

**Charter Township of Canton Board Proceedings-May 25, 2010**

**6:45 P.M. – CLOSED SESSION – EMPLOYEE NEGOTIATIONS** Motion by Bennett supported by McLaughlin to move from open session to closed session at 6:45 p.m. Motion carried by all members present. **Roll Call** Members Present: Anthony, Bennett, Caccamo (arrived 6:55 p.m.), LaJoy, McLaughlin, Taj, Williams Staff Present: Director Eva, Director Nemecek, Audrey Robinson Motion by Bennett, supported by McLaughlin to move from closed session to open session at 6:55 p.m. Motion carried unanimously. A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, May 25, 2010 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, Caccamo, LaJoy, McLaughlin, Taj, Williams Staff Present: Director Conklin, Director Eva, Director Faas, Director Nemecek, Audrey Robinson **Adoption of Agenda** Motion by Bennett, supported by McLaughlin to approve the agenda as amended adding G-7 AT&T Yellow Pages Trade Promotional Partnership and G-8 Approval of Union Contract for the Canton Police Deputy Chief's Association. Motion carried unanimously. **Approval of Minutes** Motion by Bennett, supported by McLaughlin to approve the Board Minutes of May 11, 2010. Motion carried unanimously. Motion by Bennett, supported by Taj to approve the Board Study Minutes of May 18, 2010. Motion carried unanimously. **Citizen's Non-Agenda Item Comments:** John Stewart, resident of Plymouth Township, stated he is the candidate for County Commissioner. **Payment of Bills** Motion by McLaughlin, supported by Bennett to approve payment of the bills as presented. Motion carried unanimously. **CONSENT CALENDAR: Item 1. ELECTION COMMISSION ALTERNATE APPOINTMENT. (CLERK)** Motion by Bennett, supported by Williams to appoint John Anthony, a qualified and registered voter in the Charter Township of Canton to act as an officer of the Election Commission during the absence of the Supervisor, Treasurer or Clerk, and further to act in the absentee's stead during this period of non attendance. The duties of this Commission will be in compliance with Michigan Election Law. (MCL168.26). Motion carried unanimously. **Item 2. APPOINTMENT 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 appointments of Cecilia Escobar, Jeanie Derani, and Denise Staffeld to the Commission for Culture, Arts & Heritage for three-year terms to expire December 31, 2013. Motion carried unanimously. **Item 3. RE-APPOINTMENT OF ALTERNATE TO THE ZONING BOARD OF APPEALS. (SUPERVISOR)** Motion by Bennett, supported by McLaughlin to re-appoint Dawn Zuber as alternate to the Zoning Board of Appeals, term to expire October 31, 2013. Motion carried unanimously. **Item 4. 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. (MSD)** Motion by Bennett, supported by McLaughlin 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 with publication and effective date of June 3, 2010. Motion carried unanimously. **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. FURTHER AN AMENDMENT 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 1, Chapter 74, Article II, Division 2, Subdivision II, Section 74-83 of the Utilities Ordinance 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 and revised industrial surcharge rates. **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. INSTRUCTION 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. First Reading: May 11, 2010 Second Reading: May 25, 2010 Publication: June 3, 2010 Effective: June 3, 2010 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 5. AUTHORIZE PERMIT FOR 2010 LIBERTY FEST FIREWORKS DISPLAY. (PSD)** Motion by Bennett, supported by McLaughlin to authorize the Canton Township Clerk to sign the permit for Zambelli Fireworks Internationale giving them permission to possess, transport and display fireworks at Canton's Liberty Fest on June 19, 2010 (rain date June 20, 2010).. Motion carried unanimously. **Item 6. APPOINT AUDREY ROBINSON TO REPRESENT CANTON IN SETTLEMENT CONFERENCES. (SUPERVISOR)** Motion by Bennett, supported by McLaughlin to appoint Audrey Robinson as Canton's Representative in Pre-Trial and Settlement Conferences. Motion carried unanimously. **GENERAL CALENDAR: Item 1. BUDGET AMENDMENT POLICE – CONTINUATION OF BYRNE JUSTICE ASSISTANCE GRANT (JAG) INTO 2010. (PSD)** Motion by Bennett, supported by Taj to approve the following budget amendment for the continuation of the *Drugs 101: What Parents Want to Know* program in 2010; being 100% reimbursed through the FY 2008-2009 Byrne JAG stimulus grant (expiring on September 30, 2012). Increase Revenues: Federal Grant-LLEBG/JAG #207-000-501 \$9,852.00 Increase Appropriations: Police Training & Education #207-301-50.820-0001 \$9,852.00 This amendment increases the Police Fund Budget from **\$15,726,680.67 to \$15,736,532.67.