

MINUTES OF THE REGULAR MEETING OF THE
IRA TOWNSHIP BOARD OF TRUSTEES
JUNE 3, 2024

The Ira Township Board of Trustees met in the boardroom of the Ira Township Hall on June 3, 2024 at 7:00 p.m. The meeting was called to order followed by the Pledge of Allegiance.

ROLL CALL:

Board members present: James Endres Jr., Thomas Eder,
Thomas Lauer, Stella Ruhlman and Jean Corbat.

MINUTES:

S. Ruhlman moved to approve the minutes of the 5/6/24 regular meeting, supported by T. Eder.

All voting yes. Opposing: None **MOTION CARRIED**

CORRESPONDENCE:

- Immaculate Conception Family & Friends Summer Festival
 - St. Clair County Council on Aging
- Acknowledged and filed

OLD BUSINESS: None

NEW BUSINESS:

Michigan Township Association (MTA) Annual Dues

T. Lauer moved to approve 2024-25 MTA Dues in the amount of \$6,191.33, supported by S. Ruhlman.

All voting yes. Opposing: None **MOTION CARRIED**

Clay Police - May 2024 Additional Charges

S. Ruhlman moved to approve the additional monthly charge of \$1,275.00 for the month of May 2024 from the Clay Township Police Department, supported by T. Eder.

All voting yes. Opposing: None **MOTION CARRIED**

Fire Service Agreement with Casco Township

S. Ruhlman moved to approve the Fire Service Agreement between the Township of Ira and the Township of Casco for a term of five (5) years beginning July 1, 2024 through June 30, 2029, and authorize the Supervisor to sign the Agreement on behalf of the Township, supported by T. Eder.

All voting yes. Opposing: None **MOTION CARRIED**

Fire Department Site Plan Review/Inspection Agreement with Casco Township

S. Ruhlman moved to approve the Fire Department Site Plan Review/Inspection Agreement between the Township of Ira and the Township of Casco for a term of five (5) years beginning July 1, 2024 through June 30, 2029, and authorize the Supervisor to sign the Agreement on behalf of the Township, supported by T. Lauer.

All voting yes. Opposing: None **MOTION CARRIED**

Application RE: Temporary Uses - Special Events for Farmers
Market with Vendors

S. Ruhlman moved to approve the Temporary Uses - Special Events Permit for Amie Horn for a Farmers Market with Vendors to be held at 8832 Dixie Highway, Fair Haven, Michigan on the following dates, June 8, 2024, July 13, 2024, August 10, 2024, September 14, 2024 and October 12, 2024 from 10:00 am to 2:00 pm, and to provide the Application to the Clay Township Police Department for their information, supported by T. Lauer.

All voting yes. Opposing: None **MOTION CARRIED**

Cost Share Agreement

S. Ruhlman moved to approve the Cost Share Agreement between the Township of Ira and the Township of Clay ~~Caseo~~, in an amount to exceed One Million (\$1,000,000.00) Dollars, for the Ira & Clay Sewer Interceptor Lining project, and to authorize the Supervisor to sign the agreement on behalf of the Township, supported by T. Eder.

All voting yes.

Opposing: None

MOTION CARRIED

Bid Proposal RE Ira & Clay Interceptor Lining Project

T. Lauer moved to accept the recommendation of the Township Engineer and approve the bid of D.V.M. Utilities, Inc., in the amount of \$2,168,911.00, for the Ira & Clay Sewer Interceptor Lining Project with Ira Township and Clay Township each being responsible for 50% of the cost of the project pursuant to a Cost Share Agreement, which after allocation of a \$1,000,000 federal earmark, will be \$584,455.50 for Ira's share of the project, supported by S. Ruhlman.

All voting yes.

Opposing: None

MOTION CARRIED

Ordinance #136 Amendment to Zoning Ordinance RE Keeping of Horses

S. Ruhlman moved to accept the recommendation of the Planning Commission and adopt Ordinance #136 to amend the Zoning Ordinance regarding the keeping of horses and revising the definition of farm, supported by T. Lauer.

Roll Call Vote:

Ayes: J. Endres Jr., T. Lauer, T. Eder, S. Ruhlman and J. Corbat

Nays: None

MOTION CARRIED

ORDINANCE ADOPTED

Ordinance #137 Amendment of Planning Commission Ordinance No.77

T. Eder moved to accept the recommendation of the Planning Commission and adopt Ordinance #137 to amend Planning Commission Ordinance No. 77 to reduce membership from nine members to seven members, supported by S. Ruhlman.

