

Charter Township of Canton Board Proceedings-December 8, 2009

6:30 P.M. – CLOSED SESSION – SALE OF PROPERTY AND PENDING LITIGATION Motion by Anthony, supported by Williams to move from open session to closed session at 6:30 p.m. for purposes of discussion on the sale of property and pending litigation. Motion carried by all members present. **Roll Call** Members Present: Anthony, Bennett, LaJoy, McLaughlin, Taj, Williams
Members Absent: Caccamo Staff Present: Director Eva, Nevin Rose, Legal Council Motion by Bennett, supported by Williams to move from closed session to open session at 7:00 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, December 8, 2009, at 1150 Canton Center S., Canton, Michigan. Supervisor LaJoy called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance to the Flag. **Roll Call** Members Present: Anthony, Bennett, LaJoy, McLaughlin, Taj, Williams Members Absent: Caccamo Staff Present: Executive Director Santomauro, Director Eva, Director Nemecek, Gregg King, Greg Hohenberger, Tom Casari, Dave Medley, Debbie Bilbrey-Honsowetz Staff Absent: Director Conklin, Director Faas **Adoption of Agenda** Motion by Bennett, supported by McLaughlin to approve the agenda as amended deleting Item G-4 Consider authorizing payment to Wayne County for the Phase Three Sanitary Sewer Construction permit and adding G-17 A Request from Charter Township of Canton to Drop Diamond Ventures, L.L.C. as Co-Licensee in 2009 Class C Licensed Business with Dance-Entertainment Permit, Located at 56444 Michigan, Canton, MI 48188, Canton Township, Wayne County (Step1) and G-18 Approval of the attorney recommendation to accept the Stipulation of Entry of Consent Judgment for Lotz Road Property. Motion carried by all members present. **Approval of Minutes** Motion by Bennett, supported by Taj to approve the Board Minutes of November 24, 2009. Motion carried by all members present. **Payment of Bills** Motion by McLaughlin, supported by Anthony to approve payment of the bills as presented. Motion carried by all members present. **RECOGNITION: 1. RETIREMENT OF PUBLIC SAFETY DIRECTOR JOHN SANTOMAURO.** Representative Corveau and Representative Slavens presented Public Safety Director John Santomauro with a special tribute from the State of Michigan. Motion by Bennett, supported by Anthony to adopt the resolution of recognition of Service for Public Safety Director John Santomauro. Motion carried by all members present. **CONSENT CALENDAR: Item 1. RE-APPOINTMENT TO THE PLANNING COMMISSION & ZONING BOARD OF APPEALS. (SUPERVISOR)** Motion by Bennett, supported by McLaughlin that the Canton Board of Trustees re-appoint Mr. Ron Lieberman to the Planning Commission, (term to expire December 31, 2012) and Mr. Craig Engel to the Planning Commission and Zoning Board of Appeals, (terms to expire on December 31, 2012). Motion carried by all members present. **Item 2. CONSIDER APPROVING THE RESOLUTIONS FOR THREE (3) ANNUAL PERMITS AND AUTHORIZING THE TOWNSHIP CLERK'S SIGNATURE FOR WORK WITHIN THE WAYNE COUNTY RIGHT-OF-WAY DURING 2010. (MSD)** Motion by Bennett, supported by McLaughlin to approve Resolution 1; Permit A-10081, allowing for Special Events and temporary road closures, and authorize the Township Clerk as the designated officer to sign the 2010 Annual Permit for Wayne County Department of Public Services. Motion carried by all members present. Motion by Bennett, supported by McLaughlin to approve Resolution 2; Permit A-10038 allowing for sanitary and water main repair along with routine maintenance, dust palliative, calcium and salt applications, sidewalk repair, and street sweeping, and authorize the Township Clerk as the designated