

Charter Township of Canton Board Proceedings – July 11, 2017

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, July 11, 2017 at 1150 Canton Center S., Canton, Michigan. Supervisor Williams called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance to the Flag. **Roll Call** Members Present: Anthony, Foster, Graham-Hudak, Siegrist, Slavens, Sneiderman, Williams Members Absent: None Staff Present: Director Faas, Director Trumbull, Deputy Chief Wilsher Staff Absent: Director Hohenberger, Director Meier, **Adoption of Agenda** Motion by Siegrist, supported by Sneiderman to amend the agenda with Revision C-1R and Revision C-2R with the corrected wording of the resolutions, to add General Calendar Item G-7 Consider Offer to Purchase Property Under Wayne County Tax Foreclosure (MSD), and to move Item G-3 Consider Approval of a Letter of Intent from Wayne County for the Paving & Drainage Improvements on Ridge Road from Hanford Road to Warren Road renumbering it to Item G-1A - to be addressed before Item G-1. Motion carried unanimously. **Approval of Minutes** Motion by Foster, supported by Sneiderman to approve the Board Meeting Minutes of June 27, 2017 as presented. Motion carried unanimously. **Citizen's Non-Agenda Item Comments:** Mary Yeager, 454 Innsbrook Drive, commented regarding a dog attack and dog biting issue in her neighborhood. Supervisor Williams explained Canton Public Safety along with Township Counsel are currently involved. Maria Jordan, 43666 Fleetwood, questioned how long a dog is quarantined after a bite. Deputy Chief Wilsher replied 10 days. Habeeb Zulberi, 45482 Fountain View Drive, commented on the Township Rental Inspection Program. Jennifer Wiacek, 48424 River Way Drive, spoke on behalf of the Yeagers and their issue with a dog attack. **Payment of the Bills:** Motion by Slavens, supported by Sneiderman to approve payment of the bills as presented. Motion carried unanimously. **CONSENT CALENDAR: Item C-1. Consider Second Reading of an Amendment to Appendix A – Zoning of the Code of Ordinances for the Manshlo Rezoning. (MSD)** Motion by Siegrist, supported by Sneiderman to remove from the table and hold the second reading of an ordinance to amend Appendix A – Zoning of the Code of Ordinances for the rezoning of parcel # 031-99-0012-718 from RA, Rural Agricultural District to R-2, Single-family Residential District, as provided in the attached ordinance with an effective date of July 27, 2017. Motion carried unanimously. Motion by Siegrist, supported by Sneiderman to adopt, and publish the second reading of an ordinance to amend Appendix A – Zoning of the Code of Ordinances for the rezoning of parcel # 031-99-0012-718 from RA, Rural Agricultural District to R-2, Single-family Residential District, as provided in the attached ordinance with an effective date of July 27, 2017. Motion carried unanimously. **STATE OF MICHIGAN COUNTY OF WAYNE CHARTER TOWNSHIP OF CANTON ORDINANCE NO. AN ORDINANCE AMENDING ARTICLE 8.00 OF APPENDIX A - ZONING, OF THE CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF CANTON, MICHIGAN WHICH AMENDS THE ZONING DISTRICT BOUNDARIES ON THE ZONING MAP THE CHARTER TOWNSHIP OF CANTON ORDAINS: PART I, ARTICLE 8.00 – ESTABLISHMENT OF ZONING DISTRICTS AND MAP * * * Pursuant to Section 27.06 of Appendix A – Zoning, the zoning map is hereby amended by changing the zoning of parcel no. 031-99-0012-718 from RA, Rural Agricultural District to R-2, Single-Family Residential District, as shown on the attached zoning map. PART II. Severability.** Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated. **PART III. Savings Clause.** The amendment of the Canton Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired, or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Canton Code of Ordinances set forth in this Ordinance. **PART IV. Repealer.** All other Ordinances or part of Ordinances in conflict herewith are hereby repealed only to the extent to give this Ordinance full force and effect. **PART V. Publication.** The Clerk for the Charter Township of Canton shall cause the ordinance to be published in the manner required by law. **PART VI. Effective Date.** A public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption of publications of a notice in a newspaper circulated in Canton Township stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the Township Clerk during the hours of 8:30 AM to 4:30 PM, Local Time. The provision of this Ordinance shall become effective seven (7) days after its publication. **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 11th day of July, 2017, and was ordered to be given publication in the manner required by law. Michael Siegrist, Clerk Introduced: June 25, 2017 Adopted: July 11, 2017 Published: July 20 2017 Effective: July 27, 2017 A zoning ordinance regulating the development and use of land has been adopted by the legislative body of the Charter Township of Canton. Copies of the complete text of this Ordinance are available at the Clerk's Office of the Charter Township of Canton, 1150 S. Canton Center Road, Canton, MI., 48188, during regular business hours. A complete copy of the Ordinances for Canton Township is available at www.canton-mi.org. **Item C-2. Hold the Second Reading of Amendments to Appendix A - Zoning of the Code Ordinances. (MSD)** Motion by Siegrist, supported by Sneiderman to remove from the table and hold the second reading of an ordinance amending Sections 16.02, 17.02, 22.02, 6.02, and 6A.15 of Appendix A – Zoning of the Code of Ordinances, as provided in the attached ordinance with an effective date of July 27, 2017. Motion carried unanimously. Motion by Siegrist, supported by Sneiderman to adopt, and publish the second reading of an ordinance amending Sections 16.02, 17.02, 22.02, 6.02, and 6A.15 of Appendix A – Zoning of the Code of Ordinances, as provided in the attached ordinance with an effective date of July 27, 2017. Motion carried unanimously. **STATE OF MICHIGAN COUNTY OF WAYNE CHARTER TOWNSHIP OF CANTON ORDINANCE NO. AN ORDINANCE AMENDING APPENDIX A – ZONING, OF THE CODE OF ORDINANCES OF THE CHARTER TOWNSHIP OF CANTON, MICHIGAN, BY AMENDING ARTICLE 16.00—C-2, COMMUNITY COMMERCIAL DISTRICT AND ARTICLE 17.00 - C-3, REGIONAL COMMERCIAL DISTRICT TO CHANGE THE REQUIREMENTS FOR INDOOR PET BOARDING FACILITIES; ARTICLE 22.00 – LI, LIGHT INDUSTRIAL DISTRICT, ADDING MINI-WAREHOUSES AS A SPECIAL LAND USE; ARTICLE 6.00— SITE DEVELOPMENT STANDARDS APPLICABLE TO SPECIFIC USES; AND, ARTICLE 6A.00 –SIGNS, RELATING TO REQUIREMENTS FOR WINDOW SIGNS. THE CHARTER TOWNSHIP OF CANTON ORDAINS: SECTION 1. AMENDMENT TO CODE. * * * ARTICLE 16.00. C-2, COMMUNITY COMMERCIAL DISTRICT Sec. 16.02. – Permitted Uses and Structures. *Special land uses.* a. Canine training facility with no outdoor runs. Pet day care facility with no outdoor. Indoor pet boarding facility. * * * ARTICLE 17.00. C-3, REGIONAL COMMERCIAL DISTRICT Sec. 17.02. – Permitted Uses and Structures. *Special Land Uses.* a. Canine training facility with no outdoor runs. Pet day care facility with no outdoor runs. Indoor pet boarding facility. * * * ARTICLE 22.00. LI, LIGHT INDUSTRIAL DISTRICT Sec. 22.02. Permitted Uses and structures. *Special land uses.* 17. Mini-warehouses, subject to the provisions in section 6.02, subsection M. * * * ARTICLE 6.00 – SITE DEVELOPMENT STANDARDS APPLICABLE TO SPECIFIC USES Sec. 6.02. Site development standards for nonresidential uses. *Adult book or supply stores, adult motion picture theaters, adult live stage performing theaters, adult outdoor motion picture theaters, and group A cabarets.* (remainder of paragraph to remain unchanged) The establishment of the types of adult regulated uses listed below shall be prohibited if the establishment of such use will constitute the second such use within a 1,000 foot radius (i.e., not more than one such use within 1,000 feet of each). The distance between uses shall be measured horizontally between the nearest property lines. Adult book or supply stores. Adult motion picture theaters. Adult live stage performing theaters. Group "A" cabarets. *Mini-warehouses.* The following regulations shall apply to mini-warehouses: *Lot area.* The minimum lot size for mini-warehouses shall be three acres. *Permitted use.* Mini-warehouse establishments shall provide for storage only, which must be contained within an enclosed building. *Site enclosure.* The entire site, exclusive of access drives, shall be enclosed with a six foot high chain link fence or masonry wall in accordance with section 5.08. *Exterior appearance.* The exterior of any mini-warehouse shall be of finished quality and design pursuant to section 26.06, and compatible with the design of structures on surrounding properties. 5. *Mini-warehouse facilities may not include vehicle sales and/or rental, unless applied for approved separately and said rental facility meets all the requirements of section 6.02.Q.4* * * * ARTICLE 6A.00 — SIGNS. 6A.15. Signs permitted in all commercial and industrial districts. Amend the table to add the following *Special Regulations* for Window Signs: **Window signs may not be applied to a window area within 3 feet of a door. * * * 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 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. EFFECTIVE DATE; PUBLICATION.** A public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption of publications of a notice in a newspaper circulated in Canton Township stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the Township Clerk during the hours of 8:30 AM to 4:30 PM, Local Time. The provision of this Ordinance shall become effective seven (7) days after its publication. **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 11th day of July, 2017, and was ordered to be given publication in the manner required by law. Michael Siegrist, Clerk Introduced: June 27, 2017 Adopted: July 11, 2017 Published: July 20, 2017 Effective: July 27, 2017 A zoning ordinance regulating the development and use of land has been adopted by the legislative body of the Charter Township of Canton. Copies of the complete text of this Ordinance are available at the Clerk's Office of the Charter Township of Canton, 1150 S. Canton Center Road, Canton, MI., 48188, during regular business hours. A complete copy of the Ordinances for Canton Township is available at www.canton-mi.org. **Item C-3. Consider Approval of Revised Municipal Services Department Policy & Procedure #MS:06 on Water & Sewer Service Termination. (MSD)** Motion by Siegrist, supported by Sneiderman to approve the revisions to Municipal Services Department Policy & Procedure #MS:06 entitled Water & Sewer Services Termination. Motion carried unanimously. **GENERAL CALENDAR: Item G-1A. Consider Approval of a Letter of Intent from Wayne County for the Paving & Drainage Improvements on Ridge Road from Hanford Road to Warren Road. (MSD)** Motion by Siegrist, supported by Anthony to approve the February 28, 2017 letter of intent from the Wayne County Executive's Office for the paving and drainage improvements along Ridge Road from Hanford Road to Warren Road. Motion failed by vote 5 to 2. **Item G-1. First Reading of Chapter 18 Amendments to the Massage Ordinance Amending Article III Sections 18-82 Through 18-107, Massage Ordinance. (Clerk)** Motion by Siegrist, supported by Sneiderman to introduce and hold the first reading of Amendments to Canton Township Code of Ordinances Chapter 18, Article III, Entitled "Massage" Sections 18-82, through 18-107. Motion carried unanimously. Motion by Siegrist, supported by Foster to table for consideration Amendments to Canton Township Code of Ordinances Chapter 18, Article III, Entitled "Massage" Sections 18-82, through 18-107 and schedule the second reading on July 25, 2017. Motion carried unanimously. **Item G-2. Consider Approval of a Resolution Accepting Jurisdiction and Maintenance of Landscape Features in the Cherry Hill Road ROW for the Future Zahr Development. (MSD)** Motion by Siegrist, supported by Slavens to approve the resolution "Agreement for Long-Term Maintenance of Landscape Facilities" for Zahr Development and authorize the Township Supervisor to sign this document on behalf of the Township. Motion carried unanimously. **AGREEMENT FOR LONG TERM MAINTENANCE OF LANDSCAPE FACILITIES WHEREAS,** The Developer has applied to the Wayne County Department of Public Services for landscaping approval within the Cherry Hill Road right-of-way with respect to a project name **Zahr Plaza** (the Project); **WHEREAS,** Developers application for right-of-way and storm water construction approval has been assigned Wayne County Review Number **R16-600**; **WHEREAS,** Developer has entered into a Planned Development District agreement with the Charter Township of Canton which includes the requirement for the developer to provide long-term maintenance of the landscape facilities at the Project, which Plan has been tentatively approved by the County pending issuance of this agreement and has been accepted by the Charter Township of Canton; and **WHEREAS,** Charter Township of Canton has agreed to assume jurisdiction and accept responsibility for long-term maintenance of the landscape facilities at the Project in perpetuity; **NOW THEREFORE,** Charter Township of Canton assumes jurisdiction over and accepts responsibility for long term maintenance of the landscape facilities at the Project pursuant to the Wayne County review letter, the Plan, and the right-of-way construction approval issued by Wayne County; and To the extent allowed by law, the Charter Township of Canton hereby agrees to indemnify, save harmless, and defend Wayne County, its Department of Public Services, its officials and employees, against any and all law claims, suits, and judgments of every name and description arising out of the construction of the proposed landscape facilities located in the Cherry Hill Road right-of-way adjacent to the Project. This agreement to indemnify, hold harmless and defend must not be construed as a waiver of any governmental immunity by Wayne County or the Charter Township of Canton, including each entities elected and appointed officials, and their respective employees, as provided by statute or court decision. **FURTHER,** that approval has been granted by the Township Board of Trustees, authorizing Township Supervisor to execute, on behalf of Charter Township of Canton, the Permits for maintenance of landscape facilities issued by Wayne County. By: Patrick Williams, Township Supervisor **Item G-3. Moved to Item G-1A by motion. Item G-4. Consider Purchase of Additional Water Meter Control Devices for 2017. (MSD)** Motion by Siegrist, supported by Slavens to waive the Finance Purchasing Policy requiring formal bids, as these items are supplied under a sole-source contract through the Etna Supply Company accept the quote from Etna Supply Company and approve a purchase order not to exceed \$160,000 and authorize the Public Works Division to purchase the necessary water meter control devices (MXU). Motion carried unanimously **Item G-5. Consider approval of an Additional Block of Professional Services and Additional Software Licensing with KiriWorks for the Public Works Division On-Base Document Management System Project. (MSD)** Motion by Siegrist, supported by Slavens to approve the purchase of additional professional services and additional software licensing from Kiriworks in an amount not-to-exceed \$26,655. Motion carried unanimously. **Item G-6. Approve IT Services – Email Office 365 Service Renewal. (FBD)** Motion by Siegrist, supported by Foster to approve the renewal of Office 365 Email System licensing within the Township's Office 365 email installation in an amount not to exceed \$23,610. Motion carried unanimously. **Item G-7 Consider Offer to Purchase Property Under Wayne County Tax Foreclosure. (MSD)** Motion by Siegrist, supported by Foster to approve the offer to purchase the following parcel of land under Wayne County tax foreclosure at the minimum bid amount listed; Parcel #1 (Tax ID #71-060-01-0884-301) for an amount of \$ 630.55. Motion carried unanimously. Motion by Siegrist, supported by Sneiderman to authorize the Municipal Services Director to make the written offer on behalf of the Township Board. Motion carried unanimously. **ADDITIONAL PUBLIC COMMENT:** None **OTHER:** None **ADJOURN:** Motion by Foster, supported by Anthony to adjourn at 9:13 p.m. Motion carried unanimously. **Michael A. Siegrist, Clerk** **Pat Williams, Supervisor****