

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JUNE 13, 2007

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD
MACOMB, MI 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
MICHAEL D. KOEHS, CLERK
MARIE MALBURG, TREASURER
DINO F. BUCCI, JR, TRUSTEE
JANET DUNN, TRUSTEE
ROGER KRZEMINSKI, TRUSTEE
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel
Jerome Schmeiser, Planning Consultant
James VanTiflin, Engineering Consultant
(Additional attendance on file at the Clerk's Office)

Supervisor BRENNAN called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

ROLL CALL

1. Clerk KOEHS called the roll and the Board of Trustees was present.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and items 34b and 34c were added, items 12 and 38 were tabled and item 34b was withdrawn.

MOTION by DUNN seconded by BUCCI to approve the agenda as amended.

MOTION carried.

APPROVAL OF THE BILLS

3. Both bill runs were reviewed and there were no additions, deletions or corrections.

MOTION by NEVERS seconded by KRZEMINSKI to approve both bill runs as presented.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JUNE 13, 2007













4. The minutes of the previous meeting held on May 23, 2007 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by DUNN seconded by NEVERS to approve the minutes of the meeting of May 23, 2007 as presented.



MOTION carried.

5.  **Consent Agenda Items:**


A. Clerk's Department:

1.  **Request for Ground Sign Bond Release;** Land Rover Sign, Hall Road, Parcel Number 08-33-352-037.
2.  **Request for Ground Sign Bond Release;** Jaguar Sign, Hall Road, Permanent Parcel Number 08-33-352-037.
3.  **Request for Wall Sign Bond Release;** BoRics Hair Care, Heydenreich Unit 3, Parcel Number 08-34-351-003.
4.  **Request for Wall Sign Bond Release;** Millenium Wireless; Heydenreich Unit 3, Parcel Number 08-34-351-003.
5.  **Request for Wall Sign Bond Release;** Sands Tanning, 21 Mile & Hayes Road, Parcel Number 08-30-354-024.
6.  **Request for Monuments and Irons Bond Release;** Legacy Farms Subdivision, Fairchild Road & 22 Mile Road, Permanent Parcel Number 08-24-401-004.
7.  **Request for Wall Sign Bond Release;** Dollar Planet, Card/21 Shoppes, Parcel Number 08-27-476-002.
8.  **Request for Wall Sign Bond Release;** Scoop and Twist Ice Cream, Stratford Plaza, Parcel Number 08-23-100-029.
9.  **Request for Site Plan Bond Release;** Heydenreich Retail Center, Unit 3, Parcel Number 08-34-351-003.
10.  **Request for Wall Sign Bond Release;** Jaguar Sign, Hall Road, Permanent Parcel Number 08-33-352-037.
11.  **Request for Wall Sign Bond Release;** Land Rover Sign, Hall Road, Parcel Number 08-33-352-037.
12.  **Request for Wall Sign Bond Release;** Lakeside Sign, Hall Road, Parcel Number 08-33-352-037.





B. Water/Sewer Dept.

1.  **Easement Encroachment:** Steven P. Korber and Susan A. Korber, 16182 White Water Dr, Macomb MI; Lot 277, The Rivers Subdivision No. 2, #08-06-428-012.
2.  **Easement Encroachment:** Jeffrey T. Pretzer and Stacie A. Pretzer, 21440 Rome Dr, Macomb MI Lot 170, #08-22-255-011.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JUNE 13, 2007

3.  **Easement Encroachment:** Diane Forst, 48012 Lincoln Drive, Jefferson Meadows Subdivision #4, Parcel Number 08-30-255-012.

C. Department Monthly Reports:

1. Building Department
2.  Fire Department
3.  Macomb County Sheriffs Department
4.  Parks and Recreation Department
5.  Water/Sewer Department

Supervisor BRENNAN reviewed this matter and asked if any of the Board members wanted to remove any item from the Consent Agenda and place it for discussion on the regular agenda.


MOTION by BUCCI seconded by KRZEMINSKI to approve the Consent Agenda as prepared.

MOTION carried.

6. **Public Comments**

John Parkinson addressed the Board regarding a job application.

