

Charter Township of Canton Board Proceedings – October 27, 2015

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, October 27 at 1150 Canton Center S., Canton, Michigan. Supervisor LaJoy called the meeting to order at 6:40 p.m. Motion by Bennett, supported by Anthony to move from open session to closed session at 6:42 p.m., to discuss pending litigation. Motion carried by all members present. **6:40 P.M.: CLOSED SESSION – TO DISCUSS PENDING LITIGATION Roll Call** Members Present: Anthony, Bennett, LaJoy, McLaughlin, Sneiderman, Williams (Arrived at 6:49 p.m.) Members Absent: Yack Staff Present: Kristin Kolb Motion by Bennett, supported by Anthony to move from closed session to open session at 7:00 p.m. Motion carried by all members present. Supervisor LaJoy reconvened the Open Meeting at 7:00 p.m. and led the Pledge of Allegiance to the Flag. **Roll Call** Members Present: Anthony, Bennett, LaJoy, McLaughlin, Sneiderman, Williams Members Absent: Yack Staff Present: Director Bilbrey-Honsowetz Director Faas, Director Trumbull, Kristin Kolb Staff Absent: Director Mutchler **Adoption of Agenda** Motion by Bennett, supported by Williams to amend the agenda as by adding Item G-11 Consideration of Board Action on Attorney's Recommendation Regarding Pending Litigation. Motion carried by all members present. **Approval of Minutes** Motion by Bennett, supported by McLaughlin to approve the Board Minutes of October 13, 2015 as presented. Motion carried by all members present. Motion by Bennett, supported by Sneiderman to approve the Board Minutes of October 15, 2015 as presented. Motion carried by all members present. **Citizen's Non-Agenda Item Comments:** George Miller, 1946 Briarfield, asked for the protocol for serving papers to the 35th District Court, specifically on the 16th of July, he asked who delivered the papers. Mr. Miller asked for a "grievance" form for Public Safety. **Payment of Bills** Motion by McLaughlin, supported by Sneiderman to approve payment of the bills as presented. Motion carried by all members present. **CONSENT CALENDAR: Item C-1. Establish board of Trustees Meeting Dates for 2016 (Clerk)** Motion by Bennett, supported by Sneiderman to establish the Canton Township Board of Trustees Meeting schedule for the year 2016 as follows: first, second, third, fourth, and fifth Tuesday of each month for the Charter Township of Canton. Meetings scheduled for Board of Trustees Regular Meetings of the Board will be held, at 7:00 p.m. at the Charter Township of Canton Administration Building, Board of Trustees meeting room, First Floor, 1150 Canton Center South, Canton, Michigan. Meetings may be cancelled to coordinate with election dates as scheduled for 2016. Motion carried by all members present. **Item C-2. Establish Historic District Commission Meeting Dates for 2016 (Clerk)** Motion by Bennett, supported by Sneiderman to establish the Canton Township Historic District Commission meeting schedule for the year 2016 as follows: January 6th, April 6th, August 10, and October 5th. Meetings will be at 7:00 p.m. at the Cherry Hill School, 50440 Cherry Hill Road, Canton, Michigan unless otherwise specified. Motion carried by all members present. **Item C-3. Approve Reappointments to the Historic District Commission (Clerk)** Motion by Bennett, supported by Sneiderman to approve the Township Supervisor's recommendation for reappointment of David Curtis, Darrin Silvester, and Ralph Welton to the Canton Historic District Commission for three year terms effective through April 30, 2019. Motion carried by all members present. **Item C-4. Request to Approve Purchase Order for Four Year Standard Maintenance Contract on Neopost Mailing System in the Mail Room (Clerk)** Motion by Bennett, supported by Sneiderman to approve payment to Neopost USA, 478 Wheelers Farms Road, Milford, CT 06461 for an additional 4 year Standard Maintenance Contract on the Neopost Mailing System in the Mailroom in the amount of \$7048.00 from account 101-215-930_0035. Motion carried by all members present. **Item C-5 Request to Approve Purchase Order to Election Source for Election Equipment Testing for the November 3, 2015 Special Election (Clerk)** Motion by Bennett, supported by Sneiderman to approve the payment to Election Source for equipment testing for the November 3, 2015 Special Election in the amount of \$7,130.00 from the Professional and Contractual Service Professional Account 101-191.801_0050. Motion carried by all members present. **Item C-6 Consider Approval of a Metro-Act Permit for 123.Net Incorporated (MSD)** Motion by Bennett, supported by Sneiderman to approve a five (5) year Metro-Act Right-of-Way Telecommunications permit to 123.Net Incorporated and authorize the Township Clerk to sign the permit on behalf of Canton Township. Motion carried by all members present. **Item C-7 Award Two (2) Housing Rehabilitation Contracts (FBD)** Motion by Bennett, supported by Sneiderman to award the contract for a housing rehabilitation at xxxx Cather to Stratton Home Improvement in the amount of \$24,775 plus a contingency of \$225 for a purchase order total of \$25,000. Motion carried by all members present. Motion by Bennett, supported by Sneiderman to award the contract for a housing rehabilitation at xxxx Hanover Court to Stratton Home Improvement in the amount of \$18,200 plus a contingency of \$1,820 for a purchase order total of \$20,020. Motion carried by all members present. Motion by Bennett, supported by Sneiderman to approve the following budget amendment: Increase Expense 274-666.890 Housing Rehabilitation \$45,020 Increase Revenue 274-000.501 Federal Grants \$45,020 Motion carried by all members present. **GENERAL CALENDAR: Item G-1. Consider First Reading for Amendments to Appendix A- Zoning Of The Code of Ordinances Relative to the Boundaries of the Corporate Park and Central Business District Overlay Boundaries (MSD)** Motion by Bennett, supported by McLaughlin to introduce and hold the first reading of the proposed amendments to Sections 6.08 and 6.10 of Appendix A- Zoning of the Code of Ordinances Relative to the Boundaries of the Corporate Park and Central Business District Overlay Boundaries as provided in the attached ordinance. Motion carried by all members present. Motion by Bennett, supported by McLaughlin to table consideration of the amendment for a second reading on November 10, 2015. Motion carried by all members present. A copy of the complete text of this Proposed Ordinance Amendment is available at the Clerk's Office of the Charter Township of Canton, 1150 S. Canton Center Road, Canton, MI., 48188, during regular business hours. The approved text of the Amendment will be published in the Canton Eagle/Associated Newspaper within the meeting minutes synopsis of the date of approval. A complete copy of the Ordinances for Canton Township is available at www.canton-mi.org. **Item G-2. Consider Approval of A Variance to the Condominium Ordinance and Preliminary Site Plan Approval for Parkside Estates South (MSD)** Motion by Bennett, supported by McLaughlin to approve the following resolution. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Approval of Parkside Estates South Preliminary Site Plan and Variance to the Condominium Ordinance** WHEREAS, the Project Sponsor has requested approval of a variance to the Condominium Ordinance and approval of a Preliminary Site Plan for Parkside Estates South Site Condominiums, located on the south side of Ford Road between Ridge and Napier Roads on parcel no. 070-99-0001-000; and WHEREAS, the Planning Commission voted to recommend denial of the requested variance to Section 82-124(5) of the Condominium ordinance based on the finding that there is no overriding hardship or unique circumstance that would prevent connection to the Westridge Estates; and, WHEREAS, the Planning Commission voted 5-0 to recommend approval of the preliminary site plan for Parkside Estates South Site Condominium, subject to provision of a street connection to Westridge Estates at the Vail Lane stub street; and, WHEREAS, the Board has reviewed the proposed variance request, and has found the request is consistent with the intent with the Condominium Ordinance regulations and the Planned Development Agreement, based on the finding that full vehicular access to Westridge would disproportionately and adversely impact the proposed 21 unit cul-de-sac in Parkside Estates South and, that the alternate plan provides the needed utility, pedestrian and emergency access between the two developments; and, WHEREAS, the Board has reviewed the preliminary site plan and recommends approval of the plan with the provision of the emergency access, pedestrian connections and utility easements to Westridge Estates as shown on the plan, subject to provision of a full vehicular access and utility easements to the east property line north of the pond; **NOW THEREFORE BE IT RESOLVED**, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the requested variance to Section 82-124(5) of the Condominium Ordinance and; hereby approves the Preliminary Site Plan for Parkside Estates South, on parcel no. 070-99-0001-000, subject to the proposed emergency and pedestrian access to Vail Lane in Westridge Estates, and also subject to provision of a full vehicular access street and utility easements connecting Southford Street to the east property line of Parkside South Site Condominium, to provide a future connection to parcel no. 069-99-0017-000; and subject to all other applicable requirements of the Township. **Item G-3. Consider Approval of the Final Site Plan for River Ridge at Cherry Hill Village Site Condominium (MSD)** Motion by Bennett, supported by McLaughlin to approve the following resolution. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Approval of Final Site Plan for River Ridge at Cherry Hill Village Site Condominium** WHEREAS, the Project Sponsor has requested final site plan approval for River Ridge at Cherry Hill Village Site Condominiums to be located on Ridge Road between Chery Hill and Proctor Roads on parcels nos. 075-99-0004-003 and parcel no. 076-99-0013-702 ; and, WHEREAS, the Planning Commission reviewed the site plan and made a recommendation to approve the request to grant site final 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 to approve the final site plan for River Ridge at Cherry Hill Village Site Condominium 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 a Special Land Use for Truck Rental at Home Depot (Michigan Avenue) (MSD)** Motion by Bennett, supported by McLaughlin to approve the following resolution. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Special Land Use for Truck Rental at Home Depot (Michigan Avenue)** WHEREAS, the Project Sponsor has requested approval of a special land use for truck rental at the Home Depot, located on the north side of Michigan Avenue west of Canton Center Road, on parcel no 129-99-0001-701; and, WHEREAS, the Planning Commission reviewed the special use and site plan and made a recommendation to approve the request, limited to the area shown on the plan with no more than 10 trucks staged in the area at any given time and, designating the approved area on the site for rental truck parking through the use of signage and pavement striping. **NOW THEREFORE BE IT RESOLVED**, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the request of the petitioner, Home Depot, to approve the special land use for truck rental as shown on the plans, limited to the area shown on the plan with no more than 10 trucks staged in the area at any given time and, designating the approved area on the site for rental truck parking through the use of signage and pavement striping, as described in the analysis and recommendation attached hereto and made a part hereof. **Item G-5. Consider Approval of Change Order #2 to the Contract with Nagle Paving (MSD)** Motion by Bennett, supported by McLaughlin to approve Change Order #2 to Nagle Paving under their existing contract for the Summit East Parking Lot in the amount of \$24,007.10 for a total award of \$120,954.60. Motion carried by all members present. Motion by Bennett, supported by McLaughlin to approve the following budget amendment: **Increase Revenues:** Fund Balance Appropriation (403-000.695) \$24,007.10 **Increase Expenditures:** Professional Fees (403-506-02.801_0050) \$24,007.10 Motion carried by all members present. Director Faas explained the original estimate with detailed quantities was done in July 2015. After an actual walk-through was completed with the contractor, additional needed repairs were uncovered. **Item G-6. Consider Approval of a Budget Amendment and Increase of Purchase Order #2015-0001395 to Rauhorn Electric, Incorporated for the Installation of Electrical Equipment at Three Township Owned Sanitary Sewer Lift Stations (MSD)** Motion by Bennett, supported by Williams to approve a budget amendment to increase the expense account #402-302.801_0040 Professional and Contracted Services by \$7,200 and to increase the revenue account #402-000.695 Fund Balance Appropriation by \$7,200. Motion carried by all members present. Motion by Bennett, supported by McLaughlin to increase Purchase Order #2015-0001395 by \$7,200 for the remaining work at the other lift stations to Rauhorn Electric, Incorporated for an amount not-to-exceed \$45,195. Motion carried by all members present. **Item G-7. Consider Award of a Contract to SmithGroup JJR for Preliminary Design of the Lower Rouge Trail Extension from I-275 to Hannan Road (MSD)** Motion by Bennett, supported by McLaughlin to waive the Finance Policy requirement to receive three formal proposals, due to SmithGroup JJR's long history with this project, and authorize a purchase order for an amount not-to-exceed \$19,800 to complete the preliminary design of the Lower Rouge Trail Extension (I-275 to Hannan Road) and to authorize the Township Supervisor to sign the agreement on behalf of Canton Township. Motion carried by all members present. **Item G-8. Consider Waiving the Purchasing Policy and Approve Dominic's Cement Works for Emergency Concrete Road Repair Resulting from a Water Main Break (MSD)** Motion by Bennett, supported by Sneiderman to waive the purchasing policy and authorize payment of \$14,000 to Dominic's Cement Works for the emergency concrete road repair of Drexel Road. Motion carried by all members present. **Item G-9. Consider Approval of a Budget Amendment and Approve the Purchase of Surplus Property from DWSD for the Canton Water Storage & Pump Station Project (MSD)** Motion by Bennett, supported by Sneiderman to approve the following budget amendment: **Decrease Expenditure:** Account #592-536.990 (Transfer to Fund Balance) by \$107,500; **Increase Expenditure:** Account #592-536.970_0070 (Capital Outlay Land) by \$107,500. Motion carried by all members present. Motion by Bennett, supported by Anthony to authorize the Township Supervisor to sign the purchase agreement on behalf of Canton Township for an amount not-to-exceed \$107,500. Motion carried by all members present. **Item G-10. Approve IT Services – Expansion of Fiber Project (FBD)** Motion by Bennett, supported by Anthony to approve the purchase of networking equipment from CDWg in an amount not to exceed \$10,265. Motion carried by all members present. Motion by Bennett, supported by Williams to approve purchase of service & professional services from Western TelCom, Inc. in an amount not to exceed \$33,792 for the purpose of connecting Fire station #3 to the PCCS fiber network located near Workman Elementary. Motion carried by all members present. Motion by Bennett, supported by McLaughlin to approve the following budget transfers: **Increase Expenditures:** 101-258.970_0010 Capital Outlay Computer Equipment \$10,000 206-336.970_0010 Capital Outlay Computer Equipment \$22,029 **Decrease Expenditures:** 101-258.801_0050 Professional & Contractual Services \$10,000 206-336.970_0030 Capital Outlay Machinery & Equipment \$22,029 Motion carried by all members present. **Item G-11. Consideration of Board Action on Attorney's Recommendation Regarding Pending Litigation (Supv)** Motion by Bennett, supported by Williams in the matter of Gene Hokut v Canton, to approve the proposed settlement with the Plaintiff, and further authorize the Township Supervisor to sign any documents necessary to effect resolution of this pending lawsuit on behalf of Canton Township. Motion carried by all members present. **ADDITIONAL PUBLIC COMMENT:** None **OTHER:** Mr. Richard Duke, 5975 Haggerty Road, question the expense in Item G-6 when we already have paid for water and sewer. **ADJOURN:** Motion by Anthony, supported by Williams to adjourn at 7:58 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, 734-394-5120, during regular business hours and can also be accessed through our web site www.canton-mi.org after Board Approval. Publish: November 5, 2015

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