Charter Township of Canton Board Proceedings - November 26, 2013

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, November 26, 2013 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, Sneideman, Williams, Yack Members Absent: None. Staff Present: Director Bilbrey-Honsowetz, Director Trumbull, Director Faas, Director Mutchler, Kristin Kolb. Adoption of Agenda: Motion by Bennett, supported by Williams to approve the agenda as presented. Motion carried by all members present. Approval of Minutes Motion by Bennett, supported by Sneideman to approve the Board Minutes of November 12, 2013 as presented. Motion carried unanimously. Citizen's Non-Agenda Item Comments: None. Payment of Bills Motion by McLaughlin, supported by * to approve payment of the bills as presented. Motion carried unanimously.

Expenditure Recap for November 26, 2013						
General Fund	101	\$	402,121.68	Cap Proj-Summit Const	402	209,548.01
Fire Fund	206		282,335.14	Golf Fund	584	18,909.53
Police Fund	207		408,349.68	Water & Sewer Fund	592	1,443,933.63
Summit Operating	208		61,752.84	Fleet Maintenance	661	23,450.59
Cable TV Fund	230		6,619.78	Trust & Agency Fund	701	3,805.00
Twp Improvement	246		80,676.79	Construction Escrows	702	3,531.75
Downtown Dev. Auth.	248		24,193.19	Post Employ. Benefits	736	7,774.54
Auto Forfeiture(wwa)	267		6,195.03			
Federal Grants Fund	274		389.00	Total - All Funds		2,983,586,1

RECOGNITION: Item 1. PROMOTION RECOGNITIONS - POLICE SERGEANTS • Sergeant Gregory DeGrand, 12 years of service• Sergeant Michael Kennedy, 12 years of service• Sergeant Dale Waltz, 14 years of service. CONSENT CALENDAR: Item 1.CONSIDER 2014 MEETING DATES FOR THE COMMISSION FOR CULTURE, ARTS & HERITAGE. (CLS) Motion by Bennett, supported by McLaughlin establish the meeting dates for the Canton Commission for Culture, Arts & Heritage meeting schedule at 7:00 p.m. in the Lower Level Meeting Room E of the Administration Building, 1150 S. Canton Center Road, quarterly on the designation of the Administration Building, 1150 S. Canton Center Road, quarterly on the designation of the Administration Building, 1150 S. Canton Center Road, quarterly on the designation of the Administration Building, 1150 S. Canton Center Road, quarterly on the designation of the Administration Building, 1150 S. Canton Center Road, quarterly on the designation of the Administration Building, 1150 S. Canton Center Road, quarterly on the designation of the Administration Building, 1150 S. Canton Center Road, quarterly on the designation of the Administration Building, 1150 S. Canton Center Road, quarterly on the designation of the Administration Building, 1150 S. Canton Center Road, quarterly on the designation of the Administration Building, 1150 S. Canton Center Road, quarterly on the designation of the Administration Building, 1150 S. Canton Center Road, quarterly on the designation of the Administration Building, 1150 S. Canton Center Road, quarterly on the designation of the Administration Building, 1150 S. Canton Center Road, quarterly on the designation of the Administration Building at the Administration Build nated Monday of the established months. Meeting Dates: February 10, 2014, May 12, 2014, August 11, 2014, November 17, 2014. Motion carried unanimously. Item 2. 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 approve the re-appointment of Cecilia Escobar to the Commission for Culture, Arts & Heritage for a three-year term to expire December 31, 2016. Motion carried unanimously. GENERAL CALENDAR: Item 1. CONSIDER FIRST READING OF CODE OF ORDINANCE AMENDMENTS FOR THE CORPORATE PARK OVERLAY AREA. (MSD)_Motion by Bennett, supported by McLaughlin to introduce and hold the first reading of the proposed amendment to Article 6.08 of Appendix A- Zoning, of the Code of Ordinances amending the applicable area of the Corporate Park Overly as provided in the attached ordinance and map. Motion carried unanimously. Motion by Bennett, seconded by Sneideman to table consideration of the amendment for a second reading and one December 10, 2013. Motion carried unanimously. STATE OF MICHIGAN COUNTY OF WAYNE CHARTER TOWNSHIP OF CANTON AN ORDINANCE AMENDING APPEN-DIX A – ZONING, OF THE CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF CANTON, MICHIGAN, BY AMENDING ARTICLE 6.00 - SITE DEVELOPMENT STANDARDS APPLICABLE TO SPECIFIC USES, SPECIFICALLY SECTION 6.08, SITE DEVELOPMENT STANDARDS FOR THE CORPORATE PARK OVERLAY DISTRICT; TO AMEND THE APPLICABLE AREA.THE CHARTER TOWNSHIP OF CANTON ORDAINS: PART I. ARTICLE 6.00 – SITE DEVELOPMENT STANDARDS APPLICABLE TO SPECIFIC USES Sec. 6.08. – Site development standards for the corporate park overlay district. A. [Unchanged.] B. Applicable Area. The proposed Canton Corporate Park overlay district encompasses the area east of I-275, west of the township line, south of the industrial zoning south of Warren Kopperniek Road, and north of the Detroit Edison ITC ead right of way, as illustrated in figure 6.08B.1. power lines, just north of Cherry Hill Road, ne C. - G. [Unchanged.] PART II. Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated. **PART III.** Savings Clause. The amendment of the Canton Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired, or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Canton Code of Ordinances set forth in this Ordinance. PART IV. Repealer. All other Ordinances or part of Ordinances in conflict herewith are hereby repealed only to the extent to give this Ordinance full force and effect. PART V. Publication. The Clerk for the Charter Township of Canton shall cause the ordinance to be published in the manner required by law. PART VI. Effective Date. A public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption of publications of a notice in a newspaper circulated in Canton Township stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the Township Clerk during the hours of 8:30 AM to 4:30 PM, Local Time. The provision of this Ordinance shall become effective seven (7) days after its publication. CERTIFICATION The foregoing Ordinance was duly adopted by the Township Board of Trustees of the Charter Township of Canton at its regular meeting called and held on the day of , 2013, and was ordered to be given publication in the manner required

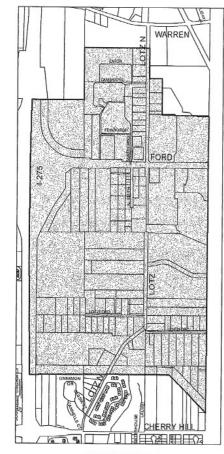


FIGURE 6.08.B.1

CANTON CORPORATE PARK OVERLAY

CREATED BY:
CANTON FWP. PLANNING SERVICES
1150 S. CANTON CENTER ROAD
CANTON, MI 45188
(734)394-5170
CREATED ON:
September 27, 2013

Terry Bennett, Clerk

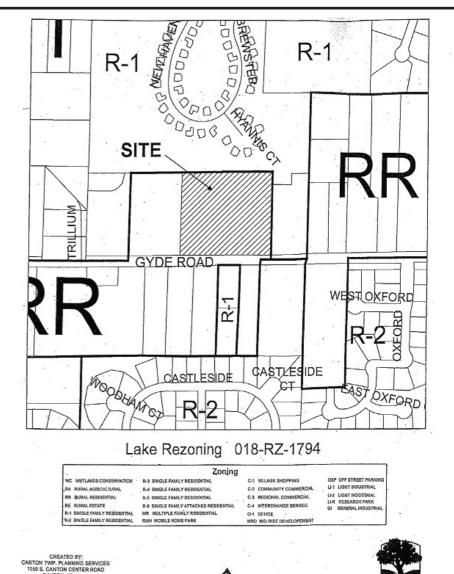
Introduced: November 26, 2013:





Item 2. CONSIDER SITE PLAN APPROVAL FOR THE ENCLAVE AT BROWNSTONE APARTMENTS. (MSD)Motion by Bennett, supported by McLaughin to adopt the resolution for approval for the Enclave at Brownstone Apartments. Motion carried unanimously. RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Site Plan for Enclaves at Brownstone Apartments WHEREAS, the Project Sponsor, Mr. Richard Batt, has requested site plan approval for Enclaves at Brownstone Apartments to be located on Haggerty Road between Palmer and Michigan Avenue, identified as tax EDP #101-99-0005-000 and 101-99-0006-000; and. WHEREAS, the Planning Commission reviewed the site plan and made a recommendation to approve the request to grant site plan approval including the conditions and modifications summarized in the attached written analysis and recommendation. NOW THERE-FORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the request of the petitioner, Mr. Richard Batt, to approve the site plan for the proposed Enclaves at Brownstone Apartments conditioned upon submission of a satisfactory "No Parking Fire Lane" sign plan and subject to any and all state and local development regulations and further subject to any conditions recommended by the Planning Commission and staff, as described in the analysis and recommendation attached hereto and made a part hereof. Item 3. CONSIDER APPROVAL OF A MINOR PLANNED DEVELOPMENT AND PRELIMINARY SITE PLAN FOR HICKORY RIDGE. (MSD) Motion by Bennett, supported by McLaughlin to adopt the resolution for Hickory Ridge Minor Planned Development and Preliminary Site Plan. Motion carried unanimously. RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Hickory Ridge Minor Planned Development and Preliminary Site Plan WHEREAS, the Project Sponsor, Mr. Michael Priest, has requested approval of the Minor Planned Development Agreement and Preliminary Site Plan for Hickory Ridge to be located between Saltz and Ford Roads, identified as tax EDP # 066-99-0007-000; 066-99-0008-000; 066-99-0011-702 and 066-99-0012-702; WHEREAS, the Planning Commission reviewed the site plan and made a recommendation to approve the request to grant approval of the Minor Planned Development Agreement and Preliminary Site Plan, as summarized in the attached written analysis and recommendation. NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the request of the petitioner, Mr. Michael Priest, to approve the Minor Planned Development Agreement and preliminary site plan for the proposed Hickory Ridge subject to any and all state and local development regulations and further subject to any conditions recommended by the Planning Commission and staff, as described in the analysis and recommendation attached hereto and made a part hereof. Item 4. CONSIDER FIRST READING OF CODE OF ORDINANCE AMENDMENTS FOR THE LAKE REZONING. (MSD) Motion by Bennett, supported by McLaughlin to introduce and hold the first reading of the proposed amendment to the zoning map found in Appendix A- Zoning, of the Code of Ordinances for the Lake Rezoning as provided in the attached ordinance and map. Motion by Bennett, second by Sneideman to table consideration of the amendment for a second reading on December 10, 2013. Motion carried unanimously. STATE OF MICHIGAN COUNTY OF WAYNE CHARTER TOWNSHIP OF CANTON AN ORDINANCE AMENDING ARTICLE 8.00 OF APPENDIX A - ZONING, OF THE CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF CANTON, MICHIGAN WHICH AMENDS THE ZONING DISTRICT BOUNDARIES ON THE ZONING MAP THE CHARTER TOWNSHIP OF CANTON ORDAINS: PART I. ARTICLE 8.00 - ESTABLISHMENT OF ZONING DISTRICTS AND MAP Pursuant to Section 27.06 of Appendix A Zoning, the zoning map is hereby amended by changing the zoning on parcel no. 018-99-0006-000 from RR, Rural Residential to R-1, Single-Family Residential District as shown on the attached zoning map. PART II. Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated. PART III. Savings Clause. The amendment of the Canton Code of Ordinances set forth in this Ordinance does not affect or impair any act done. offense committed, or right accruing, accrued, or acquired, or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Canton Code of Ordinances set forth in this Ordinance. PART IV. Repealer. All other Ordinances or part of Ordinances in conflict herewith are hereby repealed only to the extent to give this Ordinance full force and effect. PART V. Publication. The Clerk for the Charter Township of Canton shall cause the ordinance to be published in the manner required by law. Part VI. Effective Date. A public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption of publications of a notice in a newspaper circulated in Canton Township stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the Township Clerk during the hours of 8:30 AM to 4:30 PM, Local Time. The provision of this Ordinance shall become effective seven (7) days after its publication. CERTIFICATION The foregoing Ordinance was duly adopted by the Township Board of Trustees of the Charter Township of Canton at its regular meeting called and held on the ---- day of -----, 2013, and was ordered to be given publication in the manner required by

