt. Eric Jungel, of the Sheriff's Office Delhi Command. In my opinion, should Sheriff's Office Deputies charge an individual under Section 10-75 or Section 10-77, an updated ordinance will help alleviate the court's concern and both Sections provide Deputies the necessary means to effectively enforce violations of these quality of life local ordinances.

Please consider adoption of the attached ordinance as provided by law.

Very truly yours,



David M. Revore

Enclosure – Proposed Ordinance
c: Lt. Eric Jungel

This document (and its attachment) constitutes privileged attorney-client communication to remain confidential among the members of the Board of Trustees and administrative staff. As such, this document is exempt from disclosure under the Michigan Freedom of Information Act, MCL 15.243(1)(g), and the Board may meet in a closed session to consider its contents pursuant to the Michigan Open Meetings Act, MCL 15.268(h).

DELHI CHARTER TOWNSHIP
INGHAM COUNTY, MICHIGAN

DISORDERLY CONDUCT ORDINANCE, AMENDMENT
ORDINANCE NO. 71.7

PREAMBLE

AN ORDINANCE TO AMEND ORDINANCE 71.5, (DELHI CHARTER TOWNSHIP CODE SECTION 10-1 ET SEQ), RELATING TO CRIMINAL CONDUCT; AND TO AMEND THE PROVISIONS OF SAID ORDINANCE RELATING TO DISORDERLY CONDUCT BY AMENDING SECTION 2(4) THEREOF (CODE SECTION 10-75; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

The Charter Township of Delhi, Ingham County, Michigan, ordains:

SECTION 1. Amendment to Ordinance No. 71.5, Section 2(4). Ordinance No. 71.5, Section 2(4), (Delhi Charter Township Code Section 10-75, shall be and is hereby amended to provide:

Sec. 10-75. - Disorderly intoxication.

It shall be unlawful for any person to be intoxicated in a public place and endangering directly the safety of another person or property **or is acting in a manner that causes a public disturbance.**

SECTION 2. PENALTIES.

All proceedings pending and all rights and liabilities existing or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in effect when they are commenced. This Ordinance shall not be construed to affect any prosecution pending or initiated before the effective date of this Ordinance, or initiated after the effective date of this Ordinance for an offense committed before that effective date.

SECTION 3. SEVERABILITY.

If any section, paragraph, clause, phrase or part of this Ordinance is held invalid by any court of competent jurisdiction, or by any agency, department, or

commission empowered by statute for such purpose, such decision shall not affect the validity of the remaining provisions of this Ordinance, and the application of those provisions to any person or circumstances shall not be affected thereby.

SECTION 4. REPEAL.

All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an ordinance provision repealed by this Ordinance shall continue under the ordinance provision then in effect. All ordinances or parts of ordinances not expressly amended, deleted, or repealed, remain in effect.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective thirty (30) days after its passage and publication and recording as required by law.

John Hayhoe, Supervisor

Evan Hope, Clerk

I, Evan Hope, Clerk of the Charter Township of Delhi, do hereby certify that the above is a true action taken by the Delhi Charter Township Board of Trustees as follows:

First Reading: _____
First Publication (Posting) _____
Second Reading: _____
Second Publication (Posting) _____
Effective Date: _____

Evan Hope, Clerk



MEMORANDUM

TO: Township Board

FROM: Tracy L.C. Miller, Township Manager

DATE: July 29, 2019

RE: Ord. 128.1 – Amendment to Delhi Charter Township
Consumer Fireworks Ordinance

In 2019, the State of Michigan amended its fireworks regulations. The State law stipulates that consumer fireworks must be permitted on the following days, after 11 AM:

- December 31st until 1 AM on January 1st
- The Saturday and Sunday before Memorial Day, until 11:45 PM
- June 29 to July 4, until 11:45 PM
- July 5th, if it falls on a Friday or Saturday, until 11:45 PM
- The Saturday and Sunday before Labor Day, until 11:45 PM

All other days and times are subject to regulation by local ordinance. Delhi Township's current Fireworks Ordinance limits firework usage to the day preceding, day of, and day after one of ten national holidays. This is no longer consistent with State law, and should be amended.

The proposed ordinance amendment also modifies the civil penalties for violation of the Firework Ordinance, and stipulates that \$500 of the \$1000 fine goes to the local law enforcement agency (Sherriff's Department). The misdemeanor penalties have been removed. These changes are consistent with the new State law.

Attached please find proposed Ordinance 128.1. This amendment modifies the Township's Firework Ordinance so that it is consistent with the new State law. I recommend that the Board approved this amendment, after first consideration, at the August 20th meeting.

Recommended Motion:

**Upon second consideration, to amend Delhi Township Ordinance
No. 128 - Consumer Fireworks (Township Ordinance No. 128.1)**

**DELHI CHARTER TOWNSHIP
INGHAM COUNTY, MICHIGAN**

**FIREWORKS ORDINANCE
ORDINANCE NO. 128.1**

PREAMBLE

AN ORDINANCE AMENDING CHAPTER 6, FIRE PREVENTION AND PROTECTION, ARTICLE VII, CONSUMER FIREWORKS, SECTIONS 6-101, 6-102, AND 6-104, OF THE CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF DELHI; AND TO ESTABLISH AN EFFECTIVE DATE HEREOF.

THE CHARTER TOWNSHIP OF DELHI, INGHAM COUNTY, MICHIGAN, ORDAINS:

SECTION 1. TITLE.

This ordinance shall be known as “Delhi Charter Township Consumer Fireworks Ordinance amendment.”

SECTION 2. AMENDMENT OF ARTICLE VII, “CONSUMER FIREWORKS,” SECTIONS 6-101, 6-102, AND 6-104, TO CHAPTER 6 OF THE CODE OF ORDINANCES.

