

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, OCTOBER 24, 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 were added.

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

4. The minutes of the previous meeting held on October 10, 2007 were reviewed and any additions, corrections or deletions were discussed and made.

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MOTION by DUNN seconded by MALBURG to approve the minutes of the meeting of October 10, 2007 as presented.














MOTION carried.

5. **Consent Agenda Items:**


A. Clerk's Department:

1. **Temporary Ground Sign Bond Release;** Jaguar, Land Rover and Saab of Lakeside; Section 33; Permanent Parcel No. 08-33-352-037.
2. **Wall Sign Bond Release;** Mobil Oil; Section 31; Permanent Parcel No. 08-31-100-006.
3. **Wall Sign Bond Release;** Carvel Ice Cream; Section 28; Permanent Parcel No. 08-28-101-010.
4. **Wall Sign Bond Release;** BoRic's Haircare; Section 17; Permanent Parcel No. 08-17-476-005.
5. **Wall Sign Bond Release;** Arby's Restaurant; Section 34; Permanent Parcel No. 08-34-351-003.
6. **Wall Sign Bond Release;** The Ice Cream Place; Section 17; Permanent Parcel No. 08-17-476-005.
7. **Wall Sign Bond Release;** Cingular Wireless; Section 17; Permanent Parcel No. 08-17-476-005.
8. **Wall Sign Bond Release;** Credit Union One; Section 31; Permanent Parcel No. 08-31-331-001 and 08-31-331-002.
9. **Wall Sign Bond Release;** Walgreen's Pharmacy; Section 23; Permanent Parcel No. 08-23-100-021.
10. **Wall Sign Bond Release;** Polish Market; Section 31; Permanent Parcel No. 08-30-102-001.
11. **Wall Sign Bond Release;** Truax Chiropractic; Section 27; Permanent Parcel No. 08-27-476-002.
12. **Ground Sign Bond Release;** Bethel Church of the Nazarene; Section 13; Permanent Parcel No. 08-13-300-055.
13. **Model Bond Release;** Lot 18 of Turnberry Pointe Subdivision; Section 29, Located on the west side of Romeo Plank Rd, 200 feet south of 22 Mile Rd.
14. **Wall Sign Bond Release;** CVS Pharmacy; Section 17; Permanent Parcel No. 08-17-476-005.
15. **Wall Sign Bond Release;** St. Clair Ortho and Sports Medicine; Section 33; Permanent Parcel No. 08-33-428-002.
16. **Wall Sign Bond Release;** KSI Kitchen and Bath; Section 31; Permanent Parcel No. 08-31-300-025.
17. **Wall Sign Bond Release;** National Coney Island; Section 31; Permanent Parcel No. 08-31-300-014.
18. **Ground Sign Bond Release;** Beck Centennial Elementary School; Section 7; Permanent Parcel No. 08-07-100-010.

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19.  **Ground Sign Bond Release**; CVS Pharmacy; Section 24; Permanent Parcel No. 08-24-100-001.
20.  **Ground Sign Bond Release**; Detronic Industries, Section 20; Permanent Parcel No. 08-20-104-001 and 08-20-104-002.
21.  **Wall Sign Bond Release**; TruGreen Chemlawn; Section 20; Permanent Parcel No. 08-20-103-004.
22.  **Wall Sign Bond Release**; Sunoco Gas Station; Section 36; Permanent Parcel No. 08-36-429-001.
23.  **Ground Sign Bond Release**; Cintas; Section 18; Permanent Parcel No. 08-18-4000-012.
24.  **Wall Sign Bond Release**; Randazzo's Fruit Market; Section 19; Permanent Parcel No. 08-19-300-017.
25.  **Wall Sign Bond Release**; Bravo Dance Studio; Section 17; Permanent Parcel No. 08-17-476-005.
26.  **Wall Sign Bond Release**; 7/11 and Gas Station; Section 18; Permanent Parcel No. 08-18-200-013.
27.  **Ground Sign Bond Release**; 7/11 and Gas Station; Section 18; Permanent Parcel No. 08-18-200-013.
28.  **Ground and Wall Sign Bond Release**; Discount Tire; Section 31; Permanent Parcel No. 08-31-300-028.
29.  **Entrance Ground Sign Bond Release**; Buckingham Village Subdivision #1; Section 21; Permanent Parcel No. 08-21-451-018 and 08-21-452-023.
30.  **Entrance Ground Sign Bond Release**; Buckingham Village Subdivision #1; Section 21; Permanent Parcel No. 08-21-476-013 and 08-21-477-014.
31.  **Wall Sign Bond Release**; The Aspen; Section 33; Permanent Parcel No. 08-33-478-001.

