

BEDFORD TOWNSHIP BOARD MINUTES  
8100 JACKMAN ROAD, TEMPERANCE, MI 48182  
MAY 10, 2016  
7:00 pm

PRESENT:

Greg Stewart, Supervisor  
Trudy Hershberger, Clerk  
Paul Francis, Treasurer

Larry O'Dell, Trustee  
Paul Pirrone, Trustee  
Rick Steiner, Trustee  
Nancy Tienvieri, Trustee

ALSO PRESENT: Phil Goldsmith, Lennard, Graham & Goldsmith, Barry Buschmann, Mannik & Smith Group, Ron Whipple, Bedford Fire Chief

The Regular Meeting of the Bedford Township Board was called to order by Stewart at 7:00 PM followed by the Pledge of Allegiance.

**APPROVAL OF AGENDA** – Motion was made by Steiner, seconded by Francis to approve the agenda with the change to move the public hearing for a show cause hearing to be addressed after Item 4-B. Motion carried unanimously.

**CONSENT AGENDA**

The Consent Agenda contained the following items for approval:

- A) The Minutes of the March 1, 2016 regular Meeting of the Bedford Township Board;
- B) The General, Savings, Pooled Funds and CD Reports from the Treasurer;
- C) The Revenue/Expense report & Balance Sheet for the period ending April 30, 2016.

Motion was made by Steiner, seconded by Hershberger to approve the consent agenda as published. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

**PRESENTATIONS**

*PRESENTATION OF PETA AWARD TO THE BEDFORD TOWNSHIP FIRE DEPT.*

Stewart read and presented a PETA (People for the Ethical Treatment of Animals) Compassionate Award to Fire Chief Ron Whipple and the Bedford Firefighters for rescuing and reviving a dog named Dakota from a house fire in March of 2016. Board members and the audience applauded the firemen.

*PRESENTATION REGARDING THE BENEFITS OF THE ADDITION OF PLANTS IN RETENTION/DETENTION PONDS*

Mary Kay Thayer, 4189 Little Streams & Jackie Thayer-Ball, 8351 Waterford, gave a presentation on various alternatives to cleaning and maintaining retention and detention ponds in Bedford Township subdivisions. Discussion followed with board members asking questions, and the township engineer and township attorney giving additional information

**PUBLIC HEARING**

*REQUEST FOR A SHOW CAUSE HEARING FOR DANGEROUS BUILDING AT 6280 TELEGRAPH – GOLDSMITH*

Motion was made by Pirrone, seconded by Steiner to open the public hearing for a show cause hearing for a dangerous building at 6280 Telegraph. Motion carried unanimously.

No one spoke to the issue.

Motion was made by Hershberger, seconded by Steiner to close the public hearing for a show cause hearing for a dangerous building at 6280 Telegraph. Motion carried unanimously.

**Page 2**  
**Bedford Township**  
**May 10, 2016**

Attorney Goldsmith presented the issue to the board, explaining the property is located at 6280 Telegraph Road and the ID number is 5802-101-056-00, owned by Kamlesh Shah. Pursuant to township ordinance 66, the ordinance department held a dangerous building hearing in December of 2015. At that hearing the dangerous building hearing officer and other government officials determined the buildings on the site are dangerous and need to be demolished, with the buildings vacated within 30 days and demolished in 60 days. The owner has the right to appeal to the township board and this public hearing is the result of such a request. The township board now has to decide whether to affirm the decision to demo the building, to modify the decision, or to deny the order to demo. If the decision to demo is affirmed, the township must then bid out the demolition, approve a company, have the buildings demoed and place the cost of this demolition as a lien on the property. Ordinance Officer Cecil then spoke, giving a brief history of this issue, and stating the owner and attorney are requesting the order be modified to allow the owner to demo one of the three buildings at his own expense and give him time to get the money to demo the other two. Discussion followed with board members questioning the owner of the property, our township attorney and Ordinance Officer Cecil. Motion was made by Tienvieri seconded by Francis that pursuant to Bedford Township Ordinance No. 66, the board does agree to:

1. Affirm the Decision and Order of the Dangerous Buildings Hearing Officer dated October 5, 2015, concerning the property commonly described as 6280 Telegraph Road, Erie, Michigan 48133, Tax Parcel No. 58-02-101-056-00, wherein it is stated in pertinent part that all three (3) buildings are declared dangerous and shall be demolished and wherein it is further ordered that the structures on said parcel be immediately vacated and remain as such and that a demolition permit be obtained within thirty (30) days of the findings of the Dangerous Building Hearing Officer and that the structures be demolished and be completely removed from the site within sixty (60) days of these findings.

