

**Charter Township of Canton  
Board Proceedings April 8, 2014**

**6:30 P.M.: CLOSED SESSION – TO DISCUSS LEGAL OPINION** Motion by Williams, supported by Sneiderman to move from open session to closed session at 6:30 p.m., for the purpose of discussion of legal opinion. Motion carried unanimously. **Roll Call** Members Present: Anthony, Bennett, LaJoy, McLaughlin, Sneiderman, Williams, Yack Members Absent: None Staff Present: Director Mutchler, Kristin Kolb Motion by Bennett, supported by Williams to move from closed session to open session at 7:00 p.m. Motion carried unanimously. A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, April 7, 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 Bilibrey-Honsowetz, Director Trumbull, Director Faas, Director Mutchler, Fire Chief Meier, Deputy Chief Stoecklein, Emergency Management Planner Kathleen Rich Guests Present: Michael J. Cole, Attorney for Fahey, Schultz, Burzych, Rhodes, PLC **Adoption of Agenda:** Motion by Bennett, supported by Yack to amend the agenda by switching items G-4 and G-5 with each other, add item G-14: Consider Approving a One-Year Lease of (3) Harley Davidson Motorcycles, and add item G-15: Authorization to Proceed with Legal Action. Motion carried unanimously. **Approval of Minutes:** Motion by Bennett, supported by Williams to approve the Board Minutes of March 25, 2014 as presented. Motion carried unanimously. **Citizen's Non-Agenda Item Comments:** George Miller, 1946 Briarfield, questioned why the township has a full time tax assessor. Supervisor LaJoy explained it is the board's position this township requires a full time assessor to handle all of our assessing requirements. Mr. Miller would like the township to withhold tax payments to Wayne County for the pothole repairs done by Canton Employees. Mr. Miller is upset repairs are very short term repairs. Mr. Miller has reported a dead deer on Sheldon Road. This is the third time in three years that he has done so and would like to request a "Deer Crossing" sign on Sheldon Road. Director Faas explained at this time the location does not meet the minimum number of incidents involving deer and vehicles to warrant a sign. Mr. Miller questioned if recycling materials area has been cleaned up. Mr. Miller stated there is water ponding on the sidewalk by the new bike trail on Palmer Road between Morton Taylor and Lilley. He would like the DPW to perform maintenance on the ditch area for more drainage eastward. Mr. Miller stated the township stores dirt behind the DPW building for the landfill company. He would like to know when the contract is up and how much the township is being paid for this contract. Director Faas indicated it is a long term contract. **Payment of Bills:** Motion by McLaughlin, supported by Anthony to approve payment of the bills as presented. Motion carried unanimously. **PUBLIC HEARING: Item PH-1 Public Hearing For A Request For A New "Class C" On Premise Liquor License For Canton Burger Inc.; DBA: Bagger Dave's Burger Tavern, Located At 2243 North Canton Center Road, Canton, Michigan 48187, Canton Township, Wayne County. (Clerk)** Motion by Bennett, supported by McLaughlin to open the Public Hearing of Canton Burger Inc. (Bagger Dave Burger Tavern) for a new "Class C" Liquor License with SDM license, Sunday Sales and Outdoor Service permits at 7:10 p.m. Motion carried unanimously. Attorney Cole reviewed the project. No other Public Comments were made. Motion by Bennett, supported by Williams to close the public hearing at 7:13 p.m. Motion carried unanimously Motion by Bennett, supported by Anthony to approve the request from Canton Burger Inc. (Bagger Dave Burger Tavern) for a new "Class C" Liquor License with SDM license, Sunday Sales and Outdoor Service permits to be located at 2234 N. Canton Center Road, Canton, 48188, Wayne County, Michigan; be considered for "Approval above all others". It is the consensus of this legislative body that the application is recommended for issuance. Motion carried unanimously. **CONSENT CALENDAR: Item C-1. Re-Appointments to the Historic District Commission. (Clerk)** Motion by Bennett, supported by Williams to approve the Township Supervisor's recommendation for reappointment of Steve Foley and Melissa McLaughlin to the Canton Historic District Commission for three year terms effective through April 30, 2017. Motion carried unanimously. **Item C-2. Appointment to the Historic District Commission. (Clerk)** Motion by Bennett, supported by Williams to approve the Township Supervisor's recommendation for appointment of Darrin Silvester to the Canton Historic District Commission for three year terms effective through April 30, 2016. Motion