

Charter Township of Canton Board Proceedings-September 22, 2009

6:00 P.M. CLOSED SESSION - EMPLOYEE NEGOTIATIONS AND PENDING LITIGATION Motion by Bennett, supported by Williams to move from open session to closed session at 6:03 p.m. Motion carried by all members present. **Roll Call** Members Present: Anthony, Bennett, LaJoy, McLaughlin, Taj, Williams Members Absent: Caccamo Staff Present: Director Eva, Director Conklin, Director Faas Others Present: Ron Withoff, Andrew Baron Discussion of employee negotiations and pending litigation. Motion by Bennett, supported by Williams to move from closed session to open session at 7:03 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, September 22, 2009, at 1150 Canton Center S., Canton, Michigan. Supervisor LaJoy called the meeting to order at 7:03 p.m. and led the Pledge of Allegiance to the Flag. **Roll Call** Members Present: Anthony, Bennett, Caccamo, LaJoy, McLaughlin, Taj, Williams Staff Present: Executive Director Santomauro, Director Eva, Director Conklin, Director Faas **Adoption of Agenda** Motion by Bennett, supported by Anthony to approve the agenda as amended deleting G-9 Consider Approval to Purchase a KIP 3100 Printer/Scanner Copier for the Public Works Building. Motion carried unanimously. **Approval of Minutes** Motion by Bennett, supported by Anthony to approve the Board Study Minutes of September 1, 2009 as amended. Motion carried unanimously. Motion by Bennett, supported by Anthony to approve the Board Minutes of September 8, 2009. Motion carried unanimously. **Payment of Bills** Motion by McLaughlin, supported by Anthony to approve payment of the bills as presented. Motion carried unanimously. **PUBLIC HEARING: Item 1. PUBLIC HEARING ON MILLAGE RATES AND FY 2010 BUDGETS. (FBD)** Motion by Bennett, supported by Anthony to open the public hearing at 7:09 p.m. to hear comment on proposed millage rates and FY 2010 budgets. Motion carried unanimously. Director Eva stated the proposed 2009 Charter Millage is reduced to 2.3660 from 2.6160. The Police millage increasing from 3.6760 to 3.9260. However the total millage for the Township will remain the same in 2009 of 8.6500. This millage is required to be approved by October 1, 2009 for the Wayne County. There were no public comments either in favor or against the proposed millage rates and FY 2010 Budgets. Motion by Bennett, supported by Anthony to close the public hearing at 7:11 p.m. to hear comment on proposed millage rates and FY 2010 budgets. Motion carried unanimously. **CONSENT CALENDAR: Item 1. SPECIAL COMMUNITY EVENT STATUS AND THE INSTALLATION OF SIGNS FOR CALVARY BAPTIST CHURCH'S 'MOM -2-MOM' SALE. (MSD)** Motion by Bennett, supported by McLaughlin to approve special event status and placement of signs at various locations for Calvary Baptist Church's "MOM 2 MOM" Sale, 43065 Joy Road which will be held on Saturday, October 17th, 2009. Motion carried unanimously. **Item 2. SET PUBLIC HEARING DATE FOR GRUPO ANTOLIN WAYNE LLC, INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE. (SUPERVISOR)** Motion by Bennett, supported by McLaughlin to set the public hearing for October 13, 2009, to consider the Industrial Facilities Exemption application of Grupo Antolin Wayne LLC, personal property at their facility located at 47440 Michigan Ave., Suite #150, Canton, Michigan. Motion carried unanimously. **Item 3. SET PUBLIC HEARING DATE FOR DURCON INC., INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE. (SUPERVISOR)** Motion by Bennett, supported by McLaughlin to set the public hearing for October 13, 2009, to consider the Industrial Facilities Exemption application of Durcon Inc., personal property at their facility located at 8464 Ronda Dr., Canton, Michigan. Motion carried unanimously. **Item 4. SET PUBLIC HEARING DATE FOR DANOTEK MOTION TECHNOLOGIES INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE. (SUPERVISOR)** Motion by Bennett, supported by McLaughlin to set the public hearing for October 13, 2009, to consider the Industrial Facilities Exemption application of Danotek Motion Technologies for personal property at their facility located at 8480 North Haggerty Rd., Canton, Michigan. Motion carried unanimously. **Item 5. APPROVE APPOINTMENT TO THE CANTON DOWNTOWN DEVELOPMENT AUTHORITY. (SUPERVISOR)** Motion by Bennett, supported by McLaughlin to that the Canton Township Board of Trustees appoint Laura Giove to the Board of Directors of the Downtown Development Authority of the Charter Township of Canton to fill an unexpired term through February 12, 2012. **GENERAL CALENDAR: Item 1. APPROVE CONSENT AGREEMENT WITH RELIABLE LANDSCAPE. (MSD)** Motion by Bennett, supported