

Charter Township of Canton Board Proceedings-December 13, 2011

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, December 13, 2011 at 1150 Canton Center S., Canton, Michigan. Supervisor LaJoy called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance to the Flag.

Roll Call Members Present: Anthony, Bennett, Demopoulos, LaJoy, McLaughlin, Taj, Williams Staff Present: Director Bilbrey-Honsowetz, Director Eva, Director Faas, Director Nemecek

Adoption of Agenda Motion by Bennett, supported by Taj to approve the agenda as amended deleting from the Consent Calendar C-6 Authorize the Youth Sports Agreements (CLS). Motion carried unanimously. **Approval of Minutes** Motion by Bennett, supported by Taj to approve the Board Minutes of November 22, 2011. Motion carried unanimously. Motion by Bennett, supported by Anthony to approve the Board Study Minutes for November 29, 2011. Motion carried unanimously. **Payment of Bills** Motion by McLaughlin, supported by Williams to approve payment of the bills as presented. Motion carried unanimously. **PUBLIC HEARING: Item 1. CANTON LEISURE SERVICES FIVE YEAR MASTER PLAN 2011 – 2016. (CLS)** Motion by Bennett, supported by Demopoulos to open the public hearing at 6:03 p.m. to hear comment on Canton's Leisure Services Five Year Master Plan 2011-2016. Motion carried unanimously. There were no public comments either in favor or opposition of this Leisure Service Five Year Master Plan 2011-2016. Motion by Bennett, supported by Demopoulos to close the public hearing at 6:06 p.m. to hear comment on Canton's Leisure Services Five Year Master Plan 2011-2016. Motion carried unanimously. Motion by Bennett, supported by Taj to adopt the Canton Leisure Services Five Year Master Plan 2011-2016. Motion carried unanimously. **CONSENT CALENDAR: Item 1. CONSIDER AUTHORIZING THE TOWNSHIP CLERK TO SIGN THE ANNUAL MDOT PERMIT AND PERFORMANCE RESOLUTION FOR 2012. (MSD)** Motion by Bennett, supported by Taj to approve the Township Clerk as the designated officer to execute the 2012 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 unanimously. **Item 2. CONSIDER APPROVING THE RESOLUTIONS FOR THE THREE ANNUAL PERMITS AND AUTHORIZING THE TOWNSHIP CLERK'S SIGNATURE FOR WORK WITHIN THE WAYNE COUNTY RIGHT-OF-WAY DURING 2012. (MSD)** Motion by Bennett, supported by Taj to approve Resolution 1; Permit A-12038 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 2012 Annual Permit for Wayne County Department of Public Services. Motion carried unanimously. Motion by Bennett, supported by Taj to approve Resolution 2; Permit A-12093 allowing the township to occupy the right-of-way for pavement repair and restoration in 2012, and authorize the Township Clerk as the designated officer to sign the 2012 Annual Permit for Wayne County Department of Public Services. Motion carried unanimously. Motion by Bennett, supported by Taj to approve Resolution 3; Permit A-12081 allowing the township to perform Special Activities which temporarily occupy the Wayne County Road right-of-way in 2012, and authorize the Township Clerk as the designated officer to sign the 2012 Annual Permit for Wayne County Department of Public Services. Motion carried unanimously. **Item 3. ESTABLISHMENT AND USE OF "RECEIVING BOARDS" IN THE ELECTIONS SCHEDULED IN 2012. (CLERK)** Motion by Bennett, supported by McLaughlin to adopt the resolution establishing the use of one or more "Receiving Boards" to administer any 2012 elections scheduled in the Charter Township of Canton. Motion carried unanimously. **Item 4. REAPPOINTMENT 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 approves the re-appointment of ReGina Shamberger to the Commission for Culture, Arts & Heritage for a three-year term to expire December 31, 2014. Motion carried unanimously. **Item 5. APPROVE RISK AVOIDANCE PROGRAM (RAP) GRANT PROJECTS. (CLS)** Motion by Bennett, supported by McLaughlin to accept the Michigan Municipal Risk Management Authority's Risk Avoidance Program Grant in the total amount of \$12,448.83 for the purchase and installation of a Panic Alarm System for the Administration Building offices, installation of an Electronic Security System at the Parks Maintenance Yard and Human Services Center, and for an Orchestra Pit Safety Net at the Village Theater. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to award the contracts, as provided in the grant applications, to Advanced Satellite Communications, 12137 Merriman Rd., Livonia, MI 48150 in the amount of \$8,246.36 to install the panic alarms and \$7,651.30 to install the surveillance cameras to be taken from account # 101-265-56.970_0030. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to award the contract, as provided in the grant application, to Tobins Lake Sales, 11035 Hi Tech Dr, Whitmore Lake, MI 48189 in the amount of \$7,000 to install the Orchestra Pit Safety Net at the Village Theater to be taken from the following accounts #101-760-50.970_0030 (Capital Outlay Machinery/Equipment) in the amount of \$6,000 #101-760-20.970_0070 (Capital Outlay Office Equipment) in the amount of \$1,000. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to approve the following budget amendment: Decrease Maintenance Repair Accounts: 101-265-56.930_0030 (Maintenance and Repair of Machinery/Equipment) \$14,900 101-265-56.740 (Operating) \$997.66 Increase Capital Account: 101-265-56.970_0030 (Capital Outlay Machinery and Equipment) \$15,897.66. Motion carried unanimously. **Item 6. AUTHORIZE THE YOUTH SPORTS AGREEMENTS. (CLS)** DELETED **Item 7. SECOND READING TO TOWNSHIP CODE OF ORDINANCES AMENDING PART I GENERAL ORDINANCES, CHAPTER 58 SOLID WASTE, DIVISION 2, SECTIONS 58.51 – 58.54 PRESUMPTION REGARDING RESPONSIBILITY FOR LITTERING FROM A MOTOR VEHICLE. (SUPERVISOR)** Motion by Bennett, supported by McLaughlin to remove from the table, adopt and publish the "Second Reading" of the Amendment to the Township Code of Ordinances Part 1 General Ordinances, Chapter 58 Solid Waste, Article II Litter and Debris Control, Division 2 Litter, Section 58.51-58.54. Presumption regarding responsibility for littering from motor vehicle. **STATE OF MICHIGAN COUNTY OF WAYNE, CHARTER TOWNSHIP OF CANTON, SUMMARY OF AMENDMENT TO CHAPTER 58 SOLID WASTE ORDINANCE AN ORDINANCE OF THE CHARTER TOWNSHIP OF CANTON CODE OF ORDINANCES; AMENDING CHAPTER 58, SECTION 58-54(b) PRESUMPTION REGARDING RESPONSIBILITY FOR LITTERING FROM MOTOR VEHICLE, PROVIDING FOR DEFINITION, SEVERABILITY, PUBLICATION AND EFFECTIVE DATE THE CHARTER TOWNSHIP OF CANTON ORDAINS: SECTION 1. AMENDMENT TO THE CODE** Chapter 58 Solid Waste, Article II Litter and Debris Control, Division 2 Litter, Section 58-54(b) is hereby amended as follows: **Section 58-54 (b) Presumption regarding responsibility for littering from motor vehicle.** This section is amended, adopting Act 451 of 1994 Part 89, Littering, MCL 324.8904. The change will clarify that the driver of the vehicle has a rebuttable presumption of responsibility for littering from a motor vehicle rather than the owner. **SECTION 2. SEVERABILITY** This section provides that any unenforceable section can be severed from the rest of the Ordinance. **SECTION 3. REPEAL OF INCONSISTENT ORDINANCES** This section provides that 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** This section provides that 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. Copies of the complete text of this Ordinance are available at the office of the Clerk of Charter Township of Canton, 1150 S. Canton Center Road, Canton, MI 48188, during regular business hours. Motion carried unanimously. **GENERAL CALENDAR: Item 1. CONSIDER UPTOWN APARTMENT – RIDGE PARCEL SITE PLAN. (MSD)** Motion by Bennett, supported by McLaughlin to adopt the resolution for the approval of the site plan for Uptown Apartments – Ridge Parcel. Motion carried unanimously. **Item 2. CONSIDER SITE PLAN FOR DEVZ PLAZA. (MSD)** Motion by Bennett, supported by McLaughlin to adopt the resolution for the site plan for Devz Plaza. Motion carried unanimously. **Item 3. CONSIDER FIRST READING OF CODE OF ORDINANCE AMENDMENTS, SECTION 86-38, ARTICLE II, ENTITLED "BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD" IN ORDER TO ADOPT NEW FLOOD INSURANCE RATE MAPS. (MSD)** Motion by Bennett, supported by McLaughlin to introduce the first reading to consider the 2011 Code of Ordinance Amendment to Chapter 86, Section 86-38, Article II, Entitled "Basis for Establishing Areas of Special Flood Hazard" in Order to Adopt New Flood Insurance Rate Maps. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to table the first reading to consider amendment to Chapter 86, Section 86-38, Article II, Entitled "Basis for Establishing Areas of Special Flood Hazard" in Order to Adopt New Flood Insurance rate Maps. The second reading will be January 10, 2012 with publication and effective date of January 19, 2012. Motion carried unanimously. **Section 86-38 is hereby amended with the following changes:** Sec. 86-38 – Basis for establishing areas of special flood hazard. (a) The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study Wayne County, MI" effective February 2, 2012, with accompanying flood insurance rate maps and flood boundary-floodway maps, as well as the floodplain management regulations that meet the standards of Paragraph 60.3(d) of the NFIP regulations (44CFR 59, etc.), is hereby adopted by reference and declared to be a part of this article. The flood insurance study is on file at the Building and Inspection Services Division, Charter Township of Canton General Offices, 1150 S. Canton Center Road, Canton, MI 48188. (b) Flood hazard areas additional to those areas described in the flood insurance study may exist in the township. The location of these areas shall be designated by the building official upon determination by the township engineer utilizing the best available floodplain data. Introduced: December 13, 2011 **Item 4. CONSIDER AUTHORIZING JOHNSON-ROSATI TO FILE A CONDEMNATION LAWSUIT AGAINST PARTIES FOR ACQUISITION OF EASEMENTS TO RE-ROUTE AN EXISTING SANITARY SEWER FORCE MAIN NEAR THE INTERSECTION OF WARREN AND LOTZ ROADS. (MSD)** Motion by Bennett, supported by McLaughlin to authorize the law firm of Johnson-Rosati to initiate legal action on behalf of the Township to condemn a sanitary sewer easements on the undeveloped Warren-Lotz Industrial Park (Sidwell No. 045-99-0014-701). Motion carried unanimously. **Item 5. PURCHASE OF BLACK AND WHITE COPIER FOR THE MAIL ROOM. (CLERK)** Motion by Bennett, supported by McLaughlin to award the purchase of a Toshiba Studio 655 Copier/Printer/Scanner to Millennium Business Systems, 33140 Industrial Rd., Livonia, MI 48150 in the amount of \$9,712.00 from 2012 account number 101-215.970_0060. Motion carried unanimously. **Item 6. AUTHORIZE BUDGET ADJUSTMENTS AND PURCHASES FOR BROADCAST OF CANTON COMMUNITY TELEVISION ON AT&T U-VERSE. (CLS)** Motion by Bennett, supported by Taj to approve the purchase of a single port video encoder from AVI Systems in the amount of \$9,200 from Account #230-250.970_0060. I further move to approve the purchase of internet service bandwidth through AT&T U-Verse in the amount of \$375/month to be taken from Account #230-250.801_0050. Motion carried unanimously. **Item 7. AMEND PARTICIPATION AGREEMENT WITH KICKERS OF CANTON, LLC. (CLS)** Motion by Bennett, supported by McLaughlin to amend the Participation Agreement with Kickers of Canton, LLC and authorize the Township Supervisor and Clerk to sign the agreement. Motion carried unanimously. **Item 8. AUTHORIZE THE RENEWAL OF FUEL CONTRACT FOR PARKS AND GOLF MAINTENANCE. (CLS)** Motion by Bennett, supported by Williams to award the extension of the current contract for unleaded gas and diesel fuel for Parks and Golf Maintenance to Oakland Fuels, Inc., 3943 Airport Rd., Waterford, MI 48329, in the amount of \$110,000 with funds to be taken from the Parks Budget Account #101-270-50.860/ Transportation for \$75,000, and the Pheasant Run Golf Club Budget Account #584-756-75.860/ Transportation for \$35,000. Motion carried unanimously. **Item. 9. 2011 BUDGET ADJUSTMENTS. (FBD)** Motion by Bennett, supported by Williams to approve the budget adjustments to the 2011 budget. Motion carried unanimously. **OTHER:** Supervisor LaJoy stated he would like to recognize the Goodfellow volunteers who raised \$10,800 (increased \$2,400 from last year) last Saturday for the "No Child Without a Christmas" program. Supervisor LaJoy wished to thank John and Nancy Spencer, Karl Zarbo and Noreen Rybar for their leadership of this program, as well as all the people on the committee and volunteers. Supervisor LaJoy stated citizens are asked to ring in the New Year at the Village Theater, entertained by the Time Machine Band from 9:00 p.m. till 1:00 a.m. adult only event. There will be a strolling buffet, non-alcoholic beverages; dessert, favors, a champagne toast and a cash bar will be available. To obtain tickets call 734-394-5300 or on-line at www.cantonvillage theater.org. Trustee Anthony stated in the Canton Observer this week, two residents, Merl Davis and Charlie White competed and took first place in the ISU Grand Prix Gold Medal on Sunday in Quebec City. These reigning world champions train at the Artic Ice Arena in Canton. **ADJOURN:** Motion by Bennett, supported by Anthony to adjourn at 6:42 p.m. Motion carried unanimously. Motion by Bennett, supported by Demopoulos to open the study session on proposed budgets for 2013 at 6:54 p.m. Motion carried unanimously. **Roll Call** Members Present: Anthony, Bennett, Demopoulos, LaJoy, McLaughlin, Taj, Williams Staff Present: Director Eva, Carolyn Cox **STUDY SESSION: Item 1. BUDGET (FBD)** The Board held a preliminary discussion regarding the proposed 2013 budgets for Supervisor, Clerk and Finance. Complete proposed 2013 budgets are available in the Clerk's office for review during regular business hours. The Special Study Session for the 2013 proposed Budget for Public Safety, Leisure Services and Municipal Services is scheduled for 6:00 p.m. on Thursday, December 15, 2011 at the Administration Building, First Floor, Board Room, 1150 Canton Center S., Canton, Michigan. The Board meeting for December 20, 2011 has been cancelled. The next meeting will be a Special Board meeting scheduled for Thursday, December 22, 2011 at 7:00 p.m. at the Administration Building, First Floor, Board Room, 1150 Canton Center S., Canton, Michigan. Motion by Anthony, supported by Williams to adjourn at 7:50 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 Clerk's 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: December 22, 2011