

## Charter Township of Canton Board Proceedings - October 13, 2015

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, October 13, 2015 at 1150 Canton Center S., Canton, Michigan. Supervisor LaJoy called the meeting to order at 6:15 p.m. **Roll Call** Members Present: Anthony, Bennett, LaJoy, McLaughlin, Sneiderman, Williams Members Absent: Yack Staff Present: Gwyn Belcher, Kristin Kolb, Director Mutchler, Director Trumbull Motion by Anthony, supported by Sneiderman to move from open session to closed session at 6:20 p.m., for the purpose of discussion of union negotiations. Motion carried by all members present. Closed session dismissed at 6:46 p.m. Motion by Bennett, supported by Anthony to move from closed session to open session at 7:01 p.m. Motion carried by all members present. Supervisor LaJoy reconvened the Open Meeting at 7:01 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, Director Mutchler, Director Trumbull, Gwyn Belcher, Kristin Kolb, Fire Chief Meier, Deputy Fire Chief Stoecklein **Adoption of Agenda** Motion by Bennett, supported by Anthony to amend the agenda to move Consent Calendar Item C-2 Consideration of Second Reading and Adoption of an Ordinance to Amend Chapter 46, Article II, Section 46-31, Entitled "Assault and Battery," to the General Calendar Item G-1 and to renumber the remaining General Calendar items accordingly. Motion carried unanimously. **Approval of Minutes** Motion by Bennett, supported by Sneiderman to approve the Board Minutes of September 22, 2015 as presented. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to approve the Board Study Session Minutes of September 29, 2015 as presented. Motion carried unanimously. **Recognition: Resolution in Recognition of Special Olympian Ben Bednarz** Motion by Bennett, supported by McLaughlin to pass a Resolution in Recognition of Ben Bednarz. Motion carried unanimously. **Whereas**, Ben Bednarz is a Canton native who started powerlifting eleven years ago when he was at Churchill High School; and **Whereas**, Ben participated in the bench press, squat and deadlift at the 2015 Special Olympic World Games in California; and **Whereas**, Ben won a gold medal and three silver medals for his powerlifting at the 2015 Special Olympic World Games; and **Whereas**, In total, Ben has received five gold medals from the 2014 State Games and 2015 World Games in addition to the silver medals he has earned; and **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of the Charter Township of Canton upon recommendation of the Director of Leisure Services, does hereby recognize Ben Bednarz and extends its congratulations to Ben for all his outstanding achievements. We wish Ben continued success. **Citizen's Non-Agenda Item Comments:** Annemarie Graham-Hudak, 1432 Ledgewood Drive, read a prepared statement regarding domestic violence warrant issues within our township and community. George Miller, 1946 Briarfield, asked about a police issue from July 16<sup>th</sup> claiming the papers were not served properly. He is requesting issues be recorded in the future **Payment of Bills** Motion by McLaughlin, supported by Williams to approve payment of the bills as presented. Motion carried unanimously. **CONSENT CALENDAR: Item C-1. Set Public Hearing for Chipotle Mexican Grill, for a New Class C License Business, Located at 42404 Ford Road, Canton, Michigan, 48187, Canton Township, Wayne County.** Motion by Bennett, supported by McLaughlin to set the Public Hearing date for November 10, 2015 to consider Chipotle Mexican Grill for a new Class C Licensed Business, located at 42404 Ford Road, Canton, Michigan, 48187, Canton Township, Wayne County. Motion carried unanimously. **Item C-2. Moved to Item G-1 on the General Calendar. Item C-3. Consider Acceptance of the Byrne Justice Assistance Grant #2015-MU-BX-0964. (PSD)** Motion by Bennett, supported by McLaughlin to approve acceptance of the 2015 Byrne Justice Assistance Grant #2015-MU-BX-0964 in the amount of \$10,000. Motion carried unanimously. Motion by Bennett, supported by Sneiderman to amend the 2015 Police Budget as follows: **Increase Revenues:** 2015 Police Federal Grants: Account #207-000.501 by \$10,000 **Increase Appropriations:** 2015 Police Program Expense 2015 Byrne JAG: Account #207-301-50.743.0022 by \$10,000. Motion carried unanimously. **Item C-4. Consider Emergency Approval for Increase of Purchase Order for Heritage Park and Pheasant Run ADA Pathway Improvements** Motion by Bennett, supported by McLaughlin to increase Purchase Order #2015-2524 for Heritage Park ADA Pathway Improvements to Heaney General Contracting, Inc., 7560 Carpenter Road, Ypsilanti, MI 48197 in the amount of \$10,284 from Account #274-666.849 CDBG ADA Improvements. Motion carried unanimously. Motion by Bennett, supported by Sneiderman to approve the following budget amendment to the Community Development Block Grant Fund: **Increase Expense** 274-666.849 ADA Improvements \$3,000 **Increase Revenue** 274-000.501 Federal Grants \$3,000 Motion carried unanimously. **GENERAL CALENDAR: Item G-1. Consideration of Second Reading and Adoption of an Ordinance to Amend Chapter 46, Article II, Section 46-31, Entitled "Assault and Battery."** Motion by Bennett, supported by McLaughlin to remove from the table the first reading of an ordinance which amends the Township Code of Ordinance, Chapter 46, Article II, Section 46.31, entitled "Assault and Battery". Wayne County Prosecutor, Kym Worthy addressed the board regarding the proposed amendment the Township Code of Ordinance, Chapter 46, Article II, Section 46.31, entitled "Assault and Battery". Worthy rejected the allegations that her office appeared to have lost 40 warrant requests. She gave a detailed court Tuesday of cases she said have been prosecuted, dismissed or are still pending. Ms. Worthy objected to the new ordinance siting for the need of special training needed to investigate, gather evidence, and prosecute these sensitive domestic violence issues. Mutchler and Worthy both indicated a willingness to work toward a common goal of addressing issues such as related to these cases. Motion by Yack, supported by Williams to table the second reading. Motion was withdrawn by Yack as the previous motion was still on the floor for consideration. Supervisor LaJoy called for a vote on the motion on the floor. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to hold the second reading and amend the Township Code of Ordinance, Chapter 46, Article II, Section 46.31, entitled "Assault and Battery" with a publication and effective date of October 22, 2015. **STATE OF MICHIGAN COUNTY OF WAYNE CHARTER TOWNSHIP OF CANTON CHAPTER 46 AN ORDINANCE, TO AMEND SECTION 46-31 ENTITLED "ASSAULT AND BATTERY" TO ADD A PROVISION PROHIBITING DOMESTIC ASSAULT AND BATTERY. THE CHARTER TOWNSHIP OF CANTON ORDAINS: SECTION 1. AMENDMENT TO CODE** Chapter 46, "Offenses and Miscellaneous Provisions," Article II, "Offenses Involving the Person," Section 46-31, of the Charter Township of Canton Code of Ordinances is hereby amended to read as follows: Sec. 46-31. Assault and battery; domestic assault and battery. Except as otherwise provided in subsection (b) below, a person who assaults and batters an individual is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00 or both. An individual who assault or assaults and batters his or her spouse or former spouse, an individual with whom he or she has a child in common, a resident or former resident of the same household, or an individual with whom he or she has had a dating relationship with, is guilty of a misdemeanor punishable by up to a \$500.00 fine and/or imprisonment for not greater than 93 days. For purposes of this section, police officers shall have the authority to arrest in accordance with MCL 764.15a, as amended. As used in this section, "dating relationship" is defined as frequent, intimate associations primarily characterized by the expectation of affectional involvement. This terms does not include a casual relationship or an ordinary fraternization between two individuals in a business or social context. **SECTION 2. 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 3. 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 4. 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 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, 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 13<sup>th</sup> day of October, 2015, and was ordered to be given publication in the manner required by law. Terry G. Bennett, Clerk Introduced: September 22, 2015 Adopted: October 13, 2015 Published: October 22, 2015 Effective: October 22, 2015 **Item G-2. Consider Approval of Workers Compensation Insurance Services with Eagle Claims Management LLC. (HR)** Motion by Bennett, supported by Sneiderman to approve the contract with Eagle Claims Management LLC to provide workers compensation insurance services for a three year term, beginning January 1, 2016, and ending December 31, 2018. Motion carried unanimously. **Item G-3. Consider Final Site Plan for Crystal Village at Denton Phase II. (MSD)** Motion by Bennett, supported by Williams to pass the following resolution approving the Final Site Plan for Crystal Village at Denton Phase II. Motion carried unanimously. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Final Site Plan for Crystal Village at Denton Phase II** **WHEREAS**, the Project Sponsor, Mr. Francis Boji, has requested final site plan approval for Crystal Village at Denton Phase II to be located on Denton Road between Geddes Road and Michigan Avenue, identified as tax EDP #126-99-0009-000; and, **WHEREAS**, the Planning Commission reviewed the site plan and made a recommendation to approve the request to grant final 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. Francis Boji, to approve the request to grant final approval of the site plan for the proposed Crystal Village at Denton Phase II 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-4. Consider Approval of Special Land Use for a Single-Family Cluster Development for Stone Ridge Site Condominium. (MSD)** Motion by Bennett, supported by Williams to pass the following resolution approving Special Use for a Cluster Development for Stone Ridge Site Condominium. Motion carried unanimously. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Special Use for a Cluster Development for Stone Ridge Site Condominium** **WHEREAS**, the Project Sponsor, Pulte Homes, has requested special use approval for a Cluster Development and conceptual layout for Stone Ridge Site Condominium to be located south of Joy Road and west of Beck Road and identified as tax EIP # 017-99-0009-001; and, **WHEREAS**, the Planning Commission found the proposed special use to be consistent with Section 6.03D of the zoning code and the development objectives of the Township and recommended approval based upon the findings listed on the staff analysis; and, **WHEREAS**, the Board has reviewed the proposed special use and conceptual layout for Stone Ridge Site Condominium and determines the proposal to be consistent with the Zoning Ordinance regulations and development objectives subject to any 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, Pulte Homes, for a cluster development for Stone Ridge Site Condominium subject to compliance with any conditions contained herein and all other regulations of the Township. **Item G-5. Consider Approval of a Change Order to the Contract with OHM Advisors for Additional Design Services for the Proposed Water Storage and Pump Station Project. (MSD)** Motion by Bennett, supported by McLaughlin to approve the following budget amendment. **Decrease Expenditure:** Account #592-536.990 (Transfer to Fund Balance) by \$228,000; and **Increase Expenditure:** Account #592-536.801\_0040 (Prof Services-Engineering) by \$228,000. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to authorize a change order to "OHM Advisors contract for the Water Storage & Pump Station Project for an additional amount not-to-exceed \$228,000.00. Motion carried unanimously. **Item G-6. Consider the Purchase of Two Replacement Vehicles for Fleet Services. (MSD)** Motion by Bennett, supported by Sneiderman to approve the purchase of the (2) two 2016 GMC Sierra trucks from Red Holman GMC, 35100 Ford Road, Westland MI for a total not-to-exceed \$63,699; and further approve the purchase of the service body from Knapheide Truck Equipment, 1200 S. Averill Ave. Flint MI, for a total not-to-exceed \$16,774.70. Motion carried unanimously. **Item G-7. Consider Approval of Emergency Purchase Order for Summit Aquatic Center Filtration Pumps. (CLS)** Motion by Bennett, supported by McLaughlin to approve the emergency purchase order for two pumps from Aquatic Source, LLC, 3155 Ridgeway Court, Commerce Township, MI 48390 in the amount of \$11,550 to be paid from Account #208-757-50.970\_0020 Capital Outlay, Buildings & Improvements. Motion carried unanimously. **Item G-8. Consider Approval of Emergency Purchase Order for Summit Aquatic Center Blower Motors. (CLS)** Motion by Bennett, supported by McLaughlin to approve the emergency purchase of two ceiling vent fan motors in the Summit Aquatic Center from Building Automated Systems & Services, 6260 18-1/2 Mile Rd, Sterling Heights, MI 48314 in the amount of \$6,200 with funds to be taken from Account # 208-757-56.930\_0030 Maintenance & Repair Machinery and Equipment. Motion carried unanimously. **Item G-9. Consider the Purchase of Ballistic Protection Equipment for Firefighters. (PSD)** Motion by Bennett, supported by Sneiderman to approve the purchase of body armor vests with medical equipment pouches, ballistic helmets, and first responder medical bags in the amount of \$6,139.78, from On Duty Gear, LLC, 2525 Lapeer Avenue, Port Huron, MI. Motion carried unanimously. **ADDITIONAL PUBLIC COMMENT:** None **OTHER:** Director Bilbrey-Honsowetz stated the Trick or Treat Parade will take place on Friday October 30 in the Summit on the Park from 4 - 7 p.m. p.m., this event does require the participant to purchase a ticket and you will not be able to purchase tickets at the door. **ADJOURN:** Motion by Bennett, supported by Williams to adjourn at 8:31 p.m. Motion carried unanimously. **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, 734-394-5120, 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. **Publish:** October 22, 2015