

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JUNE 24, 2009

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

PRESENT: MARK H. GRABOW, 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 GRABOW 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 9a, 9b and 9c were added and item 5C2 was tabled to next board meeting of July 8, 2009.

**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 MALBURG to approve both bill runs as presented.**

**MOTION carried.**

**APPROVAL OF THE PREVIOUS MEETING MINUTES**

4. The minutes of the previous meetings held on June 10, 2009 and June 17, 2009 were reviewed and any additions, corrections or deletions were discussed and made.

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**MOTION by DUNN seconded by NEVERS to approve the minutes of the meeting of June 10, 2009 as presented.**

**MOTION carried.**

**5. Consent Agenda Items:**

**A. Clerk's Department:**

1. Wall Sign Bond Release; Kroger at Macomb Park; Earl Daup Signs, Petitioner.
2. Ground Sign Bond Release; TRI-59 II, LLC Outlot; B-B Sign and Lighting, Inc, Petitioner.
3. Site Plan Bond Release; Hall Road Commerce Center; Hall Road Commerce Center, Petitioner.
4. Temporary Builder Ground Sign Bond Release; Macomb Town Center South; Polaris Enterprises, Petitioner.
5. Ground Sign Bond Release; Rite Aid Pharmacy; Allied Signs, Inc., Petitioner.
6. Wall Sign Bond Release; The Hub Sports Bistro; EAB Enterprises, LLC, Petitioner.
7. Wall Sign Bond Release; Chez Pizza; M.D. Lighting, Petitioner.
8. Wall Sign Bond Release; Advanced Auto Parts, Allied Signs, Inc., Petitioner.
9. Site Plan Bond Release; Wolverine Golf Club Course; Wolverine Golf Club Inc., Petitioner.
10. Site Plan Bond Release; Russ Milne Ford Dealership; Russ Milne Ford Inc.,Petitioner.
11. Site Plan Bond Release; Chief's Pizza; Thomas J. Sexton, Petitioner.
12. Site Plan and Ground Sign Bond Release; Macomb Industrial Park Building #23; Boulders Construction Inc., Petitioner.
13. Site Plan Bond Release; Kelly Industrial Building; A & H, Inc., Petitioner.
14. Site Plan Bond Release; American Food Company, Michael Ventimiglia and Gregory Iacobelli, Petitioner.
15. Site Plan Bond Release; Macomb Industrial Park Units 5 and 6; GTR Builders, Inc., Petitioner.
16. Site Plan Bond Release; Macomb Industrial Park Unit 10; Lorenzo John Cavaliere, LLC, Petitioner.
17. Site Plan Bond Release; St. John Romeo Plank Medical Center; St. John Health System, Petitioner.
18. Site Plan Bond Release; Michigan Production Machining; Michigan Production Machining, Petitioner.
19. Site Plan Bond Release; Dimension Machine Tool, Inc. (Lot 16 of Macomb Industrial Park); Dimension Machine Tool, Inc., Petitioner.
20. Site Plan Bond Release; Sycamore Hills Golf Club; Kenneth Schwark, Petitioner.
21. Site Plan Bond Release; Cintas Building; Quadrate Development LLC, Petitioner.

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22. Site Plan Bond Release; Macomb Industrial Park Buildings #2 and #3; Lorenzo John Cavaliere LLC, Petitioner.

B. Human Resources

1. Request for a Medical Leave of Absence

C. Water and Sewer

1. Easement Encroachment Agreement; Easement Encroachment: Torri Tullos & Theojana M. Tullos, 49367 Clinton Terrace Dr, Sidwell # 08-21-353-007.
2. Easement Encroachment Agreement; Sal L. Patrico & Brooke M. Patrico, 50429 Pinnacle Woods Lane, Sidwell # 08-24-229-013. (**Tabled to July 8, 2009**)

Supervisor GRABOW 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. Item 5C2 was tabled to the next Board meeting of July 8, 2009 and items 9a, 9b and 9c were added. Also, item 11 was removed and item 12 was tabled indefinitely.


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

**MOTION carried.**

6. **Public Comments**

George Vanloon stated concerns that he was being edited on the meeting rebroadcasts. Pat Gregory, Kathleen Borgis, Valarie Drese, Fran Meerschart, Frank Kogelman, Judy Roberts, Robin Putrycus, Kevin Kerwowicz, Tom Habel, Frank Chianese, Margo Vranic, Donna Keller, Bark Holz, Robert Barsoti, Joyce Black, William Oliver, Irma Raddigan, Chris Hadjisosronirus all expressed concerns regarding Tina's Country Tavern being allowed to open, bid procedures for document imaging, law enforcement issues, recall issues, job issues, sidewalk issues and senior citizen issues. Terry Campion and Robert Schmidt both stated they were happy with living in Macomb Township.

**PLANNING**

7.  **Final Preliminary Plat; Portofino Villas Subdivision**; Located on the west side of Card Road, ¼ mile north of 23 Mile Road; Section 15; Portofino Development Company, Petitioner. Permanent Parcel 08-15-426-006.

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

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**MOTION by DUNN seconded by KOEHS to approve the Final Preliminary Plat; Portofino Villas Subdivision; as presented.**

**MOTION carried.**

8. Request Zoning Ordinance Text Amendment Re: Housing for Older Persons.  
(Tabled from May 13, 2009)

Mr. Jerome Schmeiser, Planning Consultant, reviewed this matter and stated that the final amendment language was completed and he also stated his recommendation for approval of this amendment.

**MOTION by KRZEMINSKI seconded by BUCCI to approve the Zoning Ordinance Text Amendment Re: Housing for Older Persons as presented.**

**MOTION carried.**

**NEW BUSINESS**

9. Request for Transfer of a Class C Liquor License for Eastside Grill; Located at 47250 Hayes Road; Section 30; Mary Tartaglia-Petitioner

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

**MOTION by KRZEMINSKI seconded by NEVERS to approve the Request for Transfer of a Class C Liquor License for Eastside Grill; Located at 47250 Hayes Road as presented.**

**MOTION carried.**

- 9a. Request for Authorization to Defend Ozzad Property Management v. Macomb Township

**MOTION by KRZEMINSKI seconded by DUNN to authorize Legal Counsel to defend Ozzad v. Macomb Township as presented.**

**MOTION carried.**

**PARKS AND RECREATION**

- 9b. Bid Award for Park and Recreation-Earthwork for Macomb Corners Park

Sal DiCaro, Park & Rec Director addressed the Board regarding two bids to begin work by July 8, 2009 at Macomb Corners Park and expressed his approval for a bid from Stante Excavating for the amount of \$1,398,877.00. The second bid discussed by Mr. DiCaro was for concrete work at Macomb Corners Park and he recommended Quality in the amount of \$308,370.00.

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**MOTION by BUCCI seconded by KRZEMINSKI to award the Macomb Corners Park Phase II earth work bid to Stante Excavating in the amount of one million three hundred ninety eight thousand eight hundred seventy seven dollars (\$1,398,877.00), and to award the Macomb Corners Park Phase II concrete bid to Koala-T in the amount of three hundred eight thousand three hundred seventy dollars (\$308,370.00).**

**MOTION Carried**

- 9c. Request from Building Department to Purchase Five (5) Computers

Dan Fairless, the Building Department Official, stated to the Board the need for five new desktop computers to replace five old computers. He indicated this would facilitate the future use of document imaging to be used within the township. The cost would be \$797.00 each, total cost not to exceed four thousand dollars. (\$4000.00).

**MOTION by DUNN seconded by NEVERS to approve the purchase of five (5) new desktop computers for Building Department for a total cost not to exceed \$4000.00.**

**MOTION carried.**

10. Request to Adopt Resolution for the Proposed Budget for Fiscal Year 2009-2010

Clerk KOEHS addressed the Board regarding this issue and recommended adopting the following Budget Resolution as discussed at prior Public Hearing meeting:

**GENERAL APPROPRIATIONS ACT  
Macomb Township  
Fiscal Year 2009-2010**

**An Act to provide for the adoption of a budget proposed by the Township Supervisor containing estimates of proposed revenues, expenditures, and to provide for the levy of taxes for the fiscal year beginning July 1, 2009 and ending June 30, 2010 in accordance with Michigan Public Act 621 of 1978.**

***Be it resolved* by the Board of Trustees, Township of Macomb, County of Macomb, State of Michigan.**

**Section 1. That for the expenses of Township Government and its activities for the fiscal year, beginning July 1, 2009 and ending June 30, 2010 the following Sections are hereby appropriated:**

**Section 2. That for the said fiscal year there is hereby appropriated out of the General Fund \$ 9,777,190.00**

**Section 3. That for the said fiscal year there is hereby appropriated out of the Municipal Street Fund \$ 200,500.00**

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Section 4. That for the said fiscal year there is hereby appropriated out of the Fire Fund -  
Operations Fund \$ 3,952,770.00  
Improvement Fund \$ 560,000.00

Section 5. That for the said fiscal year there is hereby appropriated out of the Parks / Recreation Fund \$ 5,008,285.00

Section 6. That for the said fiscal year there is hereby appropriated out of the Law Enforcement Fund \$ 3,113,400.00

Section 7. That for the said fiscal year there is hereby appropriated out of the Building Authority Construction Fund \$ 4,600,400.00

Section 8. That for the said fiscal year there is hereby appropriated out of the Fire Retirement Systems Fund \$ 32,065.00

Section 9. Those amounts budgeted for specific items or purposes and not required to be utilized for such items and purposes may be rebudgeted by the Township Supervisor for other items and purposes within the same funds for which such allocation was originally made with the consent of the Board of Trustees.

Section 10. The information summary with respect to the Water and Sewer Funds, while not subject to the budgetary process, is incorporated herein for purposes of information and reference.

MOTION by KRZEMINSKI seconded by MALBURG to adopt the Budget Resolution for 2009-2010 as presented.

YEA: KRZEMINSKI , MALBURG. DUNN, BUCCI, NEVERS, KOEHS, GRABOW  
NEA: NONE  
ABSENT: NONE

MOTION carried.

