

**CHARTER TOWNSHIP OF BROWNSTOWN REGULAR TOWNSHIP BOARD  
MEETING OF AUGUST 15, 2022**

The Charter Township of Brownstown Regular Meeting of the Board of Trustees was held in the Township Hall, 21313 Telegraph Road, on Monday, August 15, 2022.

The meeting was called to order by Supervisor Smith at 7:00 p.m. and began with the Pledge of Allegiance.

**ROLL CALL BY CLERK BRINKER:**

**PRESENT:** Supervisor Smith, Clerk Brinker, Treasurer Eberth, and Trustees: Allen, Berecz, Chapman, and Killian. Also in attendance were Township Manager Peters, Police Chief Watson, Fire Chief Drouillard, and Township Attorney Robinette.

**ABSENT AND EXCUSED:** None.

**MINUTE ACCEPTANCE:**

Motion of Eberth, supported by Berecz, to approve the regular meeting minutes of July 18, 2022 and the special meeting minutes of July 28, 2022. All voting aye.

**AGENDA APPROVAL:**

Motion of Berecz, supported by Chapman, to approve the agenda of August 15, 2022 as submitted, with the following two amendments: 1.) Remove Item E2 regarding the Approval of Payment Request for Damages Caused by the Recreation Adult Softball League Play and 2.) Add Item F3 under the Public Works report regarding the Resolution 2022-22 a Resolution to Tentatively Award a Construction Contract for Water System Improvements. All voting aye.

**PUBLIC FORUM:**

Public Forum was held from 7:03 p.m. to 7:11 p.m.

**SECOND READING OF ORDINANCE 141-70 AN ORDINANCE TO AMEND RELEVANT PORTIONS OF ORDINANCE 141-45 "ZONING ORDINANCE" BY REZONING PART OF PARCEL 70-152-99-0009-000 FROM R-1 TO R-3, AND REVISING THE ZONING MAP TO REFLECT SAID REZONING:**

Motion of Eberth, supported by Chapman, to approve and adopt the second reading of Ordinance 141-70, an ordinance to amend relevant portions of Ordinance 141-45 "Zoning Ordinance" by rezoning part of parcel no. 70-152-99-0009-000 from R-1 to R-3 and revising the zoning map to reflect said rezoning. Roll call vote: Killian, nay; Brinker, aye; Eberth, aye; Berecz, aye; Chapman, aye; Allen, aye; and Smith, aye. Motion carried.

**SECOND READING OF ORDINANCE 227-17 AN ORDINANCE AMENDING ORDINANCE 227, ARTICLE 5, PART 105.500 "CONCEALED WEAPONS", TO INCLUDE "STUN GUNS" AND RELATED DEVICES, PROVIDING FOR REPEALER, SEVERABILITY, PENALTIES, SAVINGS CLAUSE, AND EFFECTIVE DATE:**

Motion of Eberth, supported by Chapman, to approve and adopt the second reading of Ordinance 227-17, an ordinance amending Ordinance 227, Article 5, Part 105.500 "Concealed Weapons" to include "stun guns" and related devices, providing for repealer, severability, penalties, savings clause, and effective date. Roll call vote: Brinker, aye; Allen, aye; Berecz, aye; Killian, aye; Eberth, aye; Chapman, aye; and Smith, aye. Motion carried.

**FIRST READING OF ORDINANCE 141-71 AN ORDINANCE TO AMEND ORDINANCE 141-45 TO ADD A NEW USE AT NO. 41 (TRUCK/TRAILER/DELIVERY VEHICLE PARKING AND STORAGE) OF TABLE 802 (SCHEDULE OF USES), TO RE-NUMBER SUBSEQUENT USES, AND TO ADD SECTION 11.10 (E) TO ARTICLE 11:**

Motion of Eberth, supported by Allen, to approve the first reading of Ordinance 141-71, an ordinance amending Ordinance 141-45 to add a new use at number 41 (Truck/Trailer/Delivery Vehicle Parking and Storage) of Table 802 (Schedule Uses), to Re-Number Subsequent Uses, and to add Section 11.10 (E) to Article 11. Roll call vote: Allen, aye; Berez, aye; Brinker, aye; Chapman, aye; Eberth, aye; Killian, aye; and Smith, aye. Motion carried.

