

Charter Township of Canton Board Proceedings – January 8, 2019

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, January 8, 2019 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: Foster, Graham-Hudak, Siegrist, Slavens, Sneiderman, Williams Members Absent: Anthony Staff Present: Director Faas, Director Meier, Director Trumbull **Adoption of Agenda** Motion by Sneiderman, supported by Slavens to amend the agenda to add item C-0 Resolution Recognizing Canine Officer Thor. Motion carried by all members present. **Approval of Minutes** Motion by Siegrist, supported by Foster to approve the Board Meeting Minutes of December 11, 2018 as presented. Motion carried by all members present. Motion by Siegrist, supported by Foster to approve the Board Study Session Minutes of December 18, 2018 as presented. Motion carried by all members present. **Citizen's Non-Agenda Item Comments:** Roxanna Gholami, 43440 Lipka Court, commented on the township ordinance regarding poultry. Andrew Richmond, 46477 Swanner Drive, commented on the township tree ordinance. George Miller, 1846 Briarfield, thanked the township for honoring his father, property maintenance ordinance, and roads projects. Mike Schultz, 44580 Dionne, commented on panhandlers at I275 and Michigan Avenue and the addition of Tractor Supply to the township. **Payment of the Bills:** Motion by Slavens, supported by Sneiderman to approve payment of the bills as presented. Motion carried by all members present. **PUBLIC HEARING: PH-1: Public Hearing for Consideration of a New "Class C License" for AKI3, Inc. located at 250 N. Canton Center Road, Canton, Michigan, 48187, Canton Township, Wayne County. (Clerk)** Motion by Siegrist, supported by Slavens to open the Public Hearing at 7:17 p.m. to consider the request for a new Class "C" Liquor License for AKI3, Inc. 250 N. Canton Center Road, Canton, Michigan, 48187, Canton Township, Wayne County. Motion carried by all members present. There was no Public Comment. Motion by Siegrist, supported by Foster close the Public Hearing at 7:21 p.m. to consider the request for a new Class "C" Liquor License for AKI3, Inc. 250 N. Canton Center Road, Canton, Michigan, 48187, Canton Township, Wayne County. Motion carried by all members present. Motion by Siegrist, supported by Sneiderman to approve the request for a new Class "C" Liquor License for AKI3, Inc. 250 N. Canton Center Road, Canton, Michigan, 48187, Canton Township, Wayne County "above all others". Motion carried by all members present. **CONSENT CALENDAR: Item C-0. Resolution Recognizing Canine Officer Thor** Motion by Siegrist, supported by Slavens to adopt the following resolution. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON RESOLUTION RECOGNIZING CANINE OFFICER THOR** Whereas, the Canton Public Safety Department recognizes the importance of its K-9 Unit; and Whereas, in April of 2011, Thor started his career in law enforcement with the Canton Police Department, teaming up with his partner, Officer Ken Robinson; and Whereas, Thor and his partner worked their first six years together on patrol, responding to runs that included robbery, breaking & entering, homicide, assault, narcotics possession, and missing & wanted persons; and Whereas, in early 2017, Thor and Officer Robinson were assigned to a regional drug enforcement task force unit where they participated in classified team operations for almost two years; and Whereas, Thor and his partner attended weekly training classes, and were required to certify bi-annually with the National Association of Professional Canine Handlers; and Whereas, On December 5, 2018, with Officer Robinson by his side, Thor lost his life due to illness; and Whereas, The Canton Police Department recognizes the dedication and commitment demonstrated by Thor and Officer Robinson in their law enforcement careers and the K-9 Unit community alike; **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Trustees of the Charter Township of Canton upon recommendation of the Director of Public Safety, does hereby recognize Thor for his commendable contribution to the Canton Public Safety Department. Date: January 8, 2019 Pat Williams, Supervisor **Item C-1. Set Public Hearing for Consideration of a Local Government Approval for the Michigan Department of Licensing and Regulatory Affairs Liquor Control Commission (MLCC) Liquor License Application Bryan Finnerty representing High Velocity Sports Group for a Class "C" Liquor License with outdoor, Sunday Sales (PM) Permit, and an Off Premise SDM License located at 46245 Michigan Avenue, Canton, Michigan, 48188, Canton Township, Wayne County. (Clerk)** Motion by Siegrist, supported by Sneiderman to set the Public Hearing on February 26, 2019 for consideration of the Local Government Approval of the request for a New Class "C" Liquor License with outdoor, Sunday Sales (PM) Permit, and an Off Premise SDM License for High Velocity Sports Group located at 46245 Michigan Avenue, Canton, Michigan, 48188, Canton Township, Wayne County. The Notice of Public Hearing to be published on January 31, 2019. Motion carried by all members present. **Item C-2. Authorization to Pay Bills when no regular Board Meeting is scheduled. (FBD)** Motion by Siegrist, supported by Sneiderman to authorize the payment of the Township's bills as normally scheduled, subject to prior review by the Clerk and Treasurer, when no regular Board Meeting is scheduled. Motion carried by all members present. **Item C-3. Consider Approval of the Performance Resolution & Application for the 2019 Annual MDOT Maintenance Permit (MSD)** Motion by Siegrist, supported by Sneiderman to adopt the following resolution. Motion carried by all members present. **RESOLUTION OF BOARD OF TRUSTEES CHARTER TOWNSHIP OF CANTON RESOLVED WHEREAS**, the Charter Township of Canton hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits; **NOW THEREFORE**, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that: Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement. If any of the work performed for the GOVERNMENTAL AGENCY is performed by a contractor, the GOVERNMENTAL AGENCY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the GOVERNMENTAL AGENCY. Failure of the GOVERNMENTAL AGENCY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages. The GOVERNMENTAL AGENCY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT. With respect to any activities authorized by a PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken. **BE IT FURTHER RESOLVED**, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY. **I HEREBY CERTIFY** that the foregoing is a true copy of a resolution adopted by the Board of the Trustees of the Charter Township of Canton of Wayne County at a Regular meeting held on the 8th day of January A.D. 2018 Date 1-8-2019 Michael A. Siegrist - Clerk **Item C-4. Consider Approval of the Resolutions for Three (3) Annual Permits and Authorizing the Township Clerk's Signature for Work within the Wayne County Right-of-Way During 2019. (MSD)** Motion by Siegrist, supported by Sneiderman to approve Resolution 1; Permit A-19038 allowing for routine maintenance of sanitary sewers and water mains including inspection and repair, along with dust palliative applications, sidewalk repair and replacement, to authorize the Township Clerk as the designated officer to sign the 2019 Annual Permit for Wayne County Department of Public Services. Motion carried by all members present. Motion by Siegrist, supported by Sneiderman to approve Resolution 2; Permit A-19093 allowing the Township to occupy the right-of-way for pavement repair and restoration in 2019, and authorize the Township Clerk as the designated officer to sign the 2019 Annual Permit for Wayne County Department of Public Services. Motion carried by all members present. Motion by Siegrist, supported by Sneiderman to approve resolution 3; Permit A-19081 allowing the Township to perform Special Events which temporarily occupy the Wayne County Road right-of-way in 2019, and authorize the Township Clerk as the designated officer to sign the 2019 Annual Permit for Wayne County Department of Public Services. Motion carried by all members present. **GENERAL CALENDAR: Item G-1. Consider Payment of CityView Annual Software Maintenance Fees. (MSD)** Motion by Siegrist, supported by Slavens to authorize the payment to Harris Computer Systems for the CityView annual software maintenance fees, for a total cost not-to-exceed of \$56,915.35. Funds are available in the 2019 Budget in the accounts specified. Motion carried by all members present. **Item G-2. Consider Approval of an Agreement for Lobbying Services Between Canton Township and Kandler, Reed, Khoury, and Muchmore. (Supv.)** Motion by Siegrist, supported by Sneiderman to approve a two-year agreement with Kandler, Reed, Khoury, & Muchmore for government lobbying services, and authorize the Township Supervisor to sign on behalf of Canton Township, for an amount not to exceed \$36,000 per year. Motion carried by all members present. Trustee Foster requested the firm present an update to the board in the near future. Supervisor Williams stated he will try to arrange that in February. Trustee Graham-Hudak asked how the services work. Supervisor Williams and Director Meier explained how they have worked in conjunction with the firm's representative. Both are very satisfied with the results. **ADDITIONAL PUBLIC COMMENT:** None **OTHER:** Treasurer Slavens commented on the upcoming change to bi-monthly water billing for residents in May. Clerk Siegrist commented the funds raised by the Roads Millage will not be used for patching of potholes. If residents see potholes they should contact Wayne County at 1-888-ROAD CREW (1-888-762-3273) **ADJOURN:** Motion by Siegrist, supported by Foster to adjourn at 7:33 p.m. Motion carried by all members present. **Michael A. Siegrist, Clerk Pat Williams, Supervisor**