

**Charter Township of Canton Board Proceedings August 12, 2014**

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, August 12, 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: Sneideman Staff Present: Director Bilbrey-Honsowetz, Director Trumbull, Director Faas, Deputy Chief Hilden, Guests: Aaron Sprague, Executive Director WTUA **Adoption of Agenda** Motion by Yack, supported by Williams to amend the agenda removing Public Hearing 2 - Approval of Millage Rates for December 1, 2014 Tax Levy (FBD). Motion carried by all members present. Supervisor LaJoy read the following statement: Public Hearing #2 on the agenda, a Public Hearing on the Millage Rates for December 1, 2014 Tax Levy, noticed to occur at tonight's Board Meeting, is being adjourned until August 26, 2014. because this is being postponed to a date certain, there will be no additional publication. The Public Hearing on the Millage Rates for December 1, 2014 Tax Levy will occur on August 26, 2014. **Approval of Minutes** Motion by Bennett, supported by Anthony to approve the Board Minutes of July 29, 2014 as presented. Motion carried by all members present. **Citizen's Non-Agenda Item Comments:** George Miller, 1946 Briarfield, suggested subcontracting the Police and Fire Departments to avoid tax increases. He questioned why the budget is in a deficit. He asked why the township is giving tax abatements **Payment of Bills** Motion by McLaughlin, supported by Williams to approve payment of the bills as presented. Motion carried by all members present. **PUBLIC HEARING; ITEM: Public Hearing Consider Industrial Facilities Tax Exemption Certificate for ProCoil Motion** by Bennett, supported by Anthony to open the public hearing at 7:05 pm for a PA 198 Tax Abatement for an Industrial Facilities Exemption Certificate for Personal Property for ProCoil. Motion carried by all members present. Trustee Yack question how the passage of Proposal 1 would effect this abatement. Supervisor LaJoy responded the effects begin in 2016. Motion by Bennett, supported by Anthony to close the public hearing at 7:11 pm for PA 198 Tax Abatement for an Industrial Facilities Exemption Certificate for ProCoil. Motion carried by all members present. Motion by Bennett, supported by McLaughlin to adopt the resolution to approve the application of ProCoil, for a PA 198 Tax Abatement for an Industrial Facilities Exemption Certificate. Motion carried by all members present. **RESOLUTION APPROVING APPLICATION OF PROCOIL COMPANY, LLC INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR PERSONAL PROPERTY WHEREAS**, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on July 14, 1987, this Canton Board of Trustees by resolution established the Canton International Commerce Park Industrial Development District; and **WHEREAS**, the Charter Township of Canton approved an application from ProCoil Company, LLC requesting an Industrial Facilities Exemption Certificate for personal property investments located at 5260 Haggerty; and **WHEREAS**, ProCoil Company, LLC has filed an application for an Industrial Facilities Exemption Certificate with respect to personal property in the amount of \$1,279,517 located within the Canton International Commerce Park Industrial Development District; and **WHEREAS**, before acting on said application, the Charter Township of Canton held a hearing on August 12, 2014 at the Canton Administration Building, in Canton, at 7 p.m., at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application; and **WHEREAS**, ProCoil Company, LLC has substantially met all the requirements under Public Act 198 of 1974 for the Industrial Facilities Exemption Certificate; and **WHEREAS**, the aggregate SEV of real and personal property exempt from ad valorem taxes within the Charter Township of Canton, after granting this certificate, will not exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted; and **NOW, THEREFORE, BE IT RESOLVED BY** the Board of Trustees of the Charter Township of Canton that: 1. The Canton Board of Trustees finds and determines that the granting of an Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, **shall not have the effect of substantially impeding the operation of** Charter Township of Canton, **or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in** Charter Township of Canton. 2. The application from ProCoil Company, LLC for an Industrial Facilities Exemption Certificate, with respect to the following described parcel of real property situated within the Canton International Commerce Park Industrial Development District to wit: Legal Description: 35Z1A2 Z1B PT OF SE 1/4 SEC 35 T2S R8E DESC AS BEG S 89D 57M 34S W 79.95 FT AND S 00D 23M 44S W 421.12 FT FROM E 1/4 COR OF SEC 35 TH S 00D 23M 44S W 523.95 FT TH S 03D 15M 32S W 536.99 FT TH S 79D 06M W 1120.19 FT TH N 00D 07M 14S E 1274.26 FT TH S 89D 52M 46S E 1131.44 FT TO POB 30.01AC Parcel# 140-99-0012-705 3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of four years in accordance with Township requirements and applicable statutory provisions found in M.C.L. et seq. be and the same is hereby approved. **AYES: 6 NAYS: 0 ABSENT: 1 RESOLUTION DECLARED ADOPTED.