B. Water/Sewer Dept.

1.  Easement Encroachment Agreement; Patrick F. Neff, 54520 Jack Drive, Lot #139, Altermatt Farms Subdivision No. 2.

C. Human Resources

1.  Request for a Medical Leave of Absence; Fire 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 KOEHS seconded by KRZEMINSKI to approve the Consent Agenda as presented.

MOTION carried.

6. **Public Comments**

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None

PUBLIC HEARING

7. **Request for Industrial Tax Exemption** – Fabtronics, Inc., Petitioner, Permanent Parcel Number 08-18-326-011; 51682 Industrial Drive.

Supervisor BRENNAN opened the Public Hearing at 7:04 p.m. and Township Attorney Lawrence Dloski reviewed the proposal. He stated that the formula used by Macomb township to determine the number of years of availability for an abatement produced a figure of five (5) years. Mr. Eric Flynn, attorney for the petitioner, was present to answer any questions that the Board might have.

MOTION by BUCCI seconded by KRZEMINSKI to close the public hearing.

MOTION carried. The Public Hearing was closed at 7:06 p.m.

MOTION by KRZEMINSKI seconded by DUNN to adopt s resolution to approve the Industrial Facilities Exemption for a period of five (5) years.


Ayes: KRSEMINSKI, DUNN, NEVERS, BUCCI, MALBURG, KOEHS, BRENNAN

Nays: None

Abstain: None

MOTION carried. The resolution is declared adopted.

PLANNING

8.  **Extension of Time; Tentative Preliminary Plat, River Pointe Subdivision;** Permanent Parcel No. 08-06-300-030; Andrew Eskelininen Petitioner. Located on the North side of 25 Mile Road approximately 1,500 feet East of Hayes Road.

Mr. Jerome Schmeiser, Planning Consultant. reviewed this matter and stated his recommendation for approval for a period of one year.

MOTION by DUNN seconded by BUCCI to approve the request for an extension of time for the Tentative Preliminary Plat for the River Pointe Subdivision for one year, to expire on November 8, 2008.

MOTION carried.

NEW BUSINESS

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9.  **Eagle Scout Resolution & Proclamation;** Sean Thomas Bemiss.

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

MOTION by KRZEMINSKI seconded by MALBURG to adopt the following resolution:

Resolution Honoring
Eagle Scout
Sean T. Bemiss

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 24th day of October, 2007 at 7:00 PM the following preamble and resolution were offered by member Krzeminski and supported by member Malburg.

Whereas, Sean T. Bemiss started his scouting career with Pack 149 during which time he received his Arrow of Light; and,

Whereas, Sean T. Bemiss continued his scouting career with Boy Scout Troop 248 where he has distinguished himself by earning thirty one merit badges; and,

Whereas, Sean T. Bemiss has earned numerous awards and served as Assistant Patrol Leader, Patrol Leader and Librarian; and,

Whereas, Sean T. Bemiss is a student at Dakota High School where he is a member of the Senior Class and by his own actions, achievements and high moral standards has made himself a role model to other scouts and to his peers,

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 recognizes the dedication, commitment and personal sacrifices Sean T. Bemiss 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 Sean T. Bemiss on his elevation to Eagle Scout and furthers extends its best wishes to Sean in his future endeavors;

Now Therefore, the Macomb Township Board of Trustees hereby proclaims,

Friday, November 2, 2007
Sean T. Bemiss Day
in
Macomb Township

FOR THIS RESOLUTION: Supervisor John Brennan, Clerk Michael D. Koehs, Treasurer Marie Malburg, Trustees Dino F. Bucci Jr., Janet Dunn, Roger Krzeminski and Nancy Nevers.

