

Charter Township of Canton Board Proceedings-April 10, 2012

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, April 10, 2012 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: Bennett, Bennett, Demopoulos, LaJoy, McLaughlin, Taj, Williams Staff Present: Director Bilbrey-Honsowetz, Director Eva, Director Faas, Director Nemecek, Kristin Kolb, Carolyn Cox **Adoption of Agenda** Motion by Bennett, supported by Williams to approve the agenda as amended deleting G-5 Consider Approving Fee Increase for Precious Metal Dealer Certificate (PSD). Motion carried unanimously. **Approval of Minutes** Motion by Bennett, supported by McLaughlin to approve the Board Study Minutes of March 20, 2012. Motion carried unanimously. Motion by Bennett, supported by Anthony to approve the Board Minutes of March 27, 2012. Motion carried unanimously. **Payment of Bills** Motion by McLaughlin, supported by Williams to approve payment of the bills as presented. Motion carried unanimously. **RECOGNITION: Item 1. RESOLUTION RECOGNIZING RETIRED CANINE OFFICER PANCHE. (PSD)** Motion by Williams, supported by Demopoulos to adopt the resolution recognizing retired canine Officer Pancho. Motion carried unanimously. **CONSENT CALENDAR: Item 1. SET PUBLIC HEARING DATE TO CONSIDER REQUEST FROM GREENFIELD DIE AND MANUFACTURING TO AMEND INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE. (SUPERVISOR)** Motion by Bennett, supported by Williams to set the public hearing for May 8, 2012, to consider the amendment of Greenfield Die and Manufacturing's Industrial Facilities Certificate for personal property at their facility located at 7295 Haggerty Road. Motion carried unanimously. **Item 2. CONSIDER REAPPOINTMENT OF DOWNTOWN DEVELOPMENT AUTHORITY BOARD MEMBERS. (MSD)** Motion by Bennett, supported by Williams to reappoint Laura Giove, Greg Greene, and Melissa McLaughlin to the Canton Downtown Development Authority for a term of four years each to expire on April 10, 2016. Motion carried unanimously. **Item 3. CONSIDER APPROVING POLICE BUDGET AMENDMENT – CONTINUATION OF BYRNE JAG INTO 2012. (PSD)** Motion by Bennett, supported by Williams to approve the budget amendment to the police fund to include the remaining balance of \$250,000 from the Byrne JAG Grant 2009 500081-1-09-B: Increase Revenues: Federal Grant-LLEBG/JAG #207-000-501 \$250,000.00 Increase Appropriations: Police Program Exp JAG #207-301-50.743.0012 \$250,000.00 Motion carried unanimously. **GENERAL CALENDAR: Item 1. FIRST READING OF AMENDMENT TO TOWNSHIP CODE OF ORDINANCES, AMENDING CHAPTER 70, SECTION 70-1, ADOPTION OF UNIFORM TRAFFIC CODE FOR STATE STATUTES RELATING TO SNOWMOBILE AND OFF-ROAD VEHICLES. (SUPERVISOR)** Motion by Bennett, supported by Williams to introduce and table the first reading of an amendment to the Township Code of Ordinances, Chapter 70, Section 70-1, Adoption of Uniform Traffic Code for Michigan Cities, Townships and Villages; Michigan Vehicle Code and state statutes relating to snowmobile and off-road vehicles. Further, I move to publish said amendment on April 19, 2012, and consider a second reading and adopting on text amendment on April 24, 2012, with a publication and effective date of May 3, 2012. Motion carried unanimously. **STATE OF MICHIGAN, COUNTY OF WAYNE, CHARTER TOWNSHIP OF CANTON, CHAPTER 70, AN ORDINANCE TO AMEND CHAPTER 70, TRAFFIC AND VEHICLES, ARTICLE II, MICHIGAN VEHICLE CODE, OF THE CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF CANTON TO ADOPT BY REFERENCE MCL 257.625(1)(c). THE CHARTER TOWNSHIP OF CANTON ORDAINS: SECTION 1. AMENDMENT TO CODE Section 70-1, Adoption of Uniform Traffic Code for Michigan Cities, Townships and Villages; Michigan Vehicle Code and state statutes relating to snowmobile and off-road vehicles, is hereby amended to read as follows: (a) - (b) [Unchanged.] (c) *Penalties.* (1) Except as provided in (2), the penalties provided by the Uniform Traffic Code, the pertinent provisions of the Michigan Motor Vehicle Code and the pertinent provisions of the Natural Resources and Environmental Protection Act herein above adopted by reference are hereby adopted as the penalties for violations of the corresponding provisions of this article. (2) In accordance with Public Act No. 8 of the Public Acts of 2012, a violation of Section 625(1)(c) of the Michigan Motor Vehicle Code (being MCL 257.625) shall be a misdemeanor, and shall be punishable by one or more of the following: a. Community service for not more than 360 hours. b. Imprisonment of not more than 180 days. c. A fine of not less than \$200.00 or more than \$700.00. **SECTION 2. VIOLATION AND PENALTY** Any person or entity that violates any provision of this Ordinance may, upon conviction, be sentenced to community service for not more than 360 hours, fined not less than Two Hundred (\$200.00), or more than Seven Hundred (\$700.00) Dollars or imprisoned for not more than One Hundred Eighty (180) days, or both, at the discretion of the court. **SECTION 3. SEVERABILITY** If any clause, sentence, section, paragraph or part of this Ordinance, or the application of 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. It is hereby declared to the legislative intent of this body that the Ordinance is severable, and that the Ordinance would have been adopted had such invalid or unconstitutional provisions not have been included in this ordinance. **SECTION 4. REPEAL OF CONFLICTING ORDINANCES** All Ordinance or parts of Ordinance is conflict herewith is hereby repealed only to the extent necessary to give this Ordinance full force and effect. **SECTION 5. SAVINGS CLAUSE** All rights and duties which have matured 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 6. PUBLICATION** The Clerk for the Charter Township of Canton shall cause this Ordinance to be published in the manner required by law. **SECTION 7. EFFECTIVE DATE** This Ordinance, as amended, shall take full force and effect upon publication as required by law. **Item 2. CONSIDER THE ADOPTION OF THE RECOMMENDATIONS FROM MUNICIPAL SERVICE AND FINANCE AND BUDGET ON THE 2012 WATER AND SEWER RATES. (MSD)** Motion by Bennett, supported by McLaughlin to adopt the 2012 water and sewer rate study. Motion carried unanimously. **Item 3. CONSIDER FIRST READING OF CODE OF ORDINANCE AMENDMENTS TO PART I, CHAPTER 74 ENTITLED "UTILITIES", ARTICLE II, DIVISION 2, SUBDIVISION II ENTITLED "SCHEDULE OF RATES AND CHARGES", SECTION 74-83. (MSD)** Motion by Bennett, supported by Taj to introduce and table for consideration the first reading of the Code of Ordinance amendments to Part I, Chapter 74 Entitled "UTILITIES", Article II, Division 2, Subdivision II entitled "SCHEDULE OF RATES AND CHARGES", Section 74-83 with publication on April 19, 2012, and then remove from the table and for a Second Reading on April 24, 2012 with publication and effective date of May 3, 2012. Motion carried unanimously. **LEGAL SUMMARY STATE OF MICHIGAN, COUNTY OF WAYNE, CHARTER TOWNSHIP OF CANTON AMENDMENT TO CODE OF ORDINANCES CHAPTER 74 UTILITIES ORDINANCE, PART I AN ORDINANCE AMENDING THE CHARTER TOWNSHIP OF CANTON CODE OF ORDINANCES PART I, CHAPTER 74 ENTITLED "UTILITIES", ARTICLE II, DIVISION 2, SUBDIVISION II ENTITLED "SCHEDULE OF RATES AND CHARGES", SECTION 74-83. THE AMENDMENTS TO SUB-SECTION (a) PROVIDE FOR REVISED WATER RATES AND CHARGES. THE AMENDMENTS TO