

Charter Township of Canton Board Proceedings – February 11, 2014

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, February 11, 2014 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, Sneiderman, Williams, Yack Members Absent: None Staff Present: Director Bilbrey-Honsowetz, Director Trumbull, Director Faas, Kristin Kolb, Deputy Chief Hilden, Deputy Chief Newsome, Fire Chief Meier, Deputy Fire Chief Stoecklin **Adoption of Agenda Motion** by Bennett, supported by Sneiderman to approve the agenda as presented. Motion carried by all members present. **Approval of Minutes** Motion by Bennett, supported by McLaughlin to approve the Board Study Minutes of January 11, 2014 as presented. Motion carried unanimously. Motion by Bennett, supported by Sneiderman to approve the Board Minutes of January 14, 2014 as presented. Motion carried unanimously. Motion by Bennett, supported by Williams to approve the Board Study Minutes of January 21, 2014 as presented. Motion carried unanimously. Supervisor LaJoy, Deputy Chief Newsome, and Deputy Chief Hilden presented a review of the shooting at 8663 N. Lilley on 2-9-2014. **Citizen's Non-Agenda Item Comments:** Representative Kurt Heise gave an overview of the state budget. He commented future road construction in Wayne County. **Payment of Bills** Motion by McLaughlin, supported by Sneiderman to approve payment of the bills as presented for January 28, 2014. Motion carried unanimously. Motion by McLaughlin, supported by Williams to approve payment of the bills as presented for February 11, 2014. Motion carried unanimously. **CONSENT CALENDAR: Item C-1. Consider Authorizing Payment of \$25,432 for Membership in the Alliance of Rouge Communities (ARC) (MSD)** Motion by Bennett, supported by Williams to authorize payment of the invoice for \$25,432 to continue Canton's membership in the Alliance of Rouge Communities. Motion carried unanimously. **Item C-2. Consider Extension of Contract for 2014 Dust Control Program for Local Gravel Roads. (MSD)** Motion by Bennett, supported by Williams to award a contract to Suburban Oil Company to provide Canton's 2014 dust control program for an amount not to exceed \$13,167. Motion carried unanimously. **Item C-3. Consider Request to Extend Service Agreement with AccuMed Billing, Inc. (PSD)** Motion by Bennett, supported by Williams to approve the two-year contract extension being offered to the Canton Fire Department by AccuMed Billing, Inc., extending the Billing Service Agreement through 2019. **Item C-4. Second Reading of a text amendment to Chapter 14, Animals, revising the regulations regarding dangerous and vicious animals STATE OF MICHIGAN COUNTY OF WAYNE CHARTER TOWNSHIP OF CANTON CHAPTER 14 ANIMALS AN ORDINANCE TO AMEND CHAPTER 14 OF THE CANTON TOWNSHIP CODE OF ORDINANCES TO PROVIDE FOR AN ANIMAL FANCIERS PERMIT; TO CLARIFY THE PROVISIONS REGARDING WILD AND EXOTIC ANIMALS; AND TO PROVIDE SOME GENERAL UPDATES TO THE ORDINANCE THE CHARTER TOWNSHIP OF CANTON ORDAINS: SEC. 1. ORDINANCE AMENDMENT ARTICLE I. IN GENERAL. Sec. 14-1. - Definitions.** The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: ***Dangerous or vicious dog shall mean any dog that is exposed to rabies, or any dog that is capable of inflicting death or serious injury on a person or domesticated animal and that: (a)Has, without provocation, attacked or bitten a person engaged in lawful activities; (b)Has left the property of its owner and, without provocation, killed or seriously injured another animal; (c)Has, without provocation, chased, confronted or approached a person on the street, sidewalk, or public property in a menacing fashion that would put a reasonably prudent person in fear of an attack; (d)Has exhibited a propensity, tendency, or disposition to attack, cause injury, or threaten the safety of persons or other domesticated animals without provocation; or (e)Has acted in a manner that causes or should cause its owner to know that it is potentially vicious and/or dangerous. No dog shall be declared "dangerous" for any of the following reasons alone: (a)If the dog was protecting or defending a person within the immediate vicinity of the dog from attack or assault; (b)If at the time another person was committing a crime or offense upon the property of the owner, or custodian, of the dog; (c)If the person was teasing, tormenting, abusing, or assaulting the dog, or in the past had teased, tormented, abused, or assaulted the dog; (d)If the dog was attacked or menaced by another domestic animal, or the other domestic animal was on the property of the owner, or custodian, of the dog; (e)If the dog was responding to pain or injury, or protecting itself, its kennel, or its offspring; (f)If a person or other domestic animal was disturbing the dog's natural functions, such as sleeping or eating; (g)Neither growling or barking, nor both, shall alone constitute grounds upon which to find a dog "dangerous." **ARTICLE III. DANGEROUS OR VICIOUS AND WILD ANIMALS. Sec. 14-91. Dangerous animals prohibited.