

Charter Township of Canton Board Proceedings-June 28, 2011

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, June 28, 2011 at 1150 Canton Center S., Canton, Michigan. Supervisor LaJoy called the meeting to order at 7:01 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 Bilbrey-Honsowetz, Director Eva, Director Nemecek, Audrey Robinson Staff Absent: Director Faas **Adoption of Agenda** Motion by Anthony, supported by Taj to approve the agenda as amended, removing the presentation resolution in recognition of Greg Hester. Motion carried unanimously. **Approval of Minutes** Motion by Bennett, supported by Williams to approve the Board Minutes of June 14, 2011 Motion carried unanimously. **Payment of Bills** Motion by McLaughlin, supported by Bennett to approve payment of the bills as presented. Motion carried unanimously. **PRESENTATION: Item 1. RESOLUTION IN RECOGNITION OF GREG HESTER. (CLS) DELETED PUBLIC HEARING: Item 1. PUBLIC HEARING – CDBG 5 YEAR CONSOLIDATED PLAN PROGRAM YEARS 2010-2014. (FBD)** Motion by McLaughlin, supported by Bennett to open the public hearing at 7:03 p.m. to hear comment on PY 2010-2014 CDBG 5 Year Consolidated Plan. Motion carried unanimously. There were no public comments either in favor or opposition of the approval of the Program Year 2010-2014 Consolidated plan, and approve the forwarding of the Five-Year Consolidated plan to the Department of HUD and to approve the Program Year 2011 Annual Action Plan. Motion by Bennett, supported by Williams to close the public hearing at 7:05 p.m. to hear comment on a PY 2010-2014 CDBG 5 Year Consolidated Plan. Motion carried unanimously. Motion by Bennett, supported by Taj to adopt the Program Year 2010-2014 Consolidated Plan, and approve the forwarding of the Five-Year Consolidated Plan to the Department of HUD. Motion carried unanimously. Motion by Bennett, supported by Williams to approve the Program Year 2011 Annual Action Plan. Motion carried unanimously. **CONSENT CALENDAR: Item 1. APPOINTMENT TO DOWNTOWN DEVELOPMENT AUTHORITY BOARD. (SUPERVISOR)** Motion by Bennett, supported by McLaughlin that the Canton Township Board of Trustees appoint Dianne Cojei to serve on the Board of Directors of the Downtown Development Authority of the Charter Township of Canton for a four-year term ending June 28, 2015. Motion carried unanimously. **Item 2. CONSIDER BOARD RESOLUTION FOR THE ABANDONMENT OF A PORTION OF SANITARY SEWER LOCATED IN THE WAYNE COUNTY ROAD RIGHT-OF-WAY. (MSD)** Motion by Bennett, supported by McLaughlin to adopt the resolution for the abandonment of a portion of sanitary sewer located in the Wayne County Road Right-Of-Way. Motion carried unanimously. **Item 3. REQUEST FROM ICHIBAN STEAKHOUSE, INC. FOR A NEW DANCE PERMIT. (CLERK)** Motion by Bennett, supported by McLaughlin to approve the request to Ichiban Steakhouse, Inc. for a new dance permit to be held in conjunction with 2011 Class C Licensed business with entertainment located at 43750 Ford, Canton, MI 48187, Canton Township, Wayne County. Motion carried unanimously. **Item 4. RESOLUTION PROCLAIMING JULY AS PARKS & RECREATION MONTH. (CLS)** Motion by Bennett, supported by McLaughlin to adopt the resolution proclaiming July as Parks & Recreation Month. Motion carried unanimously. **GENERAL CALENDAR: Item 1. ZONING ORDINANCE AMENDMENTS 2011-2012. (MSD)** Motion by Bennett, supported by Caccamo to adopt the zoning ordinance amendments for 2011-2012. Motion carried unanimously. RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON **Zoning Ordinance Amendments WHEREAS,** the Township is desirous of amending Sections 6A.22, 17.02B, 6.02Q, 23.02A, and 28.03 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 June 6, 2011 and voted 6-0 to recommend approval of the amendments based on the findings that changes are consistent with the development objectives of the community; and, **WHEREAS,** the Board has reviewed the proposed amendment and have reviewed the planning Commission discussion and have considered of 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 Sections 6A.22, 17.02B, 6.02Q, 23.02A, and 28.03 of Appendix A- Zoning, of the Code of ordinances of the Charter Township of Canton as provided in Attachment A. **ATTACHMENT A Zoning Ordinance Amendment 2011-2** Section 6A.22 of Appendix A- Zoning, of the Canton Township Code of Ordinances is hereby amended to read as follows: ARTICLE 6A-00. SIGNS. 6A.22. Master sign plans. 4. Design requirements for sign types only permitted as part of a master sign plan: a. Multiple tenant signs for projects of less than 40,000 square feet. Small site multiple tenant signs area and maximum dimensions for small-site multiple tenant signs for projects less than 40,000 square feet in gross floor area shall be permitted pursuant to this section in accordance with the following:

Zoning Category	Number of signs permitted	Area maximum	Height maximum	Width maximum	Design requirements
C-1	1	30 sq. ft	8 feet	10 feet	-Must meet all other normal ground sign requirements
C-2, C-3	1	42 sq. ft	8 feet	10 feet	- Must meet legibility per Section 6A.25
C-4					

Note: C-2, C-3, and C-4 include areas under the Central Business District and Corporate Overlay Districts.

b. Multiple tenant signs for projects ~~exceeding~~ 40,000 square feet or greater or a minimum of four acres. Multiple tenant signs for large projects meet the general requirements in the table and subparagraphs below, and shall be built in accordance with the multiple-tenant sign specification approved by the Township Board on file with the Planning Services Division.

Zoning Category	Gross leasable area of primary building	Number of signs permitted	Height (total sign)	Width (sign face)	Height (sign face)
C-2, C-3	40,000 sq. ft.	1	15 feet	8 feet 4 in.	11 feet
C-4, LL	200,000 sq. ft.	2	15 feet	8 feet 4 in.	11 feet

~~LL-R~~
Delete figure 6A.22.04 – Multiple Tenant Sign

Section 17.02, subsection B, of Appendix A- Zoning of the Canton Township Code of Ordinances is hereby amended to add building material sales establishments as a special land use in the C-3, Regional Commercial District as follows:

Article 17.00 C-3, REGIONAL COMMERCIAL DISTRICT

17.02. Permitted Uses and Structures

B. Special Land Uses.

19. ~~Building material sales establishments having outdoor garden centers and/or outdoor storage or storage in open or partially open structures, subject to the provisions in section 6.02 Q.5 for garden centers and section 6.02 Q.7.~~

Article 6.00 of Appendix A-Zoning of the Canton Township Code of Ordinances is hereby amended to create additional regulations for open air businesses in Section 6.02, subsection Q for building material sales establishments as follows:

Article 6.00 SITE DEVELOPMENT STANDARDS APPLICABLE TO SPECIFIC USES

6.02. Site Development Standards for Non-Residential Uses.

Q. Open air businesses. The following regulations shall apply to open air businesses:

7. ~~Building material sales establishments. Businesses which sell general building materials, which may also include outdoor garden centers, and stores or displays materials for sale outdoors or in open or partially open structures shall meet the additional following requirements:~~

- ~~The business shall be located on a lot or parcel which has frontage on a State of Michigan divided thorough fare having a right-of-way of at least 204 feet. The lot or parcel shall have a minimum frontage of 500 feet on the state thoroughfare and also have frontage on a paved County road having at least 86 feet of right-of-way.~~
- ~~Any portion of the site dedicated for storage in an open yard shall not exceed the square footage of the total of the primary building, including and partially enclosed structures connected directly to the primary building on the site.~~
- ~~Where an area dedicated for and identified as open storage or storage in open or partially open structures faces a public street or is directly adjacent to parcels zoned or used for residential purposes, the storage areas shall be screened with a 14 foot tall masonry wall that matches the same masonry used for the primary building.~~
- ~~Where the storage yard does not face a street or parcel used or zoned for residential purposes, this portion of the storage yard may be screened with a 14 foot tall screen which is comprised of a solid and opaque material. The Planning Commission may require compliance with the preceding requirement for matching masonry when it is determined that the screen is visible from the public street.~~
- ~~The portion of any parcel used for outside storage and/or display shall be located no closer than 250 feet from any other parcel zoned or used for residential purposes.~~
- ~~The only exception to the requirements relating to residentially zoned parcels is when the parcel is owned and permanently dedicated for use by a public utility for power transmission.~~
- ~~No merchandise or equipment may be stored or displayed outside of the approved storage yard or primary building.~~
- ~~Devices for the transmission of broadcasting of voice or music shall be prohibited outside of any building or structure.~~