officer to sign the 2010 Annual Permit for Wayne County Department of Public Services. Motion carried by all members present. Motion by Bennett, supported by McLaughlin to authorize the Township Clerk to sign Permit A-10093 allowing the township to occupy the right-of-way for pavement repair and restoration in 2010. Motion carried by all members present. **Item 3. APPOINTMENTS TO THE COMMISSION FOR CULTURE, ARTS & HERITAGE. (CLS)** Motion by Bennett, supported by McLaughlin that the Board of Trustees of the Charter Township of Canton approve the reappointments of Herb Scott, Darian Moore, Sharon Dillenbeck and Don Soenen to the Commission for Culture, Arts & Heritage for a three-year term to expire December 31, 2012. Motion carried by all members present. **Item 4. AUTHORIZATION TO PAY BILLS THROUGH THE END OF 2009. (FBD)** Motion by Bennett, supported by McLaughlin to authorize the payment of the Township's bills on December 29, 2009, as normally scheduled, subject to prior review by the Clerk and Treasurer. Motion carried by all members present. **Item 5. CONSIDER AUTHORIZING THE TOWNSHIP CLERK TO SIGN THE ANNUAL MDOT PERMIT AND PERFORMANCE RESOLUTION FOR 2010. (MSD)** Motion by Bennett, supported by McLaughlin to approve the Township Clerk as the designated officer to execute the 2010 Annual Permit for Underground Utility Operations within the Michigan Department of Transportation right-of-way. Furthermore, I move to authorize the Township Clerk to certify the Performance Resolution for Governmental Agencies. Motion carried by all members present. **GENERAL CALENDAR: Item 1. CONSIDER APPROVAL OF PRELIMINARY PLANNED DEVELOPMENT DISTRICT FOR REGENCY OF CANTON SKILLED NURSING FACILITY. (MSD)** Motion by Bennett, supported by McLaughlin to adopt the resolution for the Preliminary Planned Development for Regency of Canton. Motion carried by all members present. **Item 2. CONSIDER APPROVAL OF UPTOWN RIDGE SITE PLAN. (MSD)** Motion by Bennett, supported by McLaughlin to adopt the resolution for re-approval of the site plan for Uptown Ridge mixed use development. Motion carried by all members present. **Item 3. CONSIDER APPROVAL OF AMENDMENT #1 TO THE WATER SERVICE CONTRACT BETWEEN THE CITY OF DETROIT AND THE CHARTER TOWNSHIP OF CANTON. (MSD)** Motion by Bennett, supported by McLaughlin to approve Amendment #1 to the Water Service Contract between the City of Detroit and the Charter Township of Canton as presented; and further authorize the Township Supervisor and Clerk to sign the amendment on behalf of Canton. Motion carried by all members present. **Item 4. CONSIDER AUTHORIZING PAYMENT TO WAYNE COUNTY FOR THE PHASE THREE SANITARY SEWER CONSTRUCTION PERMIT. (MSD)** DELETED **Item 5. FIRST READING AMENDMENT TO THE TOWNSHIP CODE OF ORDINANCES, ADDING CHAPTER NO. 79 TO PART II LAND DEVELOPMENT REGULATIONS, TO BE ENTITLED VACANT PROPERTY REGISTRATIONS AND MAINTENANCE. (MSD)** Motion by Bennett, supported by Williams to introduce and table for consideration the "First Reading" of an amendment to the Township Code of Ordinances, adding Chapter No. 79 to Part II, Land Development Regulations, to be entitled "Vacant Property Registration and Maintenance." Further, I move to publish said amendment on December 17, 2009 and consider removing it from the table for adoption on January 12, 2010, with an effective date of January 21, 2010. Motion carried by all members present. **STATE OF MICHIGAN, COUNTY OF WAYNE, CHARTER TOWNSHIP OF CANTON, VACANT PROPERTY REGISTRATION AND MAINTENANCE ORDINANCE, SUMMARY OF ORDINANCE CHAPTER 79 AN ORDINANCE OF THE CHARTER TOWNSHIP OF CANTON CODE OF ORDINANCES; PROVIDING FOR PURPOSE; PROVIDING FOR THE DEFINITION OF