**FIRST READING OF ORDINANCE 173-11, AN ORDINANCE TO AMEND ORDINANCE 173, ARTICLE 1.00, PART 133.212 "RUNNING AT LARGE" OF THE ANIMAL CONTROL ORDINANCE, PROVIDING FOR REPEALER, SEVERABILITY, PENALTIES, SAVINGS CLAUSE, AND EFFECTIVE DATE:**

Motion of Eberth, supported by Brinker, to approve the first reading of Ordinance 173-11, an ordinance amending Ordinance 173-11, Article 1.00, Part 133.212 "Running at Large" of the Animal Control Ordinance, providing for repealer, severability, penalties, savings clause, and effective date. Roll call vote: Berez, aye; Allen, aye; Brinker, aye; Chapman, aye; Eberth, aye; Killian, aye; and Smith, aye. Motion carried.

**RESOLUTION 2022-16 TO ACCEPT THE 33<sup>RD</sup> JUDICIAL COURT ANNUAL FINANCIAL REPORT FOR THE YEAR ENDING DECEMBER 31, 2021:**

Motion of Brinker, supported by Killian, to approve and adopt Resolution 2022-16, to accept the Annual Financial Report submitted by Plante Moran, PLLC, for the 33<sup>rd</sup> District Court for the year ending December 31, 2021. Roll call vote: Chapman, aye; Eberth, aye; Allen, aye; Brinker, aye; Killian, aye; Berez, aye; and Smith, aye. Motion carried.

**RESOLUTION 2022-17 CALLING FOR THE STATE OF MICHIGAN AND COUNTY OF WAYNE TO ALLOCATE AMERICAN RESCUE PLAN ACT (ARPA) FUNDS IN SUPPORT OF DOWNRIVER UTILITY WASTEWATER AUTHORITY (DUWA):**

Motion of Brinker, supported by Killian, to approve and adopt Resolution 2022-17, calling for the State of Michigan and County of Wayne to Allocate American Rescue Plan Act (ARPA) Funds in support of Downriver Utility Wastewater Authority (DUWA). The current ultraviolet disinfection system is nearly 25 years old and the manufacturer no longer supplies replacement parts. The estimated cost to replace this system is \$8,000,000.00. The request for the State of Michigan and County of Wayne to allocate ARPA funds would assist in replacing the ultraviolet disinfection system. Roll call vote: Eberth, aye; Berez, aye; Killian, aye; Allen, aye; Chapman, aye; Brinker, aye; and Smith, aye. Motion carried.

**RESOLUTION 2022-18 RESOLUTION TENTATIVELY DECLARING THE TOWNSHIP BOARD'S INTENT TO INCLUDE ADDITIONAL LAND AND PROPERTIES IN THE TIMBER CREEK SUBDIVISION'S SPECIAL ASSESSMENT DISTRICTS FOR THE OPERATION AND MAINTENANCE OF ITS STORM WATER MANAGEMENT SYSTEM AND STREET LIGHTING:**

Motion of Killian, supported by Chapman, to approve and adopt Resolution 2022-18, to tentatively declare the Township Board's intent to include additional land and properties in the Timber Creek Subdivision's Special Assessment Districts for the operation and maintenance of its storm water management system and street lighting. A public hearing is scheduled to be held during the regular Township Board of Trustees meeting of September 6, 2022 at 7 p.m. to hear any objections to the creation of the district and the estimated costs to be assessed. Additionally, the Clerk must give proper notice to affected residents both through a notice mailed to them as well as publishing that notice in accordance with Public Act 188. Roll call vote: Killian, aye; Allen, aye; Brinker, aye; Chapman, aye; Eberth, aye; Berecz, aye; and Smith, aye. Motion carried.