PLANNING


7.  **Rezoning Request; R-1 to R-2, 19759 23 Mile Road;** Located on the north side of 23 Mile Road, west of the future Broughton Road; Section 16; Michigan Prod. Machining, Inc. Petitioner. Permanent Parcel No. 08-16-400-014.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this matter and stated his recommendation for denial because the rezoning would not conform to the Master Plan and would be inconsistent with the surrounding development.

Eric Flynn, representing the petitioner, was present to answer any questions the Board might have.

MOTION by KRZEMINSKI seconded by DUNN to deny the Rezoning Request for R-1 to R-2, 19759 23 Mile Road; Located on the north side of 23 Mile Road, west of the future Broughton Road; Section 16; Michigan Prod. Machining, Inc. Petitioner. Permanent Parcel No. 08-16-400-014.

MOTION carried.

8.  **Rezoning Request; M-1 to C-2, 49880 Hayes Road;** Located on the east side of Hayes Road, ½ mile north of 22 Mile Road; Section 19; Hayes Macomb Properties Petitioner. Permanent Parcel No. 08-19-300-001.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JUNE 13, 2007

Mr. Jerome Schmeiser, Planning Consultant, reviewed this matter and stated his recommendation for denial because the rezoning would not conform to the Master Plan and would be inconsistent with the surrounding development.

Dan Spatafora, representing the petitioner, was present to answer any questions the Board might have.

MOTION by KRZEMINSKI seconded by KOEHS to deny the Rezoning Request for M-1 to C-2, 49880 Hayes Road; Located on the east side of Hayes Road, ½ mile north of 22 Mile Road; Section 19; Hayes Macomb Properties Petitioner. Permanent Parcel No. 08-19-300-001.

MOTION carried.


9.  **Preliminary Plan – Site Condominiums; Monarch Estates;** Located on the north side of 22 Mile Rd., ¼ mile east of Garfield Rd.; Section 20; Malburg Partners, LLC, Petitioner. Permanent Parcel No. 08-20-300-013.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this matter and stated his recommendation for approval.

Ken Davis, representing the petitioner, was present to answer any questions the Board might have.

MOTION by BUCCI seconded by KRZEMINSKI to approve the Preliminary Plan for the Site Condominiums at Monarch Estates; Located on the north side of 22 Mile Rd., ¼ mile east of Garfield Rd.; Section 20; Malburg Partners, LLC, Petitioner. Permanent Parcel No. 08-20-300-013.

MOTION carried.

10.  **Revised Final Preliminary Plat;** Margherita Estates, located on the west side of Card Road approximately ¼ mile north of 22 Mile Road; Rocco Galati, Petitioner; Permanent Parcel No. 08-22-400-014.


Mr. Jerome Schmeiser, Planning Consultant, reviewed this matter and stated his recommendation for approval.

Jim VauHavernalt, representing the petitioner, was present to answer any questions the Board might have.

MOTION by DUNN seconded by KOEHS to approve the Revised Final Preliminary Plat for Margherita Estates, located on the west side of Card Road approximately ¼ mile north of 22 Mile Road; Rocco Galati, Petitioner; Permanent Parcel No. 08-22-400-014 with the conditions as recommended by the Planning Commission.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JUNE 13, 2007

MOTION carried.

11.  **Final Plat;** Margherita Estates, located on the west side of Card Road approximately ¼ mile north of 22 Mile Road; Rocco Galati, Petitioner; Permanent Parcel No. 08-22-400-014.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this matter and stated his recommendation for approval.

Jim VauHavernalt, representing the petitioner, was present to answer any questions the Board might have.

MOTION by KOEHS seconded by KRZEMINSKI to approve the Final Plat for Margherita Estates, located on the west side of Card Road approximately ¼ mile north of 22 Mile Road; Rocco Galati, Petitioner; Permanent Parcel No. 08-22-400-014 with the conditions as recommended by the Planning Commission and to direct the Clerk to sign the mylar.

MOTION carried.

NEW BUSINESS

12.  **Proposed Zoning Ordinance Amendment;** Chapter 25, Traditional Neighborhood Development. (*Tabled from May 9, 2007*)

Tabled to June 27, 2007 meeting.

13. **Request Authorization to Defend Litigation;** Bazi vs. Macomb Township.


MOTION by BUCCI seconded by MALBURG to authorize Legal Counsel to Defend the Township in the matter of Bazi vs. Macomb Township.

MOTION carried.

14.  **Request Authorization to Defend Litigation;** Current Tax Tribunal Cases.

MOTION by KRZEMINSKI seconded by DUNN to authorize Legal Counsel to Defend the Township in the matter of the current Tax Tribunal cases as presented.

MOTION carried.

15.  **Pre-qualification Application for a Class C Liquor License;** King Taco, LLC, 16796 21 Mile Road, Macomb, MI 48044.


John Brennan, Township Supervisor, reviewed this matter and stated his recommendation for approval.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JUNE 13, 2007

Santajo Cajamarca, representing the petitioner, was present to answer any questions the Board might have.

MOTION by KOEHS seconded by NEVERS to approve the Pre-qualification Application for a Class C Liquor License for King Taco, LLC, 16796 21 Mile Road, Macomb, MI 48044, and authorize the issuance of the Application for License.

MOTION carried.

16.  **Pre-qualification Application for a Class C Liquor License; G & G Restaurants, Inc., 18501 Hall Road, Macomb, MI 48044.**

John Brennan, Township Supervisor, reviewed this matter and stated his recommendation for approval.

Dave Gmerek, representing the petitioner, was present to answer any questions the Board might have.

MOTION by DUNN seconded by KRZEMINSKI to approve the Pre-qualification Application for a Class C Liquor License; G & G Restaurants, Inc., 18501 Hall Road, Macomb, MI 48044, and authorize the issuance of the Application for License.

MOTION carried.

17.  **Request to Approve School Liaison Officer; Dakota High School, Chippewa Valley Schools.**

John Brennan, Township Supervisor, reviewed this matter and stated his recommendation for approval.

MOTION by KRZEMINSKI seconded by MALBURG to approve the Request for a School Liaison Officer for Dakota High School, Chippewa Valley Schools for the amount of fifty five thousand seven hundred forty six dollars (\$55,746.00).

MOTION carried.

18.  **Request for Approval of SMART Contract; Municipal Credit and Community Credit Contract for Fiscal Year 2008.**

John Brennan, Township Supervisor, reviewed this matter and stated his recommendation for approval.

MOTION by BUCCI seconded by DUNN to approve the SMART Contract; Municipal Credit and Community Credit Contract for Fiscal Year 2008 and authorize the Supervisor to sign it.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JUNE 13, 2007

MOTION carried.

19.  **Request to Pay Annual Dues for 2008;** Michigan Townships Association.

John Brennan, Township Supervisor, reviewed this matter and stated his recommendation for approval.

MOTION by NEVERS seconded by DUNN to approve the payment of the 2008 Michigan Township Association dues in the amount of five thousand five hundred ninety four dollars and ninety six cents. (\$5,594.96)

MOTION carried.

PARKS AND RECREATION

20.  **Request for a Temporary Certificate of Occupancy;** Phase II of the Community Recreation Center.

Sal DiCaro, Parks and Recreation Director, reviewed this matter and stated his recommendation for approval.

MOTION by DUNN seconded by NEVERS to approve the request for a temporary Certificate of Occupancy for Phase II of the Community Recreation Center for a period of ninety (90) days.

MOTION carried.

21. **Request to Purchase a Cargo Van.**

Sal DiCaro, Parks and Recreation Director, reviewed this matter and stated his recommendation for approval.

MOTION by BUCCI seconded by KOEHS to approve the request to purchase a Cargo Van for the Parks and Recreation Department for the amount of fifteen thousand five hundred fifty three dollars. (\$15,553.00)

MOTION carried.

INFORMATION TECHNOLOGY

22.  **Request to Terminate Contract;** Thumb Alarm Co.

Mr. Jim Koss, Information Technology Director, reviewed this matter and stated his recommendation for approval.

MOTION by KOEHS seconded by KRZEMINSKI to approve the request to terminate the contract with Thumb Alarm Company

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JUNE 13, 2007

MOTION carried.

- 22a. Request to process a new contract with D/A Central for alarm services.

Mr. Jim Koss, Information Technology Director, reviewed this matter and stated his recommendation for approval.

MOTION by KOEHS seconded by KRZEMINSKI to approve the request to process a new contract with D/A Central Company.

MOTION carried.

HUMAN RESOURCES

23.  **Request to initiate recruitment process;** Maintenance Worker position.

Mr. John Brogowicz, Human Resources Director, reviewed this matter and stated his recommendation for approval.

MOTION by BUCCI seconded by KRZEMINSKI to approve the request to initiate recruitment process for a Maintenance Worker position.

MOTION carried.

24.  **Request to initiate recruitment process;** Building Official.

Mr. John Brogowicz, Human Resources Director, reviewed this matter and stated his recommendation for approval.

MOTION by KRZEMINSKI seconded by KOEHS to approve the request to initiate recruitment process for a Building Official.


MOTION carried.

25.  **Request to Extend Offers of Employment;** Eight (8) Paid on Call Fire Fighters.

Mr. John Brogowicz, Human Resources Director, reviewed this matter and stated his recommendation for approval.

MOTION by BUCCI seconded by KRZEMINSKI to extend offers of employment to eight (8) paid on call firefighters.

MOTION carried.

26.  **Request to Extend Offer(s) of Employment;** Accounting Clerk

Mr. John Brogowicz, Human Resources Director, reviewed this matter and stated his recommendation for approval.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JUNE 13, 2007

MOTION by KOEHS seconded by DUNN to extend offers of employment to two persons for the positions of Account Clerk.

MOTION carried.

BUILDING DEPARTMENT

27. **Request for Training;** Electrical Seminar, International Association of Electrical Inspectors. *(Tabled from May 23, 2007)*

Bob Beckett, Building Supervisor, reviewed this matter and stated his recommendation for approval.

MOTION by DUNN seconded by NEVERS to approve the Request for Training; Electrical Seminar, International Association of Electrical Inspectors in the amount of two hundred sixty dollars and forty two cents. (\$260.42).

MOTION carried.

FIRE DEPARTMENT

28.  **Request to Purchase 15 Motorola Fire Pagers.**

Chief Robert Phillips, reviewed this matter and stated his recommendation for approval.

MOTION by BUCCI seconded by MALBURG to approve the request to Purchase 15 Motorola Fire Pagers for the amount of seven thousand one hundred ten dollars (\$7,110.00).

MOTION carried.

29.  **Request to join the Regional Alliance for Firefighter Training.**

Chief Robert Phillips, reviewed this matter and stated his recommendation for approval.

MOTION by KOEHS seconded by BUCCI to approve the request to join the Regional Alliance for Firefighter Training for the amount of one thousand five hundred dollars (\$1,500.00).

MOTION carried.

30.  **Request to Proceed with Training Tower.**


Chief Robert Phillips, reviewed this matter and stated his recommendation for approval.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JUNE 13, 2007

MOTION by KRZEMINSKI seconded by DUNN to approve the Request to Proceed with Training Tower.

MOTION carried.

WATER AND SEWER DEPARTMENT

31.  **Pay Certificate # 1, Pump Station #7 Replacement, MA05-026 & Romeo Plank Water Main Replacement, MA 06-010, Dan's Excavating, Inc.**

Mr. David Koss, Water & Sewer Superintendent, reviewed this matter and stated his recommendation for approval.

MOTION by BUCCI seconded by KOEHS to approve the Pay Certificate # 1 for Pump Station #7 Replacement, MA05-026 & Romeo Plank Water Main Replacement, MA 06-010 in the amount of one hundred sixty five thousand two hundred forty eight dollars and seventy cents (\$165,248.70).

MOTION carried.

32.  **Request to attain Construction Testing Services for Pump Station #7 Replacement and 21 Mile & Fairchild Road Meter and PRV station.**

Mr. David Koss, Water & Sewer Superintendent, reviewed this matter and stated his recommendation for approval.

MOTION by KOEHS seconded by MALBURG to approve the request to attain Construction Testing Services for Pump Station #7 Replacement and 21 Mile & Fairchild Road Meter and PRV station in the amount of four thousand seven hundred sixty two dollars (\$4,762.00).

MOTION carried.

