

Charter Township of Canton Board Proceedings July 29, 2014

Motion by Bennett, supported by Williams to move from open session to closed session at 6:00 p.m., to discuss pending litigation, amendment to consent judgment and negotiations. Motion carried by all members present. **6:00 P.M.: CLOSED SESSION TO DISCUSS PENDING LITIGATION, AMENDMENT TO CONSENT JUDGMENT AND NEGOTIATIONS AT 6:00 P.M. Roll Call:** Board Members: Anthony, Bennett, LaJoy, McLaughlin, Williams, Yack Member Absent: Sneiderman Staff Present: Director Faas, Human Resources Manager Belcher, Attorney Carol Rosati. Motion by Bennett, supported by Williams to move from closed session to open session at 7:00 p.m. Motion carried by all members present. A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, July 29, 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, Williams, Yack Members Absent: Sneiderman Staff Present: Director Faas, Deputy Chief Hilden, Fire Chief Meier Staff Absent: Director Bilbrey-Honsowetz, Director Mutchler, Director Trumbull, Kristin Kolb **Adoption of Agenda** Motion by Bennett, supported by McLaughlin to approve the agenda as presented. Motion carried by all members present. **Approval of Minutes** Motion by Bennett, supported by Williams to approve the Board Minutes of July 8, 2014 as presented. Motion carried by all members present. Motion by Bennett, supported by McLaughlin to approve the Special Board Meeting Minutes of July 17, 2014 as presented. Motion carried by all members present. **Citizen's Non-Agenda Item Comments:** George Miller, 1946 Briarfield, suggested privatizing the Police and Fire Departments to avoid tax increases. He also questioned why the budget is in a deficit. Supervisor LaJoy explained it was covered in a public hearing and the information is also available on line. If Mr. Miller preferred, he could make an appointment to go over it in person with Supervisor LaJoy. **Payment of Bills** Motion by McLaughlin, supported by Bennett to approve payment of the bills as presented. Motion carried by all members present. **CONSENT CALENDAR: Item C-1. Resolution Approving The Senior Alliance Multi-Year Plan for Aging Services (Supv)** Motion by Bennett, supported by Williams to adopt a resolution approving the Senior Alliance's 2015 Annual Implementation Plan. Motion carried by all members present. **RESOLUTION APPROVING THE SENIOR ALLIANCE ANNUAL IMPLEMENTATION PLAN FOR AGING SERVICES** Whereas, The Canton Board of Trustees recognizes the role of The Senior Alliance as the designated Area Agency on Aging for Southern and Western Wayne County to be responsible for planning, developing, coordinating, monitoring, and managing a comprehensive organized service delivery system of services for older adults and caregivers, and Whereas, the 34 communities of Southern and Western Wayne County, including Canton Township, comprises the Planning and Service Area to the agency's governing body, and Whereas, the Office of Services to the Aging require local Area Agencies on Aging to request approvals of their Annual Implementation Plan from their local governments, and Whereas, the Senior Alliance has submitted the plan to Canton Township in accordance with federal and state laws, and Whereas, The Senior Alliance has held a public hearing for client, caregiver, and service provider population feedback which contributed to the development of the Annual Implementation Plan for Fiscal Years 2015. **NOW, THEREFORE, BE IT RESOLVED**, that the Canton Board of Trustees does hereby approve The Senior Alliance Annual Implementation Plan for 2015 as presented to Canton Township. **Item C-2. Set Public Hearing Date for International Door Industrial Facilities Tax Exemption Certificate. (Supv)** Motion by Bennett, supported by Williams to set the public hearing for August 26, 2014, to consider the Industrial Facilities Exemption application for International Door, Inc.'s real property at their facility located at 8001 Ronda Drive. Motion carried by all members present. **Item C-3. Consider Approval of Amendments to Special Assessment District Policy & Procedure # MS-12. (MSD)** Motion by Bennett, supported by Williams to approve the amendments to Special Assessment District Policy & Procedure # MS-12, as