

Charter Township of Canton Board Proceedings August 26, 2014

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, August 26, 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 Faas, Deputy Chief Hilden, Kristin Kolb, Fire Chief Meier, Deputy Fire Chief Stoecklein, Director Trumbull **Adoption of Agenda** Motion by Yack, supported by Anthony to approve the agenda as presented. Motion carried unanimously. **Approval of Minutes** Motion by Bennett, supported by Sneiderman to approve the Regular Board Minutes of August 12, 2014 as presented. Motion carried unanimously. **RECOGNITION:** Ron Lieberman is retiring after 15 years of outstanding service on the Canton Township Planning Commission. The Board of Trustees presented Mr. Lieberman with a commemorative plaque and thanked him for his service and dedication to the Canton Community. Motion by Bennett, supported by Sneiderman to place the recognition of Ron Lieberman into the public record. Motion carried unanimously. **Citizen's Non-Agenda Item Comments:** George Miller, 1946 Briarfield, asked if subcontracting Canton's fire and police departments has been considered. Supervisor LaJoy answered the board has looked into this matter in the past 6 months. Mr. Miller asked where the Tipping Fees from the dump are applied. Supervisor LaJoy responded the fees have been applied to various projects in the past. Mr. Miller questioned the addition of a fee for trash removal and Supervisor LaJoy explained that would be covered in agenda Item G-3. **Payment of Bills** Motion by McLaughlin, supported by Sneiderman to approve payment of the bills as presented. Motion carried unanimously. **PUBLIC HEARING: Item PH-1. Consider Industrial Facilities Tax Exemption Certificate for Industrial Door, Inc. (Supv)** Motion by Bennett, supported by Williams to open the public hearing for a PA 198 Tax Abatement for an Industrial Facilities Exemption Certificate for Real Property for International Door, Inc at 7:06 p.m. Motion carried unanimously. Carol Bodenmiller resident at 1694 Woodbridge, stated the original tax abatements were on a sliding scale, not a flat 6 year total. Supervisor LaJoy explained this would be a 50% abatements on just their new investment. Ms. Bodenmiller asked how many abatements the township is giving out. Supervisor LaJoy stated he did not have the exact number, however it is usually only a couple a year. Director Trumbull agreed. Trustee Yack explained there is a special criteria, with several points of qualification, each request must fulfill before any tax abatement may be granted. With these points an abatement may be up to 12 years. In the case of International Door, Inc., they only qualified for 6 years. Ms. Bodenmiller asked if there are penalties if a company does not fulfill all their commitments. Supervisor LaJoy explained the Finance Department does monitor them. John Kaounas, Owner of International Door, Inc. thanked the board for their continued support. Motion by Bennett, supported by Williams to close the public hearing for PA 198 Tax Abatement for an Industrial Facilities Exemption Certificate for International Door, Inc. at 7:12 p.m. Motion carried unanimously. Motion by Bennett, supported by Williams to adopt the resolution to approve the application of International Door, Inc., for a PA 198 Tax Abatement for an Industrial Facilities Exemption Certificate. Motion carried unanimously. **RESOLUTION APPROVING APPLICATION OF INTERNATIONAL DOOR, INC. INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR REAL PROPERTY** WHEREAS, pursuant to P.A. 198 of 1974, M.C.L. 207.551 et seq., after a duly noticed public hearing held on May 3, 1987, this Canton Board of Trustees by resolution established the Northeast Canton Industrial Development District; and WHEREAS, the Charter Township of Canton approved an application from International Door, Inc. requesting an Industrial Facilities Exemption Certificate for real property investments located at 8001 Ronda Drive; and WHEREAS, International Door, Inc., has filed an application for an Industrial Facilities Exemption Certificate with respect to real property in the amount of \$800,000 located within the Northeast Canton Industrial Development District; and WHEREAS, before acting on said application, the Charter Township of Canton held a hearing on August 26, 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, International Door, Inc., 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 International Door, Inc., for an Industrial Facilities Exemption Certificate, with respect to the following described parcel of real property situated within the Northeast Canton Industrial Development District to wit: Legal Description: 02F21 LOT 21 CANTON INDUSTRIAL PARK NO 2 T2S R8E L100 P96, 97 WCR Parcel# 005-002-0021-000 3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of six years in accordance with Township requirements and applicable statutory provisions found in M.C.L. et seq. be and the same is hereby approved. **Item PH-2. Public Hearing and Approval of Millage Rates for December 1, 2014 Tax Levy. (FBD)** Motion by Anthony, supported by Bennett to open the Public Hearing on the millage rates for the December 1, 2014 tax levy at 7:13 p.m. Motion carried unanimously. Supervisor LaJoy read the following prepared statement: Long-range planning is critical to a community's success. It is essential in order to maintain the safe, secure and vibrant community we in Canton experience today. As a result of that long-range planning, four years ago the Canton Board of Trustees raised the Public Safety millage by 1.75 mills. That adjustment was an appropriate action given the devastating economic circumstances at that time, and got us through a very tough few years. Years that brought over \$20 million in lost revenue, major employee concessions and organization-wide cost efficiencies. Canton is currently in very good financial shape thanks to those adjustments and other sacrifices made along the way. But as we look out into the future with our multi-year budgeting process, the Board will again consider a Public Safety millage increase to ensure that Canton remains the safe, vibrant community we have all come to expect. We held a public forum on the topic last month, which was announced in the Observer. The forum was taped for cable and the Observer ran a follow-up article on it, informing residents that the video was available for viewing on Canton's website. As a matter of fact, this topic was covered in four different issues of the Observer. Additionally, an article in the Focus newsletter directed residents to our website for the video and to my office for questions and concerns. (The Focus newsletter, incidentally, is mailed out to over 36,000 addresses in the community, and survey results indicate that 95% of residents get their community news from the Focus.) Four years from now is difficult to predict. I tend to agree with our auditing firm that feels municipal revenues should be back to 2007 levels by 2020. If that is the case, and those levels do reappear and we don't have another economic downturn, we should be in a stable financial position. We want to continue to provide our residents with outstanding services. We want our residents to feel safe and secure. Our commitment to the residents of Canton is to continue to be transparent, efficient, and good stewards of their money. In order to ensure Canton's future, there are a couple of steps the board will consider. First, we will set the millage rates. We are now in the public hearing, which starts the process. Second, we will consider the first reading of the amendments to the solid waste ordinance at this meeting under the general calendar, which will make possible the changes in how we handle fee collection for solid waste removal. As a result, residents will see a 0.5 millage increase and a \$140 annual fee on their winter tax bill. The combined total will be approximately \$190 for a Canton home valued at \$200,000, or \$15.83 monthly. Motion by Anthony, supported by Bennett to close the Public Hearing on the millage rates for the December 1, 2014 tax levy at 7:44 p.m. Motion carried unanimously. Motion by Bennett, supported by Williams to approve the millage rates to be levied by Canton Township on December 1, 2014 as follows: Charter Mills (General Fund) 1.3660 Fire Protection Special Assessment 3.8580 Police Protection Special Assessment 5.6760 Total 10.9000, Motion carried unanimously. Director Trumbull explained the request Charter Mills of 1.3660 is a decrease of 1 mil from last year's tax rates; the Fire Protection Special Assessment of 3.8580 is an increase of .75 mil over last year; and the Police Protection Special Assessment 5.6760 is an increase of .75 over last year. This equates to an increase of .5 overall. Trustee Sneiderman stated he supports this tax levy. He feels this is necessary to maintain the township's quality of service as well as retain superior staff. He would rather have the waste pick up fee levied as a millage as opposed to a flat fee. A millage would be charged based on the dollar value of a home, not just a flat fee. He would like to have this presented to the voters next year as a millage. Trustee Yack asked if the public safety assessment would be used for an additional emergency response vehicle. Supervisor LaJoy agreed. Trustee Anthony stated Canton Public Safety should continue to maintain the high level of quality that we have always had. He supports these millage increases. Treasurer McLaughlin commented feels the trash pick-up should be a flat fee, not based on home value. Greg Demopolous, resident at 1652 McLain, stated he is in favor of this millage increase. George Miller, resident at 1946 Briarfield, stated there is a tip-fee plus the County pays Canton for the dump being here. Regarding the Police Department, Mr. Miller feels the Mobile Command Center is a financial obligation of the community. Mr. Miller questioned the 5 year tax abatement given to the gas company set up at the landfill location. Trustee Yack stated the original agreement regarding the tipping fees required the monies be spent strictly on capital improvements. Mr. Yack stated there are no fees received from the County for the landfill. Rich Keenan, 19 year resident at 46969 Glastonbury, stated he supports the millage increase. Carol Bodenmiller, resident asked the amount of tipping fees received. Director Faas answered in 2013 we received about \$781,000.00; in 2015 we expected the amount to be about \$650,000.00 Ms. Bodenmiller asked if the decrease is because the landfill is almost at capacity. Mr. Faas explained the fee is only collected from other haulers, not from the Canton Township customers. Treasurer McLaughlin stated when Carleton Farms opened in Sumter

in the early 2000s. Ms. Bodenmiller asked the expected life span of our landfill. Director Faas replied about 20 years. Trustee Yack explained the \$140.00 is to cover the cost of collection. Treasurer McLaughlin explained we are not charged for dumping in the landfill or delivery of the recyclables to the recycling facility. Once the landfill is filled, we would have to pay a tipping fee to whatever location we would be able to take the trash to. Clerk Bennett reminded the audience, the current is for residential pick up only. Treasurer McLaughlin supports this increase. **CONSENT CALENDAR: Item C-1. Resolution to Approve a State of Michigan; Non-Class "C", Micro-Brewer License Request of Canton Brew Works, LLC; 8521 N. Lilley Road, Canton, MI 48187. (Clerk)** Motion by Bennett, supported by Williams to adopt a resolution to approve a State of Michigan; Non-Class "C" Micro-Brewer License Request of Canton Brew Works, LLC; 8521 N. Lilley Road, Canton, MI 48187. Motion carried unanimously. **CERTIFIED MOTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON MOTION TO APPROVE A STATE OF MICHIGAN; NON-CLASS "C", MICRO-BREWER LICENSE REQUEST OF CANTON BREW WORKS, LLC; 8521 N. LILLEY ROAD, CANTON, MI 48187** At a regular meeting of the Charter Township of Canton Board of Trustees called to order by Supervisor LaJoy on August 26, 2014, at 7:00 PM the following resolution was offered. It was moved and supported that the application from Canton Brew Works LLC.; for a Microbrewery License to be located at 8521 N. Lilley Rd., Canton MI. 48187, be recommended for issuance. It is the consensus of this body to recommend this application be considered for approval by the Michigan Liquor Control Commission. **Item C-2. Appointment to the Commission for Culture, Arts & Heritage. (CLS)** Motion by Bennett, supported by Williams that the Board of Trustees of the Charter Township of Canton approve the appointment of Phyllis Redfern to the Commission for Culture, Arts & Heritage for a three-year term to expire December 31, 2017. Motion carried unanimously. **Item C-3. Consider Authorizing the Township Supervisor to Execute the Agreement with the Michigan Department of Transportation Authorizing the Township to Maintain the Turf Along the Michigan Avenue Median. (MSD)** Motion by Bennett, supported by Williams to authorize the Township Supervisor to execute the agreement between the Michigan Department of Transportation and Canton Township for maintenance of the turf in the Michigan Avenue road right of way. Motion carried unanimously. **Item C-4. Consider Approval to Increase Purchase Order for D & M Art Studio. (CLS)** Motion by Bennett, supported by Williams to approve the increase to purchase order #443 in the amount of \$4,500 for D & M Art Studios, 8691 N. Lilley Rd., Canton MI 48187 for a purchase order total of \$7,000. Funds to be taken from account number 101-691-61.801 0050 Professional and Contractual Services. Motion carried unanimously. **GENERAL CALENDAR: Item G-1. Consider Preliminary Approval of the Antioch Connection Assisted Living Facility PDD. (MSD)** Motion by Bennett, supported by McLaughlin for Preliminary Approval of the Antioch Connection Assisted Living Facility PDD. Motion carried unanimously. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Preliminary Approval of the Antioch Connection Assisted Living Facility PDD** WHEREAS, the Project Sponsor has requested preliminary approval for the Antioch Connection Planned Development for an assisted living facility, located east of Sheldon between Palmer Road and Michigan Avenue on parcel 108-99-0001-706; and, WHEREAS, the Planning Commission voted to recommend preliminary approval based on the findings that the proposed development plan is consistent with the goals and objectives of the Comprehensive Plan, subject to providing a cross connection to the existing driveway to the east side of the church building and providing additional landscaping on the north side of the entry drive to provide for year round screening; 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 outlined in the Planning Commission recommendation 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 Preliminary PDD for the Antioch Connection Assisted Living Facility, subject to providing a cross connection to the existing driveway to the east side of the church building and providing additional landscaping on the north side of the entry drive to provide for year round screening; as the proposal provides needed housing and care opportunities for Canton's senior citizens and increases the tax base of the township on property that would be otherwise tax-exempt. **Item G-2. Consider Approval of the Site Plan for Uptown II Cherrywood Parc Apartments. (MSD)** Motion by Bennett, supported by McLaughlin to approve the Site Plan for Uptown II and Cherrywood Parc Apartments. Motion carried unanimously. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Site Plan for Uptown II and Cherrywood Parc Apartments** WHEREAS, the Project Sponsor, Mr. Mark Highlen, has requested site plan approval for the Uptown II and Cherrywood Parc Apartments to be located on Cherry Hill Road between Denton and Ridge Roads, identified as tax EDP #072-99-0003-707 and 072-99-0019-704; and, WHEREAS, the Planning Commission reviewed the site plan and made a recommendation to approve the request to grant site plan approval, 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. Mark Highlen, to approve the site plan for the proposed Uptown II and Cherrywood Parc Apartments 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 First Reading of Code Of Ordinance Amendments to Part I, Chapter 58 Entitled "Solid Waste", Article III, Entitled "Collection and Disposal, Sections 58-111 Through 58-150. (MSD)** Motion by Bennett, supported by McLaughlin to introduce the first reading of the Code of Ordinance amendments to Part I, Chapter 58 Entitled "SOLID WASTE", Article III Entitled "COLLECTION AND DISPOSAL", Sections 58-111 through 58-150 with publication on September 4, 2014. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to table and propose to remove from the table for Second Reading on September 9, 2014 with publication and effective date of September 18, 2014. Motion carried unanimously. **STATE OF MICHIGAN COUNTY OF WAYNE CHARTER TOWNSHIP OF CANTON CHAPTER 58 AN ORDINANCE AMENDING THE CHARTER TOWNSHIP OF CANTON CODE OF ORDINANCES PART I, CHAPTER 58 ENTITLED "SOLID WASTE", ARTICLE III, ENTITLED "COLLECTION AND DISPOSAL", SECTIONS 58-111 THROUGH 58-150, TO REVISE AND UPDATE VARIOUS PROVISIONS RELATING TO SOLID WASTE COLLECTIONS, INCLUDING THE IMPOSITION OF A SOLID WASTE COLLECTION FEE. THE CHARTER TOWNSHIP OF CANTON ORDAINS: SECTION 1. AMENDMENT TO THE CODE Chapter 58, Article III, Sections 58-111 through 58-150 are hereby amended to read as follows: SECTION 2. SEVERABILITY** If any clause, sentence, section, paragraph or part of this Ordinance, or application 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. **SECTION 3. REPEAL** All Ordinances, or part of the Ordinances, in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect. **SECTION 4. SAVINGS CLAUSE** All rights and duties which have been mattered, 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 5. PUBLICATION** The Clerk for the Charter Township of Canton shall cause this Ordinance to be published in the manner required by law. **SECTION 6. EFFECTIVE DATE** This Ordinance shall take full force and effect upon publication as required by law. Copies of the complete text of this Ordinance are available at the office of the Charter Township of Canton, 1150 S. Canton Center Road, Canton, Michigan, 48188, during regular business hours. **Item G-4. Consider Adoption of a Resolution for Approval of Application for Additional Credited Service by Thomas Champagne. (Supv)** Motion by Bennett, supported by Williams to move to adopt the Resolution allowing the purchase of additional credited service by Thomas Champagne. Motion carried unanimously. **Item G-5. 2014 Budget Adjustments** Motion by Bennett, supported by Sneiderman to approve 2014 Budget Adjustments as follows: **Charter Township of Canton 2014 Budget Adjustments**

101 General Fund Increase	Decrease	Revenue	Total General Fund Revenue	-\$	-\$	Expenses	Clerk Longevity	
101-215.705_0020	2,000	Human Resources Longevity	101-220.705_0020	1,900	Facilities Maintenance Longevity	101-265.705_0020	1,300	
		Parks Longevity	101-270-50.705_0020	1,000	Building Longevity	101-371.705_0020	2,100	
		Recreation Longevity	101-691-50.705_0020	350	Planning Longevity	101-853.705_0020	900	
		Human Resources Self Insurance Tax	101-220.721_2402	Treasurer Operating Supplies	101-253.740_500	Parks Maint & Repair Grounds - Salt	101-270-50.930_0070	31,362
		ITS Maint & Repair - Vehicles	101-258.930_0040	1,500	Treasurer Sal & Fringes - May Rae Split	Various Sal & Fringe Accts	10,742	
		Total General Fund Expenses	Total Increase (Decrease)	In Use of Fund Balance	\$45,906	10,150	\$ 35,756	

 Motion carried unanimously. **Item G-6. Consider Award of a Contract to the Upright Fence Company for the Installation of Two Privacy Fences Along The ITC Corridor. (MSD)** Motion by Bennett, supported by McLaughlin to award a contract to the Upright Fence Company for the installation of two privacy fences along the ITC Trail. The total amount of the purchase order will be \$9,696. Motion carried unanimously. **ADDITIONAL PUBLIC COMMENT:** None **OTHER:** Trustee Anthony commented on the Village Faire held on Sunday August 24 held at the Cady-Boyer Barn. Over 650 people were served over 1400 hotdogs. A wonderful event held with the cooperation of Canton Leisure Services and the Canton Lions Club. Clerk Bennett stated Holiday Market with the Canton Historical Society and Canton Leisure Services will host Brew, Brats and Bands at the Barn on Saturday, September 13 from 6 - 9 p.m. at Preservation Park - Cady Boyer Barn. Trustee Sneiderman stated the Partnership for the Arts will host Fifty-Amp Fuse on October 11, at The Village Theater at Cherry Hill. **ADJOURN:** Motion by Bennett, supported by Williams to adjourn at 8:17 p.m. Motion carried unanimously. **Terry G. Bennett, Clerk**