2. In accordance with the Decision and Order of the Dangerous Buildings Hearing Officer, the property owner shall demolish and completely remove all three (3) buildings on the subject property within thirty (30) days of May 10, 2016, after first obtaining and paying for a demolition permit from the Bedford Township Building Department. As part of the demolition process, the property owner shall remove the foundations of all three (3) buildings and backfill any holes and/or depressions on the site with clean fill dirt.

3. Subsequent to the thirty (30) day period identified in paragraph 2 above, Bedford Township may, at its sole discretion, and without notice to the property owner, enter upon the subject property and authorize the demolition of any building and/or structure remaining on the property. The Township shall solicit bids from qualified demolition contractors and thereafter contract with a qualified demolition contractor to perform the demolition work at the subject property. Thereafter, the Township shall provide the property owner with an invoice for the actual cost of demolition performed at the site and the property owner shall have thirty (30) days to pay said invoice. In the event the property owner fails to pay the invoice, the Bedford Township Treasurer is directed to assess the actual demolition cost incurred by Bedford Township against the tax roll for the subject property.

**Page 3**  
**Bedford Township**  
**May 10, 2016**

Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

**PUBLIC COMMENT**

Nancy Gin, 8639 Tanglewood spoke to the issue of retaining a full time Administrative Assistant in the Clerk's Dept. Broderick Gin, 8639 Tanglewood, gave his time to allow her additional time to speak.

Garnet Francis, 1828 Smith commented on the need to retain three full time employees in the clerk's dept. based on her 23 years of service in that dept. Damon Cecil, 1114 Feltis gave his time to allow her additional time to speak.

Tim McAfee, 9837 Pamela spoke to various issues, including drainage assessment issues, and the dangerous building issue. Attorney Goldsmith responded to his questions. Kirk Keane, 1545 Daytona, Toledo, gave his time to allow Mr. McAfee additional time to speak.

Gail Keane, 1056 W. Temperance, spoke to the Metro Funds issue, and retaining a full time Administrative Assistant in the Clerks Dept.

**NEW BUSINESS**

REQUEST FOR APPROVAL OF OUTSTANDING INVOICES- Motion was made by Hershberger, seconded by Francis to approve the following vouchers for payment: General Fund-\$270,324.35, Fire District-\$5,353.72, Police Fund-\$95,191.89, Park Fund-\$4,595.93, Transit System Fund-\$19,731.00, Library Operating Fund-\$16,004.65, Water Revenue Fund-\$7,180.00, Downtown Development Fund-\$9,701.50, Sewer Operation & Main. Fund-\$12,840.53, & Trust & Agency Fund-\$813.40 for a total of \$441,736.97. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

DISCUSSION OF METRO FUNDS

Tienvieri spoke, stating she had requested this issue be on the agenda to get a report on the proposed uses for the existing \$70,000+ funds in the Metro Fund. Stewart spoke, asking Barry Buschmann to provide and explain the three possible projects that Metro Funds could be used for. The first project is part of a planned project from the DDA for sidewalks in the Secor Sterns area. The proposed sidewalks the DDA is planning do not meet up with existing sidewalks outside the DDA district on three sides of the intersection. The suggestion is to use Metro Funds to complete those sidewalks at a proposed cost of \$33,685.00. Discussion followed.

The second project is for downtown Temperance, to provide marked parking spaces on both sides of Lewis Avenue with one option of including a bike path marked off as well. The estimated cost of this project would be \$10,000.00. Discussion followed.

The third project would be for Samaria, and it would be sidewalks, crosswalks and traffic calming on Samaria Road in the Samaria Community Center and Post Office area. The estimated costs for this project are not known at this time, the Samaria Heritage Group is still looking at different options. A short discussion followed.

Gail Keane, 1056 W. Temperance and a member of TAC was invited to speak to the board to explain why she and her committee did not wish to have the board make a decision on this issue at this time. She stated that TAC wants to be sure this project is done right; they want to speak to the biking groups and have a choice in the design of the project.

Motion was made by Francis, seconded by Tienvieri to approve bid from GM & Sons for the DDA's 2016 Sidewalk contract for \$231,450.00, with \$197,765 to be paid by the DDA and the remaining \$33,685 to be paid by the township with Metro Funds. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

**REQUEST FOR APPROVAL OF THE NOXIOUS WEED ORDINANCE MOWING CONTRACT**

Stewart spoke, explaining that this project was bid out, but no bids were received. He then contacted the companies that had bid last year, and received an agreement from Cutting Edge Lawn & Landscape to provide mowing at the rate they had bid last year.

Motion was made by Tienvieri, seconded by Steiner to approve the noxious week ordinance mowing contract with Cutting Edge Lawn & Landscape, Inc. at a rate of \$35.00 per hour. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

**REQUEST FOR APPROVAL OF EDGEWOOD ROAD MAINTENANCE WORK**

Hershberger explained this issue is on the agenda because the township is required to approve the MCRC contracts, even though the project has already been paid for by the residents. Motion was made by Hershberger, seconded by Francis to approve the Edgewood Road Maintenance Work contract at a cost of \$2,520.00, which has been paid for by the property owners. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

**REQUEST FOR APPROVAL OF THE MANNIK & SMITH GROUP ENGINEERING CONTRACT FOR WHITEFORD CENTER ROAD RECONSTRUCTION**

Buschmann spoke explaining the details of the three proposed contracts, and referring to the Five Year Road Maintenance Plan. He explained the Whiteford Center Road project which would cost \$59,600.00 in additional engineering costs, would allow the lobbying of the state and county to provide state funding for the road improvement. Board discussion followed.

Motion was made by Francis, seconded by O'Dell to approve the Mannik & Smith Group Engineering contract for the Whiteford Road reconstruction, at a cost not to exceed, \$59,600.00 Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

**REQUEST FOR APPROVAL OF THE MANNIK & SMITH GROUP ENGINEERING CONTRACT FOR CRABB ROAD RECONSTRUCTION**

Buschmann spoke stating this portion of Crabb Road was not originally built to withstand the heavy traffic volume caused by the Industrial Park. Additional drainage and driveway repair will be needed, and an attempt will be made to get funding from the occupants of the Industrial Park plus there is a chance of receiving Federal funding. Board discussion followed.

Motion was made by Francis, seconded by O'Dell to approve the Mannik & Smith Group Engineering contract for Crabb Road, as presented, at a cost not to exceed, \$31,500.00 Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

REQUEST FOR APPROVAL OF THE MANNIK & SMITH GROUP ENGINEERING CONTRACT FOR CLOVER LANE DRAINAGE IMPROVEMENTS

Buschmann stated the condition of this road is very bad, with much of the problem being caused by major drainage issues. He will keep costs as low as possible and get additional information from the Drain Commission and is estimating the cost to be \$22,600.00. Buschmann responded to board members questions.

Motion was made by Francis, seconded by O'Dell to approve the Mannik & Smith Group Engineering contract for Clover Lane Drainage Improvements, at a cost not to exceed, \$22,600.00 Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

REQUEST FOR APPROVAL OF THE MCRC CONTRACT FOR ROAD IMPROVEMENTS TO CLOVER LANE FROM THE OHIO STATE LINE TO WHITEFORD CENTER ROAD

Motion was made by Francis, seconded by Tienvieri to approve the MCRC contract for road improvements to Clover Lane from the Ohio state line to Whiteford Center Road at a cost of \$173,150.00, with the township paying the costs. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

REQUEST FOR APPROVAL OF MCRC CONTRACT FOR IVOR LINDSAY FROM LEWIS AVENUE TO THE END OF CERTIFICATION

Motion was made by Francis, seconded by Steiner to approve the MCRC contract for road improvements to Ivor Lindsay from Lewis Avenue to the end of certification, at a cost of \$44,470.00, with the township paying the costs. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

REQUEST FOR APPROVAL OF THE MCRC CONTRACT FOR TWO APPLICATIONS OF MINERAL BRINE TO THE EDGES OF LOCAL ROADS

Motion was made by Francis, seconded by Hershberger to approve the MCRC contract for two applications of mineral brine to local roads at a cost of \$16,950.00, with the township paying the costs. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

DISCUSSION REGARDING A TOWNSHIP MISSION STATEMENT

Both Tienvieri and O'Dell spoke, stating they would like time to work together on refining the proposed mission statement and asked that this item be placed on the next agenda. Discussion followed.