** Clerk's Signature I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the Board of Trustees of the Charter Township of Canton, in the County of Wayne, Michigan, as a regular meeting held on August 12, 2014. Terry G. Bennett, Clerk **CONSENT CALENDAR: Item 1. Consider Second Reading for Approval of an Amendment to Appendix A- Zoning of the Code of Ordinances for the Osborne Rezoning (MSD)** Motion by Bennett, supported by McLaughlin to remove consideration of the rezoning from the table. Motion carried by all members present. Motion by Bennett, supported by McLaughlin to adopt the ordinance to amend the zoning map pursuant to Section 27.06 of Appendix A-Zoning of the Code of Ordinances of the Charter Township of Canton for the Osborne Rezoning as provided in the attached Ordinance and map. Motion carried by all members present. **STATE OF MICHIGAN COUNTY OF WAYNE CHARTER TOWNSHIP OF CANTON ORDINANCE NO. \_\_\_ 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. 126-99-0009-000 from RR, Rural Residential to R-3, 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. Osborne Rezoning File No. 126-RZ-2167 **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 12th day of August 2014, and was ordered to be given publication in the manner required by law. Terry Bennett, Clerk Introduced: July 29, 2014. **ADOPTED: August 12, 2104 Published: August 21, 2014 Effective: August 28, 2104 GENERAL CALENDAR: Item G-1. WTUA Annual Budget Approval (Supv)** Motion by Bennett, supported by Williams to adopt the following resolution. Motion carried by all members present. **Resolution of the Charter Township of Canton WHEREAS**, Western Townships Utilities Authority has prepared a proposed budget for the fiscal year ending September 30, 2015, which has been reviewed by the Finance Committee on July 6, 2014 and the Board of Commissioners on July 21, 2014; and **WHEREAS**, the Authority is required to submit a budget to each of the member Townships for approval in August each year, **NOW, THEREFORE BE IT RESOLVED** that the departmental budget for the Authority as presented on Page 1 of the Proposed Annual Budget for the fiscal year ending September 30, 2015, in the amounts presented, is hereby approved. Signed by Charter Township of Canton Board of Trustees on August 12, 2014: Supervisor LaJoy introduced Aaron Sprague, Executive Director WTUA to answer any questions the Board might have. **Item G-2. Consider Request from Toll Brothers for Approval of a Township Sponsored Petition to Abandon a Portion of the South Branch of the Fellows Creek Drain (MSD)** Motion by Bennett, supported by McLaughlin to approve the attached resolution to file a petition to abandon a portion of the South Branch of the Fellows Creek Drain, pursuant to Chapter 17 of the Michigan Drain Code, and conditioned upon review and approval of the engineering study being prepared by Atwell LLC; and Further, move to authorize the Township Supervisor and Clerk to sign the petition on behalf of Canton Township. Motion carried by all members present **PETITION TO ABANDON DRAIN OR A PORTION THEREOF PURSUANT TO CHAPTER 17 OF THE MICHIGAN DRAIN CODE OF 1956, AS AMENDED SOUTH BRANCH FELLOWS CREEK DRAIN** To the County Drain Commissioner of the County of Wayne: The undersigned petitioner is the Charter Township of Canton, County of Wayne, State of Michigan, and does hereby petition for the abandonment of a portion of the South Branch Fellows Creek Drain as provided in Chapter 17 of the Drain Code, Public Act 40 of 1956, as amended. The South Branch Fellows Creek Drain Drainage District is located and established in the Charter Township of Canton, County of Wayne and the portion of the Drain to be abandoned is located wholly within the Charter Township of Canton, County of Wayne. The petitioner is a municipality which will be liable to assessments at-large for at least a percentage of the total amount to be assessed for the cost of the Drain. This petition has been authorized by the Charter Township's governing body. A copy of the Resolution of the Charter Township of Canton is attached hereto. Your petitioner further shows that a portion of the South Branch Fellows Creek Drain has ceased to be of public utility and is no longer conducive to the public health, convenience, and welfare to properties and residents of the Charter