

Charter Township of Canton Board Proceedings –December 8, 2015

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, December 8, 2015 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, Director Mutchler, Director Trumbull, Gwyn Belcher, Fire Chief Meier, Deputy Chief Stoecklein Guests: Brian Spitzbergen, Growth Works **Adoption of Agenda** Motion by Bennett, supported by Williams to approve the agenda as presented. Motion carried unanimously. **Approval of Minutes** Motion by Bennett, supported by McLaughlin to approve the Board Minutes of November 24, 2015 as presented. Motion carried unanimously. Motion by Bennett, supported by Sneiderman to approve the Study Session Minutes of November 24, 2015 as presented. Motion carried unanimously. Motion by Bennett, supported by Sneiderman to approve the Study Session Minutes of December 1, 2015 as presented. Motion carried unanimously. **Citizen’s Non-Agenda Item Comments:** None Brian Spitzbergen – Growth Works conducted a power point presentation giving the board an annual review of the organizations within the Human Services Building. **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. Consider Approval of 2016 FY Specialized Services Operating Assistance Program (CLS)** Motion by Bennett, supported by Sneiderman to approve the 2016 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 unanimously. **Item C-2. Consideration of Second Reading and Adoption of an Ordinance to Amend Chapter 46, Article VIII, Section 46-502, Entitled “Truancy” (PSD)** Motion by Bennett, supported by Sneiderman to remove from the table and hold the second reading and adopt the ordinance, which amends Chapter 46, Article VIII, Section 46-502, entitled “Truancy.” Motion carried unanimously. Motion by Bennett, supported by Sneiderman to publish the text amendment on December 17, 2015, and the effective date of the text amendment shall be January 1, 2016. **STATE OF MICHIGAN COUNTY OF WAYNE CHARTER TOWNSHIP OF CANTON CHAPTER 46 AN ORDINANCE TO AMEND CHAPTER 46 OF THE CHARTER TOWNSHIP OF CANTON CODE OF ORDINANCES TO REVISE SECTION 46-502 TO BRING IT INTO COMPLIANCE WITH STATE LAW REGARDING THE TRUANCY AGE. THE CHARTER TOWNSHIP OF CANTON ORDAINS: SECTION 1. AMENDMENT TO CODE.** Chapter 46 of the Charter Township of Canton Code of Ordinances, Sec. 46-205, is hereby amended to read as follows: **Sec. 46-502. - Truancy. (a) Findings.** The township board finds, determines and declares as follows: There has been a general increase in crimes committed by juveniles in the southeastern Michigan area, as well as throughout the nation. The increase in juvenile criminal activity is partly attributable to an increase in the juvenile truancy rate. School attendance is mandated by state law until a minor reaches the age of 18 years. The township has been adversely affected by both the increase in juvenile crime and the increase in juvenile truancy. (5)This section is designed to address truancy by minor students in public places (b) *Truancy in public place.* It is unlawful for any minor under the age of 18 years who is enrolled in a public or private educational to be absent from school and found in a public place, as defined in subsection (b)(2) of this section, unless the minor has one of the valid excuses specified in subsection (b)(3) of this section. (2) For purposes of subsection (b)(1) of this section, a minor is absent from school and found in a public place if the minor is found loitering, idling, wandering, strolling, playing, or aimlessly driving or riding about in or upon any public street, avenue, highway, road, curb area, alley, park, playground, or other public ground, public place or public building, place of amusement or eating place, vacant lot or unsupervised place, or any place open to the public during the hours the school at which the minor is enrolled is in session. (3) The provisions of subsection (b)(1) of this section shall not apply under the following: The minor has in their possession a written excuse from the minor’s parent, legal guardian, or other adult person having the legal care or custody of the minor; The minor is accompanied by their parent, legal guardian or other adult person having the legal care or custody of the minor; The minor is on an emergency errand directed by their parent, legal guardian or other adult person having legal care or custody of the minor; The minor is going directly to, or returning directly from, a medical appointment; The minor has permission to leave campus and has in their possession a valid school-issued off-campus permit; The minor is going directly to, or returning directly from, a public meeting or a place of entertainment, such as a movie, play, sporting event, dance or school activity, provided such meeting, event or activity is a school-approved activity for the minor or is otherwise supervised by school