

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, FEBRUARY 13, 2008

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 20a, 20b, 20c and 20d 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 January 23, 2008 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 January 23, 2008 as presented.

MOTION carried.

5. **Consent Agenda Items:**



A. Clerk's Department:

1. **Site Plan Bond Release;** Fire Station No. 2 (Garage Addition); Holmes Craft, Petitioner. Permanent Parcel 08-32-201-011.
2. **Site Plan Bond Release;** Lu's Bingo Hall; RPP Associates, LLC, Petitioner. 18501 Hall Road.
3. **Wall Sign Bond Release;** Jiffy Lube; Dav-Tyre Enterprises, Petitioner. 15839 Hall Road.
4. **Entrance Ground Sign Bond Release;** Willowood Subdivision; 08-20-452-017 and 08-20-455-011.
5. **Wall Sign Bond Release;** Dragon Phoenix Restaurant; Dragon Phoenix, Petitioner. 18501 Hall Road.
6. **Site Plan Bond Release** for Awning Sign; Dragon Phoenix Restaurant; Signature Awning Co, Petitioner; 18501 Hall Road.
7. **Site Plan Bond Release** for Awning Sign; Manhattan Market; Belle Isle Awning Company, Petitioner. 18501 Hall Road.
8. **Ground Sign Bond Release;** Walgreen's Pharmacy; Gilbert Construction, Inc.; Petitioner. 21828 23 Mile Road.
9. **Wall Sign Bond Release;** Flagstar Bank; Gardner Signs, Inc.; Petitioner. 20355 Hall Road.
10. **Wall Sign Bond Release;** Arti's Diner; Commercial Signs, Petitioner. 16796 21 Mile Road.
11. **Monuments and Irons, Sanitary, Storm and Water main Bond Release;** Cambridge Commons Subdivision #2;
12. **Model Bond Release;** Lot 2 of Deerfield Park East; DiLusso Building Company, Petitioner. 49036 Morning Glory.
13. **Model Bond Release;** Building 16 of Hall Meadows Condominiums; Hall Meadows, LLC, Petitioner.
14. **Model Bond Release;** Lot 35 of Middlecreek Estates; Nautica Construction, Petitioner. 49103 Clinton Terrace Drive.
15. **Water Service Bond Release;** Bayberry Park #3; Elro Corporation, Petitioner.
16. **Temporary Ground Sign Bond Release;** Sycamore Community; Pulte Homes, Petitioner.
17. **Partial Site Plan Bond Release;** Park Lane Plaza; Nicholas Lubnik, LLC, Petitioner. Section 25. \$90,960.00 to \$10,000.00.
18. **Model Bond Release;** Lone Star Estates – Lot 15; Madison Homes of Michigan, Petitioner. 21784 Fort Worth Drive.
19. **Model Bond Release;** Lone Star Estates – Lot 14; Madison Homes of Michigan, Petitioner. 21766 Fort Worth Drive.





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20.  **Monuments and Irons Bond Release**; Bayberry Park Subdivision #3; Elro Corporation, Petitioner.
21.  **Monuments and Irons Bond Release**; Bayberry Place Subdivision #3; Elro Corporation, Petitioner.
22.  **Monuments and Irons Bond Release**; Bayberry Park Subdivision #4; Elro Corporation, Petitioner.
23.  **Monuments and Irons Bond Release**; Sumpter Forest Subdivision; Antonio Evangelista, Petitioner.
24.  **Sanitary, Water main and Storm Bond Release**; Springhill Meadows Subdivision; Abe Karam, Petitioner.
25.  **5' Wide Sidewalk Bond Release**; Springhill Meadows Subdivision; Abe Karam, Petitioner.

B. Human Resources

1.  Request for Personal Leave of Absence; Fire Department Employee.
2.  Request for Personal Leave of Absence; Building Department Employee.

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 presented.

MOTION carried.

6. **Public Comments**

PUBLIC HEARING


7.  **Consideration of Community Development Block Grant Projects**

The public hearing for the consideration of distribution of the Community Development Block Grant monies was opened at 7:07 p.m. by Supervisor BRENNAN. The amounts available and the requests for this money were read and no one else stepped forward to make a request. The awards for this money will be

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made at the Board of Trustees meeting scheduled for Wednesday, February 27, 2008. The public hearing was closed at 7:14 p.m.

