

**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
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Decrease Expenditure:

401-261.959	Contingency	\$386,327
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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