

## Charter Township of Canton Board Proceedings-April 12, 2011

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, April 12, 2011 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: Director Bilbrey-Honsowetz, Director Eva, Director Faas, Director Nemecek, Audrey Robinson **Adoption of Agenda** Motion by Bennett, supported by Anthony to approve the agenda as presented. Motion carried by all members present. **Approval of Minutes** Motion by Bennett, supported by Williams to approve the Board Minutes of March 22, 2011. Motion carried by all members present. **Citizen's Non-Agenda Item Comments:** George Miller, 1946 Briarfield Street, made comments on the rear-end accident he was involved in. Also, his concern over property purchased by Canton and the Munn's Landfill. **Payment of Bills** Motion by McLaughlin, supported by Bennett to approve payment of the bills as presented. Motion carried by all members present. **CONSENT CALENDAR: Item 1. A REQUEST TO TRANSFER OWNERSHIP ESCROWED 2007 CLASS C LICENSED BUSINESS WITH DANCE-ENTERTAINMENT PERMIT, LOCATED AT 8663 N. LILLEY (FORMER TRYST NIGHTCLUB, POGOS, SNEAKYS), CANTON, MI 48187, CANTON TOWNSHIP, WAYNE COUNTY FROM TRYST NIGHTCLUB INC., FRANK J PALAZZOLO, RECEIVER TO LUCKY'S CANTON, LLC. (CLERKS)** Motion by Bennett, supported by Williams to approve the request for the transfer of the escrowed 2007 Class "C" Licensed Business with dance-entertainment permit, located at 8663 N. Lilley, Canton, MI 48187, Canton Township, Wayne County, from Tryst Nightclub Inc., Frank J Palazzolo, receiver to Lucky's Canton, LLC. Motion carried by all members present. **Item 2. A REQUEST TO TRANSFER OWNERSHIP OF ESCROWED 2010 CLASS C LICENSED BUSINESS WITH DANCE PERMIT, LOCATED AT 32611 FORD, GARDEN CITY, MI 48135, WAYNE COUNTY, FROM MAYFIELD AND MAYFIELD, INC. TO OLGA'S KITCHEN, INC.; TRANSFER LOCATION & GOVERNMENTAL UNIT (MCL 436.1531 (1) TO 41725 FORD, CANTON, MI 48187, CANTON CHARTER TOWNSHIP, WAYNE COUNTY; AND REQUEST TO CANCEL EXISTING DANCE PERMIT. (CLERKS)** Motion by Bennett, supported by Williams to approve the request for the transfer of the ownership of escrowed 2010 Class C Licensed Business with dance permit, located at 32611 Ford, Garden City, MI 48135, Wayne County, from Mayfield and Mayfield, Inc. to Olga's Kitchen, Inc.; transfer location & governmental unit (MCL 436.1531 (1) to 41725 Ford, Canton, MI 48187, Canton Charter Township, Wayne County; and request to cancel existing Dance Permit. Motion carried by all members present. **Item 3. APPROVE PURCHASE OF PLANT PROTECTANT AND FERTILIZER (CLS)** Motion by Bennett, supported by Williams to approve the purchase of Bannermaxx and Cleary's 26/36 to Tri-Turf, 24800 N. Industrial, Farmington Hills, MI 48335 in the amount of \$14,943.80. Funds to be taken from: Pheasant Run Golf Club Maintenance and Repair of Grounds Account Number: 584-756-57.930\_0070 in the amount of \$14,943.80. Motion carried by all members present. Motion by Bennett, supported by Williams to approve the purchase of 20-0-20 Polyvex SGN-150 fertilizer to Lesco/John Deere Landscapes, 1385 East 36th Street, Cleveland, OH 44114 in the amount of \$19,380. Funds to be taken from: Pheasant Run Golf Club Maintenance and Repair of Grounds account number: 584-756-57.930-0070 in the amount of \$16,065.00 Parks Division Maintenance and Repair Grounds Account Numbers: 101-270-90.930\_0070 in the amount of \$3,315.00. Motion carried by all members present. Motion by Bennett, supported by Williams to approve the purchase of Anderson's Fertilizer with millennium ultra 15-0-08 to Turfgrass, Inc, 46495 Humbolt Dr., Novi, MI 48377 in the amount of \$31,581.30. Funds to be taken from: Pheasant Run Golf Club Maintenance and Repair of Grounds. 