**RESOLUTION 2022-19 RESOLUTION TENTATIVELY DECLARING THE TOWNSHIP BOARD'S INTENT TO INCLUDE ADDITIONAL LAND AND PROPERTIES IN THE FOX CREEK CONDOMINIUM'S SPECIAL ASSESSMENT DISTRICTS FOR THE OPERATION AND MAINTENANCE OF STREET LIGHTING:**

Motion of Chapman, supported by Brinker, to approve and adopt Resolution 2022-19, to tentatively declare the Township Board's intent to include additional land and properties in the Fox Creek Condominium's Special Assessment Districts for the operation and maintenance of street lighting. A public hearing is scheduled to be held during the regular Township Board of Trustees meeting of September 6, 2022 at 7 p.m. to hear any objections to the creation of the district and the estimated costs to be assessed. Additionally, the Clerk must give proper notice to affected residents both through a notice mailed to them as well as publishing that notice in accordance with Public Act 188. Roll call vote: Brinker, aye; Eberth, aye; Berecz, aye; Allen, aye; Chapman, aye; Killian, aye; and Smith, aye. Motion carried.

**RESOLUTION 2022-20 RESOLUTION APPROVING HEARING DATES FOR POSSIBLE POLICE SPECIAL ASSESSMENT:**

Motion of Berecz, supported by Eberth, to approve and adopt Resolution 2022-20, to approve to set the hearing date for the Police Department Special Assessment for Tuesday, September 6, 2022 during the regular Board of Trustees meeting at 7 p.m. The purpose of the public hearing is to hear any objections to the creation of the district and the estimated costs to be assessed. After the public hearing, the Township Board will then decide whether to create the special assessment district, the boundaries of any district, and the amount of any special assessment to be levied on the December 2022 tax bills. Additionally, the Clerk must give proper notice to affected residents both through a notice mailed to them as well as publishing that notice in accordance with Public Act 33. Roll call vote: Allen, aye; Chapman, aye; Eberth, aye; Berecz, aye; Killian, aye; Brinker, aye; and Smith, aye. Motion carried.

**RESOLUTION 2022-21 AUTHORIZING THE ISSUANCE AND DELEGATING THE SALE OF BONDS AND OTHER MATTERS RELATING THERETO:**

Motion of Eberth, supported by Allen, to approve and adopt Resolution 2022-21, to authorize the issuance and delegating the sale of bonds and other matters relating thereto. The bonds of the Township aggregating sum not to exceed \$2,000,000.00 to be issued for the purpose of defraying all or a portion of the cost of acquiring and installing replacement water main and related appurtenances, making other necessary and related system improvements, paying engineering and financing costs, and the cost of issuing the bonds. The bonds shall be designated Capital Improvement Water Bonds, Series 2022. Roll call vote: Berecz, aye; Eberth, aye; Brinker, aye; Killian, aye; Chapman, aye; Allen, aye; and Smith, aye. Motion carried.

**APPOINT MEGHAN ARABUCKI TO THE BEAUTIFICATION/ HISTORICAL COMMISSION WITH TERM TO EXPIRE JANUARY 1, 2024:**

Motion of Berez, supported by Brinker, to approve to appoint Meghan Arabucki to the Beautification/ Historical Commission to fill a recent vacancy. The appointment is effective through January 1, 2024. All voting aye.

**SOUTHEAST MICHIGAN COUNCIL OF GOVERNMENTS (SEMCOG) MEMBERSHIP**

**FEE: \$4,260.00:**

Motion of Eberth, supported by Killian, to approve to pay the annual SEMCOG membership fee in the amount of \$4,260.00 for 2022. All voting aye.

**SUPERVISOR:**

**NOTICE OF PUBLICATION AND SCHEDULE A PUBLIC HEARING FOR ANNUAL SPECIAL ASSESSMENT DISTRICTS FOR SEPTEMBER 19, 2022:**

Motion of Eberth, supported by Chapman, to approve the Notice of Publication and schedule a Public Hearing for the Annual Special Assessment Districts for Monday, September 19, 2022 at 7:00 p.m. All voting aye.