** Except as otherwise permitted in this chapter, no person shall own or keep, harbor, breed, exchange or buy a dangerous animal, including a dangerous or vicious dog, or wild or exotic animal in the township. **Sec. 14-92. Vicious or dangerous dogs.** (a)The owner of a vicious dog must: (1)Be eighteen (18) years of age or older; (2)Have such dog tattooed, registered and licensed with the township; (3)Provide information including the name, address and telephone number of the person from whom or the place where the owner acquired the dog; (4)Notify the animal control officer or his agent within a 24-hour period when the owner has knowledge that the dog is at large, is unconfined, and has attacked an individual or other animal, or that the dog has died; and (5)Notify the animal control officer or his agent when the dog is sold or given away to another person. The notification shall include the name, address, and telephone number of the new owner. (b)The owner of a dangerous or vicious dog shall not suffer or permit such dog to be unconfined, unless such dog is securely restrained, leashed and muzzled. **Sec. 14-93. Exceptions.** The prohibition in section 14-91 shall not apply to the following: (a)Animals under the control of a law enforcement or military agency; (b)Animals that are kept for the protection of property, provided that such animals are restrained by a leash or chain, cage, fence, or other adequate means, from contact with the public, or with persons who enter the premises with the actual or implied permission of the owner or occupant; (c)Animals under display or exhibition to the public, provided that: (1)Such animals are restrained by a leash or chain, cage, fence, or other adequate means, from contact with the public; (2)The display or exhibition is for a period of not exceeding ten (10) days; (3)The display or exhibition is conducted in full compliance with the township zoning ordinance; (4)Animals kept in a licensed veterinary hospital for treatment; and (5)Animals for sale in a commercial establishment. **Secs. 14-94—14-120. Reserved 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 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. **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 11th day of February, 2014, and was ordered to be given publication in the manner required by law. Terry Bennett, Clerk Introduced: January 14, 2014 Adopted: February 11, 2014 Published: February 20, 2014 Effective: February 20, 2014. Complete copy of ordinance is available at the Clerk's Office. (SUPERVISOR) Motion by Bennett, supported by Williams to remove from the table, adopt and publish the second consideration a proposed text amendment to the Township Code of Ordinances, Chapter 14 to be published and become effective February 20, 2014. Motion carried unanimously. **GENERAL CALENDAR: Item G-1. Consider Special Land Use Approval for Canton Center Car Wash (MSD)** Motion by Bennett, supported by McLaughlin to approve the requested special land use for an automobile wash establishment, subject to submittal and approval of a site plan and, subject to all other applicable Township ordinances. Motion carried unanimously. **Item G-2. Consider Amendment to Minor PDD for The Hamlet-Phase 3 and the Preliminary Site Plan for The Hamlet Enclaves Site Condominium-Phase 2 (MSD)** Motion by Bennett, supported by McLaughlin to approve the requested Minor Planned Development (PDD) and Preliminary Site Plan for Phase 2 of the Hamlet Enclaves Site Condominium, as proposed. Motion carried unanimously. **Item G-3. Consider Preliminary Approval for Parkside Estates Minor PDD (MSD)** Motion by Bennett, supported by McLaughlin to approve the requested Minor Planned Development (PDD), as proposed. Motion carried unanimously. **Item G-4. Consider Purchase of the Dig-Smart Software and Implementation Services for Automating Miss Dig Staking Requests. (MSD)** Motion by Bennett, supported by Williams to accept the quote from Dig-Smart and approve the purchase of the Dig-Smart Automated Ticketing System and related implementation services in the amount not to exceed \$22,000. Motion carried unanimously. **Item G-5. Consider the Purchase of Seven (7) Police Vehicles (MSD)** Motion by Bennett, supported by Williams approve the purchase of (4) 2014 Ford vehicles from Signature Ford, 3942 W. Lansing Rd, Perry, MI 48872 via a Macomb County Bid, in the amount of \$ 95,055. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to approve the purchase of (2) Chevrolet Impala's from Shaheen Chevrolet P.O. Box 27247 Lansing MI. 48909 via State of Michigan Bid in the amount of \$39,964. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to approve the purchase of 1 GMC Terrain from Red Holman Buick GMC 35100 Ford Rd, Westland MI, 48185 via the Oakland County Contract in the amount of \$20,875. Motion carried unanimously. **Item G-6. Consider Budget Amendment and Purchase of Two Pick-Up Trucks for the Division of Public Works. (MSD)** Motion by Bennett, supported by Williams to approve the following \$8,755 budget amendment: Decrease Expenditures: Transfer to fund balance Account #592-536-990 by \$8,755 Increase Expenditures: Capital Outlay Vehicles Account #592-537-970_0040 by \$5,253.00 and Account #592-536-970_0040 by \$3,502.00. Motion carried unanimously. Motion by Bennett, supported by Williams to approve the purchase of two 2014 GMC Sierra 2500 pickup trucks from Red Holman GMC, 35300 Ford Road, Westland, MI 48185 in an amount of \$49,298. Funding for the replacements will come from the Water Maintenance Capital Outlay Vehicles Account #592-536-970_0040 (\$19,719.00) and the Sewer Maintenance Capital Outlay Vehicles Account #592-537-970_0040 (\$29,579.00). Motion carried unanimously. **Item G-7. Consider the Purchase of One (1) Vehicle for Recreation (MSD)** Motion by Bennett, supported by Williams to approve the purchase of one 2014 GMC Savana 8 passenger van from Red Holman Buick/GMC, 35100 Ford Road Westland, MI. 48185 via the Oakland County Contract, in the amount of \$24,675. Motion carried unanimously. **Item G-8. Consider Purchase of Water Meters and Metering Control Devices for 2014 (MSD)** Motion by Bennett, supported by McLaughlin to accept the quote from Etna Supply Company and approve a purchase order not to exceed \$458,854 and authorize the Public Works Division to purchase the necessary meter equipment and supplies. I further move to waive the Finance Purchasing Policy requiring formal bids as these items are supplied under a sole-source contract through ETNA Supplies. Motion carried unanimously. **Item G-9. Consider Authorization of Purchase of Replacement Office Furniture (CLS)** Motion by Bennett, supported by Williams to authorize the purchase of Replacement Office Furniture from ISCG, 612 North Main, Royal Oak, MI 48067 for the amount of \$6,545.80 with the expense charged to 101-200-970_0060. Motion carried unanimously. Motion by Bennett, supported by Anthony to approve the following budget amendment: Increase Revenues: 101-000-696 Insurance Settlements \$6,546 Increase Expenditures: 101-200-970_0060 Capital Outlay Office Equip \$6,546. Motion carried unanimously. **Item G-10. Consider Adoption of Public Act 88 – Reciprocal Retirement Act (HR)** Supervisor LaJoy requested to be recused from voting on Item G-10 as he may be personally effected by the decision. Motion by McLaughlin supported by Bennett to recuse Supervisor LaJoy from voting on Item G-10. Motion carried unanimously. Motion by Bennett, supported by Williams to adopt the provisions of Act No. 88, Public Acts of 1961, as amended, and become a reciprocal unit under the Reciprocal Retirement Act. Motion carried unanimously. **Item G-11. Blanket Purchase Orders (FBD)** Motion by Bennett, supported by Williams to approve the following Blanket Purchase Orders. Motion carried unanimously. **ADDITIONAL PUBLIC COMMENTS:** George Miller of 1946 Briarfield, commented on the salting of Ford Road and the federal standards regulating DWSD. **OTHER:** February 16 from 10:00am - 1:00pm Arctic Edge will have a viewing the 2014 Olympic Ice Dancers short program. Canton Foundation will have a bowling fundraiser for First Step on March 2 at 1:00pm. Partnership for the Arts & Humanities is having a fundraiser on March 1. **ADJOURN:** Motion by Bennett, supported by Williams to adjourn at 8:47 p.m Motion carried unanimously.-Philip LaJoy, Supervisor – Terry G. Bennett, Clerk –