584-756-57.930\_0070 in the amount of \$15,711.30 Parks Maintenance 101-270-90.930\_0070 in the amount of \$10,870.00 101-270-91.930\_0070 in the amount of \$ 5,000.00. Motion carried by all members present. **Item 4. AWARD CONTRACT FOR PORTABLE TOILETS FOR 2011 THRU 2013 SEASONS (CLS)** Motion by Bennett, supported by Williams to award the contract for portable toilets for the 2011 thru 2013 seasons to John's Sanitation, Inc. of 24700 Milford Road, South Lyon, MI 48178 in the amount of \$8,217.50 annually, to be taken from the following accounts: \$7,297.50 from account #101-270-95.801\_0050 (Park Ranger Services Contracted Services) \$920.00 from account #584-756-57.801\_0050 (Ground Maintenance Contracted Services). Motion carried by all members present. **GENERAL CALENDAR: Item 1. CONSIDER SPECIAL LAND USE REQUEST AND SITE PLAN FOR CANTON PREPARATORY HIGH SCHOOL (MSD)** Motion by Bennett, supported by McLaughlin to adopt the resolution for special use and site plan for Canton Preparatory High School. Motion carried by all members present. **Item 2. CONSIDER SPECIAL LAND USE FOR NATIONAL HERITAGE ACADEMY – SOUTH CANTON CENTER ELEMENTARY SCHOOL (MSD)** Motion by Bennett, supported by Williams to adopt the resolution for special use for a public school (South Canton Center Charter Academy). Motion carried by all members present. **Item 3. CONSIDER SITE PLAN FOR DICK'S SPORTING GOODS AT THE PREMIER CENTER (MSD)** Motion by Bennett, supported by Taj to adopt the resolution for approval of the site plan for the Addition to the Premier Center (Dick's Sporting Goods). Motion carried by all members present. **Item 4. CONSIDER THE ADOPTION OF THE RECOMMENDATIONS FROM MUNICIPAL SERVICES AND FINANCE AND BUDGET ON THE 2011 WATER AND SEWER RATES (MSD)** Motion by Bennett, supported by Taj to adopt the 2011 water and sewer rate study and to authorize staff to prepare the necessary ordinance amendments to be brought back to the Township Board for approval. Motion carried by all members present. **Item 5. FIRST 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 Williams to introduce the first 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 on April 21, 2011, table for Second Reading on April 26, 2011 with publication and effective date of May 5, 2011. Motion carried by all members present. **LEGAL 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 WASTE-WATER 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. 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 hours. **Item 6. CONSIDER PURCHASE OF WATER METERS AND METERING CONTROL DEVICES FOR 2011. (MSD)** Motion by Bennett, supported by Anthony to accept the quote from Etna Supplies Company and approve a purchase order not to exceed \$154,935.00 (account number 592-11.0011) and authorize the Public Works Division to purchase the necessary meter equipment and supplies. Motion carried by all members present. **Item 7. CONSIDER AUTHORIZING PAYMENT OF \$25,432 FOR MEMBERSHIP IN THE ALLIANCE OF ROUGE COMMUNITIES (ARC) (MSD)** Motion by Bennett, supported by McLaughlin to authorize payment of the invoice for \$25,432 (#101-445-928 0000) to continue our membership in the Alliance of Rouge Communities. Motion carried by all members present. **Item 8. CONSIDER PURCHASE OF ONE GERMAN SHEPHERD FOR K-9 UNIT (PSD)** Motion by Bennett, supported by Taj to approve the purchase of one German Shepherd from K9 