**REQUEST TO UPDATE THE TOWNSHIP'S REPRESENTATIVES TO: A.) SOUTH HURON VALLEY UTILITY AUTHORITY (SHVUA) B.) DOWNRIVER UTILITY WATER AUTHORITY (DUWA):**

Motion of Eberth, supported by Berez, to approve to update the Township's representatives to the South Huron Valley Utility Authority (SHVUA) and Downriver Utility Water Authority (DUWA). Township Manager Brian C. Peters will be the delegate for both SHVUA and DUWA while Township Trustee Patrick Killian will serve as the alternate. All voting aye.

**HUMAN RESOURCES: LEAVE OF ABSENCE EXTENSION – DPW LABORER TIM CHURCH:**

Motion of Berez, supported by Eberth, to approve a request for an unpaid leave of absence for Tim Church from August 11, 2022 through October 3, 2022, with the anticipated return to work date of October 4, 2022. All voting aye.

**HUMAN RESOURCES: TUITION REIMBURSEMENT FOR POLICE LIEUTENANT ANDREW STARZEC:**

Motion of Eberth, supported by Berez, to approve tuition reimbursement of \$600.00 for Police Lieutenant Starzec for successful completion of an approved college/university course according to COAM Article 39.1 Section B (5). Police Lieutenant Starzec has met all of the pre-requisite requirements for tuition reimbursement, and this reimbursement for coursework that was completed during the calendar year 2022. All voting aye.

**POLICE: PURCHASE REQUEST FOR EIGHT ADDITIONAL MOTOROLA BODY WORN CAMERAS:**

Motion of Allen, supported by Brinker, to approve to purchase eight additional WatchGuard Body Worn Camera System from Motorola Solutions in the amount of \$23,520.00, which \$11,760.00 will be reimbursed by the Bureau of Justice Assistance. The Police Department previously purchased twelve Body Worn Camera Systems in 2021, but it was discovered that the original 12 is not always sufficient for ongoing shifts to have enough cameras available at the start of the shift. Purchasing this equipment has been shown to be mutually beneficial to both police officers and the communities in which they serve. The new cameras will also have the same five-year warranty as the original twelve cameras that were purchased, which allows for a complete replacement of cameras at the third year of the warranty. Funds for this project were included in the 2022 budget and will be taken from the Police Improvement budget. All voting aye.

**CLERK:**

**BOARD INFORMATION:**

Motion of Eberth, supported by Killian, to accept the Clerk's report which consists of three sets of disbursements and correspondence from Comcast. The first set of disbursements are from the cancelled meeting of August 1, 2022. The second set of disbursements from August 5, 2022 include payment of utility bills that were due prior to the August 15<sup>th</sup> meeting, one regular payroll transfer for the pay of August 5, 2022, and payroll for election workers for the August 2, 2022 Primary Election. The third set of disbursements are for the meeting of August 15, 2022. The correspondence from Comcast is in regards to upcoming changes to Russian language programming, which will take effect on September 7, 2022. Also, EPIX will no longer be available on channel 314, but will continue to be viewed on channel 372. Furthermore, EPIX HD will longer be available on channels 313 and 1790, but will continue to be viewed on channels 371 and 1871. All voting aye.

**TREASURER:**

**DISBURSEMENTS FROM THE MEETING OF AUGUST 1, 2022: \$2,091,954.55**

Motion of Brinker, supported by Killian, to approve disbursements as follows: General Fund Disbursements in the amount of \$226,613.52; Fire Protection in the amount of \$14,171.14; Police Fund in the amount of \$37,721.58; Greenbelt in the amount of \$1,673.94; Downtown Development in the amount of \$984.96; Police Improvement in the amount of \$18,046.74; Road Improvement in the amount of \$46,578.60; Sewer Fund in the amount of \$425,456.72; Water Fund in the amount of \$684,837.57; School & County in the amount of \$82,425.52; bringing the sub-total amount of disbursements to \$1,538,510.29. There were also two payroll transfers listed on the report: one dated July 22<sup>nd</sup> for Regular Payroll in the amount of \$505,020.51, and one dated August 2022 for Retirees Insurance in the amount of \$48,423.75; bringing the total amount of disbursements to \$2,091,954.55. Roll call vote: Chapman, aye; Killian, aye; Eberth, aye; Allen, aye; Brinker, aye; Berecz, aye; and Smith, aye. Motion carried.