SUB-SECTION (b) PROVIDE FOR REVISED SEWER RATES AND CHARGES. THE CHARTER TOWNSHIP OF CANTON ORDAINS: SECTION 1. AMENDMENT TO THE CODE** This Ordinance is hereby adopted to amend Part I, Chapter 74, Article II, Division 2, Subdivision II, Section 74-83(a) water rates and charges and Section 74-83(b) sewer rates and charges. **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 Ordinances, or part of the 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 been 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 Charter Township of Canton, 1150 S. Canton Center Road, Canton, Michigan, 48188, during regular business hours. **Item 4. CONSIDER AWARD OF CONTRACT FOR ENGINEERING DESIGN AND CONSTRUCTION MANAGEMENT: WARREN/LOTZ SANITARY SEWER PUMP STATION ANALYSIS AND UPGRADE TO STANTEC CONSULTING. (MSD)** Motion by Bennett, supported by McLaughlin to award a contract for consultant services for the Engineering and Design and Construction Management: Warren/Lotz Sanitary Sewer Pump Station Analysis and Upgrade to Stantec Consulting and to direct Finance and Budget to create a Purchase Order in the amount of \$52,400.00 plus a 10% contingency for a total of \$57,640.00 (account number 402-302.801_0030) for Stantec Consulting. Motion carried unanimously. **Item 5. CONSIDER APPROVING FEE INCREASE FOR PRECIOUS METAL DEALER CERTIFICATE. (PSD)** DELETED **Item 6. REPLACEMENT OF STOLEN TRAIL UTILITY VEHICLE. (CLS)** Motion by Bennett, supported by McLaughlin to approve the purchase for the replacement of the stolen Trail Utility Vehicle in the amount of \$18,294.55 from Weingartz, 46061 Van Dyke Avenue, Utica, MI 48317. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to approve the following budget amendment to the 2012 General Fund Budget: Increase to Expenses: Parks Equipment Capital #101-270-50.970_0030 \$18,294.55 Increase Revenues: Insurance Settlements #101-000.696 \$18,294.55. Motion carried unanimously. **Item 7. CLS BUDGET AMENDMENT FOR 800 MHZ RADIO SYSTEM. (CLS)** Motion by Bennett, supported by Taj to approve the following 2012 budget amendment for the 800 MHz Radio System: Increase Capital Outlay – Computers and Equipment: 101-270-50.970_0010 \$8,592 Increase Fund Balance Appropriation: 101-000.695 \$8,592 Motion carried unanimously. **Item 8. APPROVAL OF RESOLUTION AUTHORIZING THE ISSUANCE OF REFUNDING BONDS BY WTUA AND PLEDGING THE TOWNSHIPS LIMITED TAX FULL FAITH AND CREDIT. (FBD)** Motion by Bennett, supported by Williams to adopt the resolution to authorize the refunding bond issuance for the WTUA Sewage Disposal System Bonds, Series 2002, dated November 1, 2002 and further reaffirm the Township pledge of the Limited Tax Full Faith and Credit. Motion carried unanimously. **Item 9. BUDGET ADJUSTMENT – NEIGHBORHOOD STABILIZATION PROGRAM. (MSD)** Motion by Bennett, supported by Taj to approve the following 2012 budget adjustments recognizing the HUD Federal grant revenue and program income. 276-000.501 Federal Grants \$314,744 276-000.501_1000 Federal Grants Program Income \$1,000,000 276-665.890 Housing Rehabilitation \$1,252,744 276-665.705_0010 Salaries and Wages - Full Time \$62,000 Motion carried unanimously. **OTHER:** Trustee Taj stated there will be a Health Fair at the Hindu Temple on Canton Center Road on April 15th and April 22nd at 11:00 a.m. There will also be a Health Fair at Geneva Presbyterian Church on Sheldon Road on April 21, 2012 from 8:00 a.m. – 2:00 p.m. The next Board Study Meeting will be held on Tuesday, April 17, 2012 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 7:48 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: April 19, 2012

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