PLANNING

8.  **Revised Site Plan for Landscaping; Golden Gate Estates;** Located on the west side of Card Road, ¼ mile north of 22 Mile Road; Section 22; Trilson Development – Petitioner. Permanent Parcel No. 08-22-400-036

Mr. Jerome Schmeiser, Planning Consultant, reviewed this matter and stated that this plan complies with the ordinance requirements, and he further stated his recommendation for approval.

MOTION by DUNN seconded by NEVERS to approve the Revised Site Plan for Landscaping; Golden Gate Estates; Located on the west side of Card Road, ¼ mile north of 22 Mile Road; Section 22; Trilson Development – Petitioner. Permanent Parcel No. 08-22-400-036

MOTION carried.

NEW BUSINESS

9.  **Request to Dedicate Card Road Right of Way;** Northwest ¼ of Section 14; Macomb Township; Parcel Number 08-14-100-005; Road Commission of Macomb County, Petitioner.

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

MOTION by KRZEMINSKI seconded by BUCCI to approve the request to dedicate the Card Road Right of Way; Northwest ¼ of Section 14; Macomb Township; Parcel Number 08-14-100-005 to the Road Commission of Macomb County.

MOTION carried.

10.  **Request for a Liquor License Transfer;** Waldenburg Bar and Grill, Inc., 48920 Romeo Plank Road. *(This matter was addressed at 7:40 p.m. in order to allow the petitioner to arrive.)*

Supervisor BRENNAN reviewed this matter and noted that there were numerous code violations on the site and that several departments had issues. He further stated his recommendation for denial, based on the Department reviews.

No one representing the petitioner was present to answer any questions the Board might have.

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MOTION by KRZEMINSKI seconded by NEVERS to deny the Request for a Liquor License Transfer at the Waldenburg Bar and Grill, 48920 Romeo Plank Road.

MOTION carried.

FIRE DEPARTMENT

11. **Request to Purchase Dress Uniforms;** Fire Department Command Staff.

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

MOTION by DUNN seconded by KOEHS to approve the purchase of 18 command officer dress uniforms for a total amount of four thousand six hundred sixteen dollars and eighty two cents (\$4,616.82).

MOTION carried.

12. **Request to Attend Training Conference;** Fire Department Instructors Conference.

Chief Robert Phillips, reviewed this matter and stated his recommendation for approval to allow himself and Lt. Gary Ross to attend this conference.

MOTION by BUCCI seconded by KRZEMINSKI to approve the attendance of Chief Robert Phillips and Lt. Gary Ross to attend the Fire Department Instructors Conference for an amount of two thousand three hundred twenty five dollars (\$2,325.00), meals and mileage to be reimbursed.

MOTION carried.

13. **Request to Approve and Adopt Policies and Procedures.**

Chief Robert Phillips, reviewed this matter and stated his recommendation for approval of the policies and procedures regarding the new Burn Tower.

MOTION by KOEHS seconded by DUNN to approve and adopt the policies and procedures concerning the Burn Tower as presented.

MOTION carried.

WATER AND SEWER DEPARTMENT

14. **Request to Approve Pay Certificate #8;** Pump Station #7 Replacement, MA05-026 & Romeo Plank Water Main Replacement, MA06-010. Dan's Excavating, Inc.

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

MOTION by DUNN seconded by NEVERS to approve the request for Pay Certificate #8; Pump Station #7 Replacement, MA05-026 & Romeo Plank Water Main Replacement, MA06-010 for Dan's Excavating, Inc. in the amount of three hundred sixty nine thousand nine hundred fourteen dollars and twenty one cents (\$369,914.21).

MOTION carried.

15.  **Request to Approve Pay Certificate #3; Training Tower, MA07-015. Lakeview Excavating.**

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

MOTION by BUCCI seconded by KRZEMSINKI to approve the request for Pay Certificate #3; Training Tower, MA07-015 for Lakeview Excavating in the amount of forty thousand six hundred dollars (\$40,600.00).

MOTION carried.