Article VII, Consumer Fireworks, Section 6-101 to Chapter 6 of the Code of Ordinances of the Charter Township of Delhi is amended to delete “National holidays” as follows:

Sec. 6-101. Definitions.

The *Act* means the Michigan Fireworks Safety Act, MCL 28.451, et seq., and any amendments to the Act, which may from time to time be adopted.

Article VII, Consumer Fireworks, Section 6-101 to Chapter 6 of the Code of Ordinances of the Charter Township of Delhi is amended to delete the “National Holidays” as follows:

~~National holidays as used in this Article VII shall mean:~~

~~New Year's Day, January 1.~~

~~Birthday of Martin Luther King, Jr., the third Monday in January.~~

~~Washington's Birthday, the third Monday in February.~~

~~Memorial Day, the last Monday in May.~~

~~Independence Day, July 4.~~

~~Labor Day, the first Monday in September.~~

~~Columbus Day, the second Monday in October.~~

~~Veterans Day, November 11.~~

~~Thanksgiving Day, the fourth Thursday in November.~~

~~Christmas Day, December 25-~~

Article VII, Consumer Fireworks, Section 6-101 to Chapter 6 of the Code of Ordinances of the Charter Township of Delhi is amended to add the definition of "Homemade fireworks" as follows:

Homemade fireworks mean any composition or device designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation that is not produced by a commercial manufacturer and does not comply with the construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507.

Except as otherwise provided, other terms in this Article shall have the meaning ascribed to them in the Act.

Sec. 6-102. Ignition, Discharge and Use of Consumer Fireworks; Violations, Fines and Penalties.

Article VII, Consumer Fireworks, Section 6-102 to Chapter 6 of the Code of Ordinances of the Charter Township of Delhi is amended to delete the prohibition and penalty as follows:

~~No person shall ignite, discharge or use consumer fireworks within the Township:~~

- ~~(i) Except on the day preceding, the day of, or the day after a national holiday.~~
- ~~(ii) The day before, the day of, and the day after a national holiday between the hours of 1:00 a.m. and 8:00 a.m.~~

~~Any person who violates Sec. 6-102 is responsible for a municipal civil infraction, and shall be subject to a civil fine of \$500.00 for each violation.~~

Article VII, Consumer Fireworks, Section 6-102 to Chapter 6 of the Code of Ordinances of the Charter Township of Delhi is amended to add the provisions as follows:

The ignition, discharge, and use of consumer fireworks within Delhi Charter Township is allowed after 11 a.m. on the following days:

1. December 31 until 1 a.m. on January 1.
2. The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
3. June 29 to July 4 until 11:45 p.m. on each of those days.
4. July 5, if that date is a Friday or Saturday, until 11:45 p.m.
5. The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

Consumer fireworks shall not be ignited, discharged, or used on any other day not prescribed above.

Homemade fireworks shall not be discharged in Delhi Charter Township at any time.

Any person who violates Sec. 6-102 is responsible for a municipal civil infraction, and shall be subject to a civil fine of \$1,000.00 for each violation of the ordinance and no other fine or sanction. \$500.00 from each fine collected for a violation of this ordinance shall be payable to the local law enforcement agency responsible for the enforcement of the Ordinance.

Sec. 6-104. Prohibited Conduct; Violations, Fines and Penalties.

A person who violates any of the following is subject to the penalties provided under the Act:

(i) A person shall not ignite, discharge, or use consumer fireworks on public property, school property, church property, or the property of another person without that organization's or person's express permission to use those fireworks on those premises.

(ii) A person shall not sell consumer fireworks to an individual who is under the age of 18.

(iii) An individual shall not use consumer fireworks or low-impact fireworks while under the influence of alcoholic liquor and/or a controlled substance, as those terms are defined in the Act.

Any person who violates Sec. 6-104(i), (ii), or (iii) is responsible for a municipal civil infraction, and shall be subject to a civil fine of \$500.00 for each violation.

~~Any person who violates Sec. 6-104(iii) shall be guilty of a misdemeanor, punishable by up to thirty (30) days in jail and/or a fine of not more than \$500.00, or both.~~

SECTION 3. PENALTIES.

All proceedings pending and all rights and liabilities existing or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in effect when they are commenced. This Ordinance shall not be construed to affect any prosecution pending or initiated before the effective date of this Ordinance, or initiated after the effective date of this Ordinance for an offense committed before that effective date.

SECTION 4. SEVERABILITY.

If any section, paragraph, clause, phrase or part of this Ordinance is held invalid by any court of competent jurisdiction, or by any agency, department, or commission empowered by statute for such purpose, such decision shall not affect the validity of the remaining provisions

of this Ordinance, and the application of those provisions to any person or circumstances shall not be affected thereby.

SECTION 5. REPEAL.

All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed; provided that any violation charged before the effective date of this Ordinance under an ordinance provision repealed by this Ordinance shall continue under the ordinance provision then in effect. All ordinances or parts of ordinances not expressly amended, deleted, or repealed, remain in effect.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall become effective thirty (30) days after its passage and publication and recording as required by law.

John Hayhoe, Supervisor

Evan Hope, Clerk

I, Evan Hope, Clerk of the Charter Township of Delhi, do hereby certify that the above is a true action taken by the Delhi Charter Township Board of Trustees as follows:

First Reading: _____
First Publication (Posting) _____
Second Reading: _____
Second Publication (Posting) _____
Effective Date: _____

Evan Hope, Clerk

8) Supervisor's Report

9) Treasurer's Report

10) Clerk's Report

11) Trustee Reports

12) Manager's Report