TERMS; PROVIDING FOR SCOPE; PROVIDING FOR EVIDENCE OF VACANT PROPERTY; PROVIDING FOR REGISTRATION OF VACANT PROPERTY; PROVIDING FOR REGISTRATION FORM; PROVIDING FOR REGISTRATION FEE; PROVIDING FOR REQUIREMENT TO KEEP INFORMATION CURRENT; PROVIDING FOR MAINTENANCE AND INSPECTION; PROVIDING FOR SECURITY REQUIREMENTS; PROVIDING FOR OPEN PROPERTY AND SECURING FEE; PROVIDING FOR FIRE DAMAGED PROPERTY; PROVIDING FOR UNPAID FEES AND ASSESSMENT; PROVIDING FOR OFFENSES BEING MUNICIPAL CIVIL INFRACTIONS AND PENALTIES; PROVIDING FOR REPEAL OR SEVERABILITY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE. THE CHARTER TOWNSHIP OF CANTON ORDAINS: SECTION I. ORDINANCE. Sec. 1. Purpose.** This section provides the purpose of this ordinance. **Sec. 2. Definitions.** This section provides definitions for terms used in this ordinance. **Sec. 3. Scope.** This section provides that the provisions of this ordinance apply to all existing residential, commercial and industrial structures. **Sec. 4. Evidence of vacant property.** This section provides conditions for the evidence of vacancy. **Sec. 5. Registry of vacant properties.** This section provides for the establishment of a registry of vacant properties. **Sec. 6. Vacant properties to be registered annually.** This section provides that vacant properties are to be registered annually. **Sec. 7. Owner's registration form; content.** This section provides for the owner's registration form and the content. **Sec. 8. Annual registration and safety and blight inspection fee.** This section provides for an annual registration and safety and blight inspection fee. **Sec. 9. Requirement to keep information current.** This section provides that information on the registration form must be kept current. **Sec. 10. Inspections required.** This section provides for required inspections. **Sec. 11. Building inspection; maintenance and security requirements.** This section provides the building inspection maintenance and security requirements. **Sec. 12. Open property; securing fee.** This section provides that vacant property that is left open is subject to a securing fee. **Sec. 13. Reoccupation of vacant property; notification to township.** This section provides that prior to reoccupation of vacant property the township must be notified. **Sec. 14. Fire damaged property.** This section provides for fire damaged property. **Sec. 15. Unpaid fees; assessment.** This section provides for unpaid fees and assessment. **Sec. 16. Penalties; Municipal Civil Infraction.** This section provides for penalties. **SECTION II. REPEAL.** This section provides that all Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect. **SECTION III. SEVERABILITY.** This section provides that any unenforceable section can be severed from the rest of the Ordinance. **SECTION IV. SAVINGS CLAUSE.** This section provides that adoption of this Ordinance does not affect proceedings, prosecutions for violation of law, penalties and matured rights and duties in effect before the effective date of this Ordinance. **SECTION V. 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 VI. EFFECTIVE DATE.** This section provides that this ordinance shall take full force and effect upon 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 hours. **Item 6. LETTER OF INTEREST IN PURCHASE OF TOWNSHIP PROPERTY SUBMITTED BY L. GEORGE CONEY ISLAND #2. LOTS 29, 30, 31, 86, 87, 88 AND ADJACENT VACATED ALLEY IN DYE BROTHER'S WAYNE PARK SUBDIVISION. (CLERK)** Motion by Bennett, supported by Taj to accept the letter of interest for the purchase of property of Township owned land located behind 43711 Michigan; Lots 29, 30, 31, 86, 87 and 88 and the adjacent alley, Dye Brother's Subdivision, Wayne County, Michigan in the amount of \$45,000.00. In addition I authorize the Township Clerk and Supervisor to sign the purchase agreement and closing documents to complete the sale of the property. Motion carried by all members present. **Item 7. 