Academy Training Facility, 3441 Filbert, Wayne, Michigan in the amount of \$6,800. Offset revenue funds in the amount of \$6,800 are budgeted in Program Expenses – Law Enforcement Program, account #207-301-50.743.0003. Motion carried by all members present. **Item 9. APPROVE 2011 DRUG MAINTENANCE CONTRACT (CLS)** Motion by Bennett, supported by McLaughlin to approve the 2011 mowing and bed maintenance contract to B & B Landscaping, 5392 Pleasant Hill Dr., Fenton, MI 48430 in the amount of \$21,975. Funds are to be paid out of the following accounts: Parks #101-270-90.801\_0050 \$4,905, Cemeteries #101-276-50.801\_0050 \$6,150, Finance and Budget (Historical Areas) #101-803-930-0020 \$1,890, Public Safety (Fire #1, #2, & #3) #206-336-50.930-0020 \$2,640, Public Safety (Police) #207-301-50.930-0020 \$1,965, Municipal Services (Public Works) #592-36.930\_0070 \$1,791, Municipal Services (Public Works) #592-37.930\_0070 \$1,194, Municipal Services (Fleet Maintenance) #661-550.930\_0070 \$1,440, **Total \$21,975.** Motion carried by all members present. **Item 10. AUTHORIZE THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION (MEDC) URBAN FARMERS MARKET GRANT AGREEMENT (CLS)** Motion by Bennett, supported by McLaughlin to authorize the agreement between the Michigan Economic Development Corporation, 300 N. Washington Square, Lansing, Michigan 48913, and Canton Township in the amount of \$50,440 (account #101-000.539). Motion carried by all members present Motion by Bennett, supported by McLaughlin to approve a budget amendment to increase State Grant Revenue by \$50,440 and increase various expense accounts related to Canton Farmers Market by \$50,440 and authorize the Leisure Services Director to sign the contract. Motion carried by all members present. **Item 11. APPROVE ANNUAL MAINTENANCE – KRONOS TIME AND ATTENDANCE SYSTEM (FBD)** Motion by Bennett, supported by McLaughlin to approve the payment for two years of software annual maintenance at \$22,562.04 (account 101-258.740) for the Kronos Time & Attendance System through April 30, 2013. Motion carried by all members present. **Item 12. APPROVE ANNUAL MAINTENANCE – LOGOS FINANCIAL MANAGEMENT SYSTEM (FBD)** Motion by Bennett, supported by McLaughlin to approve the payment of \$85,025 (account 101-258.740, and water account #592-560.930\_0010) for software annual maintenance for the Logos Financial Management System for the upcoming year of May 1st, 2011 through April 30th, 2012. Motion carried by all members present. Motion by Bennett, supported by McLaughlin to amend the budget accordingly: Increase to Expense: 592-560.930\_0010 Maintenance and Repair, Computer Equipment \$12,754 Decrease to Expense: 592-536.990 Transfer to Fund Balance \$12,754 Motion carried by all members present. **Item 13. AWARD SHELDON SCHOOL PLAYGROUND SURFACE INSTALLATION (FBD)** Motion by Bennett, supported by McLaughlin to award the bid for Sheldon School Playground Surface Construction to Miracle of Michigan & Indiana, 1749 Hamilton, Okemos, MI, in the amount of \$25,950 (Account # 274-666.890). Motion carried by all members present. **OTHER:** Supervisor LaJoy stated there is no study session on Tuesday, April 19, 2011. The next Board meeting will be held on Tuesday, April 26, 2011 at 7:00 p.m. at the Administration Building, First Floor, Board Room, 1150 Canton Center S., Canton, Michigan. **ADJOURN:** Motion by Anthony, supported by Williams to adjourn at 8:17 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](http://www.canton-mi.org) after Board Approval. Publish: April 21, 2011