**DISBURSEMENTS FROM AUGUST 5, 2022 A.) PAYMENT OF UTILITIES DUE PRIOR TO THE AUGUST 15<sup>TH</sup>, 2022 MEETING: \$17,389.29, B.) REGULAR PAYROLL TRANSFER FOR THE PAY OF AUGUST 5, 2022: \$666,308.56, C.) PAYROLL FOR ELECTION WORKERS FOR AUGUST 2, 2022 ELECTION: \$26,494.67:**

Motion of Berecz, supported by Brinker, to approve disbursements as follows: General Fund Disbursements in the amount of \$5,971.36; Fire Protection in the amount of \$1,815.31; Police Fund in the amount of \$4,720.95; Sewer Fund in the amount of \$2,135.76; Water Fund in the amount of \$2,745.91; bringing the sub-total amount of disbursements to \$17,389.29. There were also two payroll transfers listed on the report: one dated August 5<sup>th</sup> for Regular Payroll in the amount of \$666,308.56, and one dated August 2<sup>nd</sup> for Payroll for Election Workers in the amount of \$26,494.67; bringing the total amount of disbursements to \$710,192.52. Roll call vote: Eberth, aye; Allen, aye; Berecz, aye; Brinker, aye; Killian, aye; Chapman, aye; and Smith, aye. Motion carried.

**DISBURSEMENTS FROM THE MEETING OF AUGUST 15, 2022: \$453,088.45:**

Motion of Killian, supported by Brinker, to approve disbursements as follows: General Fund Disbursements in the amount of \$128,065.70; Fire Protection in the amount of \$8,716.79; Police Fund in the amount of \$7,666.19; Street Lighting in the amount of \$5,286.32; Greenbelt in the amount of \$7,015.00; Downtown Development in the amount of \$15,262.50; Fire Improvement in the amount of \$129,627.00; Debt Service in the amount of \$500.00; Sewer Fund in the amount of \$107,416.76; Water Fund in the amount of \$26,607.47; Tax Collection in the amount of \$14,652.86; School & County in the amount of \$2,271.86; bringing the total amount of disbursements to \$453,088.45 since there were no payroll transfers listed on this report. Roll call vote: Killian, aye; Brinker, aye; Chapman, aye; Berecz, aye; Allen, aye; Eberth, aye; and Smith, aye. Motion carried.

**BOARD INFORMATION:**

Motion of Eberth, supported by Berecz, to accept the Treasurer's report which consists of the Treasurer's Office Investment Report for July 2022. All voting aye.

**COMMUNITY SERVICES:**

**BOARD INFORMATION:**

Motion of Eberth, supported by Brinker, to accept the Community Services report which consists of the monthly totals for July 2022, Zoning Board of Appeals meeting minutes of May 19, 2022, Planning Commission meeting minutes of May 23, 2022, Planning Commission special meeting minutes of June 23, 2022, and the zoning enforcement log for July 2022. All voting aye.

**RECREATION:**

**TREE LIGHTING FIREWORKS PERMIT REQUEST:**

Motion of Berecz, supported by Eberth, to approve a fireworks permit request for Pyrotechnico Fireworks Inc. for the Brownstown Christmas Tree Lighting on December 1, 2022. An agreement with this company was previously approved by the Township Board on June 20, 2022. The Township is listed as an injured party. All voting aye.