Terry Bennett, Clerk



CONSIDER AUTHORIZING PAYMENT OF CANTON'S PUBLIC WATER SUPPLY ANNUAL FEE TO THE STATE **OF MICHIGAN.** (MSD) Motion by Bennett, supported by Williams to authorize payment of Canton's Public Water Supply Annual Fee to the State of Michigan in the amount of \$16,842.81. Motion carried unanimously. **Item 6. CONSIDER A CHANGE ORDER FOR** WADE TRIM ASSOCIATES TO PERFORM CONSTRUCTION, ENGINEERING, AND ADMINISTRATION SERVICES FOR THE PHASE 3 SANITARY RELIEF SEWER PROJECT. (MSD) Motion by Bennett, supported by Sneideman to authorize a change order to Wade Trim Associates for construction engineering services on the ITC pathway project for an amount not to exceed \$45,000 by increasing Purchase Order 2013-513. Motion carried unanimously. Item 7. CONSIDER WAIVING THE POLICY REQUIRING FORMAL BIDS IN ORDER TO EXPEDITE DEMOLITION OF A DANGERIOUS BUILDING AT 43130 CARLISLE COURT. (MSD) Motion by Bennett, supported by McLaughlin to confirm the order of the hearing officer, and approve the demolition of 43130 Carlisle Court. I further move to waive the Finance Policy requiring formal bid in order to expedite the demolition, and authorize the Building Official to obtain three written quotes for the demolition. The Building Official is hereby authorized to award a contract to the qualified contractor with the lowest cost. Motion carried unanimously. Item 8. CONSIDER APPROVAL TO INCREASE BLANKET PURCHASE ORDER FOR BULK ROCK SALT. (CLS) Motion by Bennett, supported by Williams to approve the increase to pur chase order number 2013-562 for bulk salt from Wayne County, Division of Roads, 29900 Goddard Road, Detroit, MI 48242 in the amount of \$15,000 for a purchase order total of \$35,000. Funds to be taken from account number 101-270-50.930_0070 Maintenance and Repair of Grounds in the amount of \$9,000 and account number 101-755-56.801_0050 Contracted Services in the amount of \$6,000. Motion carried unanimously. Item 9. CONSIDER AUTHORIZATION OF YOUTH SPORTS AGREEMENTS. (CLS) Motion by Bennett, supported by Williams to authorize Youth Sports Agreements with the Canton Victory Hockey Association, the Greater Canton Youth Baseball and Softball Association, Canton Lions Football Club and Canton Soccer Club with each agreement being valid January 1, 2014 through December 31, 2014. Motion carried unanimously. **Item 10. CONSIDER REQUEST TO PURCHASE SECURITY CARD ACCESS SYSTEM FOR FIRE STATION #1. (PSD)** Motion by Bennett, supported by Sneideman to approve the purchase and installation of a Security Card Access Reader System at Fire Station #1, from Interstate Security, Inc., in the amount of \$13,225; with reimbursement of 50% from a pre-approved MMRMA RAP grant. Motion carried unanimously. Item 11. CONSIDER REQUEST TO AMEND PUBLIC SAFETY'S RECORDS BUREAU FEE SCHEDULE. (PSD) Motion by Bennett, supported by McLaughlin to approve the proposed Records Bureau Fee Schedule to become effective January 1, 2014. Motion carried unanimously Item 12. FIRST READING OF AN AMENDMENT TO THE CANTON TOWNSHIP CODE OF ORDINANCES, CHAPTER 30 EMERGENCY SERVICES, ARTICLE II - ALARMS SYSTEMS. (PSD) Motion by Bennett, supported by Sneideman to introduce for first reading an amendment to the Township Code of Ordinances, Chapter 30, Emergency Services, Article II, Alarm Systems. Motion carried unanimously. Motion by Bennett, seconded by McLaughlin to table for consideration a proposed text amendment to the Township Code of Ordinances, Chapter 30, and schedule to second reading for December 10, 2013. Motion carried unanimously. STATE OF

MICHIGAN, COUNTY OF WAYNE, CHARTER TOWNSHIP OF CANTON, CHAPTER 30 – EMERGENCY SÉRVICES AN ORDINANCE TO AMEND CHAPTER 30, EMERGENCY SERVICES, OF THE CHARTER TOWNSHIP OF CANTON CODE OF ORDINANCES TO PROVIDE A COST RECOVERY PROVISION FOR THE RESPONSE TO A FALSE ALARM. THE CHARTER TOWNSHIP OF CANTON ORDAINS: SECTION 1 – AMENDMENT TO CODE Sec. 30-31. - Definitions. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: Public safety personnel means Charter Township of Canton police officers, dispatchers, fire personnel and other employees of the township who provide emergency services to persons and/or property in the township. Sec. 30-32. Dialer type systems Automatic dialing prohibited. No person shall use or operate, attempt to use or operate or arrange, adjust, program or otherwise install any alarm system that will, upon activation, either mechanically, electronically or by any other automatic means, initiate the intrastate calling, dialing or connection to any telephone number assigned to the police division, and/or fire division, of the vy. or 911 Emergency Number which connects or assigns the number to the public safety department or its dispatchers without the prior approval of the director of public safety. See. 30-33. Approval of plans Activation without cause; prohibited audible alarms. [Unchanged.]-Sec. 30-3534. - Resp m. Designated agent tains an alarm system which when activated causes a signal to be emitted which can be heard or seen outside the premises protected by the alarm system shall designate an agent who, upon thirty-minute (30) notice, can access the premises in which the alarm system is installed and deactivate the audible and/or visible signal. The telephone number and address of the designated agent who will be available at any time, day or night shall be provided to the public safety department. Any changes in the designated agent shall be immediately communicated to the public safety department. Sec. 30-35. - False alarm fees. In order to defray the expense incurred by the township in responding to false alarms, an alarm user who owns or maintains an alarm system which has transmitted a false alarm which has resulted in a response by the public safety department shall pay to the township a fees a established by this section. The fee shall be based on the number of occurrences within a rolling twelve (12) month period.

First occurrence No charge Second occurence No charge Third occurrence \$100.00 Fourth occurrence \$200.00 Subsequent responses \$300.00 Sec. 30-36. - False alarm fees. The false alarms fees specified in section 30-35 shall be charged in the following instances: The absence of evidence of an illegal entry or an attempt thereof; The absence of evidence of a fire; A malfunction in the alarm system; Activation of the alarm system by mistake; and (5) Activation of the alarm system by persons working on the alarm sys tem where the public safety personnel have not been previously notified. The false alarms fees specified in section 30-35 shall not be required in the following cases: Activation of the alarm system due to severe storm conditions; Alarm system malfunction, if corrective measures have been instituted within five (5) days thereafter, and a copy of a repair order by a licensed alarm system contractor is provided to the township police department within thirty (30) days of the false alarm; Evidence of activation of the alarm system by disruption or disturbance of utility company facilities such as, but not limited to accidents involving utility poles; The director of public safety or their designee is hereby authorized and empowered to waive the requirement for false alarm fees upon presentation of evidence of the existence of circumstances in any given instance that the alarm system was activated by conditions beyond the control of the alarm user which could not have been reasonably foreseen or prevented. Sec. 30-37. — Collection of false alarm fees. False alarm fees imposed under this article shall be paid within thirty (30) days of an invoice sent to the address to which public safety personnel were sent in response to the false alarm. In the event the fees are not paid within one year or exceed two hundred dollars (\$200.00), the unpaid fee(s) shall be considered a lien on the property and shall be collected as delinquent ad valorem real property taxes.

Sec. 30-3638. - Monthly alarm report., The director of public safety shall cause to be maintained a monthly alarm report in which shall be recorded all of the alarms to which the police have responded. Sec. 30-39. License required of alarm installers.

No person may engage in the business of installing an alarm system unless they have been licensed by the State of Michigan in accordance with Act No. 190 of the Public Acts of Michigan of 1975, as amended, [MCL 338.1051, et seq.; MSA 10.185(1), et seq.]. No person acting as an alarm contractor or installer, or its agent, may knowingly misrepresent any services offered or rendered to an alarm user. Sec. 30-3740. - Township under no obligation. [Unchanged.] SECTION 2. VIOLATION AND PENALTY_Any person or entity that violates any provision of this Ordinance may, upon conviction, be fined not more than Five Hundred (\$500.00) Dollars or imprisoned not more than Ninety (90) days, or both, in 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 invalid 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. **CERTIFICATION** The foregoing Ordinance was duly adopted by the Township Board of Trustees of the Charter Township of Canton at its regular meeting called and held on the day of , 2012, and was ordered to be given publication in the manner required by law. Terry Bennett, Clerk Introduced: November 26, 2013, Item 13. CONSIDER PAYMENT OF BS&A ANNUAL SOFTWARE MAINTENANCE FEES. (TREASURER) Motion by Bennett, supported by McLaughlin to approve the payment to BS&A of annual software maintenance fees for a total cost not-to-exceed \$10,620.00. Funds are available in the 2013 budget account #101-253.930_0015. Motion carried unanimously. Item 14. CONSIDER APPROVAL OF WAGES FOR ELECTED OFFICIALS FOR THE 2014 FISCAL YEAR. (HUMAN RESOURCES) Motion by Bennett, supported by Sneideman to approve a 1% wage increase for the full-time elected officials and trustees to be effective January 1, 2014. Motion carried unanimously. Item 15. CONSIDER SALE OF MICHIGAN AVENUE PROPERTY AND AUTHORIZE SUPERVISOR LAJOY TO SIGN ALL DOCUMENTS NECESSARY TO CLOSE ON THE SALE. (SUPERVISOR) Motion by Bennett, supported by Williams that Canton accept Anoushey LLC's offer and authorize Supervisor LaJoy to sign the formal Purchase Agreement and any other documents necessary to complete the transaction for the sale of 2.28 acres of land at Michigan and Sheldon. Motion carried unanimously. ADDITIONAL PUBLIC COMMENT: None OTHER: Turkey Trot on Thanksgiving; December 4, 2013 Tree Lighting at the Summit, 6:20 pm. ADJOURN: Motion by Bennett, supported by Anthony to adjourn at 8:20 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

Publish: December 5, 2013 Terry G. Bennett, Clerk EC120513-0849 5 x 18.66