

Charter Township of Canton Board Proceedings – November 25, 2014

6:30 P.M. CLOSED SESSION – TO DISCUSS CONFIDENTIAL LEGAL OPINION

Motion by Anthony, supported by Williams to move from open session to closed session at 6:30 p.m., for the purpose of discussion of legal opinion. Motion carried by all members present. **Roll Call** Members Present: Anthony, LaJoy, McLaughlin, Sneiderman, Williams, Yack Members Absent: Bennett Staff Present: Director Mutchler, Director Trumbull, Kristin Kolb, Guest Present: Ken Sachs of Miller Canfield. Motion by Anthony, supported by Sneiderman to move from closed session to open session at 7:06 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, November 25, 2014 at 1150 Canton Center S., Canton, Michigan. Supervisor LaJoy called the meeting to order at 7:07 p.m. and led the Pledge of Allegiance to the Flag. **Roll Call** Members Present: Anthony, LaJoy, McLaughlin, Sneiderman, Williams, Yack Members Absent: Bennett Staff Present: Director Bilbrey-Honsowetz, Director Faas, Director Mutchler, Director Trumbull, Fire Chief Meier, Kristin Kolb, Carolyn Cox **Adoption of Agenda** Motion by LaJoy, supported by Sneiderman to approve the agenda as presented. Motion carried by all members present. **Approval of Minutes** Motion by Sneiderman, supported by Anthony to approve the Board Minutes of October 28, 2014 as presented. Motion carried by all members present. Motion by McLaughlin, supported by Anthony to approve the Special Board Meeting Minutes of November 6, 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. **PUBLIC HEARING: Item PH-1. Public Hearing and Adoption of Fiscal Year 2015 Budget. (Fin)** Motion by McLaughlin, supported by Sneiderman to open the Public Hearing on the Adoption of the Fiscal Year 2015 Budget at 7:08 pm. Motion carried by all members present. Motion by McLaughlin, supported by Sneiderman to close the Public Hearing on the Adoption of the Fiscal Year 2015 Budget at 7:10 pm. There was no public comment. Motion by McLaughlin, supported by Sneiderman to adopt the following resolution. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Adoption of Fiscal Year 2015 Budget WHEREAS**, Act 359 of 1947, The Charter Township Act, requires that the annual budget be adopted by resolution and; **WHEREAS**, pursuant to MCLA 141.412 and .413, notice of a public hearing on the proposed 2015 budget was published in a newspaper of general circulation on November 13, 2014, and a public hearing on the proposed budgets was held on November 25, 2014. **NOW THEREFORE BE IT RESOLVED**, that estimated total revenues and expenditures for the 2015 fiscal year are hereby appropriated on a fund level basis. Totals by fund are as follows:

Fund #	Fund Description	2015 Proposed Budget
101	General Fund	23,991,174
206	Fire Fund	13,055,700
207	Police Fund	18,246,025
208	Community Center Fund	3,633,837
219	Street Lighting	334,575
230	Cable TV	1,712,500
246	Community Improvement	2,146,800
261	911 Service	992,500
266	WWN Forfeiture	433,000
274	CDBG 312,000 276 NSP	150,000
301	Energy Project Debt Service	346,991
401	Capital Projects	2,500
403	Capital Projects - Roads	24,356
555	Solid Waste	3,803,295
584	Golf Course	3,699,283
592	Water and Sewer	39,079,000
661	Fleet Maintenance	1,970,979
736	Post Employment Benefits	3,476,213
852	Special Assessment Debt Service	551,525

BE IT FURTHER RESOLVED that the Township Supervisor has the authority to approve budget adjustments within a department based upon recommendation by the appropriate Department Director and the Finance and Budget Director in accordance with adopted policies. **BE IT FURTHER RESOLVED**, that the Charter Township of Canton Board adopts the 2014 budget for the various funds on a fund level. Township officials responsible for the expenditures authorized in the budget may expend Township funds up to, but not to exceed, the total appropriation authorized for each fund. **BE IT FURTHER RESOLVED** that there shall not be any new positions created that shall result in an increase in employee headcount within a department or division without prior Township Board approval. **BE IT FURTHER RESOLVED** that existing vacant and budgeted positions and reclassified positions may be filled by the Township Supervisor only after review and approval by the Department Director and the Finance and Budget Director. **AND BE IT FURTHER RESOLVED** that claims against the Township shall be approved by the Charter Township of Canton Board prior to being paid. The Township Clerk and the Township Treasurer may authorize payment of certain claims prior to approval by the Township Board to avoid late penalties, service