2009 BUDGET AMENDMENTS. (FBD)** Motion by Bennett, supported by Anthony to approve the attached budget amendments to the 2009 budget. Motion carried by all members present. **Item 8. AWARD SIX HOUSING REHABILITATION CONTRACTS. (FBD)** Motion by Bennett, supported by McLaughlin to award the contract for a housing rehabilitation on Runnymede to ABC's Carpentry in the amount of \$9,665.00 plus a 10 percent contingency of \$966.00 for a purchase order total of \$10,631.00 (Housing Rehabilitation #274-666.970_0070). Motion carried by all members present. Motion by Bennett, supported by McLaughlin to award the contract for a housing rehabilitation on Buckingham to ABC's Carpentry in the amount of \$7,545.00 plus a 10 percent contingency of \$754.00 for a purchase order total of \$8,299.00 (Housing Rehabilitation #274-666.970_0070). Motion carried by all members present. Motion by Bennett, supported by McLaughlin to award the contract for a housing rehabilitation on Kingsway to Stratton Construction in the amount of \$7,570.00 plus a 10 percent contingency of \$757.00 for a purchase order total of \$8,327.00 (Housing Rehabilitation #274-666.970_0070). Motion carried by all members present. Motion by Bennett, supported by McLaughlin to award the contract for a housing rehabilitation on Mott Road to Canton Construction in the amount of \$14,380.00 plus a 10 percent contingency of \$1,438.00 for a purchase order total of \$15,818.00 (Housing Rehabilitation #274-666.970_0070) Motion carried by all members present. Motion by Bennett, supported by McLaughlin to award the contract for a housing rehabilitation on Lotz Road to Frank's Construction in the amount of \$19,335.00 plus a 10 percent contingency of \$1,933.00 for a purchase order total of \$21,268.00 (Housing Rehabilitation #274-666.970_0070). Motion carried by all members present. **Item 9. AWARD BID FOR HERITAGE PARK ATHLETIC FIELD LIGHTING REPLACEMENT (EECBG PROJECT). (CLS)** Motion by Bennett, supported by Williams to approve the creation of the ARRA Grants Fund (American Recovery & Reinvestment Act), fund number 275, in accordance with generally accepted accounting principles (GAAP) for local governments. Motion carried by all members present. I further move to approve the following 2009 Budget Amendment. Increase Revenues: 275-448.501 Federal Grants \$272,950 Increase Appropriations: 275-448.970_0050 Capital Outlay Infrastructure \$272,950, I further move to approve the following 2010 Budget Amendment: Increase Revenues: 275-448.501 Federal Grants \$481,150 Increase Appropriations: 2 7 5 - 448.970_0050 Capital Outlay Infrastructure \$481,150 I further move to award the bid for the Heritage Park Athletic Field Lighting Replacement to J. Ranck Electric Inc., 1993 Gover Parkway, Mt. Pleasant, MI 48858 in the amount of \$272,950 from account 275-448.970_0050. Motion carried by all members present. **Item 10. REPLACEMENT OF RECWARE SAFARI WITH ACTIVE.NET. (CLS)** Motion by Bennett, supported by McLaughlin to approve the contract with Active.Net for hosted recreation management software. Motion carried by all members present. **Item 11. CARDIOVASCULAR EQUIPMENT FOR SUMMIT FITNESS CENTER. (CLS)** Motion by Bennett, supported by Williams to award the bid for the lease of nine pieces of cardiovascular equipment (5 Precor Treadmills, 1 Precor Upright Bike, 1 Precor Recumbent Bike, and 1 Scifit Pro II Body