DISCUSSION REGARDING PART TIME POSITION IN THE CLERK'S OFFICE

Pirrone spoke questioning the need for the township clerk's department to have three full time employees, mentioning remarks made at the previous year's budget workshop. Hershberger responded to the question, explaining the necessity of keeping her department at this level, especially with the increase in services her department provides. She stated she is very proud of one of the services, namely passports, which has generated over \$30,000 in revenue so far this fiscal year. Steiner, Tienvieri & Francis commented on the issue. No action was taken.

**COMMENTS FROM THE PUBLIC**

Ken Gonyea, 8311 Lambert – spoke to the bike trail issue, expressing his concerns over safety for the bikers.

Tim McAfee, 9837 Pamela – questioned who controls bike path signage, mentioned drainage issues, suggested the township, and stated the township needed a full time fire dept.

Logan Tisdale, 1308 Brandywine – approves of a mission statement for the township, the need for a millage for the fire department, and stated that God has the ultimate authority over everything.

Carl Whitson, 11850 Douglas – spoke to the issue of the need for parking in downtown Temperance and wonders why it's taking so long to do so.

Gail Keane, 1056 W. Temperance – stated that since the township no longer has an EDC the board should consider a township community development group made up of Temperance, Samaria and Lambertville residents, as well as the DDA.

Kamlesh Shah, owner of Star Motel – asked the board to reconsider their dangerous building decision and to allow him to demo the buildings as soon as he can get the money.

**REPORT FROM TOWNSHIP BOARD MEMBERS**

**Tienvieri** – stated she is very proud of the township fire department and thanked them for their hard work and dedication. She also responded to Mr. Whitson's comment regarding parking in Temperance, stating the roads are controlled by the Road Commission, not the township, hoping to get the job done this spring/summer.

**Pirrone** – mentioned the clerk's dept. issue, stating he knows the administrative assistant and that she's doing a good job. He also mentioned the Farmer's Market will be opening this Saturday at its new location at the church at the corner of Dean & Douglas.

**Steiner** – commented on both the fire dept. and the police dept. and the good job they do. Stated the board would have to look at a full time fire dept. in the future, the board needs to be studying the issue.

**O'Dell** – questioned why it took so long, 6 years, for this dangerous building issue to come to the board, and thanked the fire dept. for their good job.

**Francis** – expressed the need for a full time fire department, said the shift work is helping, but volunteers are getting burned out. Also said a capital asset plan for the fire dept. is needed then the township needs to figure out how to fund it. He also mentioned the police millage will run out of money before the millage ends and that issue needs to be addressed by the township.

**Hershberger** – stated the May 3<sup>rd</sup> school election has been certified by the county, and the technology issue passed both township and county wide by a 3 to 1 margin. She also informed the board there are two more big elections scheduled, the August Primary and the November Presidential Election. In addition she informed the public that mosquito donuts are available to put in standing water, for all township residents, just come to the township hall to get them, they are safe for animals

**Stewart** – commented on the need to identify standing water, restated residents just need to come to the township hall to get the dunks. He also mentioned that recycling is available at the old Temperance Road Elementary every Tuesday, and reminded residents to only put proper items in

**Page 7**  
**Bedford Township**  
**May 10, 2016**

the dumpsters. In addition he commented on the National Day of Prayer meeting at the Francis Family YMCA and the upcoming Relay for Life at Bedford High School this Saturday.

**ADJOURNMENT**

The meeting adjourned at 9:55 p.m.

Trudy L. Hershberger  
Bedford Township Clerk

Garnet Francis  
Deputy Clerk/Recording Secretary