

## Charter Township of Canton Board Proceedings – September 13, 2016

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, September 13, 2016 at 1150 Canton Center S., Canton, Michigan. Supervisor LaJoy called the meeting to order at 6:30 p.m. Motion by Bennett, supported by Sneiderman to move from open session to closed session at 6:30 p.m., for the purpose of updating the Board members on union negotiations. Motion carried by all members present. **6:30 P.M. CLOSED SESSION: UPDATE ON UNION NEGOTIATIONS**  
**Roll Call** Members Present: Bennett, LaJoy, McLaughlin, Sneiderman, Williams (arrived at 6:41 p.m.), Yack Members Absent: Anthony Staff Present: Director Bilibrey-Honsowetz, Director Faas, Director Meier, Kerreen Conley, Kristin Kolb Motion by Yack, supported by Williams to move from closed session to open session at 7:05 p.m. Motion carried by all members present. Supervisor LaJoy reconvened the Open Meeting at 7:05 p.m. and led the Pledge of Allegiance to the Flag. **Roll Call** Members Present: Bennett, LaJoy, McLaughlin, Sneiderman, Williams (arrived at 6:41 p.m.), Yack Members Absent: Anthony Staff Present: Director Bilibrey-Honsowetz, Director Faas, Director Meier, Director Trumbull, Kristin Kolb, Greg Hohenberger, Deputy Chief Stoecklein **Adoption of Agenda** Motion by Bennett, supported by Williams to amend the agenda adding Item G-12 Consideration of Approval of Collective Bargaining Agreement between Canton Township and the American Federation of State, County and Municipal Employees (AFSCME) with a Term Ending December 31, 2019 and Item G-13 Consideration of Approval of Collective Bargaining Agreement between Canton Township and the International Association of Fire Fighters (IAFF) with a Term Ending December 19, 2019. Motion carried by all members present. **Approval of Minutes** Motion by Bennett, supported by Williams to approve the Board Minutes of August 23, 2016 as presented. Motion carried by all members present. **Citizen's Non-Agenda Item Comments:** George Miller, 1946 Briarfield, questioned if the sidewalks in Sheldon Estates will be replaced. Mr. Miller also asked if there is a date when the landfill would be closed. Director Faas replied the last consultant's report indicated about a 20 year remaining useful life. **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. Resolution Declaring September 2016 as Pain Awareness Month (Supv)** Motion by Bennett, supported by Williams to adopt the following resolution. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON RESOLUTION DECLARING SEPTEMBER 2016 AS PAIN AWARENESS MONTH** Whereas, pain is a major public health problem for children and adults and is the number one reason Americans seek medical care; and Whereas, the Institute of Medicine has found that 100 million Americans live with chronic pain as a result of serious illnesses and injuries; and Whereas, chronic pain costs the nation an estimated \$560 to \$630 billion annually in medical expenses, lost wages and lost productivity; and Whereas, pain negatively impacts almost every aspect of a person's life including the ability to work, sleep and engage in social activities as well as adversely impacts pain sufferers' families and caregivers; and Whereas, the U.S. Pain Foundation's mission is to educate, connect, inform, empower and advocate on behalf of our over 74,000 members throughout the country and all those who live with chronic pain; and Whereas, the U.S. Pain Foundation provides education on pain management skills and constructive ways to cope with pain and find fulfillment in life; and Whereas, increased awareness about the effects of chronic pain result in better outcomes, increased access to good pain care and empowerment and validation for those living with pain. **NOW, THEREFORE, BE IT RESOLVED**, that the Canton Board of Trustees does hereby declare September 2016 as "Pain Awareness Month" and recognizes the need to raise awareness of chronic pain and the necessity to educate and empower people with the resources they can use to cope. Philip J. LaJoy, Canton Township Supervisor Date: September 13, 2016 Ms. Suzanne Stewart, Ambassador of the U.S. Pain Foundation, thanked the Board for designating September as Pain Awareness Month in Canton. **Item C-2. Request For Resolution Of Local Body Of Government To Recognize "Canton Lions Club Foundation" 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 Williams to approve the request from the "Canton Lions Club Foundation", 1492 Hendrie, Canton, Michigan 48187, 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. **GENERAL CALENDAR: Item G-1. Consider Purchase of a One Acre Parcel from the Partnership for the Arts and Humanities for a Future Parking Lot.** (MSD) Motion by Bennett, supported by McLaughlin to approve the purchase of the one acre parcel of land from the Partnership for the Arts and Humanities and authorize the Township Supervisor to sign all documents necessary to close on the purchase. Motion carried by all members present. Motion by Bennett, supported by Williams to approve the following budget amendments:

Increase Expense	246-200.970_0070	Capital Outlay Land	\$100,000
Increase Revenue	246-000.695	Fund Balance Appropriation	\$100,000

Motion carried by all members present. **Item G-2. Consider Approval of a Resolution Stating Canton Township's Intent to Cease Wastewater Flows to the Wayne County - Rouge Valley Sewage Disposal System by July 1, 2017.** (MSD) Motion by Bennett, supported by Williams to approve the following resolution, stating Canton's intent to cease wastewater flows to the Wayne County Rouge Valley Sewage Disposal System on or before July 1, 2017. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON APPROVING WITHDRAWAL FROM ROUGE VALLEY SEWAGE DISPOSAL SYSTEM** At a regular meeting of the Township Board of the Charter Township of Canton, Wayne County, Michigan, held this 13<sup>th</sup> day of September, 2016 at 7:00 p.m., Eastern daylight time. **BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF CANTON, WAYNE COUNTY, MICHIGAN AS FOLLOWS:** WHEREAS: The Charter Township of Canton (Canton Township) has participated in the Rouge Valley Sewage Disposal System (RVSDS, a/k/a Rouge Valley Interceptor System for RVIS) by entering into a contract with other Users in Wayne County, by and through its then Board of Public Works, dated August 10, 1961 (1961 RVIS Agreement) for the purpose of arranging transportation of wastewater from the Users to the Detroit Water and Sewerage Department (DWSD) treatment facility. **WHEREAS:** When Wayne County delayed issuance of new sewer permits in the 1980s, Canton Township joined the Charter Townships of Plymouth and Northville (Plymouth Township and Northville Township) and formed the Western Townships Utilities Authority (WTUA) in 1986 to acquire, construct, finance, purchase, own, improve, enlarge, extend and operate a sewage disposal system, solid waste management system and/or a water supply system in accordance with Act 233, Public Acts of Michigan, 1955, as amended. **WHEREAS:** WTUA entered into an agreement on July 22, 1988 with Ypsilanti Community Utilities Authority (YCUA) for the acquisition of short term and long term leasehold rights in the YCUA wastewater treatment plant and for YCUA to provide additional sewage treatment services to the Township (1988 YCUA Agreement). **WHEREAS:** The WTUA member Townships entered into the WTUA Construction, Finance and Service Agreement dated September 28, 1988 (1988 Construction, Finance and Service Agreement) for the purpose of performing certain construction, providing certain financing and arranging for wastewater treatment service at the YCUA wastewater treatment plant on behalf of the Townships. **WHEREAS:** The 1988 Construction, Finance and Service Agreement acknowledged the member Townships' treatment capacities in RVIS, stated and affirmed a goal of delivering as much wastewater as practical to the YCUA wastewater treatment plant, consistent with the obligations of the Townships under the 1961 RVIS Agreement, and engaged and authorized WTUA to negotiate on behalf of the Townships for an equitable and orderly disposal of the Townships' capacity in RVIS and engaged WTUA to monitor wastewater flows of the Townships into the RVIS and the charges by Wayne County to insure that such charges reflect actual usage of the RVIS by the Townships and reflect the cost of service rendered. **WHEREAS:** WTUA and YCUA entered into the Plant Capacity and Discharge Pipe Lease, Plant Expansion Agreement and Wastewater Disposal Agreement dated October 17, 2000 (2000 YCUA Agreement), which superseded the 1988 YCUA Agreement, for the purpose of allowing WTUA to participate in a 17 million gallon per day (mgd) expansion of the existing YCUA wastewater treatment plant, receive additional short term and long term capacity and receive a right for further expansion of the plant in the future. **WHEREAS:** The WTUA member Townships entered into the WTUA Finance and Service Agreement dated October 17, 2000 (2000 Finance and Service Agreement), to replace the 1988 Construction, Finance and Service Agreement for the purpose of facilitating the immediate construction of the expanded YCUA plant, provide for the acquisition of certain short term and long term capacity and arrange for financing associated with the expanded YCUA plant. **WHEREAS:** The 2000 Finance and Service Agreement of the Townships affirmed the goal of delivering as much wastewater as practical to the YCUA wastewater treatment plant, consistent with the obligations of the Townships under the 1961 RVIS Agreement, again engaged and authorized WTUA to negotiate on behalf of the Townships for the equitable and orderly disposal of the Townships' capacity in RVIS and engaged WTUA to monitor the Townships' wastewater flows into RVIS and the charges by Wayne County to insure that such charges reflect actual use of RVIS by the Township and reflect the cost of service rendered. **WHEREAS:** The YCUA wastewater treatment plant expansion reached completion in 2006, resulting in WTUA having a total capacity of 25 mgd averaged daily flow in YCUA. **WHEREAS:** Because the 1961 RVIS Agreement was to expire in August 2011, WTUA and its member Townships and other Users of the RVSDS began to negotiate a new wastewater contract with Wayne County in 2009; those negotiations remain unfinished as of this date. **WHEREAS:** Faced with financial fiscal shortfalls in general funds, as well as financial resources for long term pension and other post-employment benefit obligations, Wayne County in recent years has raised the possibility on several occasions of attempting to raise funds by transferring its interest in the RVSDS to the Users or to third parties without the consent of the RVSDS Users, including WTUA's member Townships, even though the Users not only previously paid for the System improvements but also hold certain equitable rights in the System. **WHEREAS:** Wayne County in 2014-2015 improperly shifted funds of the RVSDS to the County's general fund before restoring them with interest. **WHEREAS:** WTUA and YCUA entered into the Fourth Amendment to the 2000 YCUA Agreement in September 2015, which resulted in providing WTUA with an additional 4.3 mgd of

available capacity due to re-rating of the YCUA wastewater treatment plant so that WTUA has 29.3 mgd average daily flow capacity in YCUA. **WHEREAS:** Despite objections of Canton Township and WTUA, Wayne County in 2016 again delayed the issuance of certain sewer improvement permits due to alleged flow exceedances in the RVSDS caused by City of Plymouth flows in WTUA's wastewater transportation system and conditioned the issuance of those permits on several grounds, including the requirement that the WTUA member Townships decide by February 2017 whether they will remain a part of the RVSDS and fund their share of the RVSDS long term corrective action plan. **WHEREAS:** Wayne County has continued with its efforts to comply with the 1988 Final Order of Abatement 2117 (ACO-SW06-010), as amended, which was issued by the Michigan Department of Environmental Quality (MDEQ) and which has obligated Wayne County to develop and implement a short term corrective action plan and to develop a long term corrective action plan to facilitate future flows in the RVSDS; total costs for the long term improvements are currently unknown and the method for allocating those costs among the Users is unresolved. **WHEREAS:** A comparison of sewer rates between the RVSDS and YCUA shows that RVSDS rates per thousand gallons of sewage have steadily increased since 2009 and significantly exceed YCUA rates. **WHEREAS:** WTUA retained Stantec Consulting Michigan Inc. (Stantec) to evaluate WTUA's capacity needs, options for meeting those needs and the costs of those options and to prepare a final master plan; that final master plan as completed in 2015 considered the options of retaining the existing flows in the RVSDS and YCUA, diverting all flows of WTUA to YCUA, and using a different allocation of wastewater discharges based on retaining some flow in the RVSDS while discharging other flows to YCUA. **WHEREAS:** Stantec recommended the option to divert all of WTUA flows to YCUA as the most cost effective solution, provided certain improvements are made to the Eckles Road pump station, Middle Rouge equalization basin and pump station, and Lower Rouge equalization basin and pump station. **WHEREAS:** Stantec has estimated that the WTUA member Townships will be able to pay back their investment associated with the final master plan's proposed improvements within 3 to 4 years. **WHEREAS:** Stantec additionally submits that savings will be realized due to elimination of industrial wastewater control charges now imposed by the Great Lakes Water Authority (GLWA, which replaced DWSD), avoidance of RVSDS long term corrective action plan improvement costs and avoidance of other improvement costs in the GLWA system in the future. **WHEREAS:** WTUA's Director of Operations has concurred in Stantec's analysis and has expressed concerns about Wayne County's review and approval of future sewer permit applications, the County's operation and maintenance of the RVSDS and its management and control of costs, the County's financial management of the RVSDS and its funds, and future costs and rates of the GLWA System. **WHEREAS:** WTUA and Stantec have asked the MDEQ to concur that WTUA's capacity in YCUA is sufficient to meet MDEQ requirements for future applications of permits under Part 41 of the Natural Resources and Environmental Protection Act, as amended, and the MDEQ's Sanitary Sewer Overflow Policy. **WHEREAS:** Canton Township Board of Trustees received information on the option of withdrawing from RVSDS at a study session on August 23, 2016. **WHEREAS:** Canton Township Board of Trustees has discussed the withdrawal from participation in RVSDS at the regular meeting of the Township Board on September 13, 2016. **NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF CANTON, WAYNE COUNTY, MICHIGAN, AS FOLLOWS:** The Township Board authorizes Canton Township's withdrawal from further participation in the RVSDS. 2. The Township Board authorizes its Supervisor or other properly designated representative on WTUA's Board of Directors to recommend and support actions by Northville Township and Plymouth Township to withdraw from RVSDS in an effort to minimize future costs and other obligations of WTUA as their agent regarding any use of the existing or future capacity in the RVSDS as soon as practical and reasonable and to recommend and support a resolution of WTUA for the withdrawal from RVSDS by July 1, 2017. 3. The Township Board directs WTUA in accordance with the 2000 Finance and Service Agreement to negotiate on behalf of Canton Township for the equitable and orderly disposal of Canton Township's capacity in the RVSDS by July 1, 2017 or such other suitable date on terms determined to be feasible and appropriate by WTUA, to periodically inform Canton Township's Municipal Services Director of WTUA's actions, and as necessary to secure any approvals or other consents from the Canton Township Board of Trustees. 4. The Township Board supports the development of a new agreement to amend or replace the 2000 Finance and Service Agreement and to review and as reasonable and necessary amend such other agreements and documents, including but not limited to bylaws, of WTUA, to carry out the withdrawal from the RVSDS and to reflect changed circumstances. **APPROVED AND ADOPTED BY THE CANTON TOWNSHIP BOARD OF TRUSTEES ON September 13, 2016** Motion by: \_\_\_\_\_ Roll Call: Anthony, Bennett, LaJoy, McLaughlin, Sneiderman, Williams, Yack Ayes: Bennett, LaJoy, McLaughlin, Sneiderman, Williams, Yack Nays: None Abstain: None Absent: Anthony I hereby certify that the foregoing is a true and complete copy of a Motion adopted by the Board of Trustees of the Charter Township of Canton, County of Wayne, State of Michigan, at a regular meeting held on the 13<sup>th</sup> Day of September, 2016 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act. Dated: September 14, 2016 Terry G. Bennett, Clerk Charter Township of Canton **Item G-3. Consider Approval of a Contract with Great Lakes Recycling Incorporated (d.b.a. Simple Recycling) for the Collection of Soft Recyclables.** (MSD) Motion by Bennett, supported by McLaughlin to approve the contract with Great Lakes Recycling Incorporated (d.b.a. Simple Recycling), and further authorize the Township Supervisor to execute the contract on behalf of Canton Township. Motion carried by all members present. **Item G-4. Consider Award of Professional Design and Consultant Services Contract to OHM for the Initial Phase of Fire Station #2 Improvements.** (MSD) Motion by Bennett, supported by Williams award a contract for professional design and consultant services for the initial phase of Fire Station #2 improvements to OHM in the amount of \$12,700 plus a 10% contingency of \$1,270 for a total of \$13,970. Motion carried by all members present. **Item G-5. Consider Bid Award for Asphalt Repair Projects.** (MSD) Motion by Bennett, supported by Sneiderman to award the bid for Asphalt Paving Repairs to The Jeffery Company, 27291 Fort St., Trenton, Michigan 48183 in the amount of \$47,343 with funds to be paid from Account #584-697-78.970\_0080 Capital Outlay Building & Improvements Fellows Creek Golf Club in the amount of \$8,360 and Account #207-301-50.970.0020 Police Capital Outlay Building & Improvements in the amount of \$38,983. Motion carried by all members present. **Item G-6. Consider Authorization of Agreement for ADA Transition Plan Consulting Services.** (CLS) Motion by Bennett, supported by McLaughlin to authorize a contract for ADA Transition Plan Consulting Services with Accessology Inc., 301 West Louisiana Street, McKinney, Texas 75069 in the amount of \$49,900 from Account # 101-200.801-0050 Professional and Contracted Services General Government. Motion carried by all members present. **Item G-7. Consider Bid Award for Electrical Panels Upgrade at Canton Sports Center.** (CLS) Motion by Bennett, supported by Sneiderman to award the Canton Sports Center electrical panels upgrade to Corby Energy Services, Inc., 6001 Schooner Dr. Belleville, MI 48188 in the amount of \$17,975 from Account # 246-750.970\_0020, Improvement Fund Capital Outlay Building and Improvements. Motion carried by all members present. **Item G-8. Consider Bid Award for Roof Replacement on Heritage Park Facilities.** (CLS) Motion by Bennett, supported by McLaughlin to award the bid for Roof Replacement on Heritage Park Facilities with Roof One LLC, 275 S. Telegraph, Pontiac, MI 48341 in the amount of \$16,900 to be paid from Account # 246-750.970\_0020, Improvement Fund Capital Outlay Building and Improvements. Motion carried by all members present. **Item G-9. Consider Acceptance of FY 2015 FEMA Assistance to Firefighters Grant.** (PSD) Motion by Bennett, supported by McLaughlin to accept the FY2015 FEMA Assistance to Firefighter Grant awarded to Canton for the replacement of 43 SCBA's, with a 10% match requirement by Canton. Motion carried by all members present. **Item G-10. Consider Approving a New Ordinance Officer Position.** (PSD) Motion by Bennett, supported by McLaughlin to approve a new Ordinance Officer position assigned to Public Safety's Ordinance Enforcement Unit, but funded and primarily utilized by Building & Inspection Services. Motion carried by all members present. Motion by Bennett, supported by McLaughlin to approve a budget amendment increasing the 2016 General Fund Balance Appropriation and the Building Services Salaries/Fringes accounts by \$20,448.95. **Increase Revenues:** General Fund Balance – Fund Balance Appropriation: #101-000.695 \$20,448.95 **Increase Appropriations:** General Fund – Building Svcs. Salaries: #101-371.705.0010 \$14,300.00 General Fund – Building Svcs. Misc Fringes: #101-371.720.xxxx \$ 6,148.95 Motion carried by all members present. **Item G-11. Administration & Public Safety Fiber Network Upgrade.** (ITS) Motion by Bennett, supported by Sneiderman to approve the purchase of Network Fiber Upgrades from Western Tel-Com in the amount not to exceed \$12,420. Motion carried by all members present. **Item G-12. Consideration of Approval of Collective Bargaining Agreement between Canton Township and the American Federation of State, County and Municipal Employees (AFSCME) with a Term Ending December 31, 2019.** (Supv) Motion by Bennett, supported by Williams to approve the Collective Bargaining Agreement between Canton Township and the American Federation of State, County and Municipal Employees (AFSCME) with a Term Ending December 31, 2019 and authorize the Township Supervisor and Clerk to sign on behalf of Canton Township. Motion carried by all members present. **Item G-13 Consideration of Approval of Collective Bargaining Agreement between Canton Township and the International Association of Fire Fighters (IAFF) with a Term Ending December 19, 2019.** (Supv) Motion by Bennett, supported by McLaughlin to approve the Collective Bargaining Agreement between Canton Township and the International Association of Fire Fighters (IAFF) with a Term Ending December 19, 2019 and authorize the Township Supervisor and Clerk to sign on behalf of Canton Township. Motion carried by all members present. Motion carried by all members present. **ADDITIONAL PUBLIC COMMENT:** None **OTHER:** None **ADJOURN:** Motion by Sneiderman, supported by Yack to adjourn at 7:57 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](http://www.canton-mi.org) after Board Approval.