** Motion carried unanimously. **Item 2. CONSIDER PURCHASE OF IN-CAR CAMERA FOR PATROL VEHICLE. (PSD)** Motion by Bennett, supported by Caccamo to purchase (1) Flashback 2 Digital Video System, (1) Flashback IR Camera with cables, and (1) Collision Sensor from L3 Communications in Boonton, New Jersey, for a total of \$5,390.00; utilizing JAG grant funds from account #207-301-50.970.0030. Motion carried unanimously. **Item 3. FINAL READING AND ADOPTION – ZONING ORDINANCE AMENDMENTS. (MSD)** Motion by Bennett, supported by McLaughlin to adopt the 2010 Zoning Ordinance Amendments. Motion carried unanimously. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON 2010 Zoning Ordinance Amendments** WHEREAS, the Township is desirous of amending Articles 2, 4, 8, 21, 21A, and 22, of Appendix A – Zoning of the Code of Ordinances of the Charter Township of Canton as provided on Attachment A.; and, WHEREAS, the Planning Commission held a public hearing on May 3, 2010 and voted to recommend approval of the amendments based on the findings that changes are consistent with the policies of the Comprehensive Plan and further the development objectives of the community; and, WHEREAS, the Board has reviewed the amendments and concur with the proposed amendments and concur with the Planning Commission recommendation. **NOW THEREFORE BE IT RESOLVED,** the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the proposed amendments to Articles 2, 4, 8, 21, 21A, and 22 of Appendix A- Zoning, of the Code of Ordinances of the Charter Township of Canton as provided in Attachment A. **ATTACHMENT A - 2010 ZONING ORDINANCE AMENDMENTS Article 22.00 is hereby amended by deleting the LI-2, Light Industrial 2 District and establishing a new zoning district entitled, LI - Light Industrial District, as follows: ARTICLE 22.00. LI - LIGHT INDUSTRIAL DISTRICT 22.01. Statement of Intent** The intent of the LI, Light Industrial District is to provide locations for planned industrial development, including planned industrial park subdivisions. It is intended that permitted activities or operations produce no external impacts that are detrimental in any way to other uses in the district or to surrounding agricultural, residential or commercial uses. Light industrial, manufacturing, distribution and warehousing, research, and related office uses permitted in this district should be fully contained within well-designed buildings on amply-landscaped sites, with adequate off-street parking and loading areas, and proper screening around outside storage areas. Heavy industrial uses, such as those involving the processing of raw material for shipment in bulk form to be used at another location, shall not be permitted in this district. Planned Development may be permitted as a means to achieve the basic intent of this district, in accordance with the guidelines in Section 27.04. 22.02. Permitted Uses and Structures A. *Principal uses and structures.* In all areas zoned LI, Light Industrial District, no building or part of a building shall be erected, used, or structurally altered, nor shall the land or premises be used in whole or in part, except for one or more of the following principal permitted uses: 1. Light manufacturing, assembly, research, packaging, testing and repair of the following: a. Life science products, including, but not limited to: bio-technology, biopharmaceutical, biomedical products, pharmaceuticals, medical instruments, appliances, and diagnostic equipment. b. Material science products, including but not limited to: plastics, polymers; laser technology, and robotics. c. Information technology products, including, but not limited to telecommunications, computer parts and equipment, and electronics. d. Instrumentation products, including, but not limited to scientific instruments, measuring, controlling, testing, and metering equipment; and optical instruments. e. Automotive parts and accessories. f. Food products and beverage products, but not including rendering or refining of fats and oils. g. Apparel including, but not limited to, clothing, jewelry, shoes and accessories. h. Miscellaneous products made from wood, paper, ceramics, metal, glass, and stone. i. Electrical components and products and electrical appliances. 2. Research and design centers and testing laboratories. 3. Film production studios, indoor sound stages, and related activities. 4. Printing, lithography, blue- printing, and similar uses. 5. Tool, die, gauge, metal polishing, and machine shops. 6. Contractors establishments, such as the facilities of a**

building contractor, 'carpenter, roofing contractor, plumber, electrician, caterer, exterminator, decorator, or similar business or trade. Any outside storage is subject to the development standards in Section 22.03 below. 7. Office buildings for any of the following occupations: administrative services, executive, professional, accounting, writing, clerical, stenographic, and drafting. 8. Computer programming, software development and data processing and computer centers. 9. Plastic injection molding. 10. Warehousing and material distribution centers. 11. Vocational training schools, such as trade schools and training centers, subject to the property fronting onto a primary County road. 12. Secondary retail and service uses, which are accessory to the principal permitted use. Such uses shall not be permitted in a separate building. Such secondary uses shall have at least one separate customer entrance or a service window in a lobby area. 13. Private indoor recreation uses such as bowling establishments, gymnasiums, ice skating rinks, tennis clubs, roller skating rinks, court sports facilities, and similar recreation' uses. Arcades shall be permitted only where accessory to other private indoor recreation uses. 14. Dance, gymnastics, martial arts schools, and similar types of studios. 15. Canine training facility and/or pet day care facility with no outdoor runs, or indoor pet boarding facility. 16. Other uses similar to the above. 17. Uses and structures accessory to the above, subject to the provisions in Section 2.03. 18. Essential services, subject to the provisions in Section 2.16, sub-section A. B. *Special land uses.* The following uses may be permitted by the Township Board, subject to the conditions specified for each use; review and approval of the site plan and application by the Planning Commission and Township Board; the imposition of special conditions which, in the opinion of the Planning Commission 01' Township Board, are necessary to fulfill the purposes of this Ordinance; and, the provisions set forth in Section 27.03. 1. Financial institutions, including banks, credit unions, and savings and loan associations, subject to the property fronting onto a County primary road. 2. Medical and dental clinics, offices 01' laboratories, subject to the property fronting onto a primary County road. 3. Hospitals, subject to the provisions in Section 6.02, sub- section L. 4. Automobile Service Stations and Automobile Repair Garages, subject to the provisions in Section 6.02, sub-section C. 5. Motels and hotels, subject to the provisions in Section 6.02, sub-section N, subject to the property fronting onto a primary County road. 6. Assembly halls, display halls, convention centers, banquet halls, and similar places of assembly, including assembly halls for industrial worker organizations. 7. Religious institutions, subject to the provisions of Section 6.02, sub-section U. 8. Private outdoor recreation uses, such as archery ranges, baseball, football or soccer fields, bicycle motocross (BMX) tracks, court sports facilities, golf driving ranges, swimming pools, and similar outdoor recreation uses, subject to the provisions in Section 6.02, sub-section R. 9. Rental yards for the temporary storage of recreation vehicles, subject to the following conditions: -No vehicles 01' equipment shall be stored within forty (40) feet of a public right-of-way. -The area adjacent to the right-of-way shall be screened with a landscaped berm in accordance with Section 5.02, sub-section B. 10. Building material sales, including establishments which sell hardware, glass, paint, and lumber, and which may require outdoor retail or wholesale display or sales area. Outdoor storage of materials and equipment shall comply with the development standards in section 22.03 below. 11. Outdoor Display and Sales of garages, swimming pools, and similar structures or equipment, subject to the provisions in Section 6.02, subsection Q. 12. New and used automobile sales and rental including customary and incidental uses, subject to the provisions of Section 6.02, sub-section Q. 13. Commercial kennels, subject to the provisions in Section 6.02, sub-section K. 14. Standard restaurants, under either of the following conditions: -The restaurant shall be located at the intersection of two (2) major thoroughfares, the intersection of a major thoroughfare and a street serving an industrial area, or; -A standard restaurant may be permitted as an accessory use to a private outdoor recreation use, provided that the restaurant and its required parking do not occupy more than fifty percent (50%) of the primary use of the site. 15. Radio, television and cellular telephone towers, subject to provisions of Section 6.02, subsection S. 16. Wholesale facility for sale of unprocessed agricultural products by farmers and producers in a central marketing facility. **22.03. Development standards. A. Required conditions.** Except as otherwise noted for specific uses, buildings and uses in the Light Industrial District shall comply with the following required conditions: 1. Light manufacturing, assembly, research, packaging, testing and repair or other industrial or business activity shall comply with the Performance Standards set forth in Article 7.00. 2. Light manufacturing, assembly, research, packaging, testing and repair or other industrial or business activity shall be conducted within a completely enclosed building. 3. Outdoor storage of materials, supplies, and/or finished or semi-finished products may be permitted, subject to the following conditions: Such storage shall be screened with fencing in accordance with Section 5.08. Where visible from any public or private road, the screen and access gates shall be opaque and be composed of a material compatible with the design and materials of the primary building. No materials shall be stored above the height of the screening. Proper access to all parts of the storage areas shall be provided for fire and emergency services. Any materials, supplies, or products must be located behind the front building line and meet all side and rear setback requirements of the district. In no case shall any materials, supplies and/or products be stored on property fronting onto 1-275. Vehicles may be stored in conjunction with special land use approval for new and used automobile sales, subject to the provisions of Section 6.02, subsection Q. Use of trailers and/or shipping containers for storage is prohibited. 4. Parking - proposed uses within multiple-tenant industrial buildings shall demonstrate that there is adequate parking to support the use. 5. For the purposes of determining landscaping and architectural design requirements, the yard adjacent to the freeway shall be consider the front yard for sites adjacent to 1-275. 6. Truck and trailer parking shall be screened from exposure to 1-275 in accordance with the requirements for evergreen screening set forth in Section 5.02, sub-section D. B. *Site plan review.* Site plan review and approval is required for all uses in the Light Industrial district in accordance with Section 27.02. C. *Area, height, bulk, and placement requirements.* Buildings and uses in the Light Industrial district are subject to the area, height, bulk, and placement requirements in Article 26.00, Schedule of Regulations. D. *Planned development.* Planned Development may be permitted in the Light Industrial district, subject to the standards and approval requirements set forth in Section 27.04. E. General development standards. Buildings and uses in the Light Industrial district shall be subject to all applicable standards and requirements set forth in this Ordinance, as specified below and more generally in Section 8.06. Article 2.00 General Provisions, Article 4.00Off-Street Parking and Loading, Article 5.00 Landscaping, Screening & Walls, Article 6.00 Site Development Standards, Article 7.00 Performance Standards, Article 26.00 Schedule of Regulations **Delete Section 21.00 - LI-1, Light Industrial-1 District in its entirety. Renumber Section 21.A.00 - Light-Industrial Research District-LI-R to Section 21.00 - Light Industrial Research District - LI -R Amend Section 2.02, Permitted uses, as follows: 2.02 Permitted uses.