charges and interest, for example utilities and payroll, in accordance with approved salaries and hourly rates adopted by the Township Board. The Township Board shall receive a list of claims paid prior to approval for approval at the next Board meeting. **CONSENT CALENDAR: Item C-1. Consider Reappointment Of Planning Commission Members. (MSD)** Motion by McLaughlin, supported by Anthony to reappoint Brad Cambridge and Sue Dodson to the Canton Township Planning Commission, terms to expire December 31, 2017. Motion carried by all members present. **Item C-2. Consider An Extension Of The Moratorium On New Smoking Lounges And Facilities. (MSD)** Motion by McLaughlin, supported by Anthony to adopt the following resolution extending the moratorium on new smoking lounges and facilities. Motion carried by all members present. **STATE OF MICHIGAN COUNTY OF WAYNE CHARTER TOWNSHIP OF CANTON Resolution Extending Moratorium On Smoking Lounges And Facilities R E C I T A T I O N S:** On May 27, 2014, the Board of Trustees for the Charter Township of Canton adopted a Moratorium on Smoking Facilities and Lounges. The Moratorium provided for a 180-day period during which the need for regulation of Smoking lounges and facilities would be studied, and possible zoning ordinance and regulatory provisions would be reviewed and developed. A proposed set of regulations has been developed and reviewed by staff, and is set for a study session with the Board of Trustees on December 2, 2014. The Moratorium adopted on May 27, 2014, is set to expire on or about November 27, 2014. In order to prevent operation of smoking lounges and facilities that is inconsistent with the proposed regulations, the Township Administration has determined that it would be reasonable to extend the Moratorium for a period of time to allow for the review and, if appropriate, the adoption of regulations for smoking lounges and facilities. The Board of Trustees is in agreement that an extension of the moratorium is appropriate under these circumstances. **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:** 1. The Moratorium on Smoking Lounges and Facilities is hereby extended until February 13, 2015, to allow for a study session on December 2, 2014, of a proposed ordinance regulating smoking lounges and other facilities, as well as the time for the statutorily required adoption process of an ordinance, should the Board determine to proceed. 2. If the Board determines to proceed with adoption of an ordinance regulating smoking lounges and facilities, and the ordinance does not pass first reading, then the moratorium shall expire the day after the Board fails to take action on the first reading. 3. If the Board does determine to proceed with an ordinance regulating smoking lounges, then it is expected the first reading would be held on January 13, 2015, followed by a second reading on January 27, 2015, with an anticipated publication and effective date of February 5, 2015. 4. If an ordinance is adopted by the Township Board, and the effective date of the ordinance is prior to February 13, 2015, then the moratorium shall expire on the effective date of an ordinance. **Item C-3. Consider 2015 Meeting Dates For The Commission For Culture, Arts & Heritage. (CLS)** Motion by McLaughlin, supported by Anthony to establish the 2015 Canton Commission for Culture, Arts & Heritage meeting schedule at 7:00 p.m. in the Lower Level Meeting Room E of the Administration Building, 1150 S. Canton Center Road, quarterly on the designated Monday of the established months. Meeting Dates: February 9, 2015; May 11, 2015; August 10, 2015 November 9, 2015. Motion carried by all members present. **Item C-4. Request for Resolution of Local Body of Government to Recognize "Special Needs Association, Inc." As A Nonprofit in the Community For Purposes of Making Application for a "Charitable Gaming License" To The Bureau of State Lottery. (Clerk)** Motion by McLaughlin, supported by Anthony to approve the request from the "Special Needs Association, Inc.", 43050 Ford Road, Ste. 150, Canton,

