

Charter Township of Canton Board Proceedings-October 27, 2009

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, October 27, 2009, at 1150 Canton Center S., Canton, Michigan. Treasurer McLaughlin called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance to the Flag. Motion by McLaughlin, supported by Anthony to appoint Clerk Bennett as chair of the meeting in the absence of Supervisor LaJoy. Motion carried by all members present. **Roll Call** Members Present: Anthony, Bennett, McLaughlin, Taj, Williams Members Absent: Caccamo, LaJoy Staff Present: Executive Director Santomauro, Director Conklin, Director Faas, Deputy Chief Nemecek, Officer Keith Lazar **Adoption of Agenda** Motion by McLaughlin, supported by Anthony to approve the agenda as amended, deleting Item G-1 Consider Final Site Plan for Cherry Hill Village – Phase 4 (MSD). Motion carried by all members present. **Approval of Minutes** Motion by McLaughlin, supported by Taj to approve the Board Minutes of October 20, 2009. Motion carried by all members present. **Payment of Bills** Motion by McLaughlin, supported by Williams to approve payment of the bills as presented. Motion carried by all members present. **PRESENTATION: 1. RESOLUTION PROCLAIMING NOVEMBER 1-7, 2009 AS “NATIONAL ANIMAL SHELTER APPRECIATION WEEK” IN THE CANTON COMMUNITY. (SUPERVISOR)** Motion by McLaughlin, supported by Taj to adopt the resolution proclaiming November 1-7, 2009 as “National Animal Shelter Appreciation Week” in the Canton Community. Motion carried by all members present. **RECOGNITION: 1. RETIREMENT RECOGNITION – OFFICER KEITH LAZAR. (PSD)** Motion by McLaughlin, supported by Williams to adopt the resolution in recognition of Officer Keith Lazar’s retirement. Motion carried by all members present. **2. RECOGNITION OF CANTON’S 175TH BIRTHDAY.** Motion by Anthony, supported by Williams to adopt the resolution in recognition of Canton’s 175th Birthday. Motion carried by all members present. **PUBLIC HEARING: Item 1. C O N - SIDER ADOPTION OF THE RESOLUTION NO. 5 HEARING ON THE SPECIAL ASSESSMENT ROLL, FOR THE SUTTEN DRIVE ROAD REPAIRS AT CREEK CROSSING SITE CONDOMINIUMS SAD NO. 2009-1. (MSD)** Motion by McLaughlin, supported by Anthony to open the public hearing at 7:20 p.m. to hear comment on the adoption of the resolution No. 5 hearing on the special assessment roll, for the Suttin Drive Road repairs at Creek Crossing Site Condominiums SAD No. 2009-1. Motion carried by all members present. **CONSENT CALENDAR: Item 1. SECOND READING, AMENDMENT TO THE CODE OF ORDINANCES, PARK AND RECREATION, PUBLIC CONDUCT IN PARKS, CHAPTER 50, ARTICLE II. (CLS)** Motion by McLaughlin, supported by Williams to remove from the table and adopt the Second Reading, Amendment to the Code of Ordinances, Park and Recreation, Public Conduct in Parks, Chapter 50, Article II. The effective and publication date is November 5, 2009. Motion carried by all members present. **STATE OF MICHIGAN, COUNTY OF WAYNE, CHARTER TOWNSHIP OF CANTON, DEPARTMENT OF LEISURE SERVICES ORDINANCE AN ORDINANCE TO AMEND THE CHARTER TOWNSHIP OF CANTON CODE BY AMENDING CHAPTER 50, ARTICLE II, PUBLIC CONDUCT AT PARKS AND TRAILS; PROVIDING FOR DEFINITIONS; PROVIDING FOR THE DEPARTMENT OF LEISURE SERVICES; PROVIDING FOR SUPERVISION OF LEISURE SERVICES FACILITIES; PROVIDING FOR PENALTIES; PROVIDING FOR REPEAL OR SEVERABILITY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE. THE CHARTER TOWNSHIP OF CANTON ORDAINS: SECTION 1. AMENDMENT TO THE CODE.** Chapter 50, Article II, the Public Conduct at Parks and Trails Ordinance is hereby amended to read as follows: ARTICLE II. DEPARTMENT OF LEISURE SERVICES Sec. 50-31. **Definitions.** This section provides the definitions for terms used in this Ordinance. Sec. 50-32. **Department of Leisure Services; Creation; Director.** This section provides for the creation of the Department of Leisure Services and for a director of the department. Sec. 50-33. **Enforcement.** This section provides for enforcement. Sec. 50-34. **Violation of rules.** This section provides for the violation of rules. Sec. 50-35. **Operating hours and closed areas.