- ~~Where an area dedicated for and identified as open storage or storage in open or partially open structures faces a public street or is directly adjacent to parcels zoned or used for residential purposes, the storage areas shall be screened with a 14 foot tall masonry wall that matches the same masonry used for the primary building.~~
- ~~Where the storage yard does not face a street or parcel used or zoned for residential purposes, this portion of the storage yard may be screened with a 14 foot tall screen which is comprised of a solid and opaque material. The Planning Commission may require compliance with the preceding requirement for matching masonry when it is determined that the screen is visible from the public street.~~
- ~~The portion of any parcel used for outside storage and/or display shall be located no closer than 250 feet from any other parcel zoned or used for residential purposes.~~
- ~~The only exception to the requirements relating to residentially zoned parcels is when the parcel is owned and permanently dedicated for use by a public utility for power transmission.~~
- ~~No merchandise or equipment may be stored or displayed outside of the approved storage yard or primary building.~~
- ~~Devices for the transmission of broadcasting of voice or music shall be prohibited outside of any building or structure.~~

Article 23 of Appendix A-Zoning of the Canton Township Code of Ordinances is hereby amended to read as follows:

ARTICLE 23.00. GI, GENERAL INDUSTRIAL DISTRICT

23.02. Permitted uses and structures.

A. Principal uses and structures.

15. ~~Lumberyards or building materials sales establishments having outside storage or storage in partially open structures,~~ subject to the following conditions:

Section 28.03 of Appendix A- Zoning of the Canton Township Code of Ordinances is hereby amended to read as follows:

28.03. Township planning commission.

The township planning commission shall have the following responsibilities and authority pursuant to this ordinance.

A.

~~Creation. The township planning commission is created and shall have all powers and duties pursuant to Michigan Public Act No. 168 of 1959 (MCL 125.321 et seq.) Public Act No. 33 of 2008 (MCL 125.3801 et seq.) as amended, the Township Planning Act Michigan Planning Enabling Act (MPEA). In accordance with Section 11 of Act 168 of 1959 (MCL 125.322), the planning commission shall have all the powers and duties provided for zoning boards created pursuant to Michigan Public Act 184 of 1943 (MCL 125.271 et seq.), as amended.~~

B.

~~Membership and operation. Members of the planning commission shall be appointed by the township supervisor with the approval of the township board of trustees. The membership shall be representative of the important segments of the community and shall also be representative of the entire territory of the township, to the extent practical. The qualifications of members, the term of each member, filling of vacancies, compensation of members, and operation of the planning commission shall be in accordance with Public Act 168 of 1959 (MCL 125.321 et seq.) No. 33 of 2008 (MCL 125.3801 et seq.), as amended.~~

~~In accordance with Section 5 of Public Act 168 of 1959 (MCL 125.326) Public Act No. 33 Of 2008 (MCL 125.3821), the planning commission by resolution shall determine the time and place of meetings. The planning commission shall hold not less than four regular meetings each year. A special meeting may be called by either two members upon written request to the secretary, or by the chairperson. The Planning Commission shall adopt rules for the transaction of business, and shall keep a public record of its resolutions, transactions, findings, and determinations.~~

C.

~~Jurisdiction. The planning commission shall discharge the following duties pursuant to this ordinance:~~

1. ~~Formulation of zoning ordinance and amendments. The planning commission shall be responsible for formulation of the zoning ordinance, review of amendments to the zoning ordinance, holding hearings on a proposed zoning ordinance or amendments, and reporting its findings and recommendations concerning the zoning ordinance or amendments to the township board of trustees.~~

2. ~~Site plan review. The planning commission shall be responsible for review of certain applications for site plan approval in accordance with section 27.02, sub-section C.7. As provided for in section 27.02, the planning commission shall be responsible for either making a determination to grant approval, approval subject to revisions, or denial of site plan approval, or it shall be responsible for making a recommendation for final action by the township board of trustees.~~

3. ~~Special land use review. The planning commission shall be responsible for holding hearings and review of all applications for special land use approval in accordance with Section 27.03, and making a recommendation to the township board of trustees to grant approval, approval subject to revisions, or denial of approval.~~

4. ~~Planned development review. The planning commission shall be responsible for holding hearings and review of all applications for planned development in accordance with Section 27.04. The planning commission shall be responsible for making a recommendation to the township board of trustees to grant approval, approval with conditions, or denial of a planned development proposal.~~

5. ~~Formulation of a basic plan. The planning commission shall be responsible for formulation and adoption of a basic plan (i.e., the Canton Township master land use plan) as a guide for the development of the Township, in accordance with Michigan Public Act No. 168 of 1959 (MCL 125.321 et seq.) 33 of 2008 (MCL 125.3837 et seq.), as amended.~~

6. ~~Review of matters referred by the township board. The planning commission shall be responsible for review of plats or other matters relating to land development referred to it by the Township Board of Trustees. The Planning Commission shall recommend appropriate regulations and action on such matters.~~

7. ~~Report on operation of the zoning ordinance. In accordance with Section 13 of Michigan Public Act No. 184 of 1943 (MCL 125.284) 33 of 2008 (MCL 125.3819), as amended, the planning commission shall periodically prepare for the township board of trustees a report on the operations of the zoning ordinance and the status of planning activities, including recommendations as to the enactment of amendments or supplements to the ordinance, regarding actions by the legislative body related to planning and development.~~

A zoning ordinance regulating the development and use of land has been adopted by the legislative body of the Township of Canton. In accordance with Public Act 110 of 2006 the zoning ordinance shall take effect July 14, 2011. The amended Zoning Ordinance may be purchased or inspected in Planning Services, Canton Township's Administration Building, 1150 Canton Center S., Canton, Michigan during business hours Monday through Friday, 8:30 a.m. to 5:00 p.m. **Item 2. CONSIDER APPROVING RENEWAL OF ONE YEAR LEASE FOR (4) HARLEY DAVIDSON MOTORCYCLES. (PSD)** Motion by Bennett, supported by Anthony to approve the one-year lease of (4) Harley-Davidson FLHTP motorcycles from Town & Country Sports Center, in Cement City, Michigan, in the amount of \$8,000.00; funding budgeted in Police Contractual Services, account #207-301.50-801.0050. Motion carried unanimously. **Item 3. CONSIDER APPROVAL OF PAYMENT OF WESTERN WAYNE COUNTY MUTUAL AID ASSOCIATION DUES. (PSD)** Motion by Bennett, supported by Taj to approve payment of the 2011 Western Wayne County Mutual Aid Association dues in the amount of \$10,400.26 from Fire Account # 206-336-50.960. Motion carried unanimously. **Item 4. APPROVAL OF BID FOR FIRE SAFETY SYSTEMS SERVICE AND EQUIPMENT. (CLS)** Motion by Bennett, supported by McLaughlin to approve the bid for Fire Safety Systems Service & Equipment for Township Buildings in the amount not to exceed \$13,412 from Vanguard Fire & Security Co., Inc., 2101 Martindale Ave SW, Grand Rapids, MI 49509. This bid includes \$9,412 of allocated funds as identified in the Budget Implementations & Account Numbers below and made a part of this resolution. An additional \$4,000 allowance is included in the contractor's bid to be applied for necessary corrective actions as identified in the inspections. Individual purchase orders will be issued for any necessary corrective repairs. Funds are to be paid out of the following accounts:

Administration	101-265-56.930_0020	\$ 855.00
Historical	101-803-930_0020	\$1,125.50
DPW	592-536.930_0020	\$ 277.20
DPW	592-537-930_0020	\$ 184.80
Fellows Creek Golf	584-697-78.930_0020	\$ 814.21
Fire Stations	206-336-50.930_0020	\$ 660.00
Parks Services Building	101-270-50.801_0050	\$ 440.00
Pheasant Run Golf	584-756-57.930_0020	\$ 587.15
Public Safety	207-301-50.930_0020	\$ 616.00
Summit on the Park	208-757-56.801_0050	\$1,130.17
The B.L.O.C.K.	101-691-61.801-0050	\$ 270.50
Fleet Maintenance	661-550.930_0020	\$ 361.50
Village Theater	101-760-56.801_0050	\$1,055.00
Western Wayne Narcotics	289.333.930	\$ 260.50
Kicker's	101-755-56.930_0020	\$ 774.47

Motion carried unanimously. **Item 5. APPROVAL OF TRANSFER FROM GENERAL FUND (#101) TO COVER DEFICITS IN PUBLIC IMPROVEMENT FUND (#245) AND GOLF COURSE FUND (#584). (FBD)** Motion by Bennett, supported by McLaughlin to approve the transfer of \$583,446 from the General fund to the Public Improvement fund (#245) and to transfer \$253,328 from the General fund (#101) to the Golf Course fund (#584), to eliminate the unrestricted fund balance deficits from the December 31st 2010 Audit. Further, I move to approve the deficit elimination plan for the Community Improvement fund which recognizes Grant monies received in April 2011. Motion carried unanimously. **OTHER:** Supervisor LaJoy presented Mr. George Miller with a letter that answered questions he asked at the June 14, 2011 Board meeting. Supervisor LaJoy stated the July 5, 2011 Board Study Meeting is cancelled. The next Board meeting will be July 12, 2011 at 7:00 p.m. in the Administration Building, First Floor, Board Room, 1150 Canton Center S., Canton, Michigan. The Township Administrative Office will be closed on July 1, 2011 for a Furlough Day. The Township Administrative Office will be closed on July 4, 2011 in observation of Independence Day. The Township Administrative Office will reopen on Tuesday, July 5, 2011 at 8:30 a.m. **ADJOURN:** Motion by Bennett, supported by Williams to adjourn at 7:31 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 after Board Approval. Publish: July 7, 2011