

Charter Township of Canton Board Proceedings – Tuesday June 24, 2014

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, June 24, 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, Yack Members Absent: Williams Staff Present: Director Bilbrey-Honsowetz, Director Trumbull, Director Faas, Carolyn Cox, Sara Clay, Kristin Kolb Guest Present: Michael Swartz, Plante & Moran and Kristin Hunt, Plante & Moran **Adoption of Agenda** Motion by Bennett, supported by Anthony to amend the agenda to delete Consent Calendar Item C-2 Second Reading and Adoption of an Amendment to the Canton Township Code of Ordinances, Chapter 38, Fire Protection and Prevention, by Adding a New Article IV entitled "Cost Recovery" and General Calendar Item G-9 Consider Approval of an Agreement with Cost Recovery Corp. LLC, to Provide Billing Services Under the Newly Adopted Cost Recovery Ordinance; and lastly to move General Calendar Item G-8 Consideration Of Approval Of An Agreement With Cost Recovery Corp. LLC, To Provide Billing Services Under The Newly Adopted Cost Recovery Ordinance to Item G-2. Motion carried by all members present. **Approval of Minutes** Motion by Bennett, supported by McLaughlin to approve the Board Minutes of June 10, 2014 as presented. Motion carried by all members present. **Citizen's Non-Agenda Item Comments:** None. **Payment of Bills** Motion by McLaughlin, supported by Sneiderman to approve payment of the bills as presented. Motion carried by all members present. **CONSENT CALENDAR: Item C-1. Consideration Of Second Reading And Adoption Of An Ordinance Amending Chapter 18, Businesses, Article III, Massage, Of The Canton Township Code Of Ordinances, To Change The Term Of A Massage License From Two Years To One Year. (Clerk)** Motion by Bennett, supported by McLaughlin to remove from the table the second reading of an amendment to Chapter 18, Article III of the Canton Township Code of Ordinances. Motion carried by all members present. Motion by Bennett, supported by McLaughlin to adopt second reading of an amendment to Chapter 18, Article III of the Canton Township Code of Ordinances to be published and become effective July 3, 2014. Motion carried by all members present. **STATE OF MICHIGAN COUNTY OF WAYNE CHARTER TOWNSHIP OF CANTON CHAPTER 18 AN ORDINANCE TO AMEND CHAPTER 18, BUSINESSES, ARTICLE III, MASSAGE, OF THE CHARTER TOWNSHIP OF CANTON CODE OF ORDINANCES, TO PROVIDE THE TERM OF A MASSAGE LICENSE TO BE ONE YEAR TO BE IN LINE WITH OTHER TOWNSHIP ISSUED BUSINESS LICENSES THE CHARTER TOWNSHIP OF CANTON ORDAINS: SECTION 1. AMENDMENT TO CODE Chapter 18, Businesses, Article III, Massage, of the Charter Township of Canton Code of Ordinances is hereby amended as follows: **Sec. 18-88. Approval or denial of application.** The township clerk shall act to approve or deny an application for a license under this article within a reasonable period of time and in no event shall he or she act to approve or deny said license later than 90 days from the date that said application was accepted by the township clerk's office. A license issued pursuant to this article shall be valid for one year and must be renewed as required by this article. An applicant denied a license, pursuant to these provisions, may appeal to the township board in writing, stating reasons why the license should be granted. Such appeal proceedings shall be held in an open meeting before the township board. The township board may, by a majority of a quorum panel, grant or deny a license or permit after an appeal hearing. **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 24th day of June 2014, and was ordered to be given publication in the manner required by law. Terry G. Bennett, Clerk Introduced: 6/10/2014 Adopted: June 24, 2014 Published: July 3, 2014 Effective: July 3, 2014 **Item C-2: Deleted Item C-3. Consideration Of Adoption Of A Resolution In Support Of Amendments To The Elliot-Larsen Civil Rights Act To Provide For Protection Against Discrimination Of All Residents Of The State Of Michigan, Including On The Basis Of Physical Or Mental Limitation, Disability, Source Of Income, Familial Status, Educational Association, Sexual Orientation, Gender Identity Or Expression. (Supv)** Motion by Bennett, supported by McLaughlin to adopt the Resolution in Support of Amendments to the Elliot-Larsen Civil Rights Act to Provide for Protection Against Discrimination for All Residents of the State of Michigan; and to direct the Township Clerk to send a certified copy of the Resolution to the office of the Governor, Senate Majority and Minority Leaders, and the House Speaker and Minority Leader. **GENERAL CALENDAR: Item G-1. Consider Approval of an Amendment to the IKEA PDD Agreement and Site Plan (MSD)** Motion by Bennett, supported by McLaughlin to adopt a resolution to amend the IKEA PDD Agreement and Site Plan for the IKEA Addition. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Amendment to the IKEA PDD Agreement and Site plan for the IKEA Addition** WHEREAS, the Project Sponsor has requested approval for a PDD amendment and a site plan for an addition to the existing building located on the north side of Ford Road on the east and west sides of Haggerty Road on parcel Nos. 044-99-0017-706, 044-99-0017-707, 047-99-0010-000, and 047-99-0012-000; and, WHEREAS, the Planning Commission voted in favor to recommend approval of the PDD amendment and site plan subject to providing landscaping in front of the truck dock screen wall and the egress drive between the KFC site and the IKEA driveway on the final site plan prior to consideration by the Township Board; **NOW THEREFORE BE IT RESOLVED**, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the proposed amendment to the IKEA Planned Development Agreement and site plan for the addition to the IKEA building, subject to the terms set out in the proposed agreement and site plan. **Renumbered Item G-2. Consider Authorization of Agreement Amendment with High Velocity Sports and Approve the Reconstruction of Parking Lot in Victory Park. (CLS)** Motion by Bennett, supported by McLaughlin to authorize the Township Clerk and Supervisor to sign the First Amendment to Agreement and Grant of Easement with Conditions with High Velocity Sports. Motion carried by all members present. Motion by Bennett, supported by Sneiderman to authorize funds in the amount not to exceed \$50,000 to be paid to High Velocity Sports, 46245 Michigan Avenue, Canton, MI 48188 for fifty percent of the cost for resurfacing of Parking Lot B located behind High Velocity from Account #246-441-970-0050. Motion carried by all members present. **Renumbered Item G-3. 2013 AUDIT PRESENTATION (FBD)** Motion by Bennett, supported by Yack to receive and place on file the 2013 Township's Comprehensive Annual Financial Report. Motion carried by all members present. The entire Comprehensive Annual Financial Report is available for viewing in the Township Clerk's Office. **Renumbered Item G-4. Consider Award of a Contract for Township Facility Concrete Repair Work to Mattioli Cement Company. (MSD)** Motion by Bennett, supported by McLaughlin to award a contract for township facility concrete repair work for a total not-to-exceed amount of \$15,564.85 from account #246-441.970.0050, to Mattioli Cement Company, 6085 McGuire, Fenton, MI 48430. Motion carried by all members present. **Renumbered Item G-5. Consider Award of a Contract for Professional Design & Construction Engineering Services to Wade Trim for the 2014 Fair Oaks – Suffolk Court Watermain Replacements. (MSD)** Motion by Bennett, supported by Sneiderman to award a contract for professional design and construction engineering services for the 2014 Fair Oaks - Suffolk Court Water Main Replacements to Wade Trim in the amount of \$47,988 plus a 15% contingency of \$7,200 for a total amount not-to exceed \$55,188. Motion carried by all members present. **Renumbered Item G-6. Consider Purchase of a Boxer Model 322D Tractor and Horizontal Earth Boring Drill and Approval of a Capital Budget Amendment. (MSD)** Motion by Bennett, supported by McLaughlin to approve the budget amendments increasing expenditures to water account #592-536.970.0030 Capital Outlay Machinery and Equipment by \$23,075 and decrease expenditures to water and sewer account #592-536.960 Transfer to Fund Balance by \$23,075; and further. Motion carried by all members present. Motion by Bennett, supported by Sneiderman to authorize the purchase of the Boxer Model 322D from Buck and Knobby Equipment Company, Ottawa Lake, MI for an amount of \$23,075. Motion carried by all members present. **Renumbered Item G-7. Consider Award of a Contract for Fabrication and Installation of Signs Along the Lower Rouge and ITC Multi-Use Pathway System. (MSD)** Motion by Bennett, supported by McLaughlin to award the Multi-Use Pathway Signage contract to Universal Sign Incorporated for a bid price of \$60,179 plus a 10% contingency of \$6,000 for a total contract price not-to exceed \$66,179. Motion carried by all members present. **Renumbered Item G-8. Consider Waiving the Purchasing Policy and Approve the Emergency Repairs to our 2006 Pierce Fire Engine. (MSD)** Motion by Bennett, supported by Sneiderman to waive the purchasing policy and authorize payment of \$6,261.24 to Michigan Caterpillar for the emergency repairs to Fire Engine Unit #06-E4. Motion carried by all members present. **Item G-9 Deleted Item G-10. Consider Increasing the Blanket Purchase Order for Arthur J. Gallagher Risk Management Services, Inc. (FBD)** Motion by Bennett, supported by Anthony to approve the purchase order increase in the amount of \$7,732, to the existing blanket purchase order with Arthur J. Gallagher Risk Management Services, Inc. Motion carried by all members present. **ADDITIONAL PUBLIC COMMENT:** Canton Residents, Mirabel and John Kraepel of 6122 Willow Creek asked when construction would start on the new homes behind the Lazy Boy building and along Lilley Road. They were also interested in the IKEA proposal. Supervisor LaJoy explained that item was earlier in the agenda and had passed. **OTHER:** Trustee Anthony complimented Director Bilbrey-Honsowetz on another successful Liberty Fest including the fireworks. Supervisor LaJoy also complimented all the departments involved with the Liberty Fest including Municipal Services and Public Safety as well as the Leisure Services staff. **ADJOURN:** Motion by Anthony, supported by Sneiderman to adjourn at 8:13 p.m. Motion carried by all members present. – Philip LaJoy, Supervisor – Terry G. Bennett, Clerk –**