personnel of the minor’s school; The presence of the minor in such place is connected with, or required by, a school-approved or school-related business, trade, profession or occupation in which the minor is lawfully engaged; The minor has graduated from high school or has fulfilled all requirements for high school graduation; The minor is in attendance at religious instruction classes in accordance with section 1561(3)(d) of Public Act No. 451 of 1970 (MCL 380.1561(3)(d)); or The child is being educated in an organized educational program at the child’s home by their parent or legal guardian in accordance with Public Act No. 451 of 1976 (MCL 380.1 et seq.). (5) Violation of subsection (b)(1) of this section shall constitute a misdemeanor punishable by a fine in the amount of \$50.00 for a first offense and \$100.00 for a second or subsequent offense during the same calendar year, and/or imprisonment for not more than 90 days. The court may set aside the fine and/or imprisonment, or any portion thereof, if the fine is based on the minor’s first infraction under this section and the minor produces proof satisfactory to the court that the minor has had no prior unexcused absences from school. (c) *Enforcement procedure; parental obligations.* (1) A minor cited for a violation under this section shall attend a court hearing and must be accompanied at the hearing by their parent, legal guardian, or other adult person having the legal care or custody of the minor. (2) It is the obligation of the parent, legal guardian, or other adult person having the legal care or custody of the minor, upon receiving notification from the court or the township, to attend any court hearing as described in subsection (c)(1) of this section. Failure to so attend upon notification shall be a misdemeanor. It is the obligation of the parent, legal guardian, or other adult person having the legal care or custody of the minor to ensure and monitor the school attendance of the minor as required by state law. Failure to do so shall be a misdemeanor. 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 in 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 effect on January 1, 2016. **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 8th day of December, 2015, and was ordered to be given publication in the manner required by law. Terry G. Bennett, Clerk Introduced: November 24, 2015 Adopted: December 8, 2015 Published: December 17, 2015 Effective: January 1, 2016 A copy of the complete text of this Ordinance 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 minute’s synopsis of the date of approval. A complete copy of the Ordinances for Canton Township is available at www.canton-mi.org. **Item C-3. Request for Resolution of Local Body of Government to Recognize “Canton Chiefs Wrestling Booster Club (CCWB)” 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 Bennett, supported by Sneiderman to approve the request from the “Canton Chiefs Wrestling Booster Club (CCWB)”, 6817 Brookshire Drive, 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 unanimously. **GENERAL CALENDAR: Item G-1. Consider Approval of Resolution to Amend Municipal Employees’ Retirement System (MERS) Pension Plan, POAM, TPOAM and Full-Time Elected Officials Divisions, Changing Employee Contributions for 2016 per Collective Bargaining Agreements. (HR)** Motion by Bennett, supported by McLaughlin to approve the MERS Defined Benefit Plan Adoption Agreements for the POAM group, Division 21, and the Full-Time Elected Official group, Division 1, and to approve the MERS Hybrid Plan Adoption Agreement for the TPOAM group, Division HD, effective January 1, 2016. Motion carried unanimously. **Item G-2. Consider Approval of the Special Land Use and Site Plan for Speedway #2358 Gas Station Redevelopment (Lilley and Ford Roads). (MSD)** Motion by Bennett, supported by McLaughlin to approve the following resolution. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Special Land Use and Site Plan for Redevelopment of Speedway #2358** WHEREAS, the Project Sponsor has requested approval of a special land use for an automobile filling station and site plan for redevelopment of the Speedway located on the southeast corner of Ford and Lilley Roads, identified as tax parcel no. 053-99-0010-703; and, WHEREAS, the Planning Commission reviewed the special use and site plan and made a recommendation to approve the requests, including the modification to the number of parking spaces. **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 special land use for an automobile filling station and the site plan for redevelopment of the Speedway Station

#2358, including the parking modification, 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 Approval of the Special Land Use and Site Plan for Speedway #8724 Gas Station Redevelopment (Canton Center and Ford Roads). (MSD)** Motion by Bennett, supported by McLaughlin to approve the following resolution. Motion carried unanimously. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Special Land Use and Site Plan for Redevelopment of Speedway #8724** WHEREAS, the Project Sponsor has requested approval of a special land use for an automobile filling station and site plan for redevelopment of the Speedway located on the northeast corner of Ford and Canton Center Roads, identified as tax parcel no. 039-99-0020-701; and, WHEREAS, the Planning Commission reviewed the special use and site plan and made a recommendation to approve the requests, including the modification to the number of parking spaces. **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 special land use for an automobile filling station and the site plan for redevelopment of the Speedway Station #8724, including the parking modification, 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 the Preliminary Planned Development Agreement for Grandview Estates. (MSD)** Motion by Bennett, supported by McLaughlin to approve the following resolution. Motion carried unanimously. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Preliminary Approval of the Grandview Estates Planned Development** WHEREAS, the Project Sponsor has requested preliminary approval for the Grandview Estates Planned Development, located south of Geddes Road between Denton and Barr Roads on parcel nos. 121-99-0012-000, 121-99-0013-000, 121-99-0014-000, 121-99-0015-001(part), 121-99-0015-002(part), 121-99-0024-002, 121-99-0025-000, 121-99-0026-000, 121-99-0027-000, 121-99-0028-000, 121-99-0030, 121-99-0032-000, 121-99-0033-000, 121-99-0034-000, and 121-99-0038-702 (part); and WHEREAS, the Planning Commission voted to recommend approval based on the findings that the proposed planned development is consistent with the goals and objectives of the Comprehensive Plan; and, WHEREAS, the Board has reviewed the proposed development and determines the proposal to be consistent with the Zoning Ordinance regulations and development objectives subject to the conditions described in the analysis 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 grant preliminary approval of the Grandview Estates Planned Development, as provided in the conceptual development plans and supporting exhibits. **Item G-5. Consider Approval of the Preliminary Site Plan for Stone Ridge Site Condominium. (MSD)** Motion by Bennett, supported by McLaughlin to approve the following resolution. Motion carried unanimously. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON Preliminary Site Plan for Stone Ridge Site Condominium** WHEREAS, the Project Sponsor, Pulte Homes, has requested preliminary site plan approval for Stone Ridge Site Condominium to be located south of Joy Road and west of Beck Road and identified as tax parcel no. 017-99-0009-001; and WHEREAS, the Planning Commission found the proposed preliminary site plan 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 preliminary site plan 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 the preliminary site plan for Stone Ridge Site Condominium subject to compliance with any conditions contained herein and all other regulations of the Township. **Item G-6. Consider Approval of Addendum 1 to the Intergovernmental Agreement with Wayne County for the Paving of Lotz Road. (MSD)** Motion by Bennett, supported by Sneiderman to approve Addendum 1 to the Intergovernmental Agreement with Wayne County including some administrative changes as required to provide funds for and further direct Canton Township to retain and pay the designer for the Lotz Road Paving Project, and to provide the mechanism for Canton Township to reimburse Wayne County for the water main installation costs. Further, I move to authorize the Township Supervisor to sign the addendum on behalf of Canton Township. Motion carried unanimously. **Item G-7. Consider Award of a Contract for Engineering Design Services for the Cherry Hill Village Pathway Extension Project to Mannik & Smith Group. (MSD)** Motion by Bennett, supported by McLaughlin to award the contract for the Cherry Hill Village Pathway Extension Project to the Mannik & Smith Group of Canton, Michigan for an amount not to exceed \$34,910. Motion carried unanimously. **Item G-8. Consider approving a revised purchase of FireHouse Cloud Upgrade Software Package. (PSD)** Motion by Bennett, supported by Williams to approve the purchase of the revised FireHouse Cloud Upgrade Software Package for a period of five years in the amount of \$29,325.83, to be paid in annual installments outlined above, utilizing funds from the Fire Professional & Contracted Services Account #206-336-50.801.0050. Motion carried unanimously. **Item G-9. Consider Approval to Purchase a Stalker SAM Trailer w/ Traffic Statistic Sensor. (PSD)** Motion by Bennett, supported by Williams to approve the purchase of a Stalker SAM Trailer w/Traffic Statistic Sensor from Stalker Radar, 2609 Technology Drive, Plano, TX, in the amount of \$7,247 utilizing traffic forfeiture funds budgeted in the 2015 Police Program Expense Traffic Enforcement Account #207-301-50.743.0004. Motion carried unanimously. **Item G-10. Consider Approving the Purchase of (11) Taser X26P Units. (PSD)** Motion by Bennett, supported by Sneiderman to waive the bidding process and approve the purchase of (11) Taser X26P units and accessories from Taser International, in the amount of \$12,954.40, utilizing 2016 budgeted drug forfeiture funds. Motion carried unanimously. **Item G-11. Consider the Purchase of Office Furniture for Crime Suppression Unit. (PSD)** Motion by Bennett, supported by Williams to approve the purchase of office furniture for the Police Department in the amount of \$21,648.93, utilizing budgeted OMNIBUS forfeiture funds, from Kentwood Office Furniture, 2101 W. Willow Street, Lansing, MI 48917. Motion carried unanimously. **Item G-12. Consider the Purchase of Body Cameras. (PSD)** Motion by Bennett, supported by Sneiderman to waive the bidding process and approve the 2016 purchase of 60 BodyVISION cameras, software and charging stations in the amount of \$29,999.45, from L-3 Mobile Vision, Inc., a state contract vendor, and the department’s current vendor for the in-car camera system and server. Motion carried unanimously. **Item G-13. Consider Waiving Bid Procedure and Approval for Installation of Ground Water Well. (CLS)** Motion by Bennett, supported by McLaughlin to authorize the waiving of the bid procedure for the installation of a ground water well system for the irrigation infill to the Summit pond. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to authorize a purchase order in the amount of \$12,434.25 to Cribley Drilling Co., Inc., 8300 Dexter-Chelsea Road, Dexter, MI 48130 to be taken from Account #101- 265.930 0030 Maintenance and Repair Machinery and Equipment. Motion carried unanimously. Motion by Bennett, supported by McLaughlin to authorize a purchase order in the amount of \$7,640.00 to Van Buren Electric Company, 141N. Mill Road, Plymouth, MI 48170 to be taken from Account #101-265.930 0030 Maintenance and Repair Machinery and Equipment. Motion carried unanimously. **Item G-14. Consider Approval of the Repair and Replacement of Rigging Components at the Village Theater. (CLS)** Motion by Bennett, supported by Sneiderman to authorize the purchase order for WACO Stage Equipment, Inc., 7835 Herbst Road, Brighton, MI 48114 in the amount \$7,302.50. Motion carried unanimously. **Item G-15. 2015 Budget Adjustments. (FBD)** Motion by Bennett, supported by McLaughlin to approve the following listing of budget adjustments to the 2015 budget. Motion carried unanimously. **208 Community Center Fund Increase Decrease Revenue** Summit-Admin Bond Proceeds 208-757-50.698 897,750 Total Community Center Fund Revenue \$ 897,750 \$ - **Expenses** Summit-Admin Bond Principal 208-757-50.998 883,750 Total Community Center Fund Expenses \$ 883,750 \$ - Total Increase (Decrease) in Use of Fund Balance \$ (14,000) **852 Special Assessment Debt Service Increase Decrease Revenue** Total Revenue \$ - \$ - **Expenses** Bond Interest Expense 852-905.995 10,000 Total Expenses \$ 10,000 \$ - Total Increase (Decrease) in Use of Fund Balance \$ 10,000 **256 Western Wayne Criminal Investigations Increase Decrease Revenue** Total Revenue \$ - \$ - **Expenses** Payments to Other Governmental Units 266-333.960 250,000 Total Expenses \$ 250,000 \$ - Total Increase (Decrease) in Use of Fund Balance \$ 250,000 **Item G-16. Approve IT Services – Dell Server Hardware Purchase. (FBD)** Motion by Bennett, supported by Anthony to approve the purchase of Dell server equipment from Dell Computers Inc., in an amount not to exceed \$13,000. Motion carried unanimously. **Item G-17. Consider Approval of Updated Purchasing Policy. (FBD)** Motion by Bennett, supported by McLaughlin to approve the updated purchasing policy, F:10 Purchasing/Procedure/Rules/Bidding Policy and to further eliminate the following former policies, to be effective January 1, 2016: · F:10 Purchasing Policy Revised 10-23-2007 · F:15 Bidding/Formal Bid Procedures/Bid Awards/Professional Services Procedure updated on 9-9-2009 · F:16 Vendor Selection Policy Effective 10-6-2005 · F:17 Vendor Protest Policy Effective 10-6-2005 Motion carried unanimously. **ADDITIONAL PUBLIC COMMENT:** None **OTHER:** Director Bilbrey-Honsowetz stated there are still tickets available for the Senior Center’s December 16, 2016 Senior Holiday Celebration. Supervisor LaJoy presented the progress report on the Canton Township 2015 Goals **ADJOURN:** Motion by Anthony, supported by Williams to adjourn at 8:34 p.m. Motion carried unanimously. **Terry G. Bennett, Clerk**