Ergometer) to Direct Fitness Solutions, 600 Tower Road, Mundelein, IL 60060. Motion carried by all members present. Motion by Bennett, supported by Williams to award the bid for the purchase of four Cybex Arc Trainers to Fitness Things, 1160 Ann Arbor Rd, Plymouth, MI 48170. Motion carried by all members present. **Item 12. CONSIDER RE-CLASSIFICATION OF CLERK II POSITION IN FIRE ADMINISTRATION TO CLERK III. (PSD)** Motion by Bennett, supported by McLaughlin to approve the re-classification of the Fire Clerk II position to a Clerk III position within the TPOAM classification schedule. Motion carried by all members present. **Item 13. CREATE AND FILL CLERK III POSITION IN HUMAN RESOURCES. (SUPERVISOR)** Motion by Bennett, supported by Williams to create and fill the position of Clerk III in Human Resources. Motion carried by all members present. **Item 14. CREATE AND FILL SECRETARY IV POSITION IN THE CANTON DOWNTOWN DEVELOPMENT OFFICE. (SUPERVISOR)** Motion by Bennett, supported by McLaughlin to create and fill the position of Secretary IV (Salaries and Wages account #248-730.705_0010) in the DDA office. Motion carried by all members present. **Item 15. AWARD BID FOR PRINTING AND PREPARATION OF MAILING OF THE FOCUS NEWSLETTER. (SUPERVISOR)** Motion by Bennett, supported by Taj to award the bid for printing and sorting of the monthly Focus Newsletter to Dearborn Lithograph, Inc., 12380 Globe St., Livonia, MI 48150, for a 12-month period beginning January 2010, for \$2,682.00 per 36,500 copies and \$66.00 for each additional 1,000 copies, and further, to extend the bid upon mutual agreement between Dearborn Lithograph and Canton Township for a second year for \$2,762.00 per 36,500 copies and \$68.00 for each additional 1,000 copies and a third year for \$2,844.00 per 36,500 copies and \$70.00 for each additional 1,000 copies (Communications Budget, Printing and Publishing, Account #101.240.900.0040). Motion carried by all members present. **Item 16. ENDORSEMENT LETTER OF SUPPORT FOR OAKWOOD HEALTH CARE MEDICAL CAMPUS PARTICIPATION IN THE WAYNE COUNTY TURBO PROGRAM (SUPERVISOR)** Motion by Bennett, supported by McLaughlin to approve the Endorsement Letter of Support for Oakwood Health Care Medical Campus participation in the Wayne County Land Bank TURBO Development Program. Roll Call Vote: Ayes: Anthony, Bennett, LaJoy, McLaughlin, Williams Abstained: Taj Motion carried. **Item 17. A REQUEST FROM CHARTER TOWNSHIP OF CANTON TO DROP DIAMOND VENTURES, L.L.C. AS CO-LICENSEE IN 2009 CLASS C LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT, LOCATED AT 46555 MICHIGAN, CANTON, MI 48188, CANTON TOWNSHIP, WAYNE COUNTY (STEP 1). (CLERK)** Motion by Bennett, supported by Williams to approve the request from Charter Township of Canton to drop Diamond Ventures, L.L.C. as co-licensee in the 2009 Class C Licensed Business with dance-entertainment permit, located at 46555 Michigan, Canton, Michigan, 48188, Canton Township, Wayne County (Step 1), "above all others". Motion carried by all members present. **Item 18. APPROVAL OF THE STIPULATION OF ENTRY OF CONSENT JUDGEMENT FOR LOTZ ROAD PROPERTY.** Motion by Bennett, supported by Williams to approve the attorney's recommendation for the stipulation of entry of consent judgment for Lotz Road property. Motion carried by all members present. **OTHER:** Supervisor LaJoy stated the next Board meeting will be January 12, 2010 at 7:00 p.m. in the Administration Building, First Floor, Board Room, 1150 Canton Center S., Canton, Michigan. **ADJOURN:** Motion by Bennett, supported by Williams to adjourn at 8:26 p.m. Motion carried by all members present. – Philip LaJoy, Supervisor – Terry G. Bennett, Clerk –