Adopted this 24<sup>th</sup> day of June 2009.

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Mark H. Grabow, Macomb Township Supervisor

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Attested, Michael D. Koehs, Macomb Township Clerk

**FIRE DEPARTMENT**

11. Recommendation to Terminate Probationary Firefighter

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**(This item was removed from the agenda due to resignation letter received from the employee. No action taken.)**

12. Request to Purchase 2009 KME Mini-Pumper

**This item was tabled indefinitely - No action taken.**

**HUMAN RESOURCES**

13. Authorization for Final Payment

Mr. John Brogowicz, Human Resource Director, addressed this issue with the Board and recommended the final payment to employee that resigned for her time banks in the amount of \$7,905.44.

**MOTION by NEVERS seconded by DUNN to approve this final payment for employee that resigned for seven thousand nine hundred five dollars and forty four cents (\$7,905.44).**

**MOTION carried.**

**WATER AND SEWER DEPARTMENT**

14. Engineer's Payment Certificate No. 4; Romeo Plank Road Water Main Replacement SDA Job No. MA07-008.

Mr. Gerry Wangelin, Water & Sewer Superintendent, reviewed this matter and stated his recommendation for approval for Sante Excavating for the amount of \$59,246.23.

**MOTION by BUCCI seconded by KRZEMINSKI to approve the Engineer's Payment Certificate No. 4; Romeo Plank Road Water Main Replacement SDA Job No. MA07-008. for the amount of \$59,246.23 as presented.**

**MOTION carried.**

15. Request to Replace Water/Sewer Vehicle.

Mr. Gerry Wangelin, Water & Sewer Superintendent, reviewed this matter and stated his recommendation for approval to purchase a cargo van from Varsity Ford for \$18,173.00 and to turn over the old vehicle to the Broadcast Media Department.

**MOTION by BUCCI seconded by MALBURG to approve the purchase a cargo van from Varsity Ford for eighteen thousand one hundred seventy three dollars (\$18,173.00) and to turn over the old vehicle to the Broadcast Media Department as presented with the stipulation that bids be obtained in the future regarding add on items for vehicles purchased.**

**MOTION carried.**

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**BOARD COMMENTS**

16. Supervisor Comments:

Supervisor GRABOW advised the Board that the original request for a traffic signal at Broughton Road and 25 Mile has been denied by the Macomb County Road Commission but that other options are being looked at regarding that item. Also he thanked the seniors for coming out to the Seniors Picnic. He also stated sidewalks are being looked at on Broughton from the Ice Rink to the Park & Rec Building possibly through grants. He also stated that no video recording of any meeting is tampered with and invited Mr. VanLoon to call him and come in to see the process to put his mind at ease regarding editing of videos. Supervisor GRABOW stated that is never done.

17. Clerk Comments:

Clerk KOEHS addressed several issues brought up at the Public Portion part of this meeting. He addressed the comments regarding the Document Imaging process and assured everyone that there were no improprieties in the bid process and that the system demonstrations given last week were open to the public.

He spoke further regarding the continuing call for 65 additional policemen, now down to 12, and indicated that the 4 that have been funded for next year are what the Sheriff requested, and that no tax or millage levy increase would be necessary.

He denied the allegation from one citizen who said that Mr. Koehs was related to the former owners of the Mutt and Jeff Restaurant.

He informed the public about the circumstances of the Tavern at Tina's issue and explained that they were the one's that violated the ordinances and then repeatedly sued the township.

And lastly he spoke about the senior issues and clarified that Supervisor Grabow was personally involved with the creation of the Macomb Township Senior Citizens Advisory Council and that it was not an official entity of Macomb Township. He further suggested that the Board appoint a Senior Citizens Committee to allow for a formal channel to be used by any senior citizen to make the Board aware of their issues.

18. Treasurer Comments: Treasurer MALBURG stated that unemployment is bad throughout the country, not just Macomb Township.

19. Trustees Comments:

Discussion among the Trustees led to a motion to form a Senior Citizens Committee with Members KRZEMINSKI, DUNN and NEVERS and to send a letter to township seniors inviting them to participate in this committee.

**MOTION by BUCCI seconded by MALBURG to form the Senior Citizens Committee and to appoint Board Members KRZEMINSKI, DUNN and NEVERS to this committee.**

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**MOTION carried.**

**EXECUTIVE SESSION**

**MOTION by BUCCI seconded by KRZEMINSKI to adjourn to Executive Session at 8:48 p.m.**

**MOTION carried.**

*(The Board returned from Executive Session at 9: 27 p.m.)*

**20. Personnel Issue - Parks & Recreation**

**MOTION by KOEHS seconded by KRZEMINSKI to concur with the findings of Legal Counsel and Human Resources and close this matter with no further action.**

**MOTION carried.**

**ADJOURNMENT**

**MOTION by BUCCI seconded by KRZEMINSKI to adjourn the Board meeting at 9:30 p.m.**

**MOTION carried.**

Respectfully submitted,

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Mark H. Grabow  
Macomb Township Supervisor

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Michael D. Koehs, CMC  
Macomb Township Clerk