16.  **Request to extend Sanitary Sewer service; Along 25 Mile Road, Section 4; Macomb Corners Park, Phase II.**

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 extend Sanitary Sewer service; Along 25 Mile Road, Section 4 to service Phase II of the Macomb Corners Park in the amount of two hundred sixty nine thousand nine hundred forty three dollars and thirty cents (\$269,943.30).

MOTION carried.

17.  **Request to Update Munis Billing System.**

Mr. David Koss, Water & Sewer Superintendent, reviewed this matter and stated his recommendation for approval to add the bar coding and zip plus for module to the current MUNIS software package.

MOTION by DUNN seconded by NEVERS to approve the Request to Update Munis Billing System for an amount of five thousand four hundred dollars (\$5,400.00), and to approve the annual maintenance fee of one thousand three hundred ninety five dollars (\$1,395.00).

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MOTION carried.

18. **Annual Storm Water Discharge Permit Fee.**

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

MOTION by KOEHS seconded by DUNN to approve payment of the MDEQ Annual Storm Water Discharge Permit Fee in the amount of five hundred dollars (\$500.00).

MOTION carried.

19. **Purchase Requisition; SLC Meter Service.**

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

MOTION by KRZEMINSKI seconded by MALBURG to approve the Purchase Requisition for SLC Meter Service in the amount of ten thousand seven hundred sixty nine dollars and fifty nine cents (\$10,769.59).

MOTION carried.

BOARD COMMENTS

20. Supervisor Comments:

a. **Request to appoint Terri Campion to the Zoning Board of Appeals.**

Supervisor BRENNAN reviewed this matter and stated his recommendation to approve this appointment to the ZBA.

MOTION by DUNN seconded by NEVERS to approve the appointment of Ms. Terri Campion to the Zoning Board of Appeals for a term expiring on December 31, 2008.

MOTION carried.

b. **Request to authorize the Sanitary Sewer Study and Special Assessment District Formal Petition; Austin Catholic Academy.**

Supervisor BRENNAN reviewed this matter and stated his recommendation to authorize the engineers to estimate the cost of the sanitary sewer and to have legal counsel prepare the formal petition for a special assessment district.

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MOTION by KRZEMINSKI seconded by DUNN to authorize Spalding DeDecker Associates to prepare the Engineering Estimate for the Sanitary Sewer project at the proposed Austin Catholic academy and to have the Township Legal Counsel prepare the formal petition for the special assessment district for this same project.

MOTION carried.

c.  **Request to grant a temporary Certificate of Occupancy to the Lee-Ellena Funeral Home on Romeo Plank Road, south of 21 Mile Road.**

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

MOTION by DUNN seconded by KRZEMINSKI to approve the temporary Certificate of Occupancy for the Lee-Ellena Funeral Home for a period to expire on June 1, 2008.

MOTION carried.

d.  **Request to Authorize Legal Counsel to initiate Circuit Court action.**

Supervisor BRENNAN reviewed this matter concerning a rehabilitation center that has opened up in a residential area which violates our zoning ordinance. He further stated his recommendation for approval.

MOTION by BUCCI seconded by MALBURG to authorize legal counsel to initiate Circuit Court action against the Macomb Hillside Manor on Romeo Plank Road north of 25 Mile Road.

MOTION carried.

- 21. Clerk Comments: None
- 22. Treasurer Comments: None
- 23. Trustees Comments: None

EXECUTIVE SESSION

MOTION by BUCCI seconded by KRZEMINSKI to adjourn to Executive Session at 7:41 p.m.

MOTION carried.

(Returned from Executive Session at 8:04 p.m.)

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24. **Proposed Consent Judgment;** Hayes Macomb Properties, LLC vs. Macomb Township; 07-3017-CE.

MOTION by KOEHS seconded by DUNN to authorize the Supervisor and Attorney to sign the Consent Judgment in the matter of Hayes Macomb Properties, LLC vs. Macomb Township; 07-3017-CE, as presented.

MOTION carried.

ADJOURNMENT

MOTION by BUCCI seconded by KRZEMINSKI to adjourn the Board of Trustees meeting at 8:06 p.m.

MOTION carried.

Respectfully submitted,

John D. Brennan
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk