



**CANTON ADMINISTRATION BUILDING
1150 S. CANTON CENTER ROAD
CANTON, MI 48188
REGULAR BOARD MEETING
OCTOBER 11, 2022**

To mitigate the spread of the COVID-19 pandemic, protect the public health, and provide essential protections to Canton Township residents; the Canton Township Board of Trustees will also offer this meeting by video teleconference.

Individuals may attend the meeting in person or join the video teleconference by going to:
<https://us02web.zoom.us/j/84070655924>

Or One tap mobile:
1-309-205-3325 (84070655924#) or 1-312-626-6799 (84070655924#)

Or Telephone:
1-309-205-3325 or 1-312-626-6799

Webinar ID: 840 7065 5924

International numbers available: <https://us02web.zoom.us/j/84070655924>

7:00 P.M.:

CALL TO ORDER
ROLL CALL: BORNINSKI, FOSTER, GANGULY, GRAHAM-HUDAK, SIEGRIST, SLAVENS,
SNEIDEMAN
ADOPTION OF AGENDA
APPROVAL OF MINUTES: SEPTEMBER 13 & 27, 2022
PUBLIC COMMENT ON AGENDA ITEMS ONLY
PAYMENT OF BILLS

SWEARING IN OF CANTON YOUTH ADVISORY COMMITTEE

PRESENTATION:

- 1) CANTON YOUTH ADVISORY COMMITTEE UPDATE

RECOGNITION:

- 1) PROCLAMATION – NATIONAL FRIENDS OF LIBRARIES WEEK

CONSENT CALENDAR:

- 1) CONSIDER AWARDING A CONTRACT FOR ADA IMPROVEMENTS PURSUANT TO THE 2019 CAPITAL IMPROVEMENT PLAN (MSD)
- 2) CONSIDER ADOPTION OF A RESOLUTION FOR APPROVAL OF APPLICATION FOR ADDITIONAL MERS SERVICE CREDIT BY EMPLOYEE (FBD)

GENERAL CALENDAR:

- 1) CONSIDER PLANNED DEVELOPMENT DISTRICT AMENDMENT (AMENDMENT #3 OF FORD SHELDON NEWMAN PDD) FOR BJ'S WHOLESALE CLUB AUTOMOBILE FILLING STATION (MSD)
- 2) CONSIDER SPECIAL LAND USE FOR BLOSSOM BEHAVIORAL WELLNESS CENTER (MSD)
- 3) CONSIDER FIRST READING OF AN AMENDMENT TO APPENDIX A – ZONING OF THE CODE OF ORDINANCES REGARDING HARVEST CREEK REZONING (MSD)
- 4) CONSIDER APPROVAL OF A BUDGET AMENDMENT, CONTRACT EXTENSION, AND AGREEMENT FOR FIRE STATION II PARK DESIGN (CLS)
- 5) CONSIDER APPROVAL OF CONTRACT WITH KICKERS OF CANTON, LLC FOR RESTAURANT OPERATIONS AT THE CANTON SPORTS CENTER (CLS)
- 6) CONSIDER APPROVAL OF COLLECTIVE BARGAINING AGREEMENT WITH CANTON TOWNSHIP COMMAND OFFICERS ASSOCIATION FOR A TERM COMMENCING JANUARY 1, 2023 THROUGH DECEMBER 31, 2026 (SUPERVISOR)
- 7) CONSIDERATION OF SETTLEMENT IN GREGORY DOUGLAS HUNTER V. CANTON TOWNSHIP ET AL (SUPERVISOR)

PUBLIC COMMENT
BOARD COMMENT
ADJOURN

ACCESS TO PUBLIC MEETINGS

In accordance with the Americans with Disabilities Act, individuals with disabilities who require special accommodations, auxiliary aids or services to attend or participate at the meeting/hearing should contact Rachelle Howell, Human Resources Manager, at 734-394-5260. Reasonable accommodations can be made with advance notice. A complete copy of the Access to Public Meetings Policy is available at www.canton-mi.org.

**Charter Township of Canton
Board Proceedings – September 13, 2022**

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, September 13, 2022, in-person. Supervisor Graham-Hudak called the meeting to order at 6:00 p.m.

Motion by Foster, supported by Borninski to appointment Treasurer Slavens as temporary Secretary. Motion carried unanimously.

Members Present: Borninski, Foster, Graham-Hudak, Slavens, Sneideman
Members Absent: Ganguly, Siegrist

Closed Session:

Motion by Slavens, supported by Borninski to go into closed session under MCL 15.628 Section 8(h), to consider material exempt from discussion or disclosure by state or federal statute. Motion carried unanimously.

Motion by Slavens, supported by Sneideman to return from closed session. Motion carried unanimously.

Adoption of Agenda:

Motion by Slavens, supported by Borninski to adopt the agenda as presented, keeping the Public Hearing floating until a presenter arrives. Motion carried unanimously.

Approval of Minutes:

Motion by Slavens, supported by Borninski to approve the August 9, & 23, 2002 Board Minutes as presented. Motion carried unanimously.

Public Comment on Agenda Items Only: Public comment was held.

Payment of Bills:

Motion by Slavens, supported by Sneideman to approve the payment of bills as presented. Motion carried unanimously.

CHARTER TOWNSHIP OF CANTON EXPENDITURE RECAP FOR THE TOWNSHIP BOARD MEETING OF September 13, 2022		
101	GENERAL FUND	1,224,100.53

204	ROADS FUND	1,299,207.14
206	FIRE FUND	434,727.42
207	POLICE FUND	777,386.64
208	COMMUNITY CENTER FUND	114,462.83
219	STREET LIGHTING FUND	0.00
230	CABLE TV FUND	11,499.31
246	COMMUNITY IMPROVEMENT FUND	0.00
248	DDA - CANTON	29,131.71
260	INDIGENT DEFENSE FUND	9,268.87
261	E-911 UTILITY	0.00
265	ORGANIZED CRIME - DRUG ENFORCEMENT	48,079.16
274	CDBG FUND	9,220.00
276	NSP GRANTS FUND	0.00
285	AMERICAN RESCUE PLAN ACT	148.74
301	ENERGY PROJECT DEBT SVCE FUND	0.00
302	CAPITAL PROJECT DEBT SERVICE	0.00
401	CAPITAL PROJECTS FUND	32,248.00
402	CAP PROJ - WATER & SEWER	0.00
403	CAP PROJ - ROAD PAVING	0.00
584	GOLF FUND	42,629.02
592	WATER & SEWER FUND	1,624,023.30
596	GARBAGE & RUBBISH COLLECTIONS	399,782.54
661	FLEET MAINTENANCE FUND	30,004.88
701	TRUST & AGENCY FUND	8,400.10
702	CUSTODIAL FUND	32,554.35
736	POST EMPLOYMENT BENEFITS FUND	124,491.97
852	SPECIAL ASSESSMENT DEBT SERVICE	850.14
	TOTAL - ALL FUNDS	6,252,216.65

Consent Calendar:

Item C-1. Consider Waiving the Bidding Process and Approval of the Repair of Emergency Vehicle PD2018

Motion by Slavens, supported by Borninski to waive the bidding process and approve repairs to PD2018 at Blackwell Ford, 41001 Plymouth Rd, Plymouth, MI 48170 in the amount of \$12,823.11 plus a 10% contingency for an amount not to exceed \$14,106. Motion carried unanimously.

Item C-2. Consider Contract Amendment with Fishbeck, Inc. for Professional Engineering Services for the Design of the Major Road Projects Proposed for 2022 and 2023

Motion by Slavens, supported by Borninski to approve the following budget amendment:

Increase Revenue:

204-000.695 Fund Balance Appropriation \$55,540

Increase Expenditure:

204-446-11.970_0050 Capital Outlay Infrastructure \$55,540

Further, move to approve to increase Fishbeck Purchase Order #2021-2910, for the 2022/23 Major Road construction projects in the amount of \$55,540. Motion carried unanimously.

Item C-3. Consider Award of Contract to Fishbeck for the 2023 Water Main Capital Improvement Project (CIP)

Motion by Slavens, supported by Borninski to award a contract as presented in the amount totaling \$40,040 for the 2023 Water Main Capital Improvement Projects from account #592-536.970_0050; and further authorize the Township Supervisor or Clerk to sign the contracts on behalf of the Charter Township of Canton. Motion carried unanimously.

Item C-4. Consider Award of C.D.B.G. Housing Rehabilitation Contracts

Motion by Slavens, supported by Borninski to approve the four housing rehabilitation contracts to Optimum Contracting and We Preserve Michigan listed below totaling \$85,328. We are also requesting to refund all of the permit fees once the work has been completed and approved by the building department.

<u>Street</u>	<u>Home Type</u>	<u>Contractor</u>	<u>Low Bid/Cap</u>
XXXX Saltz	Single Family Home	Optimum Contracting	\$25,000
XXXX Bellingham	Single Family Home	We Preserve Michigan	\$25,000
XXXX Appomattox	Single Family Home	Optimum Contracting	\$25,000
XXXX White Hart	Single Family Home	We Preserve Michigan	\$10,328

Motion carried unanimously.

Item C-5. Consider Adoption of a Resolution for Approval of Application for Additional MERS Service Credit by Employee

Motion by Slavens, supported by Borninski to adopt the Resolution allowing the purchase of additional service credit by John Wallace. Motion carried unanimously.

Item C-6. Consider Approval for a Purchase Order Increase for Food & Beverage at Pheasant Run Golf Club

Motion by Slavens, supported by Borninski to approve an increase the following Purchase Orders:

Company	Address	PO#	Increase Amount	Account #
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Gordon Food Service	P.O. Box 88029 Chicago, IL 60680-1029	PO#2022- 00000740	\$4,500	584-773-74.761
Pepsi Beverage Company	P.O. Box 75948 Chicago, IL 60675-5948	PO#2022- 00000741	\$4,000	584-773-74.761
Sysco Detroit, LLC	41600 Van Born Rd Canton, MI 48188	PO#2022- 00000745	\$4,500	584-773-74.761

Motion carried unanimously.

General Calendar:

Item G-1. Consider Approving Budget Amendment and Awarding Purchase Order to Michigan Consulting and Environmental for Project Management and Staffing Services for a Food Compost Pilot Program

Motion by Slavens, supported by Sneiderman to approve a Purchase Order in the amount not to exceed \$50,000 to Michigan Consulting and Environmental to provide support staffing and training for the 2021 Recycling Improvement program. Motion carried unanimously.

Item G-2. Consider Approving and Intergovernmental Agreement with Wayne County for Reimbursement of Costs for the Canton Center, Ford to Warren Road Millage Project

Motion by Slavens, supported by Borninski to approve to the Intergovernmental Agreement with Wayne County for reimbursement of costs for the Canton Center, Ford to Warren project and authorize the Township Supervisor to sign the agreement. Motion carried unanimously.

Item G-3. Consider Special Land Use for Medical Office at 6840 N. Haggerty Rd.

Motion by Slavens, supported by Sneiderman to approve the resolution as presented.

RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON, MICHIGAN

Approval of the Special Land Use for Medical Office

WHEREAS, the Project Sponsor has requested special land use approval for medical office uses on parcel no. 046-99-0002-012 at 6840 N. Haggerty Rd.; and

WHEREAS, the Planning Commission reviewed the request and applicable criteria and voted 8-0 to recommend approval, with conditions, as the request meets the criteria of special land use approval in Section 27.03(C) of the Zoning Ordinance;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the special land use in Planning Application #046-SLU-7422 for medical office uses on parcel no. 046-99-0002-012 at 6840 N. Haggerty Rd., as the request meets the Special Land Use criteria of the Canton Township Zoning Ordinance pursuant to the information and plans provided, subject to the conditions of the Planning Commission and subject all State, County, and Township requirements.

Motion carried unanimously.

Item G-4. Consider Site Plan Approval for Redwood at Marketplace

Motion by Slavens, supported by Sneiderman to approve the resolution as presented.

RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON, MICHIGAN

Approval of the Site Plan for Redwood at Marketplace

WHEREAS, the Project Sponsor has requested site plan approval for a multi-family residential development, located on the east and west sides of Morton Taylor Road, north of Michigan Ave.; and,

WHEREAS, the Planning Commission reviewed the site plan application and applicable criteria and voted 8-0 to recommend approval, with conditions, as the request meets the criteria of the Zoning Ordinance and the approved Planned Development;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve Planning Application #138-SPD-6235 for the Redwood at Marketplace site plan on tax parcel nos. : 103-99-0001-003, 133-99-0001-001, 133-99-0001-002, 133-99-0001-003, 133-99-0002-000 (3700 Morton Taylor), 133-99-0004-000 (43600 Michigan Ave.), 133-99-0006-000, 133-99-0007-000, 133-99-0008-000 (43780 Michigan Ave.), 133-99-0009-000 (43800 Michigan Ave.), and 138-99-0004-000, as provided in the plan documents, subject to compliance with the sign regulations of the Zoning Ordinance and compliance with all State, County, and Township requirements, including MDOT and EGLE.

Motion carried unanimously.

Item G-5. Consider Initiating an Amendment to Appendix A – Zoning of the Code of Ordinances Regarding Site Plan Review Procedures

Motion by Slavens, supported by Sneiderman to initiate an amendment to the Zoning Ordinance to amend the site plan review procedures in accordance with RRC standards and to direct the Planning Commission to prepare and recommend amendments, including consideration of an

administrative site plan review procedure for certain areas of Cherry Hill Village. Motion carried unanimously.

Item G-6. Consider Approval of Contract and Budget Amendment for the Heritage Park Splash Pad Shade Sails

Motion by Slavens, supported by Borninski to award the following budget amendment:

Increase Revenue:

101-752-99.580	Contribution from Local Units	\$137,372
101-000.695	Fund Balance Appropriation	\$81,127

Increase Expense:

101-752-99.970_0080	Parks – Capital Outlay Land Imp	\$218,499.
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Further, move to award a contract and approve a purchase order to KAB Enterprises, Inc., 3318 Fort Street, Lincoln Park, MI 48146 for the Heritage Park Splash Pad Shade Sails. A purchase order will be submitted in the amount of \$218,499 to be paid from Account #101-752-99.970_0080 Parks – Capital Outlay Land Improvements. Motion carried unanimously.

Item G-7. Consider Approval of Contract and Budget Amendment for the Heritage Park Northeast Playground ADA Improvements

Motion by Slavens, supported by Borninski to award the following budget amendment:

Increase Revenue:

274-000.501	Federal Grants	\$91,134
101-000.695	Fund Balance Appropriation	\$58,417

Increase Expense:

274-694.970_0080	CDBG Expense Capital Land Imp	\$91,134
101-752-99.970_0080	Parks - Capital Outlay Land Imp	\$58,417

Further, move to award a contract and approve a purchase order to DMC Consultants, Inc., 13500 Foley St., Detroit, MI 48227 for the Northeast Playground at Heritage Park – ADA Improvements. A purchase order will be submitted in the amount of \$199,551 with \$141,134 from the CDBG Account #274-694.970_0080 Capital Outlay Land Improvements, and \$58,417 from Account #101-752-99.970_0080 Parks – Capital Outlay Land Improvements. Motion carried unanimously.

Item G-8. Approve purchase of vacant parcels of land located at 2132 Sheldon Rd.

Motion by Slavens, supported by Sneiderman to approve the purchase of Parcel ID#s 71-057-01-0577-000 and 71-057-01-0578-000 for an amount up to \$85,000, and to authorize the Township Supervisor to sign all documents necessary to complete the sale. I further move to approve the following budget amendment:

Increase Revenue:
101-000.695 Fund Balance Appropriation \$85,000.00

Increase Expenditure:
101-261.970_0070 Capital Outlay Land \$85,000.00

Motion carried unanimously.

Item G-9. Approve selection of Foster Swift Collins & Smith PC to act as full-time legal counsel for Canton Township

Motion by Slavens, supported by Sneiderman to approve the selection of Foster Swift PC as legal counsel for Canton Township and authorize Supervisor Anne Marie Graham-Hudak to sign all necessary documents to finalize a two-year contract with the firm, with a one-year renewal provision at the discretion of the Supervisor.

Further move to add Chief Counsel to the Deputy Supervisor’s title to act as counsel and chief legal officer for the Township. Motion carried unanimously.

Item G-10. Consider a Request to Approve Letter of Agreement Between Canton Township and The Technical, Professional, and Officeworkers Association of Michigan (TPOAM)

Motion by Slavens, supported by Sneiderman that we approve the Letter of Agreement between Canton Township and the American Federation State, County and Municipal Employees (AFSCME). Motion by Slavens, supported by Sneiderman to withdraw that motion.

Motion by Slavens, supported by Sneiderman that we approve the Letter of Agreement between Canton Township and the Technical, Professional and Officeworkers Association of Michigan (TPOAM). Motion carried unanimously.

Item G-11. Consider a Request to Approve Letter of Agreement Between Canton Township and the American Federation of State, County, and Municipal Employees (AFSCME)

Motion by Slavens, supported by Sneiderman that we approve the Letter of Agreement between Canton Township and the American Federation State, County and Municipal Employees (AFSCME). Motion carried unanimously.

Item G-12. Consider a Request to Approve the Election Operations Policy

Motion by Slavens, supported by Sneiderman that the Elections Operations Policy be approved as outlined. Motion carried unanimously.

Public Hearing:

**Item PH-1. Public Hearing and approval of Millage Rates for December 1, 2022
Tax Levy**

Motion by Slavens, supported by Foster to open the Public Hearing to hear comments on the millage rates for the December 1, 2022 tax levy. Motion carried unanimously.

Motion by Slavens, supported by Sneideman to close the Public Hearing. Motion carried unanimously.

Motion by Slavens, supported by Sneideman that the millage rates to be levied by Canton Township on December 1, 2022 be set as follows:

Charter Mills (General Fund)	1.4760
Fire Protection Special Assessment	3.7480
Police Protection Special Assessment	5.6760
Roads Assessment	1.3909
Total	12.2909

Motion carried unanimously.

Additional Public comment was held.
Additional Board comment was held.

Adjourn: Motion by Slavens, supported by Borninski to adjourn the meeting. Motion carried unanimously.

Dian Slavens, Treasurer

Anne Marie Graham-Hudak, Supervisor

**Charter Township of Canton
Board Proceedings –September 27, 2022**

A regular meeting of the Board of Trustees of the Charter Township of Canton was held Tuesday, September 27, 2022, in-person. Supervisor Graham-Hudak called the meeting to order at 6:00 p.m.

Members Present: Borninski, Foster, Ganguly, Graham-Hudak, Siegrist, Sneideman
Members Absent: Slavens

Closed Session:

Motion by Siegrist, supported by Sneideman to go into closed session under MCL 15.628 Sections 8(c) and 8(e) for the purposes of strategy connected with the negotiation of a collective bargaining agreement, and to consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation (Hunter v. Canton). Motion carried unanimously by roll call vote.

Motion by Siegrist, supported by Sneideman to return to open session. Motion carried unanimously.

Adoption of Agenda:

Motion by Siegrist, supported by Sneideman to adopt the agenda as amended moving items C-4, C-7, and C-9 to the general calendar. Motion carried unanimously.

Public Comment on Agenda Items Only: Public comment was held.

Payment of Bills:

Motion by Siegrist, supported by Borninski to approve the payment of bills as presented. Motion carried unanimously.

CHARTER TOWNSHIP OF CANTON EXPENDITURE RECAP FOR THE TOWNSHIP BOARD MEETING OF September 27, 2022		
101	GENERAL FUND	908,793.28
204	ROADS FUND	534,252.73
206	FIRE FUND	415,149.55
207	POLICE FUND	545,447.28
208	COMMUNITY CENTER FUND	55,483.27
219	STREET LIGHTING FUND	21,223.65
230	CABLE TV FUND	8,013.71
246	COMMUNITY IMPROVEMENT FUND	20,195.00
248	DDA - CANTON	32,930.93

260	INDIGENT DEFENSE FUND	15,101.63
261	E-911 UTILITY	0.00
265	ORGANIZED CRIME - DRUG ENFORCEMENT	0.00
274	CDBG FUND	4,968.00
276	NSP GRANTS FUND	0.00
285	AMERICAN RESCUE PLAN ACT	0.00
301	ENERGY PROJECT DEBT SVCE FUND	0.00
302	CAPITAL PROJECT DEBT SERVICE	412.73
401	CAPITAL PROJECTS FUND	49,581.28
402	CAP PROJ - WATER & SEWER	0.00
403	CAP PROJ - ROAD PAVING	0.00
584	GOLF FUND	31,126.58
592	WATER & SEWER FUND	158,864.92
596	GARBAGE & RUBBISH COLLECTIONS	6,754.83
661	FLEET MAINTENANCE FUND	27,511.15
701	TRUST & AGENCY FUND	4,470.00
702	CUSTODIAL FUND	2,500.00
736	POST EMPLOYMENT BENEFITS FUND	18,367.82
852	SPECIAL ASSESSMENT DEBT SERVICE	850.14
TOTAL - ALL FUNDS		2,861,998.48

Consent Calendar:

Item C-1. Consider Awarding the Contract for Building Automation Controls Throughout Township Facilities

Motion by Siegrist, supported Sneideman to award the BAS Controls Contract for Township buildings to Knight Watch, 3005 Business One Dr. Kalamazoo, MI 49048 to be paid from Account #101- 265.801_0050, Professional and Contractual Services.

Motion carried unanimously.

Item C-2. Consider Awarding a Contract for Interior Renovations at the Summit on the Park Pursuant to the 2019 Capital Improvement Plan

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

Increase Expenditure:

401-757.970_0020 Capital Outlay Buildings \$386,327

Decrease Expenditure:

401-261.959 Contingency \$386,327

Also, to approve the contract and approve a purchase order for AM Higley in the amount totaling \$814,874.50 for the following project as identified in the Capital Improvement Plan:

Project#	Description
220013	Fabric Wall Covering
220018	Ceilings – Lay In
220020	Walls- Exposed
230005	Ceilings – Lay In
230028	Walls- Painted Gyp Bd
230038	Walls- Gyp. Bd
230048	Ceilings- Synthetic Plastic Veneer
210018	Women’s Restroom R104
210020	Men’s Shower Room 107
210029	Men’s restroom 141
200055	Resilient Sheet-Fitness Room
210030	Women’s Restroom 140

Further, to authorize the Township Supervisor or Clerk to sign the contracts on behalf of the Charter Township of Canton.

Motions carried unanimously.

Item C-3. Consider a Request to Increase a Blanket Purchase Order for Fire Uniforms

Motion by Siegrist, supported by Sneiderman to approve increasing blanket purchase order #2022-00000495 issued to Phoenix Safety Outfitters, LLC, by #35,000, utilizing funds budgeted in the 2022 Fire Capital Uniforms Account. Motion carried unanimously.

Item C-4. (Moved to G-7)

Item C-5. Consider Approving a One-Year Software Subscription Renewal for LEFTA

Motion by Siegrist, supported by Sneiderman to approve the one-year renewal of LEFTA Systems SHIELD Suite in the amount of \$11,227, utilizing funds budgeted in the 2022 Police Maintenance Software Support. Motion carried unanimously.

Item C-6. Consider Approving a Three-Year Software Subscription Renewal for CLEAR Proflex

Motion by Siegrist, supported by Sneiderman to approve the three-year renewal of Thomson Reuters CLEAR Proflex in the amount of \$979.76 monthly. Motion carried unanimously.

Item C-7. (Moved to G-8)

Item C-8. Consider Approving the Purchase of Motorola Dispatch Radio Console Equipment

Motion by Siegrist, supported by Sneiderman to approve the purchase of Motorola Dispatch Radio Console Equipment from Motorola Solutions, in the amount of \$279,754, utilizing funds

budgeted in the 2022 E/911 Capital Outlay Computers & Equipment Account. Motion carried unanimously.

Item C-9. (Moved to G-9)

General Calendar:

Item G-1. Consider Amendment to Appendix A – Zoning of the Code of Ordinances Regarding Blessing Rezoning

Motion by Siegrist, supported by Sneideman to reject the rezoning request of parcel number 71-026-99-0003-000 from RR, Rural Residential to R-1, Single Family Residential based on the failure to meet the following standards as found in section 27.06(D)(4) of Canton Township's zoning ordinance:

1. Will the proposed amendment be in accordance with the basic intent and purpose of the zoning ordinance?

The proposed amendment is not in accordance with the basic intent and purpose of the zoning ordinance as stated in section 1.02(a) that the zoning classifications should help "limit the inappropriate overcrowding of land and congestion of population." This area is intentionally rural and should remain as such. The current zoning reflects that. Rezoning to R-1, would overcrowd this intentionally rural area, and RR as zoned serves the purpose of the zoning ordinance.

2. Is the proposed amendment consistent with the comprehensive plan of the township?

The proposed amendment is inconsistent with the comprehensive plan of the township, as stated before the Township is in the process of altering the comprehensive plan, additionally while the map shows one acre, the text describes five acre density, and is more controlling.

3. Have conditions changed since the zoning ordinance was adopted, or was there a mistake in the zoning ordinance, that justify the amendment?

Conditions have not changed in this specific section of the Township or in general, and this is not fixing a mistake of the zoning ordinance to justify the amendment. The most recent R-1 development in this area of the township was established many years ago. Otherwise, it has remained the most rural portion of the township.

4. Will the amendment correct an inequitable situation created by the zoning ordinance, rather than merely grant special privileges?

It does not correct an inequitable situation created by the zoning ordinance but would instead grant special privileges that would allow the applicant a higher use

of the property than surrounding uses because there is a substantial amount of R1 development in the community at large, but limited in this rural area.

5. Will the amendment result in unlawful exclusionary zoning?
This standard does not apply.

6. Will the amendment set an inappropriate precedent, resulting in the need to correct future planning mistakes?

The amendment sets an inappropriate precedent, resulting in the need to correct future planning mistakes because rezoning to R-1 would impact all the residential properties in that area potentially creating a situation where future boards are forced to consider upzoning to R-1, tying the hands of future Boards and literally setting the conditions to increase the density of this area that is still rural.

7. If a rezoning is requested, is the proposed zoning consistent with the existing land uses of surrounding property?

The amendment does not meet this standard because the existing land uses of the surrounding properties are substantially RR or RE and are inconsistent with R1 specifically because the only adjacent property zoned above rural designation is across Warren rd., a major primary road.

8. If a rezoning is requested, could all requirements in the proposed zoning classification be complied with on the subject parcel?

This standard is met.

9. If a rezoning is requested, is the proposed zoning consistent with the trends in land development in the general vicinity of the property in question?

This area of the township is clearly rural. The only adjacent property zoned consistent with this re-zoning has been in existence in a vacuum for 60 years. There is no developed R1 zoning in the north-west quarter of Section 7 of the Township and there are only two R1 developments in the entirety of Section 7.

10. If a rezoning is requested, what is the impact on the township infrastructure? The planning commission and the township board shall make a determination of whether public facilities are readily available and whether the potential impact of rezoning would adversely impact the level of service standards of any public facility.

Historically, the approval of R1 or higher zoning on dirt roads necessitates the prioritization of paving of the road along with the need to work with Wayne County to conduct speed studies and additional signage and traffic signaling. Storm water runoff, while regulated by state standards and Wayne County storm water

ordinance, does allow for excess retained and detained water to find its way into a storm water drain. The Fellow Creek runs through this property, and the existing zoning alleviates the increased impact of climate change on drain systems.

Motion carried unanimously.

Item G-2. Consider Approval of a Budget Amendment and Purchase Order Increase for Parks Fuel Costs

Motion by Siegrist, supported by Borninski to approve the following budget amendment and increase purchase order #22-546 for the Parks fuel expense:

Increase Revenue:

101-000.695	Fund Balance Appropriation	\$15,000
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Increase Expenses:

101-752-50.860	Parks Transportation	\$15,000
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Motion carried unanimously.

Item G-3. Consider Approval of a Budget Amendment and Purchase Order for a Laser Projector

Motion by Siegrist, supported by Borninski to approve a Budget amendment and purchase order for California Media Solutions, Inc. 4728 E. 2nd Street, Suite 16, Benecia, CA 94510 for the purchase of a Laser Projector in the amount of \$13,495 to be paid from Account #101-756-50.970_0030 – Capital Outlay Machinery & Equipment.

Increase Revenue:

101-756-50.676_0004	Reimbursement Miscellaneous	\$10,796
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Decrease Revenue:

101-000.695	Fund Balance Appropriation	\$4,498
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Increase Expenses:

101-756-50.970_0030	Capital Outlay Machinery & Equipment	\$6,298
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Motion carried unanimously.

Item G-4 Consider First Reading of an Amendment to Chapter 46 in the Canton Township Code of Ordinances Regarding the Youth Tobacco Act 167 of 2022

Motion by Siegrist, supported by Sneiderman to introduce the first reading of an amendment to Chapter 46 of the Canton Township Code of Ordinances; and further move to table for consideration a proposed text amendment to the Township Code of Ordinances and schedule a second reading for October 11, 2022. Motion carried unanimously.

Item G-5 Consider Concept Development, Assessment and Design for Canton Town Square at Cherry Hill Village

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

Increase Expense:

246-261.801_0050	Professional Services	\$110,000
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Decrease Expense:

246-261.999	Transfer to Fund Balance	\$110,000
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Also, to approve the contract and award a purchase order to OHM in an amount not to exceed \$110,000 for the Concept Development, Assessment and Design for the Canton Town Square at Cherry Hill Village. Motion carried unanimously.

Item G-6 Consider FOIA Appeal

Motion by Borninski, supported by Foster to deny the appeal in full. Motion carried unanimously.

Item G-7. Consider Authorization of a Permit for Fireworks Display

Motion by Siegrist, supported by Borninski to authorize the Canton Township Clerk to sign the permit for ACE Pyro, LLC, authorizing their permission to possess, transport and display fireworks in Heritage Park on October 14, 2022 (rain date of October 15, 2022). Motion carried unanimously

Item G-8. Consider Approving a Memorandum of Understanding Between the Charter Township of Canton and the Plymouth-Canton Community School District for School Resource Officers

Motion by Siegrist, supported by Borninski to approve the proposed Memorandum of Understanding between the Charter Township of Canton and the Plymouth-Canton Community School District for the placement of three School Resource Officers at the district's main high school campus. Motion carried unanimously.

Item G-9. Request Approval to Extend Incentive for Vaccination against COVID-19 for Full and Part-Time Employees

Motion by Siegrist, supported by Foster to approve the extension of the incentive for vaccination against COVID-19 for full time employees by providing them with 8 hours of PTO time and for part-time employees to receive a bonus equivalent to 4 hours at their primary job rate upon proof of the second dose of the COVID-19 vaccination and a booster within the last 6 months to the Human Resources Department to continue through March 31, 2023. Motion carried unanimously.

Additional Public comment was held.
Additional Board comment was held.

Adjourn: Motion by Siegrist, supported by Sneideman to adjourn the meeting. Motion carried unanimously.

Michael A. Siegrist, Clerk

Anne Marie Graham-Hudak, Supervisor



OFFICE OF THE SUPERVISOR – CANTON TOWNSHIP, MI NATIONAL FRIENDS OF LIBRARIES WEEK RESOLUTION

Whereas, Friends of the Canton Public Library raise money that enables our library to move from good to great, providing the resources for additional programming, much needed equipment, support for children’s summer reading, and special events throughout the year;

Whereas, the work of the Friends highlights on an on-going basis the fact that our library is the cornerstone of the community, providing opportunities for all to engage in the joy of life-long learning and connect with the thoughts and ideas of others from ages past to the present;

Whereas, the Friends understand the critical importance of well-funded libraries and advocate to ensure that our library gets the resources it needs to provide a wide variety of services to all ages including access to print and electronic materials, along with expert assistance in research, readers’ advisory, and children’s services;

Whereas, the Friends’ gift of their time and commitment to the library sets an example for all in how volunteerism leads to positive civic engagement and the betterment of our community; now, therefore, be it

Resolved, that the Canton Township Board of Trustees recognizes October 16-22, 2022, as Friends of Libraries week in Canton Township, Wayne County, Michigan and urges everyone to join the Friends of the Library and thank them for all they do to make our library and community so much better.

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: October 11, 2022

AGENDA ITEM#C-1

**ITEM: Consider Awarding a Contract for ADA Improvements Pursuant to the 2019
Capital Improvement Plan**

PRESENTER: Jade Smith, Municipal Services Director; Wendy Trumbull, Finance and Budget Director; Greg Hohenberger, Leisure Services Director

INDIVIDUALS IN ATTENDANCE: AM HIGLEY

EXECUTIVE SUMMARY: In 2019 the Board of Trustees adopted a Capital Improvement Plan (CIP) and subsequently the Township issued capital improvement bonds to fund the CIP. The CIP includes ADA Improvements throughout the Township. Phase I includes the following locations, Barchester Park, Cherry Hill Village Misc, Fellows Creek, Fire Stations 1,2, and 3, Human Services Center, Victory Park, Sheldon School, Griffin Park, Parks Maintenance, Pheasant Run, and Village Theater.

Staff is recommending award of contract to Township contracted Construction Management team AM Higley for Phase I ADA Improvements for \$328,133.30, which includes a 10% contingency.

BACKGROUND:

In 2019 the Board of Trustees adopted a Capital Improvement Plan (CIP) and subsequently the Township issued capital improvement bonds to fund the CIP. Several projects are moving through the implementation, procurement, bidding, and design phases. This project is Phase I ADA Improvements for Township properties.

Municipal Services Division is working closely with the Leisure Services Division to minimize impacts to patrons during the ADA Improvement process and ensure the necessary modifications to the facilities are completed to maintain an exemplary experience for the Township patrons.

STRATEGIC PLAN/GOALS: Quality Infrastructure- renovating interiors will extend the life of the facility, and ensure the patrons have a great experience.

ACTION REQUESTED: Award a contract to AM Higley in the amount of \$328,133.30, which includes a 10% contingency for Phase I ADA Improvements project.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: The following CIP projects are all ADA site improvements at various locations. Funding as follows:

<u>Project#</u>	<u>Description</u>	<u>Account Number</u>	<u>Budgeted</u>
200092	Barchester Park	401-752.970_0025	2,623.07
200062	Cherry Hill Village Misc.	401-261.970_0025	14,987.93
210061	Fellows Creek	401-772.970_0025	1,675.74
200093	Fire Station 3	206-336-50.970_0025	1,962.95
200094	Human Services Center	401-261.970_0025	1,388.53
210035	Victory Park	401-755.970_0025	14,839.30
210062	Sheldon School	401-261.970_0025	239.68
200047	Fellows Creek	401-772.970_0025	30,280.00
200075	Fire Station 1	206-336-50.970_0025	10,375.00
200039	Fire Station 3	206-336-50.970_0025	41,768.00
200071	Griffin Park	401-752.970_0025	12,038.00
200085	Human Services Center	401-261.970_0025	7,411.00
210034	Parks/Golf Maintenance	401-752.970_0025	19,093.00
210025	Pheasant Run	401-773.970_0025	30,322.00
200037	Victory Park	401-755.970_0025	47,101.00
200066	Village Theater	401-761.970_0025	16,443.00
	Total Budgeted		252,548.20
	Total Award		328,133.30

There are CIP funds available from previously completed projects that were under budget.

The Following Budget adjustment will be needed for the additional funding:

Increase Expenditure:

401-752.970_0025	Capital Outlay ADA Improvements	\$ 9,663
401-261.970_0025	Capital Outlay ADA Improvements	\$ 6,277
401-261.970_0025	Capital Outlay ADA Improvements	\$25,238
401-752.970_0025	Capital Outlay ADA Improvements	\$ 2,581
401-761.970_0025	Capital Outlay ADA Improvements	\$14,977
206-336-50.970_0025	Capital Outlay ADA Improvements	\$46,624

Decrease Expenditure:

401-772.970_0025	Capital Outlay ADA Improvements	\$ 7,779
401-752.970_0025	Capital Outlay ADA Improvements	\$ 7,699
401-773.970_0025	Capital Outlay ADA Improvements	\$ 7,969
401-755.970_0025	Capital Outlay ADA Improvements	\$33,530
401-261.970_0025	Capital Outlay ADA Improvements	\$ 239
401-261.960	Contingency	\$ 1,520

Increase Revenue:

206-000.695	Fund Balance Appropriation	\$46,624
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IMPLEMENTATION PLAN: Upon approval: The contract will be awarded, a P.O. entered, and a notice of award will be provided to AM Higley.

DIRECTOR'S RECOMMENDATION: Approval

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION:

1. I move to approve the following budget amendment:

Increase Expenditure:

401-752.970_0025	Capital Outlay ADA Improvements	\$ 9,663
401-261.970_0025	Capital Outlay ADA Improvements	\$ 6,277
401-261.970_0025	Capital Outlay ADA Improvements	\$25,238
401-752.970_0025	Capital Outlay ADA Improvements	\$ 2,581
401-761.970_0025	Capital Outlay ADA Improvements	\$14,977
206-336-50.970_0025	Capital Outlay ADA Improvements	\$46,624

Decrease Expenditure:

401-772.970_0025	Capital Outlay ADA Improvements	\$ 7,779
401-752.970_0025	Capital Outlay ADA Improvements	\$ 7,699
401-773.970_0025	Capital Outlay ADA Improvements	\$ 7,969
401-755.970_0025	Capital Outlay ADA Improvements	\$33,530
401-261.970_0025	Capital Outlay ADA Improvements	\$ 239
401-261.960	Contingency	\$ 1,520

Increase Revenue:

206-000.695	Fund Balance Appropriation	\$46,624
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2. I move to approve the contract and approve a purchase order for AM Higley in the amount totaling \$328,133.30 for the following project as identified in the Capital Improvement Plan:

<u>Project#</u>	<u>Description</u>
200092	Barchester Park
200062	Cherry Hill Village Misc.
210061	Fellows Creek
200093	Fire Station 3
200094	Human Services Center
210035	Victory Park
200047	Fellows Creek
200075	Fire Station 1
200039	Fire Station 3
200071	Griffin Park
200085	Human Services Center
210034	Parks/Golf Maintenance
210025	Pheasant Run
200037	Victory Park
200066	Village Theater

3. I further move to authorize the Township Supervisor or Clerk to sign the contracts on behalf of the Charter Township of Canton.

ATTACHMENTS:

- A. CRESA Recommendation & Bids

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: October 11, 2022

AGENDA ITEM # C-2

**ITEM: Consider Adoption of a Resolution for Approval of Application for Additional
MERS Service Credit by Employee**

PRESENTER: Wendy Trumbull, Finance & Budget Director

INDIVIDUALS IN ATTENDANCE: None anticipated

EXECUTIVE SUMMARY: Jeremy Quinn has applied to purchase additional service credit with MERS. Although the Board eliminated this practice during May 2016, the employee is in a Union that contractually allows this purchase. Therefore, the Township does not have the option to deny this request. MERS calculates the cost of the purchase with the intent that there be no cost to the Township. However, as certain assumptions are used in calculating that cost, such as interest rate of return, mortality, and final average compensation the actual cost may fluctuate. These fluctuations are intended to balance themselves out over time.

STRATEGIC PLAN/GOALS: Organization Climate and Culture

ACTION REQUESTED: Adopt the attached Resolutions

BUDGET IMPLICATIONS & ACCOUNT NUMBER: No budget implications

IMPLEMENTATION PLAN: Upon approval, the Township will send approved resolutions to MERS.

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION: I move to adopt the Resolution allowing the purchase of additional service credit by Jeremy Quinn.

ATTACHMENTS: Application for Additional Credited Service

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: October 11, 2022

AGENDA ITEM #G-1

ITEM: Consider Planned Development District Amendment (Amendment #3 of Ford Sheldon Newman PDD) for BJ's Wholesale Club Automobile Filling Station

PRESENTER: Jade Smith, Municipal Services Director

INDIVIDUALS IN ATTENDANCE: Bryan Amann (Project Sponsor on behalf of Newman Holdings LLC and BJ's Wholesale Club)

EXECUTIVE SUMMARY: The applicant, BJ's Wholesale Club, is a retail superstore that recently occupied the vacated by JC Penney at 43690 Ford Rd. on the north side of Ford Road between Sheldon Rd. and Morton Taylor Rd. The BJ's parcel (parcel 040-99-0006-709) consists of a 104,718-sq. ft. building, a 415-space parking lot, and an access drive directly from Morton Taylor Road as well as several cross-access points to adjacent sites. BJ's proposes to construct a gas station on a vacant portion of the parcel to the south (parcel 040-99-0006-708), which is currently heavily vegetated. Both parcels are part of the Ford Sheldon-Newman PDD, which was originally approved in 2004 for the current site, and a site plan for JC Penney was approved in 2007 pursuant to the PDD. The current PDD Agreement permits retail superstores and was amended in 2021 for the BJ's Wholesale Club. The applicant proposes to amend the PDD Agreement to allow for the proposed automobile filling station, with conditions.

The terms of the proposed PDD amendment are summarized as follows.

1. The gas station will be ancillary to BJ's Wholesale Club (or successor user) and will be available only to members of BJ's Wholesale Club (or successor user).
2. The gas station must comply with the requirements of the Zoning Ordinance for automobile filling stations, unless variances are approved.
3. The hours of operation of the gas station shall be limited to between 6:30 am and 10:00 pm Monday through Saturday, and 6:30 am to 8 pm on Sundays.
4. There shall not be any outdoor amplification or speaker system at the gas station.
5. The kiosk depicted on the plan shall be for employee usage only and shall not involve or facilitate in any way the sale of any retail items other than the fuel from the respective pumps. Vending machines or sale of items other than automobile fuel is prohibited, and the restrooms in the kiosk shall be for employee/contractor use only.
6. The open space of the property must be at least 25% per the PDD and the Zoning Ordinance.
7. The BJ's site will convert 4 existing parking spaces on the west side of the building to electric vehicle charging stations.
8. The gas station site will contain an easement for public art for the DDA, with the location to be determined during site plan review.

If the PDD Amendment is approved, the applicant must submit a detailed site plan application

for Planning Commission and Township Board review.

BACKGROUND AND ANALYSIS:

Location: North side of Ford Rd., between Sheldon Rd. and Morton Taylor Rd. (parcel no. 71-040-99-0006-708 at 43690 Ford Rd.). The BJ's Wholesale Club store is located on parcel no. 71-040-99-0006-709 at 43690 Ford Rd.).

Existing Zoning: C-2, Community Commercial, Central Business District (CBD) Overlay, and Ford Sheldon Newman PDD

Net Acres: 3.44 acres (parcel no. 71-040-99-0006-708 at 43690 Ford Rd.). The automobile filling station portion is 1.49 acres.

Existing Land Use: Vacant

Surrounding Zoning and Land Uses:

North – C-2, Community Commercial and CBD Overlay; BJ's Wholesale Club

South – C-2, Community Commercial and CBD Overlay; 5/3 Bank

East – C-2, Community Commercial and CBD Overlay; Target

West – C-2, Community Commercial and CBD Overlay, Ichiban Steakhouse & Sushi Bar and Lowe's

Comprehensive Plan: Community Shopping

Land Use. The site is zoned C-2 and is in the CBD Overlay. The CBD Overlay states that any use listed in the C-3 district shall also be considered as a permitted or special land use in the C-2 district. Automobile filling stations are a special land use in the C-3 district, and are limited to the redevelopment of existing stations or stations which are accessory to primary retail uses or individual tenants within a shopping center, having a gross floor area over 50,000 square feet, and subject to the site development standards of Section 6.02(C) of the Zoning Ordinance. The Property is part of the original PDD Agreement which established the entire PDD Property, including the Property herein, as a "premier community shopping center with more than 250,000 square feet of building area..." Therefore, the site is eligible for an application for an automobile filling station. The conditions proposed by the applicant are in the proposed PD Agreement and summarized on the first page of this report.

The site is surrounded by commercial land uses. The nearest residential areas are located about 700 feet to the north (north of BJ's Wholesale Club) and about 600 feet to the east (east of BJ's Wholesale Club and north of Target).

Access Management and Traffic Impact. The site currently has direct access to shared access drives to the north and east. These shared access drives serve many adjacent and nearby commercial uses, and provide access to Ford Road to the south, Morton Taylor Road to the east, and Sheldon Road to the west. The shared access drive to the north is currently being repaired pursuant to the PDD Amendment approved in 2021. The site will not have

direct frontage on a public road, and the nearest public road is Ford Road which is about 300 feet south of the subject site.

The applicants have submitted a Traffic Impact Assessment (TIA) for the automobile filling station use, which has been reviewed by the Township's traffic engineering consultant (Wade Trim). The TIA anticipates 47 "new" trips during the weekday midday peak hour, 58 "new" trips during the weekday evening peak hour, and 76 "new" trips during the Saturday midday peak hour. Wade Trim concludes that the traffic generated by the fueling station will not change the level of service or greatly impact the operation of traffic on Ford Rd. Many site-generated trips are expected to be "pass-by" trips, as opposed to new vehicles on the roadway, due to the land use, location, and the access management plan. Wade Trim also notes that the driveway spacing and parking supply analysis appears reasonable, and that the queuing analysis indicates that queuing of vehicles from the fueling station will not create a problem with the road and storage space available at this site.

Schedule of Regulations. The proposed automobile filling station use meets the standards of Section 6.02(C) for the following:

- Minimum lot area is at least 1 acre.
- Lot coverage does not exceed 10%.
- Minimum front yard setbacks are met for the canopy (40 ft.), pump/pump islands (50 ft.), and building (85 ft.).
- Minimum rear and side yard setbacks are met for the canopy (30 ft.), pump/pump islands (40 ft.), and building (30 ft.).
- Ingress and egress drives are a minimum width of 30 feet and do not exceed a maximum width of 36 ft.

Parking, Stacking, and Loading. Section 4.01(C)(6) of the Zoning Ordinance requires 2 parking spaces per pump island plus other applicable requirements for other uses. There are 6 pump islands with a pump on each side (i.e., 12 pumps). Each pump has an adjacent parking space for fueling vehicles, so the parking requirements are met. Additionally, there is area behind each pump for 2 queuing vehicles, so the 12 pumps can accommodate 36 vehicles. There are 3 off-street parking spaces, which will mainly be used by employees and contractors.

The fuel tanks are on the east side of the site and have a continuous 12-foot wide loading area adjacent to them.

Architecture. The proposed buildings on the site consist of a gas pump canopy and kiosk. The kiosk has a flat roof and contains a minimum of 50% of brick required by Section 26.06 of the Zoning Ordinance. Mechanical equipment screening is shown on the roof. Section 6.02(C)(11) of the Zoning Ordinance requires the canopy to be designed and constructed to be architecturally compatible with the main building, including covering the support columns with brick to match the main building. The canopy has a mansard roof and all of its columns are covered with brick that matches the kiosk.

Landscaping. There is a conceptual landscape plan that is included with the PDD plans that

is intended to comply with Article 5 of the Zoning Ordinance. If the PDD Amendment is approved, the site plan application must include a full landscape plan that complies with Article 5 of the Zoning Ordinance.

Lighting. If the PDD Amendment is approved, the lighting must be illustrated on the site plan application and must comply with Section 2.13 of the Zoning Ordinance.

Signage. Signs are reviewed by the Building & Inspection Services Division pursuant to Article 6A of the Zoning Ordinance. If the PDD Amendment is approved, the signage must comply with Article 6A of the Zoning Ordinance. The Zoning Ordinance limits canopy signage to 8 sq. ft.

Garbage Removal. A dumpster is not proposed because the site is not expected to generate enough garbage to warrant a dumpster. BJ's Wholesale Club has a trash compactor in the enclosure in the northwest corner of the building.

PD Agreement. The PD Agreement amendment meets Township's requirements, and we will defer to the Township Attorney on any remaining requirements. Since the September 12th Planning Commission meeting, the applicants have revised the PDD Agreement to include the following definite benefits:

- The BJ's site will convert 4 existing parking spaces on the west side of the building to electric vehicle charging stations.
- The gas station site will contain an easement for public art for the DDA, with the location to be determined during site plan review.

Market Information. The model for BJ's Wholesale Club's gas station is to sell to its members at prices that are generally lower than non-club gas stations. Because of the lower pricing model, BJ's doesn't generally commission a market study because the lower prices draw demand in the areas where BJ's locates a Wholesale Club. For Planned Developments, Section 27.04(D)(9) of the Zoning Ordinance states that there must be a community need and market demand for the uses contained in the proposed planned development. In BJ's case, they state that there is a need for lower-priced gasoline in the community by including a narrative of its market demand as well as a petition from 739 members of the Canton BJ's Wholesale Club. BJ's has also stated that the location inside a major shopping center on Ford Road, as well as the local trade area and demographics, makes it a viable location for a gas station with the Wholesale Club.

BJ's traffic study also included some market data, which showed that among the BJ's Wholesale Clubs in Madison Heights, Chesterfield, and Taylor, about 23% of the trips to the gas station were from customers that were also visiting the discount club. Additionally, for the "new" trips into the gas station site, most of these trips are "pass-by" trips where the driver is already in the area (e.g., already driving along Ford, Sheldon, or Morton Taylor or already driving on the internal drives at Lowe's, Target, Fresh Thyme, etc.). With no other gas stations located along Ford Rd. between Sheldon and Morton Taylor, and with the existing internal drive that connects Sheldon Rd. and Morton Taylor Rd., we expect many of these trips to come from vehicles already in that shopping center area.

The Township Board or Planning Commission can request additional data from the applicant to demonstrate community need and market demand, though the request would have to be specific in terms of the information requested.

Finally, Section 27.09(D)(10) of the Zoning Ordinance states that a PD shall not result in an unreasonably negative: fiscal impact on the township; economic impact on surrounding properties; or impact upon the future development of the area. We are not aware of any negative fiscal impacts on the township. We are also not aware of any negative impacts on properties surrounding the proposed gas station or upon the future development in this area. While there may be impacts on other gas stations in Canton due to potentially lower gas prices at the proposed BJ's gas station, there are no gas stations along Ford Road between Sheldon Rd. and Lilley Rd.

- **Community Planner's Recommendation:** If the Township Board is satisfied with the land use proposal and the conditions proposed in the PDD Agreement, then we recommend approval of the PDD Amendment for the automobile filling station use on parcel no. 71-040-99-0006-708 at 43690 Ford Rd., subject to the conditions stated in the PDD Agreement amendment and subject to compliance with all requirements of the Zoning Ordinance.

The proposal for electric vehicle charging stations does not include specifications for the type of charging stations, so this may be discussed by the Board at this time or deferred to site plan review.

Also, as of the date of this report (October 7, 2022), Staff is still negotiating the terms easement regarding the duration of the easement. We are recommending an easement for 20 years or for as long as the Automobile Filling Station is owned, operated and controlled by the same entity that owns, operates and controls the big box retail establishment, whichever comes later.

Finally, if additional information is required of the applicant, then we recommend deferring action pending receipt and review of any additional information required.

- **Planning Commission Recommendation:** At its meeting on September 12, 2022, the Planning Commission voted 8-0 to recommend approval of the PDD Amendment for an automobile filling station on parcel no. 71-040-99-0006-708 at 43690 Ford Rd., subject to the conditions stated in the PDD Agreement amendment and subject to compliance with all requirements of the Zoning Ordinance. Prior to recommending approval of the rezoning, the Planning Commission held a duly noticed public hearing and there was one comment received from the applicant.

Since the September 12th Planning Commission meeting, the applicants have revised the PDD Agreement to include the following definite benefits:

- The BJ's site will convert 4 existing parking spaces on the west side of the building to electric vehicle charging stations.
- The gas station site will contain an easement for public art for the DDA, with the location to be determined during site plan review.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: If the Township Board is satisfied with the land use proposal and the conditions proposed in the PDD Agreement, the action requested is for approval of the PDD Amendment for an automobile filling station on parcel no. 71-040-99-0006-708 at 43690 Ford Rd., subject to the conditions stated in the PDD Agreement amendment and subject to compliance with all requirements of the Zoning Ordinance.

BUDGET IMPLICATION & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: N/A

MUNICIPAL SERVICES DIRECTOR'S RECOMMENDATION: Approval.

ENGINEERING SERVICES DIVISION'S RECOMMENDATION: Approval.

FIRE MARSHAL'S RECOMMENDATION: Approval.

BUILDING OFFICIAL'S RECOMMENDATION: N/A.

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: N/A

SUPERVISOR'S RECOMMENDATION: Approval.

MODEL RESOLUTION:

RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON, MICHIGAN

**Approval of Ford Sheldon Newman Planned Development District Amendment No. 3 for
BJ's Wholesale Club**

WHEREAS, the Project Sponsor has requested approval of Amendment No. 3 to the Ford Sheldon Newman Planned Development District for BJ's Wholesale Club Automobile Filling Station, located on the north side of Ford Road between Sheldon Road and Morton Taylor Road; and,

WHEREAS, the Planning Commission reviewed the Amended Planned Development Plan and Planned Development Agreement, and voted 8-0 to recommend approval of the request, with conditions, as it is consistent with the Ford Sheldon Newman Planned Development and meets the design requirements of the Zoning Ordinance;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve Planning Application #040-PDDA-7261 for Amendment No. 3 to the Ford Sheldon Newman Planned Development on tax parcel no. 71-040-99-0006-708 at 43690 Ford Road, subject to the conditions stated in the PDD Agreement amendment, subject

to acceptable legal review and MSD staff review of the PDD Agreement, and subject to compliance with all requirements of the Zoning Ordinance.

ATTACHMENTS:

1. Planning Commission Minutes
2. Zoning Map and Aerial Map
3. PDD Plans
4. Proposed PDD Agreement
5. Traffic Study and Wade Trim Review
6. Additional Information from Applicant

NEXT STEPS: If the PDD Amendment is approved, the next step will be for the applicant to submit a detailed site plan application for Planning Commission and Township Board review.

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: October 11, 2022

AGENDA ITEM #G-2

ITEM: Consider Special Land Use for Blossom Behavioral Wellness Center

PRESENTER: Jade Smith, Municipal Services Director

OWNER/REPRESENTATIVE: Ziad Koza (Blossom Children’s Center)

EXECUTIVE SUMMARY: The project sponsor proposes to occupy part of the existing building at 39415 and 39453 Ford Rd., which was previously occupied by Gardner White, as a behavioral wellness center. Specifically, the site is located on the south side of Ford Rd., east of Lotz Rd. The only other tenant currently in the building is Guitar Center. The Blossom Behavioral Wellness offers a multitude of therapy services to children. The site is in the Corporate Park Overlay District, with an underlying zoning of C-3, Regional Commercial. Based on the description of Blossom Behavioral Wellness, the proposed uses consist of the following which are special land uses in the Corporate Park Overlay District: office; medical clinic, office, and laboratory; training and/or education center; and accessory child care.

At its meeting on September 12, 2022, the Planning Commission held a public hearing and recommended approval of the special land use, subject to conditions. The applicants have stated their intent to meet the conditions. If the special land use is approved, the next step will be for the applicant to revised the plans according to the conditions and submit plans to the Building & Inspections Services Division for review prior to any construction.

BACKGROUND AND ANALYSIS:

Location: 39415-39453 Ford Rd., located on the south side of Ford Rd., east of Lotz Rd. (parcel no. 049-99-0001-708)

Net Acres: Approximately 5.97 acres

Existing Land Use(s): Retail

Existing Zoning: Corporate Park Overlay District (CPOD), with an underlying zoning of C-3, Regional Commercial

Surrounding Zoning and Land Uses:

North – CPOD, with an underlying zoning of C-3; Guitar Center and Walmart

South – CPOD, with an underlying zoning of C-3; Emagine

East – City of Westland (I-2, General Industrial; CubeSmart Self Storage)

West – CPOD, with an underlying zoning of C-3; Hook & Reel Restaurant

Existing Comprehensive Plan Future Land Use Map Classification: General Commercial

Surrounding Comprehensive Plan Future Land Use Map Classifications:

North – General Commercial

South – General Commercial

East – City of Westland (Industrial)

West – General Commercial

Proposed Special Land Uses and Building Changes: The plans state the following: *“Blossom Behavioral Wellness offers a multitude of therapy services to children. Therapy and counseling services are typically held between the hours of 8am and 6pm Monday through Friday with occasional later hours and weekend events. All children will be walked in by a parent. If a child is receiving one session the parent often waits in the lobby or nearby; if the child has multiple sessions with different clinicians, then the parent will typically use that time to local run errands and shop in nearby centers.”*

Proposed special land uses consist of the following, which are listed as special land uses in the Corporate Park Overlay District in Section 6.08 of the Zoning Ordinance: office (Sec. 6.08(D)(1)); medical clinic, office, and laboratory (Sec. 6.08(D)(2)); training and/or education center (Sec. 6.08(D)(11)); and accessory child care (Sec. 6.08(D)(22)). The proposed uses are compatible with the uses on adjacent and surrounding sites. Our findings on the special land use criteria of the Zoning Ordinance are addressed at the end of this review letter.

The original site plan (049-SP-030) was originally approved in 1995 as a shopping center. Subsequent amendments to the site plan were approved in 1998 for landscaping and 2017 for architectural and lighting changes to the building. The only exterior changes to the plan consist of repainting some existing painted brick for the proposed Blossom space and creating a new retail entrance on the south side of the western façade for a future retail tenant. Although the future retail tenant is not included on the plan, Dick’s Sporting Goods has recently submitted a Certificate of Zoning Compliance application for a Warehouse Sales Store.

Access Management: The site has direct access to Ford Rd, as well as several cross-access drives through surrounding properties that access Ford Rd. and Lotz Rd. No changes are proposed to the existing access management of the site.

Parking: The approved 1995 site plan has 301 parking spaces, although only 248 spaces were required for the building because it was approved as a shopping center which requires 1 space per 250 sq. ft. of gross leasable area. The number of required spaces remains at 248 because the building remains a multi-tenant shopping center. If the owner wants to reduce the number of parking spaces in the future or repurpose an area for future development, there is a large surplus of parking to do so.

Loading: A loading area is located on the south side of the building and is not proposed to change.

Architecture: In 2017, the Planning Services Division approved modifications to the building that included painting the building (2017 plans attached with before and after pictures). The applicant plans to repaint some existing painted brick for the proposed Blossom space and create a new retail entrance on the south side of the western façade for a future retail tenant. The new entrance for the future retail tenant includes new brick, stucco, cornice, and glazing to be almost identical to the Guitar Center façade. The proposed brick will be unpainted and colored to match the brick of the Guitar Center. After the modifications, the façade will be 80.7% brick.

Landscaping and Screening: There is a previously approved landscape plan for the site from 1995 and 1998 that remains in effect. Since then, some of the landscaping has died. The modifications shown on the plans for the retail tenant on the south side of the building show the relocation of the required foundation landscaping on the west side of the building. A revised landscape plan will be required in accordance with Article 5 of the Zoning Ordinance, which can be reviewed and approved administratively by Planning Division staff. Prior to occupancy, the other landscaping must be restored to the previously approved landscape plan, or an amended landscape plan must be submitted to the Planning Division in accordance with Article 5. Prior to occupancy, the Township's landscape architect consultant will inspect the site and identify areas of correction, if any. If any replacement of plant material is needed, the Township typically collects a financial performance guarantee.

Lighting: A photometric plan is included that shows the new building fixtures for the Blossom entrance and the future retail entrance to the south. The lighting plan must include the cut sheets of the fixtures and adjust the fixtures so that illumination does not exceed 20 footcandles. Based on observations of the subject site, there are shielded light fixtures throughout the site. If there are changes to the fixtures, a photometric plan will be required that complies with Section 2.13 of the Zoning Ordinance.

Signage: The plans illustrate a new wall sign on the west side of the building for Blossom that is 160 sq. ft. Signage is reviewed separately by the Building & Inspection Services Division in accordance with Article 6A of the Zoning Ordinance. Therefore, we will defer to the Building & Inspection Services Division whether this sign area is permitted.

Dumpster Enclosure: There are existing dumpster enclosures located on the east side of the building that are proposed for use by the Blossom Behavioral Wellness Center. The plans state that the gates will be replaced in accordance with the Zoning Ordinance. There is a dumpster located in the loading area on the south side of the building that will not be used by Blossom but will be used by the future retail tenant of the space on the south side of the building. The plans note that the future dumpster enclosure on the south side of the building will comply with Sections 2.14 and 6.08(F)(9) of the Zoning Ordinance at the time the retail user is determined.

Special Land Use Review Standards: Based on the items noted above, we find that the

proposed uses (office; medical clinic, office, and laboratory; training and/or education center; and accessory child care) in the Corporate Park Overlay District in Canton Township meet the Special Land Use criteria of Section 27.03(C) of the Zoning Ordinance as follows, subject to the above items being corrected or otherwise addressed by Planning staff:

- The proposed uses (office; medical clinic, office, and laboratory; training and/or education center; and accessory child care) will be compatible with adjacent nonresidential land uses to the north, south, and west (Guitar Center, Emagine, Walmart, Sam's Club, Home Depot, and multi-tenant commercial buildings south of Ford Rd. and east of Lotz Rd.). The proposed uses will also be compatible with the adjacent CubeSmart Self Storage use to the east in the City of Westland, which is surrounded by security fencing.
- The proposed uses (office; medical clinic, office, and laboratory; training and/or education center; and accessory child care) will be compatible with the principles and objectives of the Canton Township Master Plan with regard to the General Commercial classification on the Future Land Use Map and the surrounding commercial uses.
- The proposed use will continue to be adequately served by essential public facilities and services, subject to any requirements of the Canton Township Engineering Division regarding necessary installations for water and sanitary sewer facilities.
- The site has direct access to Ford Rd, as well as several cross-access drives through surrounding properties that access Ford Rd. and Lotz Rd. No changes are proposed to the existing access management of the site.
- The proposed use is not expected to be detrimental to public health, safety, and welfare.
- The proposed use is expected to enhance the surrounding environment with a use that is compatible with adjacent land uses.
- The proposed use will not unreasonably interfere with or discourage the appropriate development and use of adjacent land and buildings.
- The location of the proposed use will not result in a residential use being surrounded by non-residential uses.
- The proposed use is expected to enhance the economic well-being and welfare of the Township.

- **Community Planner's Recommendation:** Approval of the special land uses in Planning Application #049-SLU-7443 that consist of an office; medical clinic, office, and laboratory; training and/or education center; and accessory child care use on parcel no. 049-99-0001-708 for the reasons stated in the above analysis, subject to the conditions noted in this review and subject to all State, County, and Township requirements.

- **Planning Commission's Recommendation:** At its meeting on September 12, 2022, the Planning Commission voted 8-0 to recommend approval of the special land uses for an office; medical clinic, office, and laboratory; training and/or education center; and accessory child care use on parcel no. 049-99-0001-708 as the request meets the Special Land Use criteria of the Canton Township Zoning Ordinance, subject to the following conditions:

1. A revised landscape plan is required in accordance with Article 5 of the Zoning Ordinance;
2. The lighting plan must be revised to comply with Section 2.13 of the Zoning Ordinance;
3. The signage must comply with Article 6A of the Zoning Ordinance; and

Compliance with all State, County, and Township requirements.

Since the September 12, 2022 Planning Commission meeting, the applicant has submitted a letter stating their intent to comply with the conditions.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Approval of the special land use (Planning Application #049-SLU-7443) for an office; medical clinic, office, and laboratory; training and/or education center; and accessory child care use on parcel no. 049-99-0001-708 for the reasons stated in the above analysis, subject to the conditions noted in this review and subject to all State, County, and Township requirements.

BUDGET IMPLICATION & ACCOUNT NUMBER: N/A.

IMPLEMENTATION PLAN: N/A.

MUNICIPAL SERVICES DIRECTOR'S RECOMMENDATION: Approval

ENGINEERING SERVICES DIVISION'S RECOMMENDATION: Approval.

FIRE MARSHAL'S RECOMMENDATION: Approval.

BUILDING OFFICIAL'S RECOMMENDATION: N/A.

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: N/A.

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION:

RESOLUTION OF
BOARD OF TRUSTEES
CHARTER TOWNSHIP OF CANTON, MICHIGAN

Approval of the Special Land Use for Blossom Behavioral Wellness Center

WHEREAS, the Project Sponsor has requested special land use approval for the following uses on parcel no. 049-99-0001-708: office; medical clinic, office, and laboratory; training and/or education center; and accessory child care use; and

WHEREAS, the Planning Commission reviewed the request and applicable criteria and voted 8-0 to recommend approval, with conditions, as the request meets the criteria of special land use approval in Section 27.03(C) of the Zoning Ordinance;

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the Charter Township of Canton, Michigan does hereby approve the special land use in Planning Application #049-SLU-

7443 for an office; medical clinic, office, and laboratory; training and/or education center; and accessory child care use on parcel no. 049-99-0001-708 as the request meets the Special Land Use criteria of the Canton Township Zoning Ordinance, subject to the following conditions:

1. A revised landscape plan is required in accordance with Article 5 of the Zoning Ordinance;
2. The lighting plan must be revised to comply with Section 2.13 of the Zoning Ordinance;
3. The signage must comply with Article 6A of the Zoning Ordinance; and
4. Compliance with all State, County, and Township requirements.

ATTACHMENTS:

1. Planning Commission Minutes
2. Zoning Map and Aerial Map
3. Special Land Use Plans
4. Special Land Use Criteria

NEXT STEPS: If the special land use is approved, the next step will be for the applicant to revise the plans according to the conditions and submit plans to the Building & Inspections Services Division for review prior to any construction.

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: October 11, 2022

AGENDA ITEM #G-3

ITEM: Consider First Reading of an Amendment to Appendix A – Zoning of the Code of Ordinances Regarding Harvest Creek Rezoning

PRESENTER: Jade Smith, Municipal Services Director

INDIVIDUALS IN ATTENDANCE: Evan Priest (Michael L. Priest & Associates), on behalf of 1205 Ridge LLC

EXECUTIVE SUMMARY: The applicant proposes to rezone parcels 71-075-99-0004-002 and 71-075-99-0005-000, located on the east side of Ridge Road between Paine St. and Proctor Rd., from RR, Rural Residential to R-3, Single Family Residential. The subject property is 7.1 acres and includes the Lower River Rouge on the south side of the property. The applicant proposes to construct a detached single-family residential development on the north side of the site if the rezoning is approved.

If the rezoning is approved, the applicant will likely submit a development application, which will be reviewed by the Planning Commission and Township Board at that time.

BACKGROUND AND ANALYSIS:

Location: East side of Ridge Rd., between Paine St. and Proctor Rd.

Net Acres: 7.1 acres

Existing Land Use(s): Single-family residential

Existing Zoning: RR, Rural Residential (minimum lot area of 5 acres)

Surrounding Zoning and Land Uses:

North – R-3, Single Family Residential; River Hill Ridge (single-family detached residences)

South – RR, Rural Residential; Single-family detached residence

East – R-3, Single Family Residential; River Hill Ridge (single-family detached residences)

West – R-1, Single Family Residential and RR, Rural Residential (single-family detached residences)

Existing Comprehensive Plan Future Land Use Map Classification: Medium-Low Density Residential (3 dwelling units per acre)

Surrounding Comprehensive Plan Future Land Use Map Classifications:

North – Medium-Low Density Residential (3 dwelling units per acre)

South – Medium-Low Density Residential (3 dwelling units per acre)

East – Medium-Low Density Residential (3 dwelling units per acre)

West – Very Low Density Residential (1 dwelling unit per acre)

Review Considerations: Section 27.06(D)(4) of the Zoning Ordinance consists of 10 standards of review to be considered prior to action. Based on our review of the application materials, the Comprehensive Plan, and the site area, we find that the application meets each of the 10 rezoning standards of review as follows:

(1) *Will the proposed amendment be in accordance with the basic intent and purpose of the zoning ordinance?*

The proposed amendment will be in accordance with the basic intent and purpose of the Zoning Ordinance, as the amendment is consistent with the Comprehensive Plan whose policies the Zoning Ordinance is intended to implement.

The Purpose Section 1.02 of the Zoning Ordinance is very general and includes the regulation of land development and the establishment of districts. To that end, there are provisions for land development in the Zoning Ordinance, many of which are unique to the underlying zoning district or the zoning district of an adjacent parcel. Land development standards in the Zoning Ordinance include density, setbacks, building height, land use, parking and loading, access management, landscaping and screening, lighting, signage, building design, tree preservation, and natural features setbacks.

(2) *Is the proposed amendment consistent with the comprehensive plan of the Township?*

The proposed amendment is consistent with the Comprehensive Plan of the Township. The Future Land Use Map of the Comprehensive Plan designates the subject property as Medium-Low Density Residential, which recommends a density of 3 dwelling units per acre. Currently, the RR zoning classification of the subject property stipulates the minimum lot area is 5 acres, which is a density of one unit per 5 acres. The proposed R-3 zoning district permits a density of 3 dwelling units per acre, which most accurately reflects the Medium-Low Density Residential classification.

(3) *Have conditions changed since the zoning ordinance was adopted, or was there a mistake in the zoning ordinance, that justify the amendment?*

Conditions have changed since the Zoning Ordinance was adopted in 1990, as the owners of the subject parcels desire to sell their property for the purposes of development in accordance with the Master Plan and Zoning Ordinance. The demand for single-family residential use continues in Canton Township and the availability of undeveloped parcels in the community is scarcer.

For example, the following properties east of the subject site are classified as Medium-

Low Density Residential on the Future Land Use Map of the Comprehensive Plan and have been rezoned to R-3 in recent years for the development of River Hill Ridge to the east:

- 076-RZ-1698, which was approved in 2013 to rezone 29.44 acres about 1,500 feet east of the subject site from RA to R-3.
- 075-RZ-1699, which was approved in 2013 to rezone 40.1 acres adjacent to the east side of the subject site from RA to R-3.
- 076-RZ-2439, which was approved in 2015 to rezone 7.1 acres about 1,000 feet east of the subject site from RA to R-3.

(4) *Will the amendment correct an inequitable situation created by the zoning ordinance rather than merely grant special privileges?*

The amendment will correct an inequitable situation created by the Zoning Ordinance rather than grant special privileges because the Comprehensive Plan recommends a zoning of 3 units per acre and the subject parcel is adjacent to the R-3 district to the north and south, which was rezoned to R-3 in 2013-2015.

Denial of a rezoning request that has been granted to similar properties nearby within Medium-Low Density Residential classification on the Future Land Use Map could create an inequitable situation for the applicant.

(5) *Will the amendment result in unlawful exclusionary zoning?*

The amendment will not result in exclusionary zoning, as the amendment is a result of an application by the owner of the subject property, and the subject parcel is adjacent to R-3 zoned properties to the north and east. The density of the proposed R-3 zoning district is in accordance with the recommended density of 3 units per acre by the underlying Future Land Use classification of Medium-Low Density Residential.

(6) *Will the amendment set an inappropriate precedent, resulting in the need to correct future planning mistakes?*

The amendment will not set an inappropriate precedent, as it is consistent with the Comprehensive Plan policies and Future Land Use Map, and the subject parcel is adjacent to R-3 zoned properties to the north and east. As noted above, other properties in the Medium-Low Density Residential Future Land Use classification have been rezoned to R-3 in recent years for similar purposes.

(7) *If a rezoning is requested, is the proposed zoning consistent with the existing land uses of surrounding property?*

The proposed rezoning is consistent with the existing land uses of surrounding property. All existing surrounding land uses are detached single-family residential uses, which is a permitted use in the proposed R-3 zoning district. The River Hill Ridge site to the north and east is classified as Medium-Low Density Residential on the Future Land Use Map of the Comprehensive Plan and was rezoned to R-3 from 2013-2015.

(8) *If a rezoning is requested, could all requirements in the proposed zoning classification be complied with on the subject parcel?*

If the proposed rezoning is approved, it appears that all the requirements of the proposed zoning classification can comply with R-3 development requirements. The proposed R-3 site will comply with the standards of the R-3 district for minimum lot area (12,750 sq. ft.), minimum lot width (85 ft.), and maximum lot depth-to-lot width ratio (2.5 times). However, specific development requirements and allowable number of units will be addressed at the time of site plan review and, if applicable, Planned Development District review. If a Planned Development District application is submitted, the applicant will likely request modifications from the lot area, width, and setback requirements to cluster lots on the north and preserve open space on the south, which contains the Lower River Rouge, floodplains, and wetlands.

(9) *If a rezoning is requested, is the proposed zoning consistent with the trends in land development in the general vicinity of the property in question?*

The proposed zoning, R-3, Single Family Residential, is consistent with the trends in land development in the general vicinity of the subject property, as the subject parcel is adjacent to R-3 zoned properties to the east, which consist of a single-family residential development (River Hill Ridge).

(10) *If a rezoning is requested, what is the impact on the township infrastructure?*

The subject property is proposed to be serviced by water and sanitary sewer service, which is available in the area. Ridge Rd. is paved, and the road capacity and traffic impact will be addressed during subsequent site plan review and, if applicable, Planned Development District review. The Comprehensive Plan, which recommends a density of 3 units per acre, recognizes a synchronous relationship between the Township's Sanitary Sewer Master Plan and the Comprehensive Plan. Therefore, there is expected capacity in the water and sewer systems to serve the subject property in accordance with the density recommended by the Master Plan Future Land Use Map.

According to maps from FEMA and EGLE, there are floodplains and wetlands, on the south side of the site. Therefore, if the site is rezoned and the applicant submits a Planned Development application, we will emphasize clustering in the northern part of the site and preservation on the southern part of the site like River Hill Ridge to the east.

- **Community Planner's Recommendation:** Approval.

- **Planning Commission Recommendation:** At its meeting on September 12, 2022, the Planning Commission voted 8-0 to recommend approval of the request to rezone parcel nos. 075-99-0004-002 and 075-99-0005-000 from RR, Rural Residential to R-3, Single Family Residential. Prior to recommending approval of the rezoning, the Planning Commission held a duly noticed public hearing and there were public comments received.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Introduce, hold the first reading, and table the proposed rezoning amendment to Appendix A – Zoning of the Code of Ordinances, which proposes to rezone parcel

nos. 075-99-0004-002 and 075-99-0005-000 from RR, Rural Residential to R-3, Single Family Residential.

BUDGET IMPLICATION & ACCOUNT NUMBER: N/A

IMPLEMENTATION PLAN: N/A

MUNICIPAL SERVICES DIRECTOR'S RECOMMENDATION: Approval

ENGINEERING SERVICES DIVISION'S RECOMMENDATION: N/A

FIRE MARSHAL'S RECOMMENDATION: N/A

BUILDING OFFICIAL'S RECOMMENDATION: N/A

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: N/A

SUPERVISOR'S RECOMMENDATION: Approval

MODEL MOTIONS:

1. I move to introduce and hold the first reading of the proposed amendment to Appendix A – Zoning of the Code of Ordinances of the Charter Township of Canton as provided in the attached ordinance of Planning Application #075-RZ-7471, which rezones tax parcel nos. 075-99-0004-002 and 075-99-0005-000 from RR, Rural Residential to R-3, Single Family Residential.
2. Further, I move to table consideration of the amendment for a second reading on October 25, 2022.

ATTACHMENTS:

1. Draft Ordinance
2. Planning Commission Minutes
3. Map

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: October 11, 2022

AGENDA ITEM #G-4

<p>ITEM: Consider Approval of a Budget Amendment, Contract Extension, and Agreement for Fire Station II Park Design</p>

PRESENTER: Greg Hohenberger, Director of Leisure Services

INDIVIDUALS IN ATTENDANCE: None anticipated.

EXECUTIVE SUMMARY: In August 2019, Canton Township and MCSA Group, Inc signed a 3-year contract with the option of a 3-year extension for Playground Consulting Services. This contract has since expired as of August 2022. Over the last 3 years, MCSA Group, Inc has assisted the Township with numerous playground designs providing dependable, professional, and quality service. Canton Leisure Services and MCSA Group, Inc mutually agree to continue their agreement and are therefore recommending to waive the bidding process and exercise their right to extend the current contract for an additional 3 years.

Furthermore, the reconstruction of Fire Station II was designed with the intent of building a park adjacent to the building. Canton Leisure Services solicited proposals from two of Canton Township’s consultants, MCSA Group, Inc., and Partners in Architecture (PIA), for the engineering, design, and construction management of the Fire II Park with construction planned to begin in spring of 2023. Of the two proposals, MCSA provided the lowest cost in the amount of \$80,228. Therefore, Canton Leisure Services is recommending to award the contract for the engineering and design of Fire Station II Park to MCSA Group, Inc. for a proposed amount of \$80,228. A budget amendment is necessary.

BACKGROUND: In alignment with the Board goal of Welcoming Community, Canton Leisure Services has been working to develop park areas throughout the Township. With the reconstruction of Fire Station II, the Township purchased the land adjacent to the new fire station with the intent to build a park for the community on the Northeast quadrant of the Township.

STRATEGIC PLAN/GOALS: Welcoming Community and Quality Infrastructure

ACTION REQUESTED: Consider a budget amendment, extending the contract with MCSA Group, Inc for an additional 3 years, and authorizing the Township Supervisor to sign the

contract and approve a purchase order to MCSA Group, Inc. 529 Greenwood Ave., S.E., Grand Rapids, MI 49506 for the engineering, design, and construction management of Fire Station II Park.

BUDGET IMPLICATIONS & ACCOUNT NUMBER:

Increase Expense:		
246-750.970_0080	Land Improvement	\$80,228

Decrease Expense:		
246-261.999	Transfer to Fund Balance	\$80,228

IMPLEMENTATION PLAN: If approved, a budget amendment will be made, the contract will be executed, and a purchase order will be created for MCSA Group, Inc. 529 Greenwood Ave., S.E., Grand Rapids, MI 49506 for the engineering, design, and construction management of Fire Station II Park.

DIRECTOR'S RECOMMENDATION: Approval

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION:

- 1) I move to waive the bidding process and extend the contract with MCSA Group, Inc. 529 Greenwood Ave., S.E., Grand Rapids, MI 49506 for the Playground Consulting Services for an additional 3 years.
- 2) I further move to approve the following budget amendment:

Increase Expense:		
246-750.970_0080	Land Improvement	\$80,228

Decrease Expense:		
246-261.999	Transfer to Fund Balance	\$80,228

- 3) I further move to award a contract and approve a purchase order to MCSA Group, Inc. 529 Greenwood Ave., S.E., Grand Rapids, MI 49506 for the engineering, design, and

construction management of Fire Station II Park. A purchase order will be submitted in the amount of \$80,228 to be paid from Account #101-752-99.970_0080 Parks – Capital Outlay Land Improvements.

ATTACHMENTS:

Attachment A: MCSA Group, Inc. Contract

Attachment B: MCSA Group, Inc. Proposal

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: October 11, 2022

AGENDA ITEM#G-5

ITEM: Consider Approval of Contract with Kickers of Canton, LLC for Restaurant Operations at the Canton Sports Center

PRESENTER: Greg Hohenberger, Leisure Services Director

INDIVIDUALS IN ATTENDANCE: None Anticipated

EXECUTIVE SUMMARY: On July 7, 2022, Canton Leisure Services advertised a Request for Proposal (RFP) for Professional Management of Food & Beverage Services for Canton Sports Center Bar & Grill for a 3-weeks period. With only 1 submission, it was decided to extend the advertisement for an additional 2 weeks in efforts to offer an opportunity for more vendors to submit a proposal. In turn, after 5 weeks of advertising, only one proposal was received from the current vendor, Kickers of Canton, LLC. The interview panel interviewed Kickers of Canton, LLC restaurant owner, Pete Stoyanovich, who presented his proposal and answered questions regarding his operations.

Leisure Services is recommending the award of a five-year contract ending in December of 2027 with Kickers of Canton, LLC with a mutual option of an additional (60) months extension for restaurant operations at the Canton Sports Center. This contract also includes a 12% monthly gross revenue with a minimum of \$80,000 per year, and \$50,000 in capital improvements including:

- New Outdoor Patio Furniture
- Upgrade to outdoor food tents to pavilion/Gazebo
- Adding needed kitchen equipment
- Bar Upgrades
- Replacement of restaurant carpet

BACKGROUND INFORMATION:

Kickers of Canton, LLC is the current provider of restaurant operations at the Canton Sports Center and has done so in an exemplary manner despite the challenges faced over the past couple of years. With their current agreement expiring in June of 2022, Kickers submitted their proposal in response to the Restaurant Operations RFP for a 5-year contract with a mutual option of an additional (60) months extension for restaurant operations at the Canton Sports Center which includes a 12% monthly gross revenue with a minimum of \$80,000 per year, and an investment of \$50,000 in capital over the length of the proposed agreement.

STRATEGIC PLAN/GOALS: Quality Infrastructure and Financial Stability

ACTION REQUESTED: Approve a 5-year contract with Kickers All Star Grill

BUDGET IMPLICATIONS & ACCOUNT NUMBER: None

IMPLEMENTATION PLAN: Agreements will be formally executed following Board approval.

DIRECTOR'S RECOMMENDATION: Approval

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approval

SUPERVISOR'S RECOMMENDATION: Approval

MODEL RESOLUTION:

I move to authorize a five-year contract ending in December of 2027 with Kickers of Canton, LLC with a mutual option of an additional (60) months extension for restaurant operations at the Canton Sports Center which includes a 12% monthly gross revenue with a minimum of \$80,000 per year, and an investment of \$50,000 in capital over the length of the proposed agreement.

ATTACHMENTS:

Attachment A: Request for Proposal

Attachment B: Proposal

Attachment C: Bid results

Attachment D: Draft Contract

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: October 11, 2022

AGENDA ITEM # G-6

<p>ITEM: Consider Approval of Collective Bargaining Agreement with Canton Township Command Officers Association for a term commencing January 1, 2023 through December 31, 2026.</p>

PRESENTER: Joseph Hawver, Deputy Supervisor

INDIVIDUALS IN ATTENDANCE: None anticipated.

EXECUTIVE SUMMARY: The current Collective Bargaining Agreement with the Canton Township Command Officers Association (CCOA) expires on December 31, 2022. The parties have come to a tentative agreement on terms for a new, four-year agreement expiring on December 31, 2026.

BACKGROUND: Canton Township has reached a new agreement with its Police Command force. The new agreement raises wages 11.25% over four years, restructures the administrative duties in the Canton Township Police Department by creating Captain positions within the unit, solidifies pension contribution amounts and sick time eligibility rules for promoted officers, changes the MERS service credit, and maintains the other benefits in the existing contract.

The CCOA bargaining unit has already voted unanimously to ratify the new agreement with the Township.

STRATEGIC PLAN/GOALS: N/A

ACTION REQUESTED: Approve the Collective Bargaining Agreement negotiated between the Township's negotiation team and CCOA representatives.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: If necessary, potential necessary budget adjustments for 2023 will come before the Board at a future meeting. Budgets prepared for 2024 and beyond will be developed pursuant to this contract.

IMPLEMENTATION PLAN: Upon approval the CCOA contract will be signed, and the copies printed and distributed to all appropriate parties.

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approved.

SUPERVISOR'S RECOMMENDATION: Approved.

MODEL RESOLUTION: I move to approve the Collective Bargaining Agreement between the Charter Township of Canton and the Canton Township Command Officers Association with a term ending December 31, 2026, and authorize the Township Supervisor sign on behalf of Canton Township.

ATTACHMENTS:

1. Tentative Agreement between Canton Township and the Canton Township Command Officers Association

**CANTON COMMUNITY
REQUEST FOR BOARD ACTION**

MEETING DATE: October 11, 2022

AGENDA ITEM- G-7

<p>ITEM: Consideration of Settlement in Gregory Douglas Hunter v. Canton Township et al</p>

PRESENTER: Joseph Hawver, Deputy Supervisor

INDIVIDUALS IN ATTENDANCE: None anticipated.

EXECUTIVE SUMMARY: The summary is contained in the confidential memo sent to each Board Member.

BACKGROUND:

STRATEGIC PLAN/GOALS: Provide for resolution of pending litigation.

ACTION REQUESTED: Approve the proposed settlement in the matter of Gregory Hunter v Canton Township et al.

BUDGET IMPLICATIONS & ACCOUNT NUMBER: This settlement will be absorbed within the workman's compensation budget item in the Fire Fund.

IMPLEMENTATION PLAN: If approved, an order of dismissal of the lawsuit would be entered at the United States District Court Eastern District of Michigan and a redemption order would be issued in the Michigan Worker's Compensation bureau.

FINANCE AND BUDGET DIRECTOR'S RECOMMENDATION: Approved.

SUPERVISOR'S RECOMMENDATION: Approved.

MODEL RESOLUTION:

1. In the matter of Gregory Hunter v Canton Township et al., I move to approve the proposed settlement agreement and authorize the Township Supervisor to sign any documents necessary to resolve this pending lawsuit on behalf of Canton Township.

ATTACHMENTS: None