presented. Motion carried by all members present. **Item C-4. Approval of Application for One Day Special Liquor License. (CLS)** Motion by Bennett, supported by Williams to authorize the sale and consumption of alcohol at The Canton Historical Society's "Brew, Brats & Bands at the Barn" fundraiser on Saturday, September 13, 2014; and furthermore; I move that the following resolution be adopted: That the Charter Township of Canton, 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, September 13, 2014 at the Cady-Boyer Barn in Preservation Park located at 500 N. Ridge Road in Canton, Michigan, County of Wayne and that the Township Supervisor and Clerk be authorized to sign and submit this application. Motion carried by all members present. **Item C-5. Consider acceptance of the Justice Assistance Grant #2013-DJ-BX-0503. (PSD)** Motion by Bennett, supported by Williams to approve acceptance of the Justice Assistance Grant #2013-DJ-BX-0503 awarded to Canton Township Police Department in the amount of \$8,670. Motion carried by all members present. **GENERAL CALENDAR: Item G-1. Consideration of Board Action on Attorney's Recommendation Regarding Pending Litigation. (Supv)** Motion by Bennett, supported by Williams to approve the proposed Consent Judgments in the following cases: Cherry Ridge LLC v Canton Charter Township, United States District Court No. 2: 12-cv-15126-GAD-MAR; Cherry Ridge LLC v Canton Charter Township, Wayne County Circuit Court Case No. 13-001951-CH; and West Canton III, LLC v Charter Township of Canton, Wayne County Circuit Court No. 12-016133-CK, subject to the following: 1. Minor changes to the final documents to correct errors as discussed by our legal counsel; 2. Final review of the exhibits to the Consent Judgments by our legal counsel; 3. Final review of the most recent set of revised plans to ensure compliance with the terms of the Consent Judgments; and 4. The Consent Judgments will not be entered until the Township has been reimbursed its attorney fees in the amount reported in closed session by our legal counsel as being agreed to by the Plaintiffs in these cases. In addition, I move to accept the recommendation of our legal counsel for entry of the proposed Stipulation and Order of Dismissal in the case of Ruby Investments, LLC v Charter Township of Canton and others, Wayne County Circuit Court No. 13-005962-CH. Motion carried by all members present. **Item G-2. Consider Approval of the Final Site Plan for Hickory Ridge Site Condominiums. (MSD)** Motion by Bennett, supported by Williams to adopt a resolution approving the Final Site Plan for Hickory Ridge Site Condominiums. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Final Site Plan for Hickory Ridge Site Condominiums** WHEREAS, the Project Sponsor, Mr. Nino Pacciocco, has requested final site plan approval for Hickory Ridge Site Condominiums to be located on Saltz Road between Beck and Ridge Roads, identified as tax EDP # 066-99-0007-000, 066-99-0008-000, 066-99-0011-702 and 066-99-0012-702; and, WHEREAS, the Planning Commission reviewed the site plan and made a recommendation to approve the request to grant final site plan approval conditioned upon submission of all outstanding documents and financial securities, 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. Nino Pacciocco to approve the final site plan for the proposed Hickory Ridge Site Condominiums 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 G-3. Consider Approval of Preliminary Site Plan Approval and Variance to the Condominium Ordinance for Legacy Estates of Canton Site Condominium. (MSD)** Motion by Bennett, supported by McLaughlin to adopt a resolution approving the Preliminary Site Plan and Variance to the Condominium Ordinance for Legacy Estates of Canton Site Condominiums. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Preliminary Site Plan and Variance to the Condominium Ordinance for Legacy Estates of Canton Site Condominium** WHEREAS, the Project Sponsor has requested a variance from Sections 82-124 (4) and 82-124(6)a. of the Condominium Ordinance and preliminary approval for the site plan for Legacy Estates of Canton Site Condominiums, located south of Ford Road between Ridge and Napier Roads on parcels nos. 069-99-0009-000 and 069-99-0010-700; and, WHEREAS, the Planning Commission voted to recommend approval of the variance and preliminary site plan as provided in their recommendation above; and, WHEREAS, the Board has reviewed the preliminary site plan and variance to Sections 82-124 (4) and 82-124(6)a. of the Condominium Ordinance and determines the proposal to be consistent with the 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 variance to Sections 82-124 (4) and 82-124(6)a. of the Condominium Ordinance allowing for use of a temporary 20 foot wide gravel road across the future road alignment to Napier Road subject to Toll Brothers obtaining the road easement agreement from West Canton Properties IV, Inc., that a maximum of 30 certificates of occupancy will be permitted in Phase 1 prior to commencement of construction of the permanent road connection to Napier and that upon provision of financial securities to ensure completion of the road, the number of certificates of occupancy be increased to 60 within Phase 1; and, also hereby approves the preliminary site plan for Legacy Estates of Canton Site Condominium on parcel nos. 069-99-0009-000 and 069-99-0010-700, subject to replacement of Pin Oak with another street tree species; subject to a final determination of required improvements on Ridge Road and the Ford and Ridge intersection during final engineering plan review; and, compliance with any conditions contained herein and all other regulations of the Township. **Item G-4. Consider Approval of the Site Plan for North Canton Plaza and Car Wash. (MSD)** Motion by Bennett, supported by McLaughlin to adopt a resolution to approve the Site Plan for North Canton Plaza and Car Wash. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Approval of the Site Plan for North Canton Plaza and Car Wash** WHEREAS, the Project Sponsor has requested site plan approval for North Canton Plaza and Car Wash, located on the west side of Canton Center Road north of Hanford Road on tax parcel no. 033-99-0009-718; and, WHEREAS, the Planning Commission voted to recommend approval of the site plan based on the findings that the proposed development plan is consistent with the goals and objectives of the Comprehensive plan and zoning regulations; and, WHEREAS, the Board has reviewed the request for site plan approval and determines the proposal to be consistent with the Zoning Ordinance regulations and development objectives subject to the conditions described in the analysis and Planning Commission recommendations; **NOW THEREFORE BE IT RESOLVED**, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the Site Plan for North Canton Plaza and Car Wash, subject moving the entrance light closer to the sidewalk at Canton Center Road and compliance with any conditions contained herein and all other regulations of the Township. **Item G-5. Consider First Reading of an Amendment to the Code of Ordinances for the Osborne 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 of the Code of Ordinances for the Osborne Rezoning as provided in the attached ordinance and map. Motion carried by all members present. Motion by Bennett, supported by McLaughlin to table consideration of the amendment for a second reading on August 12, 2014. Motion carried by all members present. A complete copy of the ordinance text can be obtained at the Clerk's Office, 1150 S. Canton Center Road, Canton, MI 48188 734-394-5120 **Item G-6. Consider Approval of the Willow Brook Village Final Preliminary Plat (MSD)** Motion by Bennett, supported by McLaughlin to approve the Preliminary Plat for the Willow Brook Subdivision. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Willow Brook Village Final Preliminary Plat** WHEREAS, the Project Sponsor, Mr. Robert Halso, has requested final approval of the preliminary plat for Willow Brook Village to be located on Lilley Road between Hanford and Ford Roads, identified as tax EDP # 043-99-0027-703; and, WHEREAS, the Planning and Engineering Officials have reviewed the final preliminary plat and made a recommendation to approve the request to grant final approval of preliminary plat conditioned upon receipt of necessary financial guarantees, 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. Robert Halso, to grant final approval of the preliminary plat for the proposed Willow Brook Village Subdivision subject to any and all state and local development regulations and further subject to any conditions recommended by the Planning and Engineering Staff, as described in the analysis and recommendation attached hereto and made a part hereof. **Item G-7. Consider Approval of \$2,800 Extra Expense for the Dig-Smart Automated Ticket Management Project (MSD)** Motion by Bennett, supported by Williams to approve the purchase order increase in the amount of \$2,800 for the Dig-Smart Field application. Motion carried by all members present. **Item G-8. Consider Approval of a Change Order for Construction Engineering and Project Management: Warren/Lotz Sanitary Sewer Pump Station – Force Main Abandonment/Removal to Stantec Consulting (MSD)** Motion by Bennett, supported by McLaughlin to authorize the Township Board to approve a change order for Construction Engineering and Project Management: Warren/Lotz Sanitary Sewer Pump Station – Force Main Abandonment/Removal to Stantec Consulting, and to authorize Finance and Budget to increase Purchase Order #2012-1419 by \$7,905 plus a 15% contingency for a total increase not to exceed \$9,100. Motion carried by all members present. **Item G-9. Consider Award of Professional Design and Construction Engineering Services to Stantec Consulting Inc. for the 2014 Ridge Road Water Main Extension Project. (MSD)** Motion by Bennett, supported by McLaughlin to award a contract for professional design and construction engineering services for the 2014 Ridge Road Water Main Extension Project to Stantec Consulting Inc. in the amount of \$53,590 plus a 15% contingency of \$8,010 for a total of \$61,600. Motion carried by all members present. **Item G-10. Consider Award of a Contract to Northwest Consultants for the 2014 Sidewalk Gap Program Survey Services. (MSD)** Motion by Bennett, supported by McLaughlin to award a contract for construction surveying for the 2014 Sidewalk Gap Program to Northwest Consultants, Inc. in the amount of \$5,000. Motion carried by all members present. **Item G-11. Consider Request to Purchase Ammunition. (PSD)** Motion by Bennett, supported by Williams to approve the purchase of 35 cases of ammunition in the amount of \$6,055, from Kiesler's Police Supply, Inc., 2802 Sable Mill Road, Jefferson, Indiana, utilizing funds budgeted in the 2014 Police Operating Supplies Account # 207-301-5.740.0001. Motion carried by all members present. **Item G-12. Consider Approval of Annual Western Wayne Co Mutual Aid Association Dues. (PSD)** Motion by Bennett, supported by McLaughlin to approve payment of the annual Western Wayne County Mutual Aid Association dues in the amount of \$11,919.04 from Fire Account # 206-336-50.960. Motion carried by all members present. **Item G-13. Consider Request to Increase Public Safety Blanket Purchase Orders. (PSD)** Motion by Bennett, supported by McLaughlin to approve increasing the amount of blanket purchase orders issued to Cuda Uniforms, North Eastern Uniforms, and Priority One Uniforms, for the specified amounts listed to accommodate invoices/purchases through the remainder of 2014. Motion carried by all members present. **Item G-14. Consider Approving a Rebuild of the Deluxe-90 Target System at the Gun Range. (PSD)** Motion by Bennett, supported by McLaughlin to approve the rebuild of the police department's Deluxe-90 Target System by Action Target, Inc., Provo, Utah, in the amount of \$9,840, utilizing funds budgeted in the 2014 Police Budget, Maintenance & Repair of Machinery and Equipment Account. Motion carried by all members present. **Item G-15. Consider Approving the Purchase of (10) Taser X26P Units. (PSD)** Motion by Bennett, supported by McLaughlin to waive the bidding process and approve the purchase of (10) Taser X26P units and accessories from Michigan Taser Distributing, 10422 Londonderry, South Lyon, Michigan, in the amount of \$12,990.66, utilizing budgeted drug forfeiture funds. Motion carried by all members present. **ADDITIONAL PUBLIC COMMENT:** None **OTHER:** None **ADJOURN:** Motion by Bennett, supported by Anthony to adjourn at McLaughlin 8:07 p.m. Motion carried by all members present. **Terry G. Bennett, Clerk**