** This section provides for Leisure Service facilities operating hours and closed areas. Sec. 50-36. **Permits; application; criteria.** This section provides for permit application, criteria for issuance, notice of denial, appeal of denial, liability of permittee and revocation. Sec. 50-37. **Damaging or tampering with buildings or other property.** This section provides that no person shall damage or tamper with Leisure Services buildings or other property. Sec. 50-38. **Use of restrooms or washrooms designated for opposite sex.** This section provides for use of restrooms and washrooms designated for the opposite sex. Sec. 50-39. **Damaging trees, shrubbery or lawns; standing or sitting on fences or other property.** This section provides that no person shall damage trees, shrubbery, or lawns or shall stand/sit on fences or other property. Sec. 50-40. **Injuring wild animals or birds.** This section provides that no person shall attempt to harm, injure or kill any animal, reptile or bird at a Leisure Services facility. Sec. 50-41. **Pollution of waters.** This section provides that pollution of Leisure Services bodies of water is prohibited. Sec. 50-42. **Disposal of refuse.** This section provides for the disposal of refuse. Sec. 50-43. **Use of picnic areas.** This section provides for the use of Leisure Services picnic areas. Sec. 50-44. **Camping.** This section provides that camping is not allowed at Leisure Services facilities unless allowed through a township event sanctioned by the director. Sec. 50-45. **Games.** This section provides that no person shall take part in the playing of games such as golf, baseball, football, soccer and softball in a park except in areas designated for such activities. Sec. 50-46. **Horseback riding.** This section provides for horseback riding. Sec. 50-47. **Domestic animals.** This section provides the rules and regulations for bringing dogs or pets to a Leisure Services facility. Sec. 50-48. **Fires.** This section provides that no person shall start/maintain a fire within the boundaries of any park or trail property except in picnic fires, fireplaces or other such containers for such purposes. Sec. 50-49. **Conducting amusement for gain.** This section provides that no amusement for gain shall be conducted in any Leisure Services facility without first obtaining a permit. Sec. 50-50. **Alcoholic beverages.** This section provides the rules for possessing and consuming alcoholic beverages at any Leisure Services facility. Sec. 50-51. **Off-road vehicles; motor-driven vehicles restricted to roadways and parking areas.** This section provides that off-road vehicles and motor-driven vehicles are restricted to roadways and parking areas. Sec. 50-52. **Remote control vehicles.** This section provides for the use and restrictions of remote control vehicles at Leisure Services facilities. Sec. 50-53. **Skateboards and rollerblades.** This section provides for the use and restrictions of skateboards and rollerblades. Sec. 50-54. **Assemblies.** This section provides that no assemblies are allowed at any Leisure Services facility unless a permit has been obtained from the director. Sec. 50-55. **Conducting sales for gain.** This section provides that conducting sales for gain is not permitted without first meeting the requirements of the Peddlers and Solicitors Ordinance and obtaining a permit. Sec. 50-56. **Organization or group participation.** This section provides that at posted locations a group of 12 or more persons must obtain a permit. Sec. 50-57. **Picnic pavilion structures.** This section provides for the use of picnic pavilion structures. Sec. 50-58. **Swimming, bathing, and wading.** This section provides for swimming, bathing and wading. Sec. 50-59. **Boating.** This section provides for boating at Leisure Services facilities. Sec. 50-60. **Loitering and cruising.** This section provides that loitering and cruising are prohibited. Sec. 50-61. **Hindering, resisting or impersonating employees.** This section prohibits the hindering, resisting or impersonating of Leisure Services employees. Sec. 50-62. **Unlawful obstruction.** This section provides for unlawful obstruction of any Leisure Services facility. Sec. 50-63. **Fireworks.** This section prohibits fireworks within or upon Leisure Services facility property unless specifically authorized by the township fire marshal. Sec. 50-64. **Operation of bicycles.** This section provides the rules for operating bicycles at Leisure Services facilities. Sec. 50-65. **Parking.** This section provides for parking at Leisure Services facilities. Sec. 50-66. **Public exhibition.** This section prohibits public exhibition at Leisure Services facilities. Sec. 50-67. **Peddling and soliciting.** This section provides for peddling and soliciting at Leisure Services facilities. Sec. 50-68. **Emergency powers.** This section provides for emergency powers. Sec. 50-69. **Noise and disturbance.** This section provides for noise that disturbs or annoys others at Leisure Services facilities. Sec. 50-70. **Hunting and fishing.** This section provides that hunting is prohibited at Leisure Services facilities and that unless it is posted otherwise, fishing is permitted if conducted in compliance with laws of the state. Sec. 50-71. **Public involvement in change to parkland or park facility.** This section provides that public involvement in change to parkland or park facility shall be in accordance to the comprehensive master plan for the township and the township leisure services comprehensive master plan. Sec. 50-72. **Disposition of park property.** This section provides for the disposition of park property. **SECTION 2. VIOLATION AND PENALTY.** This section provides that any person or entity that violates any provision of this Ordinance may, upon conviction, be fined not more than Five Hundred (\$500.00) Dollars or imprisoned not more than Ninety (90) days, or both, in the discretion of the court. **SECTION 3. SEVERABILITY.** This section provides that any unenforceable section can be severed from the rest of the Ordinance. **SECTION 4. REPEAL OF CONFLICTING ORDINANCES.** This section provides that all Ordinance or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect. **SECTION 5. SAVINGS CLAUSE.** This section provides that all rights and duties which have matured, penalties which have been incurred, proceedings which have begun and prosecution for violations of law occurring before the effective date of this Ordinance are not affected or abated by this Ordinance. **SECTION 6. PUBLICATION.** This section provides that the Clerk for the Charter Township of Canton shall cause this Ordinance to be published in the manner required by law. **SECTION 7. EFFECTIVE DATE.** This section provides that this Ordinance, as amended, shall take full force and effect upon publication as required by law. 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 hours. **Item 2. TRAFFIC ENFORCEMENT ON PRIVATE PROPERTY – DEER CREEK SITE CONDOMINIUM: ORDINANCE CHAPTER 70, SECTION 70-1 ADOPTION OF THE UNIFORM TRAFFIC CODE, R 28.1212, RULE 212. (PSD)** Motion by McLaughlin, supported by Williams to authorize the Clerk and Supervisor to execute the agreement for traffic enforcement on private property for Deer Creek Site Condominiums. Motion carried by all members present. **Item 3. APPROVE BYRNE MEMORIAL FORMULA AND LOCAL LAW ENFORCEMENT BLOCK GRANT – FOR PROPOSED CENTRALIZED DISPATCH WITH LIVONIA. (PSD)** Motion by McLaughlin, supported by Williams to accept the FY 2008-2009 Byrne Memorial Formula and Local Law Enforcement Block Grant for proposed centralized dispatch with Livonia. Motion carried by all members present. **Item 4. ESTABLISH BOARD OF TRUSTEES MEETING DATES FOR 2010. (CLERK)** Motion by McLaughlin, supported by Williams to establish the Canton Township Board of Trustees meeting schedule for the year 2010 as follows: first, second, third, fourth and fifth Tuesday of each month of the Charter Township of Canton. Meeting scheduled for Board of Trustees Regular Meetings of the Board will be held, at 7:00 p.m. at the Charter Township of Canton Administration Building, Board of Trustees meeting room, 1150 Canton Center South, First Floor, Canton, Michigan. Meetings may be cancelled to coordinate with election dates of August 3, 2010 and November 2, 2010. Motion carried by all members present. **GENERAL CALENDAR: Item 1. CONSIDER FINAL SITE PLAN FOR CHERRY HILL VILLAGE – PHASE 4. (MSD) DELETED** **Item 2. ENDORSEMENT LETTER OF SUPPORT FOR LJL DEVELOPMENT, LLC PARTICIPATION IN THE WAYNE COUNTY TURBO PROGRAM. (SUPERVISOR)** Motion by McLaughlin, supported by Taj to approve the Endorsement Letter of Support for LJL Development, LLC participation in the Wayne County Land Bank TURBO Development Program. Motion carried by all members present. **Item 3. LEISURE SERVICES OVERTIME BUDGET AMENDMENT – FACILITY MAINTENANCE, PARK MAINTENANCE, RECREATION, PERFORMING ARTS CENTER. (CLS)** Motion by McLaughlin, supported by Williams to approve the following budget amendment in the General & Community Center Funds. **Facility Maintenance** Decrease Account 101-265.708.0015 Facility Maintenance – Overtime \$23,000, Increase Account: 101-969.999_2080 Transfers Out – Community Center Fund \$23,000, 208-757-50.699_1010 Transfers In – General Fund \$23,000, 208-757-56.708_0015 Community Facility Maintenance Overtime \$23,000 **Parks Maintenance** Decrease Account: 101-270-50.708_0080 Parks - Vacation Payout \$12,000 101-270-50.708_0085 Parks – Sick Payout \$ 4,000 101-270-50.860 Parks – Transportation \$10,000, Increase Account: 101-270-50.669 Parks – Pavilion Rental \$5,400, 101-270-50.708_0015 Parks – Overtime \$31,400, **Recreation & Performing Arts Center** Decrease Account: 101-691-59.705_0015 Recreation Part-time Wages \$3,500, Increase Account: 101-691-50.708_0015 Recreation - Overtime \$3,500 Decrease Account: 101-760-55.705_0015 PAC – Part-Time Wages \$2,000, Increase Account: 101-760-55.708_0015 PAC - Overtime \$2,000. Motion carried by all members present. **Item 4. APPROVAL OF 2009-2010 SPECIALIZED SERVICES OPERATING ASSISTANCE PROGRAM. (CLS)** Motion by McLaughlin, supported by Taj to approve the 2009-2010 Specialized Services Operating Assistance Program contract with SMART in the amount of \$31,942 and to authorize the Township Supervisor to sign the contract. Motion carried by all members present. **Item 5. BUDGET AMENDMENT POLICE – BYRNE JUSTICE ASSISTANCE GRANT (JAG) – PRESCRIPTION DRUG AWARENESS TRAINING. (PSD)** Motion by McLaughlin, supported by Anthony to accept the FY 2008-2009 Byrne JAG stimulus grant in the amount of \$16,972 for implementation of the program “*Prescription Drugs 101: What the Community Wants to Know*”. I further move to approve the following budget amendment for program activities and expenses: Increase Revenues: Federal Grant-LLEBG/JAG #207-000-501 \$16,792, Increase Appropriations: Police Program Activities #207-301-50.742 \$16,792 This budget amendment increases the Police Fund budget from \$16,246,451 to \$16,263,243. Motion carried by all members present. **OTHER:** Clerk Bennett stated the Board Study Meeting on November 3, 2009 is cancelled due to the General Special Election. This General Special Election will include Plymouth/Canton School Board, plus a renewal millage for Wayne County. In the Van Buren School District there will be a school board election also, plus Wayne County renewal millage. In the Wayne/Westland District there will only be the Wayne County millage renewal on the ballot. Polls will be open from 7:00 a.m. till 8:00 p.m. On the Canton website www.canton-mi.org voters can access their polling location and review the ballot. The next Board meeting will be November 10, 2009 at 7:00 p.m. in the Administration Building, First Floor, Board Room, 1150 Canton Center S., Canton, Michigan. Trustee Anthony stated the Goodfellows will be handing out their papers on December 5, 2009 within Canton and other communities. Director Conklin stated throughout the month of November Leisure Service facilities will be drop off locations for any donations to the Goodfellows. Trustee Taj stated on November 14, 2009 Interfaith Group of Canton/Plymouth will join hands together to accept clothes, shoes and household items at Crescent Academy, corner of Palmer and Lotz Roads at 10:00 a.m. to 6:00 p.m. **ADJOURN:** Motion by Williams, supported by Taj to adjourn at 7:47 p.m. Motion carried by all members present. – Philip LaJoy, Supervisor – Terry G. Bennett, Clerk –