carried unanimously. **Item C -3. Approval of State of Michigan Grant Agreement for Qualified Voter File Oracle/Equipment Upgrade. (Clerk)** Motion by Bennett, supported by Williams to approve the grant agreement; State of Michigan, Michigan Department of State, Canton Township, Grant agreement for a Qualified Voter File (QVF) Oracle/Equipment Upgrade, funded by Help America Vote Act (HAVA) Title II, Section 251 funding and authorize the Township Clerk to sign the agreement. Motion carried unanimously. **Item C-4. Consider Purchase of Manhole Encapsulation System from HD Supply Waterworks for Sanitary Sewer Structures. (MSD)** Motion by Bennett, supported by Williams to approve the purchase order in the amount of \$5,086.17 from Account #592-537.930\_0050 to HD Supply Waterworks to purchase the manhole encapsulation system for placement around the sanitary sewer structures that are part of the 2014 Sidewalk Repair program. Motion carried unanimously. **Item C-5. Consider Approval of Application for One Day Special Liquor License and Agreement for Canton Soccer Club Event. (CLS)** Motion by Bennett, supported by Williams to authorize the sale and consumption of alcohol at The Celtic Celebration and Turf Field Fundraiser on Saturday, May 31, 2014; and furthermore: I move the following resolution be adopted: That the Canton Soccer Club, 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, May 31, 2014 at Independence Park located on Denton Road in Canton, Michigan, County of Wayne. Motion carried unanimously. Motion by Bennett, supported by Williams to approve the agreement between Canton Township and the Canton Soccer Club for the event May 31, 2014. Motion carried unanimously. **Item C-6. Consider Approval of Request to Allow Private Fireworks Display as Part of a Wedding Reception at Fellows Creek Golf Club. (PSD)** Motion by Bennett, supported by Williams to approve the request of Frederick Hay to hold a private fireworks display at the Fellows Creek Golf Course on June 14, 2014, subject to any conditions and restrictions imposed by the Canton Township Fire Department, and subject to the submission of a certificate of liability insurance in amounts required by law, and naming Canton Township as an additional insured. Motion carried unanimously. **Item C-7. Consider Approving the Amended and Restated Interlocal Agreement for the Western Wayne County Fire Department Mutual Aid Association. (PSD)** Motion by Bennett, supported by Williams to approve the Amended and Restated Interlocal Agreement for the Western Wayne County Fire Department's Mutual Aid Association. Motion carried unanimously. **GENERAL CALENDAR: Item G-1. Consider Preliminary Site Plan Approval for Links Estates Condominiums (MSD)** Motion by Bennett, supported by McLaughlin to adopt the resolution to approve the Preliminary Site Plan for Links Estates Condominiums. Motion carried unanimously. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Preliminary Site Plan for The Links Estates WHEREAS,** the Project Sponsor has requested preliminary approval for the site plan for The Links Estates Condominiums, identified as EDP# 098-99-0002-707 and 098-99-0002-708; and, **WHEREAS,** the Planning Commission voted to recommend approval conditioned upon revision of the landscape plan proposed and based on the findings that the proposed development plan is consistent with the goals and objectives of the Comprehensive Plan; and, **WHEREAS,** the Board has reviewed the planned development and determines the proposal to be consistent with the Zoning Ordinance regulations and development objectives subject to the conditions described in the analysis and recommendations attached hereto and made a part hereof. **NOW THEREFORE BE IT RESOLVED,** the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the requested preliminary site plan for The Links Estates Condominium subject to compliance with any conditions contained herein and all other regulations of the Township. **Item G-2. Consider Special Land Use Approval for CDE Collision Centers. (MSD)** Motion by Bennett, supported by McLaughlin to adopt the resolution to approve the Special Land Use for CDE Collision Centers. Motion carried unanimously. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON CDE Collision Center WHEREAS,** the Project Sponsor has requested special land use approval for the CDE Collision Center to be located in an LI-Light Industrial Zoning District on the parcel identified as EDP #132-99-0010-007; and, **WHEREAS,** the Planning Commission voted to recommend approval based on the findings that the proposed development plan is consistent with the goals and objectives of the Comprehensive Plan; and, **WHEREAS,** the Board has reviewed the special land use request and determines the proposal to be consistent with the Zoning Ordinance regulations and development objectives subject to the conditions described in the analysis and recommendations attached hereto and made a part hereof. **NOW THEREFORE BE IT RESOLVED,** the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the requested special land use for CDE Collision Center subject to compliance with any conditions contained herein and all other regulations of the Township. **Item G-3. Consider Final Site Plan Approval for The Hamlet Enclaves Site Condominium-Phase 2. (MSD)** Motion by Bennett, supported by Yack to adopt the resolution to approve the final site plan for the Hamlet Enclaves Site Condominium-Phase 2. Motion carried unanimously. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Final Site Plan for Phase 2 of The Hamlet Enclaves Site Condominium WHEREAS,** the Project Sponsor has requested approval of the final site plan for the Hamlet Enclaves Site Condominium-Phase 2, on parcel nos. 117-99-0003-705 and 118-99-0001-704; and, **WHEREAS,** the Planning Commission voted to recommend approval of the final site plan based on the findings that the proposed development plan is in keeping with the intent of the original Hamlet development plan and that the proposal is consistent with the goals and objectives of the Comprehensive Plan; and, **WHEREAS,** the Board has reviewed the final site plan and determines the proposal to be consistent with the Zoning Ordinance regulations and development objectives subject to the conditions described in the analysis and recommendations attached hereto and made a part hereof. **NOW THEREFORE BE IT RESOLVED,** the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the Final Site Plan for Phase 2 of the Hamlet Enclaves Site Condominium, subject to the terms set out in the proposed agreement and development plan. **Item G-4. Consider the Adoption of the Recommendations from Municipal Services and Finance and Budget on the 2014 Water and Sewer Rates. (MSD)** Motion by Bennett, supported by McLaughlin to adopt the 2014 Water and Sewer Rate Study. Motion carried unanimously. **Item G-5. 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 Sneiderman to introduce 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. Motion carried unanimously. Motion by Yack, supported by Bennett to table for Second Reading on April 22, 2014 with publication and effective date of May 1, 2014. Motion carried unanimously. A complete copy of the ordinance changes can be inspected at the Clerk's Office, 1150 S. Canton Center Road, Canton, MI 48188 734-394-5120 **Item G-6. Consider Award of Contract for the Spring 2014 Tree Planting Program (MSD)** Motion by Bennett, supported by McLaughlin to award a contract for street tree planting and watering for the Spring 2014 Tree Planting Program to Nature's Garden Center for a total purchase order of \$33,000. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to adopt the resolution to award the contract for Spring 2014 Tree Planting Program to Nature's Garden Center. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON STREET TREE MAINTENANCE AND PLANTING ON COUNTY ROADS WHEREAS:** street tree maintenance and planting on county roads is a community priority; and **WHEREAS;** Wayne County has agreed to allow streetscape maintenance and improvements to be performed on county roads within rights-of-way provided the community agrees to maintain and indemnify Wayne County relative to installation of the plantings; **NOW THEREFORE BE IT RESOLVED THAT,** The Charter Township of Canton agrees to: maintain the permitted tree planting at no expense to Wayne County; fulfill all permit obligations and conditions; indemnify, hold harmless and defend Wayne County and its officials and employees against all damage claims, suits or judgments of any kind or nature arising as a result of the permitted activity; and designates and authorizes the Municipal Services Director to sign the permit on behalf of the Township. Provided, however, that this resolution shall not be interpreted to mean that the Township has given up its right to claim governmental immunity or any other defense provided to governmental entities under state or federal law, the common law, or any court decision on behalf of the Township, its elected and appointed officials, employees, agents, and volunteers. **Item G-7. Consider Award of Contract for 2014 Tree Removal and Pruning Project (MSD)** Motion by Bennett, supported by Sneiderman to award a contract for the 2014 Tree Removal and Pruning Project to Owen Tree Service for a not to exceed purchase order of \$10,000. Motion carried unanimously. **Item G-8. Consider Award of Contract for 2014 Tree Maintenance Projects. (MSD)** Motion by Bennett, supported by McLaughlin to approve the award a contract for the 2014 Tree Maintenance Projects to Cribmoli Nursery for a not to exceed purchase order of \$15,000. Motion carried unanimously. **Item G-9. Consider First Reading of the Code of Ordinance Amendments for the West Canton Properties IV Rezoning. (MSD)** Motion by Bennett, supported by Sneiderman to introduce and hold the first reading of the proposed amendment to the zoning map found in Appendix A of the Code of Ordinances for the West Canton Properties IV Rezoning as provided in the attached ordinance and map. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to table consideration of the amendment for a second reading on April 22, 2014. Motion carried unanimously. A complete copy of the ordinance may be inspected or purchased at the Planning Department, 1150 S. Canton Center Road, Canton, MI 48188 734-394-5170 **Item G-10. Consider Award of a Contract to Northwest Consultants, Inc. for Engineering Design Services for the Cherry Hill Road Improvement Project. (MSD)** Motion by Bennett, supported by McLaughlin to award the contract under our master services agreement to Northwest Consultants, Inc. for construction engineering and consultation services for the Cherry Hill Road Improvements in the amount of \$254,975. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to direct Engineering Services to create a Purchase Order to Northwest Consultants, Inc. in the amount of \$254,975 to be taken from the engineering deposit account. Motion carried unanimously. **Item G-11. Consider Approval of Lawn Maintenance Contract for 2014 - 2016. (CLS)** Motion by Bennett, supported by Williams to approve the 2014-2016 lawn maintenance contract to Franks Landscaping with the additional contingency amount and a price increase cap at 3% per year. Funds are to be paid out of the following accounts: Parks #101-270-50.801\_0050 \$5,047.50 Parks (contingency) #101-270-50-801\_0050 \$2,500.00 Cemeteries #101-276-50.801\_0050 \$9,900.00 Historic District Commission #101-803-930-0020 \$1,290.00 Public Safety (Fire #1, #2, & #3) #206-336-50.930-0020 \$3,390.00 Public Safety (Police) #207-301-50.930-0020 \$2,640.00 Municipal Services (Public Works) #592-536.930\_0070 \$2,394.00 Municipal Services (Public Works) #592-537.930\_0070 \$ 636.00 Municipal Services (Fleet Maintenance) #661-550.930\_0070 \$ 690.00 **Total \$28,487.50.** Motion carried unanimously. **Item G-12. Consider Annual Service and Maintenance to Outdoor Warning Siren System. (PSD)** Motion by Bennett, supported by Sneiderman to approve American Signal Corporation, 8600 West Bradley Road, Milwaukee, Wisconsin, to perform the annual maintenance and testing of Canton's Outdoor Warning Siren System in the amount of \$6,560. Motion carried unanimously. **Item G-13. Consider Increasing 2014 Fire Fund Balance Appropriation for Purchase of Nine Sets of Turnout Gear Budgeted in 2013 (PSD)** Motion by Bennett, supported by McLaughlin to approve the transfer of \$17,211.66 from the Fire Fund Balance into the 2014 Fire Budget Uniforms Account #206-336-50.722.0001 to cover the purchase of nine sets of firefighter turnout gear from Apollo Fire Equipment, 12584 Lakeshore Drive, Romeo, MI 48065. Motion carried unanimously. **Item G-14. Consider Approving a One-Year Lease of (3) Harley Davidson Motorcycles. (PSD)** Motion by Bennett, supported by Williams to approve the Public Safety Department request to lease (3) Harley Davidson motorcycles in the amount of \$6,000 from Town & Country Sports Center, 18665 US Highway 12, Cement City, MI 49233; utilizing funds budgeted in 2014 Police – Professional & Contracted Services Account #207-301-50.850.0050. Motion carried unanimously. **Item G-15. Authorization to proceed with Legal Action. (Supv)** Motion by Bennett, supported by Williams to authorize the Corporation counsel to proceed with legal proceedings related to the resolution of Building and Fire Code violations at "The Crossings of Canton. Motion carried unanimously. **ADDITIONAL PUBLIC COMMENT:** None **OTHER:** Per Trustee Yack: Canton Community Foundation has its annual Golf Outing on June 5, 2014 at Pheasant Run Golf Course. Canton hosts its fourth annual Canton Acts of Culture Week - April 26 through May 3, 2014. Per Director Bilibrey-Honsowetz more information is available at cantonfun.org. **ADJOURN:** Motion by Anthony, supported by Williams to adjourn at 8:14 p.m. Motion carried unanimously.

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](http://www.canton-mi.org) after Board Approval.