Roll Call Vote:

Ayes: J. Endres Jr., T. Lauer, T. Eder, S. Ruhlman and J. Corbat

Nays: None

MOTION CARRIED

ORDINANCE ADOPTED

Rezoning Application - South of Marine City Highway / West of Meldrum; PC# 24-445(Parcels 23-004-2004-000, 23-004-2005-000, 23-004-2007-000) M. Todd Enterprises LLC/M.L. Chartier Inc.

T. Lauer moved to accept the recommendation of the Planning Commission to deny the rezoning request submitted by M. Todd Enterprises, LLC and M.L. Chartier, Inc., jointly the Applicant, to rezone Parcel No. 74-23-004-2007-000 from AEC (Agriculture Estates Conservation) to I-2 (Heavy Industrial) and Parcels Nos. 74-23-004-2004-000 and 74-23-004-2005-000 from I-1 (Light Industrial) to I-2 (Heavy Industrial) which contain together approximately 66 acres of property located south of Marine City Highway, west of Meldrum Road, for the following reasons:

- The proposed rezoning request is contrary to and inconsistent with the Ira Township Master Plan.
- The proposed rezoning request is contrary to the existing established land use patterns.
- The proposed rezoning request is inconsistent with the zoning of surrounding parcels.
- The Applicant has not submitted, and the Township does not have, any information indicating that the property cannot be developed as currently zoned.

- The surrounding zonings are consistent with the parcels' current zoning designations.
- The Applicant has not shown a need or a market for an additional 66 acres of heavy industrial property.
- The parcels can be developed and utilized as currently zoned.

This motion to deny the Applicant's rezoning request is based solely on the request to rezone the subject parcels from AEC (Agriculture Estates Conservation) and I-2 (Light Industrial) to I-2 (Heavy Industrial). This Motion is not based upon any specific proposed use of the site but rather considers all of the uses to which the parcels could be put if rezoned to I-2 (Heavy Industrial)

Applicant was represented by Attorney Clark A. Andrews at the meeting and indicated the following:

- *Applicant is existing facility and needs additional land and buildings;*
- *Applicant's business has not been problematic and this rezoning which covers 3 parcels of property of approximately 66.5 acres is for all three parcels to be rezoned to I-2 Heavy Industrial to expand operations and enable environmental business at that location;*
- *The Township Master Plan does not differentiate between I-2 and I-1;*
- *I-2 zoning allows larger operations and more expansive uses which require special approval land use;*
- *The County of St. Clair Metropolitan Planning Commission has reviewed the request and recommended approval for the reasons that the request is consistent with the Township Master Plan and Zoning Ordinance and the St. Clair County Master Plan.*
- *This does not constitute spot zoning.*
- *The opposition to this rezoning is being championed by an 80-year-old neighbor to the south who has environmentally damaged property and is upset that Applicant will not meet his exorbitant purchase price. This neighbor orchestrated a referendum and paid a law firm to sue the Township. His opposition is retaliatory.*
- *This is in the best interest of the Township and St. Clair County and should be approved by this Board.*

The Board also heard from four members of the audience:

John Tucker (6075 Meldrum Road, Ira Twp) stated he is negative about the company; 70% of Ira Township residents who voted on the ballot issue voted down the prior rezoning request and he is going to be talking about the blight on the property;

Kevin Rausch (7743 Arnold Road, Ira Twp) stated applicant put in a culvert without a permit and is ready to put in the culvert again;

Isaac Joseph (7657 Lake Park Drive, Ira Twp) stated this is not about the interest of a select few but about what the people want, and they will petition again if the rezoning is approved;

Mary VanHaaren (8620 Ira Road, Ira Twp) encouraged the Board to deny the rezoning request;

There were no written comments submitted or received.

T. Eder moved to support the motion of T. Lauer to deny the rezoning application.

All voting yes. Opposing: None **MOTION CARRIED**

Appointment to Parks and Recreation Commission

S. Ruhlman moved to reappoint Wendy Hinton to the Parks and Recreation Commission for a two-year term ending June 30, 2026, supported by T. Lauer.

All voting yes. Opposing: None **MOTION CARRIED**

DNR Snowmobile Safety Class Location

S. Ruhlman moved to accept the recommendation of the Parks and Recreation Director and schedule a DNR Snowmobile Safety Class for October 26, 2024 at the Ira Township Fire Hall, due to the unavailability of the Boardroom which is scheduled for Early Voting for the August 5, 2024 State Primary election, supported by T. Lauer.