by Taj to approve the consent judgment in the matter of the Charter Township of Canton vs. Reliable Lawn Care and reliable Landscaping, Inc., and I further move to authorize the Supervisor and the Clerk to sign the consent judgment on behalf of the Charter Township of Canton. Motion carried unanimously. **Item 2. WTUA ANNUAL BUDGET APPROVAL. (SUPERVISOR)** Motion by Bennett, supported by McLaughlin to adopt the resolution adopting the WTUA annual budget for the fiscal year ending September 30, 2010. Motion carried unanimously. **Item 3. SET MILLAGE RATES FOR DECEMBER 1, 2009. (FBD)** Motion by Bennett, supported by Williams to that the millage rates to be levied by Canton Township on December 1, 2009 be set as follows: Charter Mills (General Fund) 2.3660, Fire Protection Special Assessment 2.3580, Police Protection Special Assessment 3.9260, Total 8.6500. Motion carried unanimously. **Item 4. EARLY RETIREMENT - INCENTIVE CONSIDERATION. (FBD)** Motion by Bennett, supported by McLaughlin approve the early retirement of Executive Director, John Santomauro, Community Services Manager, Michael Ager and Community Services Specialist, Gerald Martin and to authorize the clerk to sign the appropriate Municipal Employees Retirement System documents to purchase the additional years required. I further move to terminate the employment contract between Canton and the Executive Director effective January 2, 2010. Motion carried unanimously. **Item 5. CONSIDER AWARD OF CONTRACT FOR 2009 INTERSECTION SAFETY IMPROVEMENT PROJECTS TO PETER A. BASILE SONS, INC. (SUPERVISOR)** Motion by Bennett, supported by McLaughlin to approve the following budget amendment to the 2009 Public Improvement and the Capital Projects Fund budget. Increase Revenues: Public Improvement Fund Balance - Fund Balance Appropriation #245-000.695 \$1,100,000 Increase Appropriations: Transfers out Capital Projects #245.999 4030 \$1,100,000 Increase Capital Projects Roads, Intersection Transfer in Public #403-506-00.699 2450 \$1,100,000 Improvement Increase: Capital Projects Roads, Intersection Safety Improvement Capital Outlay Infrastructure #403-506-00.970 0050 \$1,100,000 Motion carried unanimously. Motion by Bennett, supported by Taj to award the 2009 Intersection Improvement Projects in the amount of \$1,222,827.66 to Peter A. Basile Sons, Inc. Motion carried unanimously. **Item 6. CONSIDER ADOPTION OF RESOLUTION NO. 4 FOR THE SUTTEN DRIVE ROAD REPAIRS AT CREEK CROSSING SITE CONDOMINIUMS SAD NO. 2009-1. (MSD)** Motion by Bennett, supported by Anthony to adopt the resolution no. 4 for the Suten Drive Road Repairs at Creek Crossing Site Condominiums SAD No. 2009-1. Motion carried unanimously. **RESOLUTION NO. 4 ROAD REPAIRS AT CREEK CROSSING SITE CONDOMINIUMS SPECIAL ASSESSMENT DISTRICT 2009-1** Charter Township of Canton, County of Wayne, State of Michigan, A Regular meeting of the Township Board of the Charter Township of Canton, County of Wayne, State of Michigan, held on the 22 day of September, 2009, at the Township Hall, 1150 Canton Center South, Canton, Michigan in said Township at 7:00 p.m., Eastern Daylight Time. PRESENT: Anthony, Bennett, Caccamo, LaJoy, McLaughlin, Taj, Williams The following preamble and resolution were offered by Member Bennett and supported by Member Anthony: WHEREAS, by resolution adopted September 8, 2009, the Township Board of the Charter Township of Canton determined to acquire and construct the improvements more particularly hereinafter described and assess the cost thereof to the property benefited by said improvements, all in accordance with Act 188, Public acts of Michigan, 1954, as amended; and WHEREAS, the Supervisor has prepared and reported to the Township Board a special assessment roll assessing the cost of said improvements to the property benefited thereby (Exhibit A), with the Supervisor's certificate attached thereto; NOW, THEREFORE, BE IT RESOLVED THAT: 1. Said special assessment roll shall be filed with the office of the Township Clerk and shall be available for public examination during regular working hours on regular working days. 2. The Township Board shall meet at the Township Hall, 1150 Canton Center South, Canton, Michigan, 7:00 p.m. on Tuesday, October 27, 2009 in the Township to review said special assessment roll and hear any objection thereto. 3. The Township Clerk shall cause notice of such hearing and the filing of the assessment roll to be published twice in the Canton Eagle, a newspaper of general circulation in the Township, prior to the date of the hearing, and shall cause notice of such hearing, which first such publication shall be at least ten (10) days before the hearing, and shall cause notice of such hearing to be mailed by first class mail to all record owners of or persons in interest in property in the special assessment district, as shown on the last Township tax assessment record of the Township, at least ten (10) full days before the date of said hearing. Said notice as published and mailed shall be in substantially the following form: NOTICE OF HEARING ON SPECIAL ASSESSMENT ROLL ROAD REPAIRS AT CREEK CROSSING SITE CONDOMINIUMS, SAD 2009-1 BY THE CHARTER TOWNSHIP OF CANTON, CANTON TOWNSHIP BOARD RESOLUTION # 4 The Township Board of the Charter Township of Canton has previously determined to construct road improvements in the Charter Township of Canton and to assess all of the cost thereof to a special assessment district consisting of the following described lands: Creek Crossing Condominium, Charter Township of Canton, Wayne County, Michigan SIDWELL NUMBERS 089-05-0001-000 089-05-0004-000 089-05-0007-000 089-05-0010-000 089-05-0002-000 089-05-0005-000 089-05-0003-000 089-05-0006-000 089-05-0009-000 A public hearing was held on September 8, 2009, at which time all interested persons were given the opportunity to be heard relative to the making of the improvements, the petitions and the special assessment district therefore. WHEREAS, pursuant to the provisions of Act 188 of the Public Acts of 1954, this Board has initiated proceedings relating to the Creek Crossing Condominium Association as described in herein, and to accomplish this improvement and secure funds therefore by creating said premises into a special assessment district against which there shall be levied special assessments; and WHEREAS, this Board having tentatively declared its intention to make such improvements and tentatively designated the above described premises as a special assessment district against which the cost of said improvement is to be assessed; and WHEREAS, the Township Board has caused to be prepared plans showing the public improvements, the location thereof, and an estimate of the cost thereof which have been filed with the Township Clerk, Canton Township, Michigan, for public examination. PLEASE TAKE NOTICE that a public hearing will be held on October 27, 2009, and the Canton Township Hall located at 1150 Canton Center South, Canton, MI at 7 p.m., at which time any interested person will be given the opportunity to object to the special assessment roll as prepared by the Township Supervisor. A person objecting to the special assessment roll shall file the objection in writing with the Township Clerk before the close of the hearing or within such further time as the Township Board may grant. Appearance and protest of the special assessment at the hearing is required in order to appeal the amount of the special assessment to the Michigan Tax Tribunal. An owner of or party in interest in property to be assessed, or his or her agent, may appear in person to protest the special assessment, or may protest the special assessment by letter filed with the Township Clerk at or prior to the time of the hearing, in which case appearance in person is not required. If the special assessment is protested as provided above, the owner or any party having an interest in the real property may file a written appeal of the special assessment with the Michigan Tax Tribunal or other court of competent jurisdiction within 30 days after the confirmation of the special assessment roll. **TOTAL ESTIMATED COST OF PROJECT: \$18,000.00 TOTAL COST PER BASE UNIT TO BE ASSESSED: \$1,180.00** PUBLIC NOTICE IS HEREBY GIVEN that the Board will meet on Tuesday, the 27th day of October, 2009, at 7 o'clock p.m., Eastern Daylight Time, at the Canton Township Hall, 1150 Canton Center South, Canton, Michigan, to hear objections to the special assessment roll. Terry Bennett, Township Clerk Publish Canton Eagle: 10/16/09 & 10/23/09 4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded. AYES: Anthony, Bennett, Caccamo, LaJoy, McLaughlin, Taj, Williams RESOLUTION DECLARED ADOPTED. I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Charter Township of Canton, County of Wayne, State of Michigan, at a regular meeting held on Tuesday, October 27, 2009, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act. EXHIBIT A CREEK CROSSING SITE CONDOMINIUMS SAD NO. 2009-1 SPECIAL ASSESSMENT ROLL Creek Crossing Condominium, Charter Township of Canton, Wayne County, Michigan SIDWELL NUMBERS 089-05-0001-000 089-05-0004-000 089-05-0007-000 089-05-0010-000 089-05-0002-000 089-05-0005-000 089-05-0003-000 089-05-0006-000 089-05-0009-000 The following payment table is applied toward each of the above Sidwell Numbers.

Year	0	1	2	3	4	5	Total Cost
Beginning Balance		\$1,800.00	\$1,440.00	\$1,080.00	\$720.00	\$360.00	
Payment		\$468.00	\$446.40	\$424.80	\$403.20	\$381.60	\$2,124.00
Interest		\$108.00	\$86.40	\$64.80	\$43.20	\$21.60	\$324.00
Principal		\$360.00	\$360.00	\$360.00	\$360.00	\$360.00	\$1,800.00
Ending Balance	\$1,800.00	\$1,440.00	\$1,080.00	\$720.00	\$360.00	\$0.00	

Item 7. CONSIDER AWARD OF CONTRACT TO COMPLETE THE ROAD REPAIRS AT CREEK CROSSING SITE CONDOMINIUMS, SAD 2009-1. (MSD) Motion by Bennett, supported by Taj to award the contract for the Road Repairs at Creek Crossing Site Condominiums, SAD 2009-1 to S & J Asphalt Paving Company of Canton, Michigan for an amount of \$14,500.00, plus a 10% contingency of \$1,450.00 for a total award of \$15,950.00. Motion carried unanimously. **Item 8. CONSIDER AUTHORIZING THE TOWNSHIP SUPERVISOR TO EXECUTE THE INTERGOVERNMENTAL AGREEMENT WITH WAYNE COUNTY FOR THE RESURFACING OF VAN BORN ROAD FROM LILLEY TO HAGGERTY ROAD. (MSD)** Motion by Bennett, supported by Williams to adopt the resolution authorizing the Township Supervisor to Execute the Intergovernmental Agreement with Wayne County for the Resurfacing of Van Born Road from Lilley to Haggerty Road. Motion carried unanimously. **Item 9. CONSIDER APPROVAL TO PURCHASE A KIP 3100 PRINTER/SCANNER COPIER FOR THE PUBLIC WORKS BUILDING. (MSD) DELETED** **Item 10. CONSIDER AWARD OF CONTRACT FOR CONSTRUCTION OF VICTORY PARK PARKING LOT RE-PAVING TO NAGLE PAVING COMPANY. (CLS)** Motion by Bennett, supported by Caccamo to award the bid for the Victory Park Paving to Nagle Paving Company in accordance with their bid for an amount not to exceed \$143,763.80 (Community Improvement Fund, account number 246-750.970 0050). Motion carried unanimously. **Item 11. CONSIDER SIGNING A "DRIVE RADIUS ENCROACHMENT AUTHORIZATION" ALLOWING THE U.S. POST OFFICE TO CONSTRUCT A NEW NORTHERN EXIT APPROACH ALONG CANTON CENTER ROAD. (MSD)** Motion by Bennett, supported by Caccamo to authorize the Township Clerk to sign the "Drive Radius Encroachment Authorization" for the U.S. Post Office expansion project. Motion carried unanimously. **Item 12. APPROVAL FOR CREATION OF THREE ADDITIONAL VOTER PRECINCTS IN THE CHARTER TOWNSHIP OF CANTON. (CLERK)** Motion by Bennett, supported by McLaughlin to accept the report of the Election Commission and approve the division of precincts #20, #25, #35 and #38; resulting in the creation of three (3) new voter precincts in Canton Township, Wayne County, Michigan. This division of precincts will bring the total number of voting precincts in the Charter Township of Canton to forty-two (42). Motion carried unanimously. **OTHER:** The next Board study meeting will be on September 29, 2009 at 7:00 p.m. in the Administration Building, 1150 Canton Center S., Canton, Michigan. **ADJOURN:** Motion by Bennett, supported by Anthony to adjourn at 7:55 p.m. Motion carried unanimously. - Philip LaJoy, Supervisor - Terry G. Bennett, Clerk -