

6:30 P.M. CLOSED SESSION: Motion by Anthony, supported by Williams to move from open session to closed session at 6:34 p.m. for discussion on pending litigation. Motion carried by all members present. **Roll Call** Members Present: Anthony, Bennett, Caccamo, LaJoy, Taj, Williams Members Absent: McLaughlin Staff Present: Director Eva Director Conklin, Director Faas Motion by Caccamo, supported by Bennett to move from closed session to open session at 7:02 p.m. Motion carried by all members present. A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, April 21, 2009, at 1150 Canton Center S., Canton, Michigan. Supervisor LaJoy called the meeting to order at 7:02 p.m. and led the Pledge of Allegiance to the Flag. **Roll Call** Members Present: Anthony, Bennett, Caccamo, LaJoy, Taj, Williams Members Absent: McLaughlin Staff Present: Executive Director Santomauro, Director Eva, Director Conklin, Director Faas, Fire Chief Rorabacher, DC Pat Nemecek, DC Robert Kerr, Dave Medley, Barb Caruso **Adoption of Agenda** Motion by Bennett, supported by Anthony to approve the agenda as amended adding G:2 Consider Settlement Proposal in a Lawsuit Filed by Marilyn and Michael Lowrey Against Canton Township, ET AL, Case No. 06-13408-NGE-MKM (September 7, 2007). Motion carried by all members present. **GENERAL CALENDAR: Item 1. SECOND READING, AMENDMENT TO CODE OF ORDINANCES, PART I, CHAPTER 74 ENTITLED "UTILITIES", ARTICLE II, DIVISION 2, SUBDIVISION II ENTITLED "RATES AND CHARGES", SECTION 74-83 AND SECTION 74-84, "WATER BILLING; WATER METERS".** (MSD) Motion by Bennett, supported by Williams to remove from the table for the second reading of the AMENDMENT TO THE CODE OF ORDINANCES, PART I, CHAPTER 74 ENTITLED "UTILITIES", ARTICLE II, DIVISION 2, SUBDIVISION II ENTITLED "RATES AND CHARGES", SECTION 74-83, AND SECTION 74-84 ENTITLED "WATER BILLING; WATER METERS" with publication date of April 30, 2009, and effective date of May 1, 2009. Motion carried by all members present. **SUMMARY CHARTER TOWNSHIP OF CANTON AMENDMENT TO UTILITIES ORDINANCE, CODE OF ORDINANCES, PART I, CHAPTER 74 AN ORDINANCE AMENDING THE CHARTER TOWNSHIP OF CANTON CODE OF ORDINANCES PART I, CHAPTER 74 ENTITLED "UTILITIES", ARTICLE II, DIVISION 2, SUBDIVISION II ENTITLED RATES AND CHARGES, SECTION 74-83. THIS SECTION PROVIDES FOR REVISED WATER CONSUMPTION RATES, REVISED WATER METER CHARGES, REVISED SEWER TREATMENT RATES, REVISED WASTEWATER COST OF SERVICE CHARGES, REVISED MINIMUM SEWAGE DISPOSAL BILLS IF NOT CONNECTED TO THE TOWNSHIP WATER SYSTEM, REVISED INDUSTRIAL WASTE CHARGE (IWC) RATES, AND REVISED INDUSTRIAL SURCHARGE RATES; ALSO AMENDING SECTION 74-84, WATER BILLING; WATER METERS. THIS SECTION PROVIDES FOR REVISED LATE PAYMENT PENALTY CHARGES; AND PROVIDING FOR THE SAVINGS OF ALL PENDING PROCEEDINGS AND BALANCE OF ORDINANCES; PROVIDING FOR VIOLATION AND PENALTY; PROVIDING FOR SEVERABILITY OF ORDINANCE; PROVIDING FOR THE CONSTRUCTION OF THE ORDINANCE; PROVIDING FOR THE REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE. THE CHARTER TOWNSHIP OF CANTON ORDAINS: SECTION 1. AMENDMENT TO SUBDIVISION II RATES AND CHARGES** This Ordinance is hereby adopted to amend Part I, Chapter 74, Article II, Division 2, Subdivision II, Section 74-83 of the Utilities Ordinance, entitled Rates and Charges and Section 74-84, entitled Water Billings; Water Meters and to provide as follows: This section provides for revised water consumption rates, revised water meter charges, revised sewer treatment rates, revised wastewater cost of service charges, revised minimum sewer bills for customers not connected to the township water system, revised industrial waste charge (IWC) rates, revised industrial surcharge rates and revised late payment penalty charges. **SECTION 2. SAVINGS OF ALL PENDING PROCEEDINGS AND BALANCE OF THE ORDINANCE.** The balance of Code of Ordinances, Part I, Chapter 74, except as herein amended, shall remain in full force and effect. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this amendatory Ordinance takes effect are saved and may be consummated according to the law enforced when they are commenced. This amendatory Ordinance shall not be construed to affect any right pending before the effective date of this amendatory Ordinance. **SECTION 3. VIOLATION AND PENALTY.** Any person, corporation, partnership or any other legal entity who shall violate or fail to comply with any of the provisions of this Ordinance or any of the regulations adopted in pursuance thereof, shall be guilty of a misdemeanor and upon conviction thereof may be fined not more than \$500.00 or imprisonment for not more than ninety (90) days, or both, in the discretion of the Court. **SECTION 4. SEVERABILITY.** If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holdings shall not affect the validity of the remaining portion hereof. **SECTION 5. CONSTRUCTION OF ORDINANCE.** This Ordinance shall be liberally construed in such manner as to best effectuate its purpose. The provisions of this Ordinance shall be construed, if possible, in such manner as to make such provisions compatible and consistent with the provisions of all existing Ordinances of the Township and all amendments thereto. **SECTION 6. REPEAL OF CONFLICTING SECTIONS.** Portions of the Code of Ordinances, Part I, Chapter 74 are hereby repealed only to the extent necessary to give this amendatory Ordinance full force and effect. **SECTION 7. EFFECTIVE DATE.** This section provides that this Ordinance becomes effective after publication. Copies of the complete text of this Ordinance are available at the office of the Charter Township of Canton, 1150 S. Canton Center Road, Canton, Michigan, 48188, during regular business. **Item 2. CONSIDER SETTLEMENT PROPOSAL IN A LAWSUIT FILED BY MARILYN AND MICHAEL LOWREY AGAINST CANTON TOWNSHIP, ET AL, CASE NO. 06-13408-NGE-MKM (SEPTEMBER 7, 2007).** (MSD) Motion by Bennett, supported by Taj to accept the recommendations from the Township Attorney presented in closed session regarding a settlement proposal in the lawsuit filed by Marilyn and Michael Lowrey against Canton Township, Case No. 06-13408-NGE-MKM, for an amount of \$75,000 and; further, that the Township Attorney have the settlement entered into the court record as soon as possible. Motion carried by all members present. **STUDY SESSION: Item 1. 2008 YEAR IN REVIEW PUBLIC SAFETY,** Staff Operations Division, Patrol Division, Fire Division, Human Resources, Executive Director Office, Cost Savings and Reductions, Revenues, Comparative Analysis, Partnerships, Futures, Consolidated of Services – Considerations. **Other:** Supervisor LaJoy stated there will be a Board meeting on April 28, 2009 at 7:00 p.m. in the Administration Building, Board Room, First Floor, 1150 Canton Center S., Canton, Michigan 48188. Adjourn: Motion by Bennett, supported by Taj to adjourn at 8:15 p.m. Motion carried by all members present. – Philip LaJoy, Supervisor – Terry G. Bennett, Clerk –

Copies of the complete text of the Board Minutes are available at the office of the Charter Township of Canton, 1150 S. Canton Center Rd, Canton, MI 48188, during regular business hours and can also be accessed through our web site www.canton-mi.org after Board Approval.