All voting yes. Opposing: None **MOTION CARRIED**

Parks and Recreation Commission Bylaws

S. Ruhlman moved to accept the recommendation of the Parks and Recreation Director and amend the Bylaws of the Parks and Recreation Commission to provide for up to three (3) alternate members, effective July 1, 2024, supported by T. Eder.

All voting yes. Opposing: None **MOTION CARRIED**

Request to Relinquish Water and Sewer Taps - 7912 Belle Brae Road)

J. Endres Jr. moved to accept the recommendation of the DPS Superintendent and approve the homeowner's request to relinquish the water and sewer taps for 7912 Belle Brae Road, supported by S. Ruhlman.

All voting yes. Opposing: None **MOTION CARRIED**

Request for Sewer Relief - 9277 Dixie Highway

S. Ruhlman moved to accept the recommendation of the DPS Superintendent and grant relief to the property owner at 9277 Dixie Highway by providing a credit in the amount of \$1,194.94 for the sewer portion of the utility charges for the billing period of January 1, 2024 to March 31, 2024, supported by J. Endres Jr.

All voting yes. Opposing: None **MOTION CARRIED**

McBride - Manley Audit Engagement Letter

T. Lauer moved to approve the audit engagement letter from McBride - Manley, in the amount of \$39,998.00, for fiscal year ending June 30, 2024, supported by S. Ruhlman.

All voting yes. Opposing: None **MOTION CARRIED**

Void Checks

S. Ruhlman moved to accept the recommendation of the Financial Clerk and void two (2) checks issued in 2022, totaling \$42.53, and deposit into the General Fund, supported by T. Eder.

All voting yes. Opposing: None **MOTION CARRIED**

Computer Updates

T. Lauer moved to accept the recommendation of the Financial Clerk and approve the quote from Hi-Tech, in the amount of \$270.00, to upgrade two (2) office computers, supported by S. Ruhlman.

All voting yes. Opposing: None **MOTION CARRIED**

New Time Clocks & Programs

S. Ruhlman moved to accept the recommendation of the Financial Clerk and approve the quote from Lathem PayClock, in the amount of \$2,616.00, to purchase three Cloud Touch Fingerprint Time Clock System Model CT72 time clocks as well as the subscription program and support, supported by T. Eder.

All voting yes. Opposing: None **MOTION CARRIED**

Budget Amendment 23/24 #6

Budget Amendment 23/24 #6		6/3 Meeting
General		
Revenues		
101-000-665	Interest	5,100
101-000-528	Federal Grant - ARPA	13,785
Expenditures		
Executive Activities		
101-173-818	Contractual Services	5,000
Library		
101-790-930	Land & Building Repairs	100
Parks & Recreation		
101-751-970	Capital Outlay	(74,740)
101-751-974.001	Capital Outlay - Grant	74,740
101-751-974.002	Capital Outlay - ARPA	13,785
Fire		
Revenues		
206-000-681.206	Donation - Fire Department	3,000
Expenditures		
206-000-764	Firefighter/Personal Property Equipment	3,000
Water/Sewer		
Revenues		
Sewer		
592-536-665	Interest	1,500
Water		
592-537-665	Interest	6,700
Expenditure		
Sewer		
592-536-767	Clothing	500
592-536-931	Maintenance - Small Equipment	1,000
Water		
592-537-934.100	Maintenance - Water Meters	6,700

S. Ruhlman moved to approve Budget Amendment 23/24 #5 for the General Fund, Fire Fund and Water/Sewer Fund, supported by T. Lauer.

All voting yes. Opposing: None **MOTION CARRIED**

Location Change for August 2024 Regular Board Meeting

S. Ruhlman moved to approve the request of the Clerk to move the location for the August 5, 2024 regular Board of Trustees meeting to the Ira Township Fire Hall, due to the State General election scheduled for August 6, 2024, supported T. Eder.

All voting yes. Opposing: None **MOTION CARRIED**

Reschedule September 2024 Regular Board Meeting

T. Eder moved to accept the recommendation of the Clerk and reschedule the regular September meeting of the Board of Trustees from September 2, 2024, Labor Day, to September 4, 2024, supported by S. Ruhlman.