**BOARD INFORMATION:**

Motion of Eberth, supported by Brinker, to accept the Recreation report which includes an update regarding 2022 summer programs; senior programs; capital improvements and parks; and grants and sponsorships. Regarding the portion of the report about capital improvements and parks there are many ongoing and upcoming projects. Gametime placed six in-ground tables in the picnic area of Thorn Park in late July. Repairs are also ongoing at the Splash Pad of the yellow shade sails. Two have already been completed, there is a wait for the third shade sail. Midstates Recreation is scheduled to begin work on the Teeter Tunnel at Thorn Park in August. Additionally, Midstates Recreation is also scheduled to begin work on the shelter at Woodland Heights Park in August. A picnic table was placed at Labo Park at the request of a resident. The Recreation Service Desk is being moved within the Community Center; the service window/ counter has been installed and the painting is complete, currently waiting on carpet installation in the new space. All voting aye.

**PUBLIC WORKS:**

**APPROVE SEWER CHANGE ORDER FOR MCCANN ROAD:**

Motion of Killian, supported by Eberth, to approve the sewer change order in the amount of \$179,870.00 to install a sewer main along McCann Road for residential development. The pricing for this project will remain from the previous project which was awarded to Lawrence Clark, with the exception of the increase to 10" truss pipe which is due to the rise of material costs. The cost of inspection is also included within this price, which will be conducted by Wade Trim. Funds for this project will come from account number 590.536.973.002, Sewer Main Improvements – Construction, with a fund transfer from account number 590.536.980.500, Sewer Investigation/ Repair. All voting aye.

**AWARD BID FOR WATER MAIN IMPROVEMENTS PROJECT TO BIDIGARE CONTRACTORS, INC. CONTINGENT ON CLOSING OF DWRF LOAN:**

Motion of Chapman, supported by Allen, to approve to award the bid for water main improvements to Bidigare Contractors, Inc in the amount of \$1,219,475.00. The award of this project is contingent upon the closing of the DWRF loan being approved, which is anticipated to be approved within two weeks. Five sealed bids were received for this project, which were received on August 3, 2022. Bidigare Inc. was the lowest bidder. All voting aye.

**RESOLUTION 2022-22 RESOLUTION TO TENTATIVELY AWARD A CONSTRUCTION CONTRACT FOR WATER SYSTEM IMPROVEMENTS:**

Motion of Chapman, supported by Allen, to approve and adopt a Resolution 2022-22 to award the bid for water main improvements to Bidigare Contractors, Inc in the amount of \$1,219,475.00, per the recommendation of Wade Trim Associates, Inc. The purpose of this project is to construct improvements to existing water treatment and distribution system. The award of this project is contingent upon the closing of the DWRP loan being approved, which is anticipated to be approved within two weeks. Five sealed bids were received for this project, which were received on August 3, 2022. Bidigare Inc. was the lowest bidder. Roll call vote: Smith, aye; Eberth, aye; Brinker, aye; Allen, aye; Berez, aye; Chapman, aye; and Killian, aye. Motion carried.

**TOWNSHIP MANAGER UPDATE:**

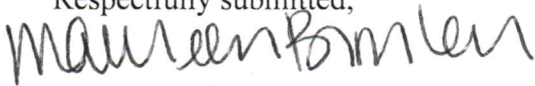
Township Manager Peters provided a brief update about several items that may be of interest to Brownstown residents:

- Upon reviewing the current boundaries for Special Assessment Districts, the Township needed to make changes to several subdivisions within the Township. These changes are necessary to include all properties that are within the Special Assessment District for their subdivision.
- A work session will be held on Thursday, August 25, 2022, to discuss American Rescue Plan Act (ARPA) funds. The purpose of this meeting is to create a framework to reflect the priorities within the Township of how to spend these funds.

**ADJOURNMENT:**

Motion of Eberth, supported by Brinker, to adjourn the regular Township board meeting at 7:41 p.m. All voting aye.

Respectfully submitted,



Maureen Brinker, Clerk  
Charter Township of Brownstown  
MB/anf