

Charter Township of Canton Board Proceedings-August 23, 2011

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, August 23, 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, Caccamo, LaJoy, McLaughlin, Taj, Williams Staff Present: Director Bilbrey-Honsowetz, Director Eva, Director Faas, Director Nemecek, Audrey Robinson **Adoption of Agenda** Motion by Taj, supported by Williams to approve the agenda as presented. Motion carried unanimously. **Approval of Minutes** Motion by Bennett, supported by Anthony to approve the Board Minutes of August 9, 2011. Roll Call Vote: Ayes: Anthony, Caccamo, LaJoy, McLaughlin, Taj, Williams Abstain: Bennett Nays: None Motion carried. **Payment of Bills** Motion by McLaughlin, supported by Anthony to approve payment of the bills as presented. Motion carried unanimously. **RECOGNITION: Item 1. CITIZENS RECOGNITIONS FOR MATTHEW LEWIS, JUSTIN SHANNON, SORIN OPRICAN, AMY ZINN AND MAX MILLS.** Motion by Bennett, supported by McLaughlin to adopt the resolution in recognition of Matthew Lewis, Justin Shannon, Sorin Oprican, Amy Zinn and Max Mills. Motion carried unanimously. **Item 2. RESOLUTION IN RECOGNITION OF MIKE KARLL** Motion by Bennett, supported by Taj to adopt the resolution in recognition of Mike Karll. Motion carried unanimously. **Item 3. RESOLUTION IN RECOGNITION OF TOM CASARI** Motion by Bennett, supported by Taj to adopt the resolution in recognition of Tom Casari. Motion carried unanimously. **Item 4. RESOLUTION IN RECOGNITION OF TODD CACCAMO** Motion by Bennett, supported by McLaughlin to adopt the resolution in recognition of Todd Caccamo. Motion carried unanimously. **Item 5. RESOLUTION IN RECOGNITION OF TERRY BENNETT** Motion by McLaughlin, supported by Williams to adopt the resolution in recognition of Terry Bennett. Motion carried unanimously. **Public Comments:** Senator Colbeck stated Senate Bill No. 7 impacts local municipalities as well as local school districts. This bill has yet to be passed in the house and senate and signed by the governor. This bill affects public employees and how much they pay towards their healthcare. Commonly referred to as the 20/80 Bill, employee's pay 20% and employers pay 80%. There is a handicap and threshold put in place associated with this bill. This ensures that the credit rating does not decrease and the taxpayers dollars pay for services and not bank interest. Senator Colbeck stated recently there were issues regarding the school aid budget that was passed recently. Senator Colbeck stated he looks forward to turning this state around on sound fiscal footing. Representative Heise stated he wanted to thank Terry Bennett with her help on the school board election bill which will also be voted on tomorrow by the state house. Representative Heise introduced this bill back in January which will move all school board elections for all school board members to the even numbered years beginning in 2012. This will increase voter turnout, increase voter awareness and also save money for school districts and local governments and put more money back into the class room. **CONSENT CALENDAR: Item 1. SECOND READING OF AN ORDINANCE AMENDMENT TO THE TOWNSHIP CODE OF ORDINANCES, CHAPTER 78, ARTICLE V BUILDING AND BUILDING REGULATIONS, FENCES, WALLS AND BORDERS SECTION 78-131 ZONING DISTRICT RESTRICTIONS: CUL-DE-SAC STREET.** (MSD) Motion by Bennett, supported by McLaughlin to remove from the table for the Second Reading of an ordinance amendment to the Township Code of Ordinances for Section 78-131 Zoning District Restrictions (4) c with a publication and effective date of September 1, 2011. Motion carried unanimously. **Proposed Change to the Fence Ordinance – Culs-de-sac** Section 78-131 Zoning district restrictions (4) c **Change the wording to read:** Culs-de-sac. When a lot at the closed end of a cul-de-sac street and the side yard is adjacent to a street, fences or walls may be extended beyond the front building line up to one foot from the sidewalk and shall not exceed the height of four feet along the side yard property line adjacent to the street. The amended Zoning Ordinance can be purchased or inspected in the Planning Services during regular business hours Monday-Friday, 8:30 a.m.-5:00 p.m. at the Administration Building, 1150 Canton Center S., Canton, Michigan **Item 2. APPLICATION FOR ONE DAY SPECIAL LIQUOR LICENSE.** (CLS) Motion by Bennett, supported by McLaughlin to authorize the sale and consumption of alcohol at The Canton Historical Society's "Brew, Brats & Bands at the Barn" fundraiser on Saturday, September 17, 2011; and furthermore; I move that the following resolution be adopted: That the Charter Township of Canton, through its duly elected officers, make application to the MLCC for a Special License for the sale of alcohol for consumption on the premises to be in effect on Saturday, September 17, 2011 at the Cady-Boyer Barn in Preservation Park located at 500 N. Ridge Road in Canton, Michigan, County of Wayne and that the Township Clerk be authorized to sign and submit this application Motion carried unanimously. **GENERAL CALENDAR: Item 1. AUTHORIZE AWARD OF BID FOR THE 2011 TREE REMOVAL PROJECT.** (MSD) Motion by Bennett, supported by Williams to approve the award of bid for dead tree and stump removal for the 2011 Tree Removal Project to Procure Tree Service, LLC for a total purchase order of \$6,000.00 (account 101-285-930-0070, Maintenance & Repair Grounds). Motion carried unanimously. **Item 2. CONSIDER SITE PLAN AND PDD AMENDMENT FOR REGENCY OF CANTON.** (MSD) Motion by Bennett, supported by Taj to adopt the resolution for the site plan and PDD amendment for Regency of Canton. Motion carried unanimously. **Item 3. FIRST READING TO TOWNSHIP CODE OF ORDINANCES, ADDING CHAPTER 46, ARTICLE IV, DIVISION 2 WEAPONS, SUBDIVISION I IN GENERAL, PROHIBITING THE UNLAWFUL USE AND DISPLAY OF REPLICA OR FACSIMILE OF FIREARMS.** (PSD) Motion by Bennett, supported by McLaughlin to introduce and table for consideration the "First Reading" of the Township Code of Ordinances, Chapter 46, Article IV, Division 2 Weapons, Subdivision I In General to prohibit the unlawful use and display of replica or facsimile of firearms. Further, I move to publish said ordinance on September 1, 2011 and consider removing it from the table for adoption on September 13, 2011, with a publication and effective date of September 22, 2011. Motion carried unanimously. **STATE OF MICHIGAN COUNTY OF WAYNE CHARTER TOWNSHIP OF CANTON CHAPTER 46 AN ORDINANCE TO ADD TO THE CHARTER TOWNSHIP OF CANTON CODE OF ORDINANCES; CHAPTER 46 OFFENSES AND MISCELLANEOUS PROVISIONS; ARTICLE IV OFFENSES INVOLVING PUBLIC SAFETY; DIVISION 2 WEAPONS; SUBDIVISION I IN GENERAL; PROHIBITING THE UNLAWFUL USE AND DISPLAY OF REPLICA OR FACSIMILE OF FIREARMS; PROVIDING FOR DEFINITION, SEVERABILITY, PUBLICATION AND EFFECTIVE DATE THE CHARTER TOWNSHIP OF CANTON ORDAINS: SECTION 1. ORDINANCE** Chapter 46 Offenses and Miscellaneous Provisions, Article IV Offenses Involving Public Safety, Division 2 Weapons, Subdivision I In General, is hereby amended to include: **Section 46-224. Replica or facsimile of firearm** (a) *Definition.* "Replica or facsimile of firearm" means any device or object made of plastic, wood, metal or any other material which is a replica, facsimile, imitation or toy version of any firearm including but not limited to, a replica, facsimile or toy version of a pistol, revolver, shotgun, sawed-off shotgun, rifle, machine gun, assault weapon, starter pistol, machine gun, rocket launcher, air gun, BB gun inoperative firearms, or other firearm. As used in this article, "replica or facsimile firearm" shall include, but are not limited to toy guns, theatrical production props models, or any other device or object which might reasonably be perceived to be real firearms. (b) Unlawful use of replica or facsimile of firearm (1) *Unlawful display of replica, toy or imitation gun.