** Permitted uses are recognized as uses of land and buildings in certain districts which are harmonious with other such uses which may lawfully exist with (within) the same district. A permitted use is subject to the schedule of regulations, permit and site plan requirements found elsewhere in this ordinance, but otherwise is considered to be a lawful use not requiring special or extraordinary controls or conditions. Uses and activities that are contrary to state, federal, or other local laws and ordinances are prohibited. **Amend Section 8.01 to establish list as follows:** 8.01. Establishment of districts, LI-R Light Industrial Research, LI Light Industrial District Amend Section 8.06, District requirements, as follows: 8.06. District requirements. Buildings and uses in any district shall be subject to all applicable standards and requirements set forth in this ordinance. Uses and activities that are contrary to state, federal, or other local laws and ordinances are prohibited. Amend Section 4.01, Off-street parking requirements, as follows:

**SCHEDULE OF OFF STREET PARKING**

	<i>Required Number of Parking Spaces</i>	<i>Number Each Unit of measure as follows:</i>
OFFICE USES	1	250 square feet of gross as otherwise specified floor area
Business and professional offices, except Professional offices and clinics of doctors, dentists, and other similar medical professions	1	200 square feet of gross floor area
RECREATION USES	1	100 square feet of studio space. PLUS
<u>Dance, gymnastics, martial arts, yoga and similar indoor training studio uses</u>	1	250 square feet of office and support area
INDUSTRIAL USES	1	400 square feet of gross floor area
<u>Multi-tenant industrial buildings</u>	1	400 square feet of gross floor area

**Item 4. ANNUAL MAINTENANCE AND TECH SUPPORT FOR CITYWORKS ASSET MANAGEMENT SOFTWARE. (MSD)** Motion by Bennett, supported by McLaughlin to purchase the software Annual Maintenance and Technical Support for CityWorks from Azteca Systems, Inc., 11075 South State St., Suite 24, and Sandy, UT 84070 and approve a purchase order for a not-to-exceed amount of \$40,000. Motion carried unanimously. **Item 5. MICROSOFT SQL SERVER 2008 UPGRADE. (FBD)** Motion by Bennett, supported by Caccamo to approve the purchase of Microsoft SQL Server 2008 R2 2 CPU Licenses for the amount of \$9,827.78 (General Fund, IT Division Operating Supplies account #101-258.740) from Hewlett Packard Company utilizing the State of Michigan purchasing contract (MI-REMC WSCA/NASPO HP-WSCA-09). Motion carried unanimously. **Item 6. CONSULTING SERVICES FOR MASTER PLAN AND STRATEGIC PLAN DEVELOPMENT. (CLS)** Motion by Bennett, supported by McLaughlin to authorize hiring of Carlisle/Wortman Associates, 605 S. Main, Suite 1, Ann Arbor, Michigan 48104 for consulting services to develop a Master Plan and Strategic Plan in the amount of \$40,750 to be taken from Budget Account # 101-750-801.0050 Professional Contracted Services. Roll Call Vote: Ayes: Anthony, Bennett, LaJoy, McLaughlin, Taj, Williams Nays: Caccamo Motion carried. **Item 7. AT&T YELLOW PAGES TRADE PROMOTIONAL PARTNERSHIP. (CLS)** Motion by Bennett, supported by McLaughlin to award the trade agreement with AT&T. Motion carried unanimously. **Item 8. APPROVAL OF UNION CONTRACT FOR THE CANTON POLICE DEPUTY CHIEF'S ASSOCIATION. (FBD)** Motion by Bennett, supported by Taj to approve the collective bargaining agreement between Canton township and the Canton Police Deputy Chief's Association. Motion carried unanimously. **OTHER:** Supervisor LaJoy stated the June 1, 2010 Board meeting is cancelled. The next Board meeting is June 8, 2010 at 7:00 p.m. in the Administration Building, First Floor, Board Room, 1150 Canton Center S., Canton, Michigan. June 5, 2010 is the River Day Clean Up and volunteers are needed. Soccer Tournament will be May 28-31. There are 672 registered teams. The Memorial Day Service will be Monday, May 31, 2010 at 1:00 p.m. at the Veterans Memorial in Heritage Park. **ADJOURN:** Motion by Williams, supported by Caccamo to adjourn at 8:12 p.m. Motion carried unanimously. . – 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](http://www.canton-mi.org) after Board Approval. Publish: June 3, 2010