Michigan 48187, Canton Township, Wayne County, Michigan; to be recognized as a non-profit organization for the purpose of obtaining a charitable gaming license. Motion carried by all members present. **Item C-5 Consider Approval of Public Safety's Five-Year Strategic Plan. (PSD)** Motion by McLaughlin, supported by Anthony to approve Canton Public Safety's Five Year Strategic Plan, 2014-2018, as previously presented to the Canton Township Board of Trustees. Motion carried by all members present. **GENERAL CALENDAR: Item G-1. Consider Approval of the Special Land Use Request and Site Plan for Jimmy John's. (MSD)** Motion by McLaughlin, supported by Sneiderman to adopt a resolution approving Special Use and Site Plan for Jimmy Johns. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Special Use and Site Plan for Jimmy John's WHEREAS**, the Project Sponsor, Mr. Evan Priest, has requested special use for a fast food restaurant and site plan approval for Jimmy John's to be located on Michigan Avenue between Beck and Belleville Roads and identified as EDP# 131-99-0011-000; and **WHEREAS**, the Planning Commission found the proposed special use and site plan to be consistent with the development objectives of the Township and recommended approval; and, **WHEREAS**, the Board has reviewed the proposed special use and 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 recommendation form 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 request of the Project Sponsor, Mr. Evan Priest, to conduct the special use for the proposed Jimmy John's fast food restaurant and does hereby approve the site plan subject to compliance with any conditions contained herein and all other regulations of the Township. **Item G-2. Consider Approval of the Special Land Use Request for Kroger Store Outdoor Display Area. (MSD)** Motion by McLaughlin, supported by Williams to adopt the resolution approving Special Use for Kroger Outdoor Display. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Special Use for Kroger Outdoor Display WHEREAS**, the Project Sponsor, Mr. Charles McCullah, has requested special use approval for the Kroger Outdoor Display to be located on Ford Road between Canton Center and Beck Roads and identified as EDP# 061-99-0003-704 ; and, **WHEREAS**, the Planning Commission found the proposed special use to be consistent with the development objectives of the Township and recommended approval; and, **WHEREAS**, the Board has reviewed the proposed special use and determines the proposal to be consistent with the Zoning Ordinance regulations and development objectives subject to the conditions described in the analysis and recommendation form 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 request of the Project Sponsor, Mr. Charles McCullah, to conduct the special use for the proposed Kroger Outdoor Display area subject to compliance with any conditions contained herein and all other regulations of the Township. **Item G-3. Consider Approval of the Special Land Use Request and Site Plan for the Singh Sabha School Addition. (MSD)** Motion by McLaughlin, supported by Sneiderman to adopt the resolution approving Special Use and Site Plan for Singh Sabha School. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Special Use and Site Plan for Singh Sabha School WHEREAS**, the Project Sponsor, Mr. Mohinder Singh, has requested special use approval for the Singh Sabha School to be located on Canton Center Road between Palmer and Geddes Roads and identified as EDP# 112-99-0025-701; and, **WHEREAS**, the Planning Commission found the proposed special use to be consistent with the development objectives of the Township and recommended approval; and, **WHEREAS**, the Board has reviewed the proposed special use and determines the proposal to be consistent with the Zoning Ordinance regulations and development objectives subject to the conditions described in the analysis and recommendation form 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 request of the Project Sponsor, Mr. Mohinder Singh, to conduct the special use for the proposed Singh Sabha School subject to compliance with any conditions contained herein and all other regulations of the Township. **Item G-4. Consider Amendment to the Existing Contract with the Mannik & Smith Group, Inc. for Additional Inspection Services for Private Development Work. (MSD)** Motion by McLaughlin, supported by Sneiderman to amend the existing contract with Mannik & Smith Group for inspection and testing services on a variety of development projects at the direction of the Engineering Services Manager for an amount not-to-exceed an additional \$20,000. Motion carried by all members present. **Item G-5. Consider Retaining Spalding DeDecker as the Designer for the Lotz Road Water Main Extension Project and Approval of a Budget Amendment. (MSD)** Motion by McLaughlin, supported by Williams to approve a budget amendment to the Water and Sewer Fund account numbers as follows: Increase Revenues #592-536.990 (Transfer to Fund Balance) \$55,015. Increase Expenses #592-536.801_0040 (Professional & Contractual Services-Eng) \$55,015. Motion carried by all members present. Motion by McLaughlin, supported by Sneiderman to award a contract to Spalding DeDecker in the amount not-to-exceed \$55,015 for design services for the Lotz Road water main extension project. Motion carried by all members present. **Item G-6. Request to Approve Purchase Order to Election Source for Coding and Testing of Election Equipment for the November 4, 2014 General Election. (Clerk)** Motion by McLaughlin, supported by Williams to increase funds in G/L Account 101-191.801_0050 Professional and Contractual Service Professional to \$16,525.46. Funds to be reallocated as \$8,500.00 from Elections Maintenance and Repair Machinery and Equipment G/L Account 101- 191.930 0030 and \$3,000.00 from Elections Operating Supplies G/L Account 101-191.740. Motion carried by all members present. **Item G-7. Consideration of first reading of an ordinance amending Chapter 70, Traffic and Vehicles, of the Canton Township Code of Ordinances by adding a new section 70-6 to Regulate Parking on the Streets of Canton Township. (Supv.)** Motion by McLaughlin, supported by Sneiderman to introduce for first reading an ordinance which amends Chapter 70 of the Canton Township Code of Ordinances entitled Regulating Parking on the Streets of Canton Township. Motion carried by all members present. Motion by McLaughlin, supported by Sneiderman to table for consideration the proposed text amendment to the Township Code of Ordinances and schedule a second reading for December 9, 2014. Motion carried by all members present. **Item G-8. Consider Approval of Dog Park Shade Structure. (CLS)** Motion by McLaughlin, supported by Williams to authorize the installation of one dog park shade structure by Heaney General Contracting, Inc., 7560 Carpenter Road, Ypsilanti, Michigan, 48197, in the amount of \$6,941 to be taken from Account # 101-270-89.970_0080. Motion carried by all members present. **Item G-9. Consider Approval of 2015 FY Specialized Services Operating Assistance Program. (CLS)** Motion by McLaughlin, supported by Sneiderman to approve the 2015 FY Specialized Services Operating Assistance Program contract with SMART in the amount of \$31,942 and to authorize the Township Supervisor to sign the contract. Motion carried by all members present. **Item G-10. Consider Approval of Purchase of Studio Camera Package. (CLS)** Motion by McLaughlin, supported by Sneiderman to authorize the purchase of the studio camera package from Great Lakes Multi Media, Inc, 1307 Allen Road, Suite D, Troy, Michigan in the amount of \$26,211.79 to be taken from Account #230-250-97_0010. Motion carried by all members present. **Item G-11. Consider Approval of Purchase of Two Podiums for the Summit on the Park. (CLS)** Motion by McLaughlin, supported by Sneiderman to authorize the purchase of two Podiums from AVI Systems, 27280 Haggerty Road, Suite C-2, Farmington Hills, MI in the amount of \$16,083 to be taken from Account #230-250.970_0010. Motion carried by all members present. **Item G-12. Consider Approval of Emergency Purchase Order to Control Sinkholes. (CLS)** Motion by McLaughlin, supported by Sneiderman to approve the purchase order to Midwest Maintenance, 37486 Ladywood, Livonia, MI 48154 for emergency repair to the Summit and Pheasant Run storm water pipe and manhole that have developed sinkholes, in the amount of \$8,000 from account # 592-445.930_0050 - Maintenance and Repair of Infrastructure. Motion carried by all members present. **Item G-13. Consider Approving the Purchase of Extrication Tools and Cardiac Monitors as awarded by the Assistance to Firefighters Grant. (PSD)** Motion by McLaughlin, supported by Anthony to approve the purchase of Hurst extrication tools in the amount of \$57,000 from Apollo Fire Equipment; and to approve the purchase of ten Zoll X Series cardiac monitors/defibrillators in the amount of \$301,900 from Zoll Medical Corporation, as awarded by the Assistance to Firefighters Grant. Motion carried by all members present. Motion by McLaughlin, supported by Sneiderman to approve the listed budget amendments to the 2014 Fire Budget: **REVENUE:** 206-000.501 Federal Grants \$339,300.00 and 206-000.695 Fund Balance Appropriation \$ 19,600.00. **EXPENSE:** 206-336-50.970.0030 Capital - Machinery & Equipment \$358,900.00. Motion carried by all members present. **ADDITIONAL PUBLIC COMMENT:** None **OTHER:** Director Bilbrey-Honsowetz stated the Township Tree Lighting Event will take place on Wednesday, December 3 at the Summit on the Park from 6:00 – 8:30 pm. The cost is \$5.00 per family. **ADJOURN:** Motion by Anthony, supported by Williams to adjourn at 8:06 p.m. Motion carried by all members present. **Terry G. Bennett, Clerk**