MOTION carried. Resolution declared adopted.

ASSESSING DEPARTMENT

10.  **Request to purchase new file cabinets.**

Supervisor BRENNAN reviewed this matter and stated that the cabinet matches the existing ones and is from the same vendor, Interior Dynamics.

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MOTION by DUNN seconded by NEVERS to approve the purchase of a file cabinet for the assessing Department from Interior Dynamics in the amount of one thousand one hundred twenty three dollars (\$1,123.00).

MOTION carried.

FIRE DEPARTMENT

11. **Request to Sell 1990 Pierce Fire Engine.**

Chief Robert Phillips, reviewed this matter and due to the condition of the apparatus at this time, stated his recommendation for approval.

MOTION by KOEHS seconded by MALBURG to authorize the Fire Chief to offer for sale the 1990 Pierce Fire Engine for a minimum bid price of fifteen thousand dollars (\$15,000.00).

AYES: KOEHS, MALBURG, KRZEMINSKI, BUCCI, DUNN, NEVERS, BRENNAN.

NAYS: None

MOTION carried.

WATER AND SEWER DEPARTMENT

12. **Request to Authorize Payment; Engineer's Payment Certificate #4, Pump Station No. 7 Replacement, Ma05-026, Romeo Plank Road Water Main Replacement, MA06-010, Dan's Excavating.**

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

MOTION by BUCCI seconded by KRZEMINSKI to authorize the payment of Engineer's Payment Certificate #4 to Dan's Excavating in the amount of forty thousand six hundred seventy two dollars and sixteen cents (40,672.16).

MOTION carried.

13. **Request to Approve Sanitary Sewer Maintenance Work; Fairchild Road, Section 36.**

Mr. David Koss, Water & Sewer Superintendent, reviewed this matter and indicated that the recent inspection of the sewer line in this area revealed the need for these repairs. He further stated his recommendation for approval.

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MOTION by KRZEMINSKI seconded by MALBURG to approve the maintenance work and award the job to Subterranean, Inc. in the amount of twenty eight thousand six hundred seventy dollars (\$28,670.00).

MOTION carried.

BOARD COMMENTS

14. Supervisor Comments:

a.  **Request to initiate the process to revoke a liquor license.**

Supervisor BRENNAN reviewed this matter and stated his recommendation to hold a public hearing to revoke the liquor license at the Insomnia Bar.

MOTION by NEVERS seconded by BUCCI to initiate the process to revoke the liquor License from the Insomnia Bar and to hold a public hearing on this matter on Wednesday, December 12, 2007 at 7:00 p.m.

AYES: NEVERS, BUCCI, KRZEMINSKI, DUNN, MALBURG, KOEHS, BRENNAN.

NAYS: None

MOTION carried.

15. Clerk Comments: None

16. Treasurer Comments: None

17. Trustees Comments: None

EXECUTIVE SESSION

MOTION by BUCCI seconded by NEVERS to adjourn to Executive Session at 7:24 p.m.

MOTION carried.

The Board returned from Executive Session at 7:28 p.m.

18. **Proposed Consent Judgment;** Sycamore Hollow, LLC vs. Macomb Township.

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MOTION by KOEHS seconded by MALBURG to authorize the Supervisor, the Clerk and the Attorney to execute the Sycamore Hollows Consent Judgment as proposed.

AYES: KOEHS, MALBURG, KRZEMINSKI, BUCCI, DUNN, NEVERS,
BRENNAN.

NAYS: None

MOTION carried.

19. **Proposed Consent Judgment;** Hayes Macomb LLC vs. Macomb Township.

This matter was tabled indefinitely when the agenda was approved.

ADJOURNMENT

MOTION by BUCCI seconded by MALBURG to adjourn the Board meeting at 7:29 p.m.

MOTION carried.

Respectfully submitted,

John D. Brennan
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk