

**Charter Township of Canton
Board Proceedings – February 27, 2018**

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, February 27, 2018 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, Sneideman, Williams
Members Absent: Slavens
Staff Present: Director Hohenberger, Director Faas, Director Meier, Director Trumbull, Erika Hidalgo

Adoption of Agenda

Motion by Anthony, supported by Sneideman to approve the agenda as presented. Motion carried by all members present.

Approval of Minutes

Motion by Foster, supported by Siegrist to approve the Board Meeting Minutes of February 13, 2018 as presented. Motion carried by all members present.

Motion by Anthony, supported by Sneideman to approve the Board Study Session Minutes of February 20, 2018 as presented. Motion carried by all members present.

Citizen’s Non-Agenda Item Comments:

George Miller, 1946 Briarfield, commented on local streets flooding, a guardrail mutilation, potholes on local roads not being filled, and the landfill facility. Supervisor Williams request Director Faas inquire about the status of the guardrail on Palmer Road.

William Asper, 44273 S. UMBERLAND Circle, commented on the condition of the roads in Canton and how repairs are handled. Supervisor Williams explained a Roads Task Force is in place and is working on options for the township

Payment of the Bills:

Motion by Sneideman, supported by Siegrist to approve payment of the bills as presented. Motion carried by all members present.

February 27, 2018		
101	GENERAL FUND	516,553.92
206	FIRE FUND	305,455.61
207	POLICE FUND	338,668.27
208	SUMMIT OPERATING (General)	85,760.65
219	STREET LIGHTING	24,935.42
230	CABLE TV FUND	8,500.02
246	TWP (COMMUNITY) IMPROVEMENT	14,621.00

248	DDA - CANTON TWP ACCT	38,595.59
274	CDBG	10.00
555	Solid Waste	1,787.37
584	GOLF FUND	19,460.48
592	WATER & SEWER FUND	1,667,033.30
661	FLEET	36,758.16
701	TRUST & AGENCY FUND	7,775.00
702	CONSTRUCTION ESCROW	9,393.00
736	POST EMPLOYMENT BENEFITS	128,633.70
TOTAL - ALL FUNDS		3,203,941.49

PUBLIC HEARING:

PH-1: Consider Holding the Public Hearing for 2018 Sidewalk Repair Program. (MSD)

Motion by Williams, supported by Siegrist to open the Public Hearing at 7:08 p.m. to hear comments on the necessity of sidewalk repairs pursuant to the Township Sidewalk Ordinance, Sidewalk Repair Program Policy and as provided in Public Act 80 of the Public Acts of 1989. Motion carried by all members present.

The Sidewalk Ordinance became effective on July 1, 1999 and was amended on August 2, 2001 (Chapter 62, Article II, Section 31-36). The ordinance was adopted to protect the public health, safety and welfare of the citizens of the Charter Township of Canton through adoption of regulations concerning the construction and maintenance of sidewalks within the Township. The Sidewalk Ordinance requires the Township to hold a Public Hearing regarding the necessity of repairs for the 2018 Sidewalk Repair Program.

The Township is targeting subdivisions, residential, and commercial owners located along the public road right-of-way, in consolidated areas known as "Zone Two" and "Zone Three". The targeted subdivisions this year are located south of Cherry Hill Road between Morton- Taylor Road to Hannan Road. This year's program represents the nineteenth year in sidewalk repairs since the program started. Notice of the Public Hearing has been properly advertised and letters were provided to the residents affected.

Director Faas gave a presentation explaining how the program works. Erika Hidalgo - Engineer, was there to handle individual requests for reinspections.

A complete copy of the PowerPoint presentation is available through the Township Clerk's Office, 1150 S. Canton Center Road, Canton MI 48188 during regular business hours or by calling 734-394-5120.

Several residents commented on the Sidewalk Repair Program:

Mitchel Thielen, 1633 Crestview Drive questioned billings, missed locations, and using money to repair sidewalks and not roads.

William Asper, 44273 S. Umberland Circle, commented on a tree in the easement damaging sidewalk and sewer. Mr. Asper cited a case where the City of Warren was responsible for payment of this. He feels it is Canton's responsibility to pay for this.

Joan Neubacher, 39735 Wales, commented on trees in her subdivision with either low hanging branches or that are causing sidewalk damage. She inquired who is responsible for the trees.

Mike Burke, 1463 Ledgewood Drive, commented on the marking criteria and felt there were areas missed.

Doris Burke, 1463 Ledgewood Drive, commented on hazardous areas that are not marked.

Ms. Qin, 41448 Greenwood Drive, commented on her individual markings. She will request a re-inspection.

John Dimaggio, S. Sheldon Road, retired Wayne County employee and contractor, inquired about the quality of the concrete used for sidewalk repair and asked how this quality is verified. He asked if the sidewalks are "sealed" and what warranty comes with the work.

Bob Parker, 6806 Weathersfield, commented Wayne County will remove dead trees in the easement.

Director Faas and Supervisor Williams addressed each speakers concerns. Also, some of the speakers gave information to Ms. Hidalgo for reinspections or to investigate areas that are not marked.

Motion by Siegrist, supported by Sneiderman to close the Public Hearing at 7:50 p.m. to hear comments on the necessity of sidewalk repairs pursuant to the Township Sidewalk Ordinance, Sidewalk Repair Program Policy and as provided in Public Act 80 of the Public Acts of 1989.. Motion carried by all members present.

Trustee Anthony asked the price of concrete. Director Faas explained the pricing is \$6/square foot for 4" and \$6.83/square foot for 6" (which runs across a driveway).

Motion by Siegrist, supported by Sneiderman to adopt the resolution requiring replacement of sidewalks in **Zone 2** – Aziz Estates #1 & #2, Brookside Village #1-#5, Brookside Village West, Camden Park, Dasher Heights and Westfield Estates **Zone 3** – Canton Country Acres, Century Farms, Cherry Hill Orchards, Echo Forest, Oakvale, Palmer Manor, Pheasant Creek, Pheasant Creek North, Pheasant Woods, Salem Manor, Sierra Heights #1 & #2, Stonegate, Villa Maria, Woodwind Estates **Miscellaneous Locations** as indicated and published in the Canton Eagle on February 8, 2018 & February 22, 2018.

**RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON**

Resolution Approving 2018 Sidewalk Repair Program Parcel List

Motion by Siegrist, supported by Sneideman to adopt the replacement of sidewalks pursuant to the Township Sidewalk Ordinance and Sidewalk Repair Program Policy Provided in Public Act 80 of the Public Acts of 1989 in Aziz Estates #1, Aziz Estates #2, Brookside Village #1, Brookside Village #2, Brookside Village #3, Brookside Village #4, Brookside Village #5, Brookside Village West, Camden Park, Dasher Heights and Westfield Estates, Canton Country Acres, Century Farms, Cherry Hill Orchards, Echo Forest, Oakvale, Palmer Manor, Pheasant Creek, Pheasant Creek North, Pheasant Woods, Salem Manor, Sierra Heights #1, Sierra Heights #2, Stonegate, Villa Maria, Woodwind Estates and Miscellaneous locations as indicated and published in the Canton Eagle on February 8th & February 22nd, 2018.

Michael Siegrist
Canton Township Clerk

CONSENT CALENDAR:

Item C-1. Resolution in Recognition of SEMCOG’s 50th Anniversary. (Supv.)

Motion by Siegrist, supported by Sneideman to adopt the following resolution. Motion carried by all members present.

**RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON**

WHEREAS, SEMCOG was formed in 1968 as a voluntary council of governments for Southeast Michigan, and today has more than 170 members including cities, villages, townships, intermediate school districts, community colleges, and all seven counties; and

WHEREAS, SEMCOG’s earliest years set the tone for much of the work we do today and will to do in the future; and

WHEREAS, Canton’s Supervisor serves on SEMCOG’s Transportation Coordinating Council (TCC) and Regional Clearinghouse Review Committee, allowing Canton Township to have direct input into planning and funding of initiatives; and

WHEREAS, working to implement the vision set forth in our bylaws, SEMCOG’s primary functions include:

- Promoting informed decision making to improve Southeast Michigan and its local governments by providing insightful data analysis and direct assistance to member governments;
- Promoting the efficient use of dollars for infrastructure investment and governmental effectiveness;

- Developing regional solutions that go beyond the boundaries of individual local governments; and
- Advocating on behalf of Southeast Michigan in Lansing and Washington; and

WHEREAS, through regional planning, training and assistance to member governments, SEMCOG supports:

- Efficient management and improvement of public infrastructure such as roads, bridges, water, sewer, and stormwater;
- Less traffic congestion;
- Better traffic safety (SEMCOG is a national leader on safety issues);
- Better air quality;
- Business growth and entrepreneurship; and
- Educating the region’s workforce and connecting people to jobs;

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Canton Board of Trustees congratulates SEMCOG on their 50th anniversary and looks forward to continued partnership.

Item C-2. Consider Second Reading of an Ordinance to amend Chapter 98 of the Canton Code of Ordinances to bring the Ordinance into compliance with State Law and to increase the size of the Planning Commission to nine members. (MSD)

Motion by Siegrist, supported by Sneiderman to remove from the table and hold the Second Reading of the proposed amendment to Chapter 98 of Canton Township Code of Ordinances. Motion carried by all members present.

Chapter 98 of the Canton Code of Ordinances, entitled “Planning,” still cites the Rural Township Zoning Act, which was repealed and replaced by the Michigan Planning Enabling Act in 2008.

Discussions about the make-up the Planning Commission have led to a review of the Township ordinances governing the Planning Commission. While Section 28.03 of the Zoning Ordinances was updated when the state planning law changed in 2008; however, Chapter 98 was not revised. As the Board has indicated a desire to increase the size of the Planning Commission to nine members, Chapter 98 has been reviewed and updates made to bring the ordinance into compliance with the current law, as well as increase the size by adding two members. A budget impact of \$3,000 - \$4,000 will be addressed by a future Request for Board Action if this amendment is approved.

Motion by Siegrist, supported by Sneiderman to adopt the ordinance to amend Chapter 98 of Canton Code of Ordinances, which shall be published and become effective on March 08th, 2018.

**STATE OF MICHIGAN
COUNTY OF WAYNE**

CHARTER TOWNSHIP OF CANTON

CHAPTER 98

AN ORDINANCE TO AMEND CHAPTER 98 OF THE CANTON TOWNSHIP CODE OF ORDINANCES, ARTICLE II, ENTITLED "PLANNING COMMISSION," TO BRING THE ARTICLE INTO COMPLIANCE WITH STATE LAW.

THE CHARTER TOWNSHIP OF CANTON ORDAINS:

Section 1. Amendment to Code.

Chapter 98, Article II, entitled "Planning Commission" is hereby repealed in its entirety and replaced with the following:

ARTICLE II. - PLANNING COMMISSION

Sec. 98-31. - Established.

In accordance with Act No. 33 of the Public Acts of Michigan of 2008 (MCL 125.3801 et seq.), as amended, and section 3.11 of the charter, there is hereby established a planning commission to be designated the planning commission of the township. The planning commission existing in the township on the effective date of this Code shall be the township planning commission provided for herein and its members shall continue to serve, subject to the provisions of Act No. 33 of 2008, and this article. This article shall be officially known and described as the "Canton Township Planning Commission Ordinance."

Sec. 98-32. - Members; appointment, removal.

(a) The commission shall consist of nine (9) members appointed by the supervisor with the approval of a majority of the township board elected and serving. To be qualified to be a member and remain a member of the commission, the individual shall be a qualified elector of Canton Township.

(b) The membership of the planning commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the township, in accordance with the major interests as they exist in the township, such as natural resources, recreation, education, public health, government, transportation, residential uses, industry, and commerce. The membership shall also be representative of the entire geography of the township to the extent practicable.

(c) Members shall be appointed for three-year terms and until their successors are appointed and qualified; provided, however, the initial appointments effective on or after June 30, 2011, shall occur in such a manner as to create three (3) sets of staggered appointments, with the initial term of the first set of three (3) members to be no more than one year, the second set of three (3) members to be no longer than two (2) years, and the third set of three (3) members to be no longer

than three (3) years, such that, as nearly as possible, the terms of one-third (1/3) of all commission members will expire each year.

(d) The township board may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Before casting a vote on a matter on which a member of the planning commission may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. The member is disqualified from voting on the matter if so provided by the bylaws or by a unanimous vote of the remaining members of the planning commission. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office. For purposes of this subsection, a "conflict of interest" exists when a member of the planning commission or a member of their family has a proprietary or financial interest in an issue or matter that is before the planning commission beyond that which is experienced by the public in general, or the member may receive or gain a financial benefit as a result of a vote on such issue or matter, or which would result in a violation of the Standards of Conduct for Public Officers and Employees Act, 196 PA 1973 (being MCL 15.341 et seq.), the Incompatible Public Offices Act, 566 PA 1978 (being MCL 15.181 et seq.), or any other state law or township ordinance, ethics code or policy provision applicable to conflicts of interest.

Sec. 98-33. - Officers.

(a) The planning commission shall elect a chairperson, a vice-chairperson, and a secretary from its members, and may create and fill other offices as it considers advisable. The term of each office shall be one (1) year, with opportunity for reelection as specified in the planning commission bylaws.

(b) The planning commission may also appoint advisory committees whose members are not members of the planning commission.

Sec. 98-34. - Authority, powers, duties.

The planning commission shall have the powers and duties as set forth in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 et seq.; and P.A. 110 of the Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act, MCL 125.3101 et seq.).

Sec. 98-35. - Compensation.

All members of the planning commission shall be compensated at a rate to be determined by resolution of the township board.

Sec. 98-36. - Meetings.

(a) The planning commission shall hold at least four (4) regular meetings each year, and shall by resolution determine the time and place of the meetings.

(b) Unless otherwise provided in the planning commission's bylaws, a special meeting of the planning commission may be called by the chairperson or by two (2) other members, upon written request to the secretary. Unless the bylaws otherwise provide, the secretary shall send written notice of a special meeting to planning commission members at least forty-eight (48) hours before the meeting.

(c) The business that the planning commission may perform shall be conducted at a public meeting held in compliance with the Open Meetings Act, Public Act 267 of 1976, MCL 15.261 et seq.

(d) The planning commission shall keep a public record of its resolutions, transactions, findings, and determinations. A writing prepared, owned, used, in the possession of, or retained by a planning commission in the performance of an official function shall be made available to the public in compliance with the Freedom of Information Act, Public Act 442 of 1976, MCL 15.231 et seq.

Sec. 98-37. - Bylaws.

The planning commission shall adopt bylaws for the transaction of business. For purpose of this article, the term "bylaws" shall mean and include bylaws or rules of procedure adopted by the planning commission.

Sec. 98-38. - Annual report.

The planning commission shall make an annual written report to the township board concerning its operations and the statuses of its planning activities, including recommendations regarding actions taken by the township board related to planning and development.

Sec. 98-39. - Employees, consultants.

The planning commission may appoint such employees as it may deem necessary for its work whose appointment, promotion, demotion and removal shall be subject to the same provisions of law as govern other employees of the township.

Sec. 98-40. - Zoning proposals; procedures.

The following procedures shall govern proposed amendments to or reenactments of the zoning ordinance of the township, including text amendments and amendments or alterations in the zoning map:

(1) The planning commission shall review all proposed zoning ordinances or amendments thereto and shall hold a public hearing thereon if such hearing is required by this article, chapter 34 of this Code or P.A. 110 of the Public Acts of 2006, as amended (being the Michigan Zoning Enabling Act, MCL 125.3101 et seq.) and shall provide notice of the public hearing in accordance with the following:

- a. Except as otherwise provided in P.A. 110 of the Public Acts of 2006, as amended, if the planning commission holds a public hearing, notice of the public hearing shall first be published in a newspaper of general circulation in the township not less than fifteen (15) days before the date of the hearing.
- b. For applications involving the rezoning of ten (10) or fewer adjacent properties and for other applications as to which a public hearing is required under this article, chapter 34 of this Code or P.A. 110 of the Public Acts of 2006, as amended, a notice of public hearing shall be given by mail or delivery service in accordance with said P.A. 110 or delivered in person to the following:
 1. The applicant and the owner of the subject property, if different from the applicant.
 2. All persons to whom real property is assessed for property taxes within three hundred (300) feet of the property that is the subject of the application regardless of whether the property or structure is located in the township.
 3. One (1) occupant of each dwelling unit or spatial area in each building that contains four (4) or less dwelling units and is located within three hundred (300) feet of the subject property regardless of whether it is located in the township.
 4. The owner or manager of a building containing more than four (4) dwelling units, who shall be requested in writing to post the notices at the primary entrance of the building, but failure of such posting shall not constitute a lack of notice to the owners or occupants of such dwelling units.
 5. If the above-described 300-foot radius extends outside the township's boundaries, the notice shall nevertheless be provided outside the township's boundaries, within the 300-foot radius, to all persons stated above in this subsection.
- c. The notices of public hearing under this section shall include the following information:
 1. A description of the application or request.
 2. An identification of the property that is the subject of the applications or request. The notice shall include a listing of all existing street addresses within the property; provided, however, that street addresses do not need to be created and listed if no such addresses currently exist within the property; and provided further that street addresses do not need to be listed if eleven (11) or more adjacent properties are being proposed for rezoning.
 3. The date and time the application or request will be considered, and the location of the public hearing.

4. The location or address where written comments concerning the application or request will be received, and the period of time within which such written comments may be submitted.
5. Any other information required under P.A. 110 of the Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act, MCL 125.3101 et seq.

(2) If the township board is required or opts to hold a public hearing on any of the matters listed in subsection (1), above, the township board shall comply with the public notice requirements contained therein.

(3) Following township board adoption of a zoning ordinance or any subsequent amendments thereof, the zoning ordinance or subsequent amendments shall be filed with the clerk of the township, and a notice of ordinance adoption shall be published in a newspaper of general circulation in the township within fifteen (15) days after adoption.

Sec. 98-41. - Approval, ratification, and reconfirmation.

All official actions taken by all Canton Township Planning Commissions, preceding the enactment of this section are hereby approved, ratified and reconfirmed. Any project, review, or process taking place at the effective date of the enactment of this section shall continue with the planning commission confirmed by this article, subject to the requirements of this article, and shall be deemed a continuation of any previous matter before the planning commission.

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 be effective upon 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 28th day of February, 2018, and was ordered to be given publication in the manner required by law.

Michael Siegrist, Clerk

Introduced: February 13, 2018
Adopted: February 28, 2018
Published: March 8, 2018
Effective: March 8, 2018

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.

GENERAL CALENDAR:

Item G-1. Consider Approval of the Final Planned Development for Bickford of Canton Senior Living Facility. (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**

Approval of the Final Planned Development for Bickford of Canton Senior Living Facility

WHEREAS, the Project Sponsor has requested approval of a Final Planned Development for the Bickford of Canton Senior Living Facility, located on the west side of Canton Center Road between Ford and Hanford Roads; and,

WHEREAS, the Planning Commission reviewed the conceptual development plan and development agreement made a recommendation to approve the request as it meets the criteria for a planned development, fulfills an identified need and results in definite benefits to the community;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the request for a Final Planned Development for the Bickford of Canton Senior Living Facility, proposed on the north 3.67 acres of tax parcel #036-99-0006-717, subject to any and all applicable state and local development regulations.

The Preliminary Planned Development was approved in November 2017 by the Township Board of Trustees. The proposed Planned Development consists of a 40,700 square feet and 64 assisted living units on 3.67 acres. The project will provide a transitional use from the office and commercial uses on Canton Center to the single- family neighborhood to the west, which is less intense than what could be developed under the permitted commercial uses in the C-2 district.

The proposed use is also complimentary to the medical office uses in Canton Center corridor in this area and provides a use which is underserved in the Canton market. The plan will preserve the existing vegetation along the Fellows Creek drain, maintaining a natural buffer to the residential uses located west of the drain. The single-story brick building and landscape design will also benefit the neighborhood to the west by providing a low-impact residential-style facility. The comparative values of this project will be equal to or higher than the commercial values of the office uses. Cross access will be maintained to the north and the south for future. Traffic generation is also projected to be less than typical office or commercial uses which could be developed by right on the site.

-Existing Zoning: C-2, Community Commercial District

-Location: West side of Canton Center Road between Ford and Hanford Roads

-Net Acres: 3.67 acres of a 7.15 acre site

-Existing Land Use: Vacant

- Surrounding Land Use & Zoning:

N- C-2, Vacant and Fraser Bicycles

S- C-2, Vacant part of site and Auto One Repair

E- C-2, Essex Office Building and Jewelry Showroom

W- R-4, Sunflower No. 11 Subdivision

- Comprehensive Plan: Community Commercial

-Community Planner's Recommendation: Approval

-Planning Commission Recommendation: The Planning Commission voted 7-0 to recommend approval of the proposed Final Planned Development on the north 3.67 acres of tax parcel # 036-99-0006-717 for Bickford of Canton Senior Living

Item G-2. Consider Approval of the Special Land Use and Site Plan for Life Covenant Church Outdoor Pavilion and Recreation Courts. (MSD)

Motion by Siegrist, supported by Sneiderman to pass the following resolution. Motion carried by all members present.

**RESOLUTION OF
BOARD OF TRUSTEES**

February 27, 2018

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CHARTER TOWNSHIP OF CANTON

Approval of the Special Land Use Expansion for Outdoor Uses at Life Church

WHEREAS, the Project Sponsor has requested an expansion of the special land use and site plan approval for Life Church, located on the North side of Warren Road west of Haggerty Road, to add an outdoor pavilion and sports courts; and,

WHEREAS, the Planning Commission reviewed the special land use criteria and site plan for the proposed outdoor pavilion and sport courts at Life Church and voted 7-0 to recommend approval of the request as it meets all applicable criteria.

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the request for expansion of the Special Land Use and Site Plan for Life Church for the purpose of adding an outdoor pavilion and recreation courts on tax parcel no. 046-99-0003-714, subject to any and all applicable state and local development regulations.

The applicant is proposing to add an outdoor pavilion and several sports courts in vacant property they lease adjacent to their parking lot on the north side of Warren Road. The pavilion is a small band shell for use by the youth group for outdoor music and youth gathering in the evenings during warm weather months.

Staff's only concern is for potential noise impact from outdoor music events at the pavilion to the residential area to the west. The applicants have indicated the pavilion will be used mostly on Wednesday and Sunday evenings during warm weather.

-Existing Zoning: Light Industrial

-Location: Northwest corner of Haggerty and Warren Road

-Net Acres: 3.7 acres of the 9 acre site

-Existing Land Use: Church

-Surrounding Land Use

N - LI- parking for the church and Light Industrial building north of the drain

S - LI-R, Yazaki North America

E - LI- Light Industrial/Office

W- LI- Vacant

Comprehensive Plan: Light Industrial

Community Planner's Recommendation: Approval

Planning Commission Recommendation: The Planning Commission voted 7-0 to recommend approval of the request to expand the Special Land Use and Site Plan on parcels no. 046-99-0003-714 to add an outdoor stage and band shell and sports courts as shown on the plans.

Trustee Sneiderman asked if the residents in the area were notified. Director Faas replied yes. There had been a noise concern from some of the residents outside of the 300' notification

radius. David Garvey, student at Salem High School and representative for the church youth group, explained in the past the youth group had used the church parking lot for their activities and have never had any complaints. They also canvassed surrounding neighborhoods regarding this project and received no negative feedback. Mr. Garvey and his brother are earning their Eagle Scout certificates through this project. They are expecting to complete this project in time for their 2018 summer activities.

Item G-3. Consider Approval of the Special Land Use for Primrose School of Canton Child Care Center. (MSD)

Motion by Siegrist, supported by Sneiderman to pass the following resolution. Motion carried by all members present.

**RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON**

Approval of the Special Land Use for a Child Care Facility for Primrose School of Canton

WHEREAS, the Project Sponsor has requested special land use approval for a Child Care Center for Primrose School of Canton, located on the east side of Canton Center Road south of Cherry Hill Road; and,

WHEREAS, the Planning Commission reviewed the conceptual development plan and special lands use criteria and voted 7-0 to recommend approval of the request as it meets the special land use and design criteria for a child care center.

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the request for Special Land Use for a child care center for Primrose School of Canton on part of tax parcel no. 086-99-0002-701, subject to any and all applicable state and local development regulations.

Christina Petraca, 45282 Gerald Ct., asked what is going to happen to the parcel behind the proposed school. Director Faas and Candice Briere - Metro Consulting Assoc., representative for the project, explained how the parcel will be split and what may be constructed on the adjoining parcels. The final decision would be the decision of the owner of that parcel. As for landscaping, that would be up to the eventual owner of the parcel as well.

Trustee Sneiderman asked how the shared access would be handled. Director Faas explained there would be an agreement created regarding shared access.

The applicant is proposing to develop a 12,400 square foot pre- school on 1.72 acres of a 3 acre site located east of Canton Center Road and south of Cherry Hill road. The site will be provided access to Canton Center from a private road utilizing an existing curb cut that will serve the parcel directly on Canton Center and an office site proposed between the vacant parcel and proposed day care center. The preliminary plan meets all of the site design standards for a day

care, including the setbacks and buffers to existing residential uses to the east and south. The structure is one-story brick building that fits in with the surrounding residential uses.

The site is located at the east end of the site and is surrounded by Busch's Grocery Store to the north, Kingston Estates to the east, and Pineview Estates to the south. The O-1 zoning was intended to provide a transition from the more intense C-2 commercial uses to the north to the lower intensity residential uses to the east and south. The responses to the special land use criteria are attached for your review. The existing center turn lane on Canton Center will provide adequate stacking for turning movements into and out of the site. Further review of the road geometry will be reviewed at site plan stage in conjunction with the private road design. A market analysis has also been provided which provided support for the proposed facility.

-Existing Zoning: O-1, Office District

-Location: East side of Canton Center Road and south of Cherry Hill Road

-Net Acres: 1.72 acres

-Existing Land Use: Vacant

-Surrounding Land Use

N - C-2, Busch's Grocery Store

S - R-3, Pineview Estates

E - R-3, Kingston Estates

W- O-1, vacant

-Comprehensive Plan: Local Shopping

-Community Planner's Recommendation: Approval. The request meet a general criteria for a special land use and the specific site design criteria for child care centers.

-Planning Commission Recommendation: The Planning Commission voted 7-0 to recommend approval of the request for special land use for a child care center on part of parcel no. 086-99-0002-701, as proposed.

Item G-4. Consider Approval of a Budget Amendment to Adjust the Allocation of Time Charged by the Secretary IV Position Shared with the DDA. (MSD)

Motion by Siegrist, supported by Sneiderman to approve the following budget amendment:

Increase:

Salary & Wages	#101-305.705_0010	\$13,757.00
Various Fringes	#101-305.720_XXXX	\$ 7,902.00
Fund Balance Appropriation	#101-000.695	\$21,659.00

Decrease:

Salary & Wages	#248-730.705_0010	\$13,757.00
Various Fringes	#248-730.720_XXXX	\$ 7,902.00
Fund Balance Appropriation	#248-000.695	\$21,659.00

Motion carried by all members present.

For a number of years the Municipal Services Department (MSD) has shared a secretarial position with the Downtown Development Authority (DDA). That cost share was typically 25% MSD and 75% DDA. Starting in January of 2018, the cost share of this position was changed to 50% MSD and 50% DDA. As such, a budget amendment is necessary to reflect those changes to the budget.

The new time allocation is based on an increased level of effort by the DDA Secretary in assisting with the document scanning project and backfilling other clerical vacancies across MSD. The total additional cost to the general fund is \$21,659 including all wages and fringe benefits.

Item G-5. Consider Approval of an Extension of the Contract with Rotondo Construction Corporation Along with Approval of a Budget Amendment for the 2018 Sidewalk Repair Program. (MSD)

Motion by Siegrist, supported by Sneiderman to approve an extension of the contract with Rotondo Construction Corporation for the 2018 sidewalk repair program in the amount of \$826,600; and further authorize the Township to further extend the contract with Rotondo Construction Corporation into the 2019 program year based on satisfactory performance and stable prices. Motion carried by all members present.

Motion by Siegrist, supported by Anthony to approve the following budget amendment:

Increase Revenues:

Fees – Sidewalk Replacements #101-000.626 \$275,400

Fund Balance Appropriation #101-000.695 \$ 87,200

Increase Expenses:

Maintenance & Repair Sidewalks #101-447-03.930_0050 \$326,600

Motion carried by all members present.

In January 2017 Canton Township publicly bid our annual Sidewalk Repair Program, including the sidewalk gaps, and incidental flatwork on Township properties. The Board awarded a contract to Rotondo Construction Corporation from Farmington Hills, Michigan for the 2017 program. Rotondo performed well in the 2017 program with minimal complaints from the residents. As provided for in the RBA from last year, there is a provision to extend this 2017 contract into 2018 “based on satisfactory performance and stable prices”. Staff agree the contractor displayed satisfactory performance and is only requesting a change in the unit cost to reflect the increase in concrete in 2018.

This year’s sidewalk repair program represents the third year of the second cycle in repairs, and both the quantities and scope of work have increased. Based on the concrete unit costs, the total estimated cost for the 2018 program and the portion of the 2017 sidewalk program that was not completed is \$826,600. This represents an increase of \$382,600 beyond that currently budgeted. As such, a budget amendment is necessary to perform the scope of work as priced.

Item G-6. Consider Approval for Pheasant Run Golf Club Security System Upgrades. (CLS)

Motion by Siegrist, supported by Foster to approve security system upgrades to the Pheasant Run Golf Clubhouse with Interstate Security, Inc., 51233 Oro Drive, Shelby Township, Michigan 48315, in the amount of \$14,990 to be paid from Account # 584-756-50.970_0010 Capital Outlay Computers and Equipment. Motion carried by all members present.

To provide better security at the Pheasant Run Golf Clubhouse, staff budgeted to upgrade the existing camera system and install door access controls to the building exterior. We are requesting approval of security system upgrades in the amount of \$14,990.

Interstate Security, Inc. has a Board approved contract to provide maintenance, repairs and additions for security throughout Canton facilities. The current agreement term is through January 2020.

Currently the Pheasant Run Golf clubhouse has eight analog cameras that are over 10 years old and provide very poor imaging quality. The building also does not have a door Access Control System. Therefore, staff negotiated an upgrade to the building security system with Interstate Security that includes the following:

- Replacement of 8 analog cameras with 4 mega-pixel HD digital cameras
- New server and network cable connections for cameras
- Connection of camera digital imaging to local computers
- Connection of camera digital imaging to high-speed internet for remote access
- Install new control panel for door access controls
- Install new electric door hardware and card readers to 2 exterior doors

Trustee Sneideman asked if there will be security system upgrades at Fellows Creek as well. Director Hohenberger stated that system has already been upgraded.

Item G-7. Consider Purchase of Toro Greenmaster Mowing Units. (CLS)

Motion by Siegrist, supported by Foster to approve the purchase of three (3) Toro Greenmaster 3150-Q mowing units from Spartan Distributors, Department 9538, PO Box 30516, Lansing, MI 48909 in the amount not to exceed \$91,571.46 with funds to be taken from Account #584-756-50.970_0030, Pheasant Run Golf Club, Capital Outlay Machinery and Equipment. Motion carried by all members present.

Pheasant Run Golf Club uses many pieces of turf maintenance equipment to maintain the 27 hole golf course. Three of our current mowers are well beyond their useful life in years and hours of service. We recommend the purchase of three (3) Toro Greenmaster 3150-Q mowing units from Spartan Distributors in the amount of \$91,571.46.

Turf and grounds maintenance equipment are essential components of providing high quality facility conditions. Three mowers in need of replacement are over 20 years old with more than 4,600 average hours of operation. These mowers have an average replacement cycle of 6 years or

1,700 hours of operation. The equivalent in mileage on an automobile would be roughly 200,000 miles. These units are close to their breaking point and repair costs are increasing annually. It is recommended that Canton Township purchase three (3) Toro Greenmaster 3150-Q mowing units.

These mowers are municipal priced, which means these mowers cannot be bought at a lower price at any distributor in the State of Michigan. There is one quote reflecting the municipal price from Spartan Distributors.

Item G-8. Consider Approval of Temporary Six Month Lease Renewal for Human Services Center. (CLS)

Motion by Siegrist, supported by Sneiderman to approve the Township Supervisor to sign the renewal of the Lease with Growth Works for the operation of the Human Services Center for a temporary six month term beginning March 1, 2018 and ending September 3, 2018. Motion carried by all members present.

The three-year lease agreement with Growth Works, Inc. for management of the Human Services Center has reached its end. Growth Works manages the day- to-day operation of the building, pays for utilities, and recruits service agencies to rent space in the building. The lease is for \$13,893 annually, or \$1 per square foot. The rent is kept low because Growth Works passes the savings on to the service agencies, to entice them to occupy the building. Building tenants include the Canton Community Foundation, Family Service, Inc., and Growth Works. Canton uses the rent for major building repairs and to maintain the grounds. The lease is also kept low to avoid triggering CDBG program income regulations, which would not permit Canton's maintenance of the building and grounds.

Currently, Canton staff and Growth Works are negotiating new terms for the management of the building. These terms will include, "Canton Human Services Center Stakeholders Committee Bylaws" and "Canton Human Services Center Project Handbook." Both parties agree that the bylaws and the handbooks should be finalized before a new three year lease agreement is implemented. Therefore, this temporary lease renewal is required to maintain the current lease terms. The lease will be effective March 1, 2018, and end September 3, 2018.

Growth Works performance has been exemplary; they cooperate fully with Canton in enacting policies for operation of the building including providing space for various Township activities, such as Leadership Canton, and cooperating in the use of the building as a voting site.

Item G-9. Consider Approving Alternate Vendor for Power Stretcher Installation. (PSD)

Motion by Siegrist, supported by Foster to approve switching the vendor for installation of power stretchers from Inst-A-Tech, LLC, to Halt Fire, for the same amount of \$9,000. Motion carried by all members present.

On January 23, 2018, the Board approved the purchase of six hydraulic lift stretchers from
February 27, 2018

Stryker, and subsequent installation by Inst-A-Tech, LLC. The Fire Department is now requesting installation instead be performed by Halt Fire, for the same cost of \$9,000.

Inst-A-Tech, LLC, was the recommended installer by Stryker Medical during the purchasing process. The Fire Department has since discovered that work performed by an outside contractor on the fairly new ambulances could void the warranties on said vehicles. Therefore, the department is requesting to instead contract with the ambulance vendor, Halt Fire, to have the stretcher systems installed for the same fee that was to be charged by Inst-A-Tech, LLC.

Item G-10. Consider Approving a One-Year Contract for Public Safety Legal Services. (PSD)

Motion by Siegrist, supported by Sneiderman to approve a one-year contract for Public Safety legal services with Michigan Police Legal Advisor Group, in the amount of \$25,000, to be paid in monthly installments of \$2,083.33. Motion carried by all members present.

The Public Safety Department is requesting to establish a contract with the Michigan Police Legal Advisor Group, to provide legal advice on administrative and operational issues, department policies, and legal update training for Police and Fire. The annual contract price of \$25,000 is payable in monthly installments, and is based on 144 hours per year.

Last year, the department contracted with the Michigan Police Legal Advisor Group for legal update training and policy review. The events, although successful, validated the importance of legal services and consultation specific to the police and fire service. In addition to training and policy recommendations, this contract will provide 24/7 access to legal advice for management of all public safety-based scenarios with potential legal implications such as employee management, critical incidents and legislative actions.

Trustee Sneiderman asked when this type of legal advisor group would be used as opposed to using our in-house legal advisor. Director Meier explained this group is a subject matter expert that will verify we are in compliance with all federal and state requirements.

Item G-11. Budget Amendments for the Carryover of Fiscal Year 2017 Open Purchase Orders to Fiscal Year 2018. (FBD)

Motion by Siegrist, supported by Sneiderman to approve the following 2018 budget amendment increases for purchase order commitments carried over from 2017: General Fund (101) increase of \$311,656; Fire Fund (206) increase of \$30,353; Police Fund (207) increase of \$5,691; Community Center Fund (208) increase of \$9,845; Cable TV Fund (230) increase of \$126,853; Community Improvement Fund (246) increase of \$104,340; Capital Projects-Water & Sewer (402) increase of \$ 657; Capital Projects-Roads (403) increase of \$80,525; Golf Course Fund (584) increase of \$62,735; Water & Sewer Fund (592) increase of \$2,098,120; Fleet Maintenance Fund (661) increase of \$8,839. Motion carried by all members present.

The Finance & Budget Department is requesting to carryover prior year purchase orders. This will require the Board to approve an increase of the 2018 budget.

At the end of each fiscal year, there are numerous open purchase orders for goods and services budgeted and ordered in that fiscal year. A majority of these open purchase orders are for items received in that fiscal year but paid for in the subsequent year; the expense is recorded as an accounts payable at the end of that year and these purchase orders are closed.

However, some of the open purchase orders are for items that were not received by the end of the fiscal year, and these purchase orders carry over into the succeeding fiscal year to complete the transactions. A fund balance reserve is made at the end of the year for these purchase commitments. And, in many cases, there are not sufficient budget funds in the line item budgets for these items, so the succeeding fiscal year's budget must be amended.

Clerk Siegrist asked if these amounts are typical. Director Trumbull replied they are normal.

Item G-12. Resolution in Support of Accountability for County Roads and Funding Needs for State Infrastructure Investment. (Clerk)

Motion by Siegrist, supported by Foster to adopt the following resolution. Motion carried by all members present.

**RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON**

**Resolution – In Support of Accountability for County Roads
and Funding Needs for State Infrastructure Investment**

WHEREAS, officials are elected in 1,240 townships to represent more than half of all Michigan residents and are responsible for the majority of economic development occurring in Michigan; and

WHEREAS, local officials are the most responsive to residents and are most knowledgeable about the needs of their constituents; and

WHEREAS, Canton Township has spent in excess of \$10 million dollars out of the general fund over the last decade on over 208 miles of neighborhood and 59 miles of County primary roads; and

WHEREAS, The Michigan Transportation Fund Act, PA 51 of 1951 created a formula to distribute transportation funds for road repair and maintenance amongst governmental units with jurisdiction over roads; and

WHEREAS, Townships have no jurisdiction over public roads, receive no direct funding from Public Act 51, and are serviced through their respective county; and

WHEREAS, PA 51 of 1951 creates no accountability mechanism to ensure that revenue

generated for use inside a township is returned to the jurisdiction in services; and

WHEREAS, The Governor's 21st Century Infrastructure Commission recognizes that Michigan invests less in State and local capital spending than the National average and \$2.5 billion per year less than the surrounding Great Lake's States; and

WHEREAS, The Commission identified an Infrastructure Investment Gap of \$4 billion annually, an amount not covered by additional revenues from the \$600 million State fuel tax and registration fee increases of 2015 (taking effect in 2021) and potential \$600 million State budget surplus appropriation for future road maintenance.

NOW, THEREFORE BE IT RESOLVED, the Board of Trustees for the Charter Township of Canton supports legislation insuring accountability for County Road Commissions and Public Works Divisions on Public Act 51 expenditures within townships; and

BE IT FURTHER RESOLVED, that the Board supports the establishment of a Township Fund to be created within Act 51 to be spent with township input; and

BE IT FURTHER RESOLVED, that the Board supports the Governor's proposed increase of \$175 million in transportation funding for the 2019 State Budget, recognizing that the Infrastructure Gap will still be greater than \$2.5 billion after 2020.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Representative Noble, Representative Pagan, Senator Colbeck, Governor Snyder, and the Michigan Townships Association.

Canton Township has spent millions of general fund dollars over numerous decades on over 208 miles of neighborhood and 59 miles of County primary roads. Act 51 established a Transportation Fund in 1951 and a funding model to distribute resources for repair and maintenance to cities, villages, counties, and the State. While townships have no jurisdiction over roads, the Act does not create an accountability mechanism to ensure revenue generated for use inside a township is returned to the jurisdiction in services.

In order to draw attention to the unmet needs due to an inadequate funding model and a mechanism for distribution that lacks accountability, Canton Township has put forward this resolution and will be sending it to its State legislative delegation and the Governor.

On July 25, 2017, The Township Board established the Roads Task Force because of concerns that the status of neighborhood roads have begun to impact home values, the state of local and primary county roads have deteriorated to a level that is unacceptable by community standards, and Ford Rd. continues to present challenges.

In March of 2016, Governor Snyder created the 21st Century Infrastructure Commission which recognized that Michigan invests less in State and local capital spending than the National

average and \$2.5 billion per year less than the surrounding Great Lake's States. The Commission identified an Infrastructure Investment Gap of \$4 billion annually, an amount not covered by additional revenues from the \$600 million State fuel tax and registration fee increases of 2015 (taking effect in 2021) and potential \$600 million State budget surplus appropriation for future road maintenance.

Supervisor Williams stated this resolution is a reflection of the frustration felt by every member of the board.

Trustee Foster explained the Roads Task Force is hard at work and will be reporting their progress to the board in the near future.

Trustee Sneiderman asked where Michigan ranked in standings of how much money is spent per capita for roads.

Clerk Siegrist explained the statistics in the resolution were taken from the governor's 21st Century Infrastructure Commission. He discussed a recent Cranes issue that showed Michigan spends far below what the surrounding Great Lakes states spend.

ADDITIONAL PUBLIC COMMENT: None

OTHER: Trustee Graham-Hudak commented on the great work done by Canton Public Safety during the recent soft lock-down at PCEP.

ADJOURN: Motion by Sneiderman, supported by Anthony to adjourn at 7:52 p.m. Motion carried by all members present.

Michael A. Siegrist, Clerk

Pat Williams, Supervisor