Township of Canton. **CHARTER TOWNSHIP OF CANTON** By: Phil LaJoy Its: Supervisor. By: Terry G. Bennett Its: Clerk. As authorized by its government body On: August 12, 2014 **STATE OF MICHIGAN COUNTY OF WAYNE CHARTER TOWNSHIP OF CANTON RESOLUTION TO FILE PETITION TO ABANDON DRAIN OR A PORTION THEREOF SOUTH BRANCH FELLOWS CREEK DRAIN** At a meeting of the Board of Trustees for the Charter Township of Canton, County of Wayne, State of Michigan, held in said Charter Township on the 12th day of August, 2014, at 7:00 o'clock, pm. **PRESENT:** Anthony, Bennett, LaJoy, McLaughlin, Williams, Yack **ABSENT:** Sneideman The following resolution was offered by Bennett and seconded by McLaughlin. **WHEREAS**, the South Branch Fellows Creek Drain ("Drain") is a legally established county drain pursuant to the Michigan Drain Code, Public Act 40 of 1956, as amended, (the "Drain Code"), and the Drain is located within the corporate boundaries of the Charter Township of Canton, and the lands comprising the South Branch Fellows Creek Drain Drainage District are located within the corporate boundaries of the Charter Township of Canton; and **WHEREAS**, an inspection of the area where the South Branch Fellows Creek Drain is established shows that a portion of the South Branch Fellows Creek Drain has ceased to be of public utility and is no longer conducive to the public health, convenience, and welfare to properties and residents of the Charter Township of Canton. **NOW, THEREFORE BE IT RESOLVED THAT**, pursuant to Chapter 17 of the Drain Code, a petition for the abandonment of a portion of the South Branch Fellows Creek Drain is authorized to be executed by the Charter Township of Canton, and that the Supervisor and Clerk are authorized to sign all documents necessary to effectuate the intent of this petition. **BE IT FURTHER RESOLVED** that the Clerk shall forward to the Wayne County Drain Commissioner a copy of this Resolution and file the petition to abandon and vacate a portion of the South Branch Fellows Creek Drain as permitted under the Drain Code. **AYES: 7 NAYS: 0 ABSENT: 1** **Item G-3. Consider the Purchase of Two Flygt Non-clog Submersible Pumps for the Hampton Ridge South Sanitary Sewer Pump Station from Kennedy Industries. (MSD)** Motion by Bennett, supported by McLaughlin to authorize the purchase and replacement of two submersible pumps from Kennedy Industries, 52900 Grand River, New Hudson MI 48165-0180 and approve a purchase order for a not-to-exceed amount of \$16,776. Motion carried by all members present. **Item G-4. Consider Approval of a Purchase Order for Wade Trim & Associates to Conduct an Engineering Review of Legacy Estates. (MSD)** Motion by Bennett, supported by McLaughlin to authorize the creation of a purchase order in the amount not-to-exceed \$47,349.44 to Wade Trim and Associates for the engineering review of the Legacy Estates project. Motion carried by all members present. **Item G-5. Consider Request to Create and Fill the Position of Permit & Plan Reviewer. (MSD)** Motion by Bennett, supported by Williams to create and fill the position of Permit & Plan Reviewer in the Building & Inspection Services Division of the Municipal Services Department. Motion carried by all members present. **Item G-6. Consider the Purchase of Twenty Sensus Two Inch Water Meters from Etna Supply (MSD)** Motion by Bennett, supported by Williams to authorize the purchase of twenty (20) Sensus two-inch water meters from Etna Supply in the amount of \$19,900. Motion carried by all members present. **Item G-7. Consider Authorization to Replace Summit Aquatic Center Office Cabinets, Counters and Shelves (CLS)** Motion by Bennett, supported by Williams to authorize the replacement of the Summit Aquatic Center Office cabinets, shelves and counters by Heaney General Contracting, 7560 Carpenter Drive, Ypsilanti, MI 48197 in the amount of \$9,737 from account #208-757-51.970\_0060. Motion carried by all members present. **Item G-8. Consider Authorization of Lease of Cardiovascular Fitness Equipment (CLS)** Motion by Bennett, supported by McLaughlin to authorize the 3-year lease-to-own agreement for three pieces of fitness equipment to Direct Fitness Solutions, 600 Tower Road, Mundelein, IL 60060 in the amount of \$51,132.21 (3 annual payments of \$17,044.07). Motion carried by all members present. **ADDITIONAL PUBLIC COMMENT:** None **OTHER:** Director Bilbrey-Honsowetz commented the Canton ITC Corridor Trail Grand Opening will be on Tuesday August 19 at 6:30 pm at Flodin Park. **ADJOURN:** Motion by Bennett, supported by Williams to adjourn at 7:50 p.m. Motion carried by all members present. **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](http://www.canton-mi.org) after Board Approval.