33.  **Purchase Order - SLC Meter Service.**

Mr. David Koss, Water & Sewer Superintendent, reviewed this matter and stated his recommendation for approval.


MOTION by DUNN seconded by KOEHS to approve the Purchase Order for SLC Meter Service in the amount of two thousand five hundred thirty eight dollars and forty eight cents. (\$2,538.48)

MOTION carried.

BOARD COMMENTS

34. Supervisor Comments:

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JUNE 13, 2007

- a.  **Request to Approve Contract;** Road Commission of Macomb County, Paving of a portion of 23 Mile Road.

Supervisor BRENNAN reviewed this matter and stated his recommendation for approval.

MOTION by BUCCI seconded by KOEHS to approve the Request to Approve Contract; Road Commission of Macomb County, Paving of a portion of 23 Mile Road in the amount of thirty nine thousand four hundred sixty five dollars and seventy five cents(\$39,465.75) and authorize the Supervisor to sign it.

MOTION carried.

- b.  **Request to Accept Voluntary Resignation Letter from Dennis LeMieux, Assistant Building Official**

MOTION by KRZEMINSKI seconded by NEVERS to accept the letter of voluntary resignation of Assistant Building Official Dennis LeMieux as presented.


MOTION carried.

- 34C Authorize Township Attorney Lawrence D'Loski to execute the Consent Judgment concerning Windemere Subdivision.

MOTION by KOEHS seconded by DUNN to Authorize Township Attorney Lawrence D'Loski to execute the Consent Judgment concerning Windemere Subdivision.

MOTION carried.

35. Clerk Comments:

- a.  **Request to Adopt Resolution;** Eagle Scout Recognition for Benjamin R. Dueweke.

Clerk KOEHS reviewed this matter and stated his recommendation for approval.

At a regularly scheduled meeting of the Board of Trustees of the Township of Macomb, County of Macomb, State of Michigan held in the Township Hall in said township on the 13th day of June, 2007 at 7:00 PM the following preamble resolution was offered by member Krzeminski and supported by member Bucci:

Whereas, Benjamin R. Dueweke started his Cub Scouting career with Cub Scout Pack 371 and then earned the Arrow of Light Award from Pack 248; and,

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JUNE 13, 2007

Whereas, Benjamin R. Dueweke continued his scouting career with Boy Scout Troop 248 and has distinguished himself by earning twenty seven merit badges; and,

Whereas, Benjamin R. Dueweke has served his fellow Scouts as Patrol Leader and Troop Guide; and,

Whereas, Benjamin R. Dueweke is an Honor Student and lettered athlete at Dakota High School; and

Whereas, Benjamin R. Dueweke, by his own actions and high moral standards, has made himself a role model to other scouts and his peers by achieving the prestigious rank of Eagle Scout,

Now Therefore Be It Resolved, by the Board of Trustees of the Township of Macomb, County of Macomb, State of Michigan speaking on behalf of all Macomb Township Citizens as follows:

That By These Presents, the Macomb Township Trustees recognize the dedication, commitment and personal sacrifices Benjamin R. Dueweke has made to obtain the rank of Eagle Scout; and,

Be It Further Resolved, that the Macomb Township Board of Trustees hereby commends and publicly extends its congratulations to Benjamin R. Dueweke on his elevation to Eagle Scout and furthers extends its best wishes to Benjamin in all of his future endeavors;

Now Therefore, the Macomb Township Board of Trustees hereby proclaims,
Friday, June 15, 2007 as
Benjamin R. Dueweke Day
In Macomb Township

FOR THIS RESOLUTION: Brennan, Koehs, Malburg, Bucci, Dunn, Krzeminski
Nevers.

MOTION carried.

36. Treasurer Comments:

37. Trustees Comments:

EXECUTIVE SESSION

38. **Consideration of a Proposed Consent Judgment;** Sycamore Hollow LLC vs. Macomb Township.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JUNE 13, 2007

Tabled to the June 27 Board meeting.

ADJOURNMENT

MOTION by BUCCI seconded by KRZEMINSKI to adjourn the Board meeting at 8:16 p.m.

MOTION carried.

Respectfully submitted,

John D. Brennan
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk