

Rochester Township

Board Meeting Minutes

October 12, 2023

Meeting was called to order at 7:00 pm by Chairman Jamie Neisen.

Members present - Matthew Kitzmann, Jamie Neisen, Jeff Orth, Michael Melford, Nathan Clarke and Randy Staver.

Guests – Pat McGowan, Dean Thompson, Dean Hegrenes, Brian Mueller, Effie Psimos and Kim Fleming.

Open Comments

- Effie Psimos and Kim Fleming, who are city of Rochester residents on the east side of Westhill Drive SW, asked why the 13 city residents pay an annual fee to the township. They thought it pertained to the home owner's association, which was dissolved about 2008. It was explained that the annual assessment is a result of a development agreement that was written in 2002 between the developer and township relative to road maintenance and how payment would be assessed.
- A speaker stated that a walking path located at 1314 Westhill Drive was given over by the developer. However, since the HOA no longer exists, responsibility for maintenance of the path is in question. Since the path lies within the city limits, the speaker was encouraged to speak with her city Ward representative.
- A speaker said that a solar array is being installed in the front yard at 1441 Westhill Drive. She was wondering if the township ordinances permit this to happen. The board was uncertain and Jamie said that we should ensure this is addressed as part of the current subdivision ordinance review.

Minutes – Nathan Clarke moved to approve the minutes for the September 14, 2023 meeting. Michael Melford seconded. All voted in favor and the motion passed.

Deputy's Report –

- Deputy Dean Thompson stated that there were 34 calls for service.
- Dean presented additional detail data for April through October that broke down the types of calls, e.g., accident, medical, domestic, traffic stop, etc.
- Nathan Clarke asked if law enforcement can sit only on public land or if they can sit on private land. Dean said that they can sit on private land with owner permission but that they tend to avoid doing that. Nathan commented that speed is influenced if motorists can see law enforcement.

Treasurer's Report –

- Treasurer Randy Staver reported. There was no unusual activity to report. The transition to IntraFi at ONB Bank has been completed. IntraFi, as discussed at an earlier meeting, is the system used to protect funds similar to FDIC while also spreading risk.
- Matt Kitzmann moved approval of the treasurer's report. Nathan Clarke seconded. All voted in favor and the motion passed.
- Jamie asked about costs associated with hosting the last OCTOA meeting. Randy said the township cost was about \$155 for food. Jamie posed whether Rochester township should host by itself next time. Randy commented that our turn only comes up once about every 18 months.

Rochester Township Claims – Jeff Orth moved and Michael Melford seconded to accept and pay Rochester Township claims #5387-5406 in the amount of \$27,428.01. All voted in favor and the motion passed.

JPB Claims – Jeff Orth moved and Michael Melford seconded to accept and pay Joint Powers Board claims #6335-6358 and the Rochester Township share in the amount of \$18,865.59, and a payroll share of \$12,649.80. All voted in favor and the motion passed.

Road Maintenance Supervisor Report –

- All mowing has been completed for the season.
- Equipment repairs and maintenance is occurring in preparation for winter.
- A new snow blade has been acquired and installed which makes some existing equipment more versatile.
- Pat talked about the Mayowood Estates phase 1 and 2 where the engineering firms changed in mid-project. Oversight was not as thorough as it should have been. A punch list has been created and resolution is in process.
- Pat discussed the gravel budget and some additional work that needs to occur.

2630 Wild Rose Lane SW –

- At the request of the township, Elcor submitted a quote for demolition of the structure. The sole purpose of obtaining the quote is so that valid information could be made available to potential property investors. It is not meant to imply that the township is moving forward with demolition.

Land Use Planning Workgroup –

- Nathan had a brief follow up conversation with the Bolton & Menk representatives who presented at the last meeting. The township will pause on further activity at this time.

- Jeff Orth suggested that the township should consider establishing a public park at some point.
- Jeff raised a question he has heard about the height of mailboxes. Pat said that road maintenance can impact those measurements and create a non-compliance issue.

Speed Study –

- Additional speed study reports were distributed for 8th Street East and West bound.
- Pat has investigated installation of speed tables which are considered a more viable option.
- The cost would be about \$12,000 for a pair. They are considered movable and can be removed seasonally.
- Matt distributed a compilation of data collected to date that he and Nathan created.
- Matt noted that it seems a bit difficult to continue chasing the speed topic since it seems to be never-ending. There needs to be a realistic juncture for analysis and resolution.
- It was suggested that the signs could be moved and left in place for 30 days to gather more information. Pat was asked to coordinate.

Westhill Drive SW –

- Discussion continued from the open comments. Jamie discussed the development agreement and how the assessment value is determined. Nathan commented that while the annual percentages fluctuate quite a bit, the average over 20 years is about 2.6% per year which is about the annual inflation rate.
- A speaker commented on water issues and drainage. She said she had spent \$44,000 in recent years to install tiling.
- Pat said it was unusual this year to see significant water in the ditch. He noted that there are ditches and culverts on the township side of the road but no improvements on the city side.
- Jeff Orth stated that there are two separate questions. If there are issue (lapses) with the grading plan then those are questions for the developer and city. The township only deals with the road proper and its maintenance.
- The township can evaluate whether the sizing of culverts on the township side is adequate.
- Randy said he had spoken with the Ward representative, Patrick Keane, on the topic. Jamie said that we will need to initiate discussions with the city to determine options for ownership and maintenance of the road. He asked Randy to obtain contact information.

JPB Personnel Review –

- Jamie talked about the recent personnel review for Luke Lentz. Cascade township has agreed to the assessment and recommendations.

- Matt Kitzmann moved to support the personnel assessment, recommendations and compensation change. Michael Melford seconded. All voted in favor and the motion passed.

Subdivision Ordinance –

- This item continues to be discussed in conjunction with the stormwater ordinance.
- Jamie questioned whether solar farms should be considered in the subdivision or zoning ordinance.
- Jeff noted that other areas of the state have adopted moratoriums on new solar arrays.
- Jamie asked Dean Hegrenes how Cascade has handled the topic. The question will be researched.
- Matt said he had spoken with Arthur Handelman about the density question. He said they came up with a potential solution that focuses on overall density versus individual lot size.

Reports:

TCPA Report –

- Matt Kitzmann reported. There was considerable discussion about the lawsuit with TCPA and the township named as parties. TCPA is not insured by MATIT. TCPA has asked to be dropped from the lawsuit since they are just the administrative agency. John Johnson is pursuing how to gain legal representation.
- David Meir has set his date for retirement which is about 14 months in the future.
- Matt talked about the past arrangement as independent contractors. There is some thought whether the contract should be changed to an employee arrangement.

Board of Appeals & Adjustment Report (Township Board) –

- There was no action requested this month.

Planning and Zoning Commission Report –

- No more information other than what was provided earlier.

Board Chair Report –

- No information to report this month.

Other Business –

- 40th Street: Commissioner Brian Mueller has been involved. The township would like either the city or county take ownership of the road. The subject is being discussed at the county. Jamie thinks that it makes more sense that the county would take ownership. Nathan Clarke moved and Matt Kitzmann seconded to

formally request that the either the city or county take ownership of 40th Street. All voted in favor and the motion passed.

Upcoming Meetings –

- Joint Powers Board – November 10, 2023 – 9:00 am – Cascade Town Hall
- Planning and Zoning Commission – November 21, 2023 – 7:30 pm.

Meeting Adjourned – Jeff Orth moved to adjourn the meeting. Michael Melford seconded. All voted in favor and the motion passed. Meeting was adjourned at 9:15 pm.

Respectfully Submitted,

Randy Staver, Clerk / Treasurer

Jamie Neisen, Chairman