All voting yes. Opposing: None **MOTION CARRIED**

Collective Bargaining Agreement with International Union of Operating Engineers Local 324 AFL-CIO (IUOE Local 324) RE: Clerical

T. Lauer moved to approve the Collective Bargaining Agreement, as presented, with an effective date of January 1, 2024, and to authorize the Supervisor to sign the Agreement on behalf of the Township, supported by S. Ruhlman.

Voting Yes: Thomas Eder, Thomas Lauer, Stella Ruhlman and Jean Corbat

Abstaining: James Endres Jr.

Opposing: None

MOTION CARRIED

Collective Bargaining Agreement with International Union of Operating Engineers Local 324 AFL-CIO (IUOE Local 324) RE: DPS

T. Lauer moved to approve the Collective Bargaining Agreement, as presented, with an effective date of January 1, 2024, and to authorize the Supervisor to sign the Agreement on behalf of the Township, supported by S. Ruhlman.

All voting yes. Opposing: None

MOTION CARRIED

Investment in Treasury Bills

J. Endres Jr. moved to accept the recommendation of the Treasurer and authorize investment of \$1,000,000 into Treasury Bills, supported by S. Ruhlman.

All voting yes. Opposing: None

MOTION CARRIED

MAY 2024 REPORTS:

Police Run Report - May

Building Department Permits

Code Enforcement - No Report

DPS Supervisor - No Report

Parks & Rec Director Reports

- Five programs in May including Replace Grief with Awe Ceremony - Memorial Event great success;
- New playscapes are open; working on a date for a ribbon cutting event;
- Wish List provided and approved by Board;

Fire Chief and Run Reports - March, April and May

Supervisor:

- Working on Emterra Contract;
- Busy month with many meetings and a lot going on through-out the Township;

Clerk:

- Attended 2024 Election Cycle Training for Clerks on May 30th in Port Huron;
- Attending St. Clair County Clerks Association Meeting on June 6th hosted by Casco Township;
- Attending MTA seminar on June 19th on election related issues;
- Thank you to our DPS and Parks & Recreation Director for all their work in connection with the Replace Grief with Awe Ceremony - Memorial Events and installation of playscapes;

Treasurer:

- Bank Balances;
- Water / Sewer Adjustments;
- Would like to move money out of Government Money Market account and invest in Treasury Bills;

Trustee Eder:

- Congratulations on the great Memorial Day service held at the Municipal Park; Troop 252 retired the flag and Blue Sky Riley sang the National Anthem; both were excellent; as a veteran very proud to represent the Township Board at this event;

Trustee Ruhlman:

- Hearing good things about the park;

DISBURSEMENTS:

S. Ruhlman moved to pay the following disbursements totaling \$303,094.32 and supported by T. Eder.
All voting yes. Opposing: None **MOTION CARRIED**

Reg	
Fund 101 General Government	\$122,595.33
Fund 206 Fire Fund	\$29,361.83
Fund 592 Water / Sewer Fund	\$151,040.91
ACH	
Fund 101 General Government	\$43.75
Fund 206 Fire Fund	\$8.75
Fund 592 Water / Sewer Fund	\$43.75
Total for All Funds	\$303,094.32

PUBLIC COMMENT:

Dan Saoud (8605 Marine City Highway, Ira Twp) thanked Board for its decision; Master Plan does differentiate between I-1 and I-2 industrial uses; he reviewed Master Plan which provides a large portion for residential low density and industrial;

John Vadalabene (6740 Meldrum Road, Ira Twp) appreciates that the rezoning was voted down; likes country living and hopes it stays that way; he is underwhelmed that there is a lack of transparency on Board agenda items;

John Tucker (6075 Meldrum Road, Ira Twp) thank you for decision; 70% of those who voted said no to the earlier rezoning; questioned Board's attempt to stop the development; previously he was required to tear down a barn, but Chartier is allowed to have a pile of cement;

Libby Prill (6177 Tripp Road, China Twp) thank you for the decision; we should get feedback from Metro Planning on why they recommended approval - likely family clout and look at water table in the area;

Eileen Tesch (145 Channelside, Algonac) mentioned comments made at the Chamber of Commerce event and a Crain's report about Mark Hackel and Jeff Boehm and the 26 Mile Road expansion that needs deep-dive research; one of our employees said Chartier is funding re-election campaign;

ADJOURNMENT:

With no further business to discuss J. Endres Jr. moved, with the support of T. Eder, to close the meeting at 8:08 p.m.

Respectfully Submitted,

Jean Corbat, Clerk