* It shall be unlawful for any person to carry, possess, brandish, aim, point, exhibit or display to any other person a replica or facsimile of a firearm in such a manner as to frighten, threaten, harass, panic or annoy any other person. (2) *Unlawful to carry or possess imitation gun in motor vehicle.* It shall be unlawful for any person to carry or possess, whether concealed or displayed, in a motor vehicle in an area of the vehicle accessible to the occupants thereof, a replica or a facsimile of a firearm with intent to brandish, use, aim or point such firearm to frighten, panic, threaten, harass or annoy any other person. Carrying or concealing of any such replica or facsimile firearm under or near the driver's seat, glove box or dashboard shall be a prima facie rebuttable inference of such intent. (3) *Unlawful to brandish replica or facsimile of firearm in presence of police officer, firefighter or emergency medical technician.* No person shall draw, exhibit or brandish a replica or facsimile of a firearm in the presence of a police officer, firefighter, medical emergency technician or paramedic who is engaged in the performance of his duties and the person committing such brandishing knows or has reason to know that such police officer, firefighter, medical emergency technician or paramedic is engaged in the performance of his duties. **SECTION 2. SEVERABILITY** If any clause, sentence, section, paragraph or part of this Ordinance, or application thereof to any person, firm, corporation, legal entity or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this Ordinance. **SECTION 3. REPEAL** 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 4. SAVINGS CLAUSE** All rights and duties which have mattered, 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 5. PUBLICATION** The Clerk for the Charter Township of Canton shall cause this Ordinance to be published in the manner required by law. **SECTION 6. EFFECTIVE DATE** This Ordinance shall take full force and effect upon publication as required by law. **Item 4. 2011/2012 BUDGET ADJUSTMENTS.** (FBD) Motion by Bennett, supported by Taj to approve the budget adjustments to the 2011 and 2012 budgets. Motion carried unanimously. **Item 5. ACCEPT RESIGNATION OF TRUSTEE TODD CACCAMO EFFECTIVE AUGUST 31, 2011.** (SUPERVISOR) Motion by Bennett, supported by McLaughlin to accept and file the resignation of Trustee Todd Caccamo effective August 31, 2011. Roll Call Vote: Ayes: Anthony, Bennett, LaJoy, McLaughlin, Taj Nays: Williams Abstain: Caccamo Motion carried. **OTHER:** Supervisor LaJoy read a press release indicating letter of interest and resumes of interested Canton residents, now being accepted for Board of Trustees appointment. The letter must contain the following: Name, Address, Political Party Affiliation, and a statement that the applicant is a registered voter. The letter should also state a reason for consideration as well as a summary of participation in organizations and activities that reflect a benefit to the community. This letter must be signed and dated and submitted to the Supervisor's office no later than Friday, September 9, 2011 by 4:00 p.m. Supervisor LaJoy stated it is Canton's intent to fill this vacancy by Tuesday, September 27, 2011 at the Board meeting. Trustee Williams stated this weekend is the Village Faire at Preservation Park on Sunday, August 28, 2011. The Canton Lions Corn Roast will also be featured at the barn. Supervisor LaJoy stated there is no study session next Tuesday, August 30, 2011, or Tuesday, September 6, 2011. The next Board meeting will be Tuesday, September 12, 2011 at 7:00 p.m. at the Administration Building, First Floor, Board Room, 1150 Canton Center S., Canton, Michigan. **ADJOURN:** Motion by Bennett, supported by Anthony to adjourn at 7:59 p.m. Motion carried unanimously. – Philip LaJoy, Supervisor – Terry G. Bennett, Clerk –