

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 8, 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 6A and 8A 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 or corrections. However, one item was removed for further investigation by Human Resources and Legal Counsel.

**MOTION by NEVERS seconded by KRZEMINSKI to approve both bill runs as presented except for one item being removed for further review by Human Resource Department and Legal Counsel.**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 8, 2009

**MOTION carried.**

**APPROVAL OF THE PREVIOUS MEETING MINUTES**

4. The minutes of the previous meeting held on June 24, 2009 were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by NEVERS seconded by DUNN to approve the minutes of the meeting of June 24, 2009 as presented.**

**MOTION carried.**

5.  **Consent Agenda Items:**

A. Clerk's Department:

1. Site Development Bond Release; Pine Pointe Subdivision; Elro Corporation, Petitioner.
2. Special Event Bond Return; Kroger at Macomb Park; Kroger Company of Michigan, Petitioner
3. Special Events Bond Return; The Hub Sports Bistro; EAB Enterprises, Petitioner.
4. Temporary Builder Ground Sign Bond Release; Pinnacle Woods; Landtec of Macomb, Petitioner.
5. Temporary Builder Ground Sign Bond Release; Pheasant Run Subdivision; Warren Condominiums, Petitioner.

B. Water/Sewer Dept.

1. Easement Encroachment Agreement; Sal L. Patrico & Brooke M. Patrico, 50429 Pinnacle Woods Lane, Sidwell # 08-24-229-013. Tabled from June 24, 2009
2. Easement Encroachment: Robert G. Semaan & Sanaa Semaan, 48777 Strawberry Knoll Lane, Lot 5, Strawberry Knolls Subdivision. Sidwell # 08-30-203-042

C. Department Monthly Reports:

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

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, 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.

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

**MOTION carried.**

**6. Public Comments**

Tom Habel, R. Myers, Violet Hagnan, Tom McManus, Ira Righi, Robert Gingas, Nick Teller, Rep. Kim Meltzer and Rick Copeland addressed several issues with the Board of Trustees.

**6a. Building Security Issue**

Clerk KOEHS addressed the Board about a security issue in the Town Hall lobby that occurred during the last Board meeting on June 24, 2009 by showing a video of an alleged violation. Clerk KOEHS then asked the Board for authorization to investigate the incident further and present the findings to the County Prosecutor to determine whether or not a crime was committed.

**MOTION by NEVERS seconded by DUNN to authorize the Clerk to investigate the incident and present the findings to the Prosecutor for determination of criminal wrongdoing.**

**YEA: NEVERS, DUNN, KRZEMINSKI, BUCCI, MALBURG, KOEHS**

**NAY: GRABOW**

**MOTION carried.**

**NEW BUSINESS**

**7. Public Hearing: Amendment to the Zoning Ordinance regarding Regulation of Signs**

Legal Counsel Larry D'loski and Planning Consultant Jerome Schmeiser reviewed this item, stating that this was the public hearing for removing the Sign Ordinance from the Zoning Ordinance and placing it in the Township Code of

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 8, 2009

Ordinances. His recommendation was to table this item until the July 22, 2009 meeting and then to consider adopting both items at that meeting.

**MOTION by BUCCI seconded by KRZEMINSKI to table this item to the July 22, 2009 Board meeting.**

**MOTION carried.**

8. American Tower Corporation Proposal

Legal Counsel Larry D'loski reviewed this matter regarding cell phone towers for the Board of Trustees.

**MOTION by KRZEMINSKI seconded by DUNN to reject the proposal from American Tower Corporation.**

**MOTION carried.**

8a. Request to Amend the Zoning Ordinance Text: Mixed Use Zones

Clerk KOEHS reviewed this item for the Board of Trustees, and asked for permission to draft a proposed amendment to the Zoning Ordinance Text pertaining to Mixed Use Zones.

**MOTION by BUCCI seconded by NEVERS to allow Clerk Michael Koehs to draft a proposed amendment to the Zoning Ordinance Text pertaining to Mixed Use Zones.**

**MOTION carried.**

**PARKS AND RECREATION**

9. Request to Award Bids for Macomb Corners Park Phase II

Mr. Salvatore Dicaro, Parks and Recreation Director, reviewed this matter and stated his recommendations for approval for the following bids for Macomb Corners Park, Phase II:

Bituminous Concrete Paving #2; Nagle Paving for \$220,970.00  
Field Under Draining System #4; Water Management Specialists for \$285,550.00  
Pre-Fabricated Bridge #5; Novak Construction for \$224,000.00  
Irrigation System #8; Trost Irrigation for \$126,800.00  
General trades #9; M. L. Schoenerr for \$233,700.00

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 8, 2009

Fencing #10; Riteway for 139,673.00  
Landscaping #11; United Lawnscape for \$139,899.00  
Mechanical #17; Contract Mechanical for \$37,400.00

**MOTION by DUNN seconded by NEVERS to approve the bid for Bituminous Concrete Paving #2; Nagle Paving for two hundred twenty thousand, nine hundred seventy dollars (\$220,970.00) as presented.**

**MOTION carried.**

**MOTION by KRZEMINSKI seconded by BUCCI to approve the bid for Field Under Draining System #4; Water Management Specialists for two hundred eighty five thousand, five hundred fifty dollars (\$285,550.00) as presented.**  
**MOTION carried.**

**MOTION by DUNN seconded by NEVERS to approve the bid for Pre-Fabricated Bridge #5; Novak Construction for two hundred twenty-four thousand dollars (\$224,000.00) as presented.**

**MOTION carried.**

**MOTION by DUNN seconded by NEVERS to approve the bid for Irrigation System #8; Trost irrigation for one hundred twenty-six thousand, eight hundred dollars (\$126,800.00) as presented.**

**MOTION carried.**

**MOTION by KRZEMINSKI seconded by BUCCI to approve the bid for General Trades #9; M. L. Schoenerr for two hundred thirty-three thousand, seven hundred dollars (\$233,700.00) as presented.**

**MOTION carried.**

**MOTION by DUNN seconded by NEVERS to approve the bid for Fencing #10; Riteway for one hundred thirty nine thousand, six hundred seventy-three Dollars (\$139,673.00) as presented.**

**MOTION carried.**

**MOTION by BUCCI seconded by KRZEMINSKI to approve the bid for Landscaping # 11; United Lawnscape for one hundred thirty-nine thousand, eight hundred ninety nine dollars (\$139,899.00) as presented.**

**MOTION carried.**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 8, 2009

**MOTION by NEVERS seconded by MALBURG to approve the bid for Mechanical #17; Contract Mechanical for thirty-seven thousand, four hundred dollars (\$37,400.00) as presented.**

**MOTION carried.**

## **HUMAN RESOURCES**

10. Benefit Advisory Consultant

Mr. John Brogowicz, Human Resources Director, reviewed this matter and stated his recommendation for McGraw Wentworth for this position. He stated there would be no cost to the Township, that the insurance companies pay the costs of such services.

**MOTION by KRZEMINSKI seconded by BUCCI to approve the selection of McGraw Wentworth as the Benefit Advisory Consultant for Macomb Township.**

**MOTION carried.**

11. Michigan Public Employer Labor Relations Association Annual Conference

Mr. John Brogowicz, Human Resources Director, reviewed this matter and stated his recommendation for approval at a cost of \$442.00 plus meals and mileage.

**MOTION by DUNN seconded by BUCCI to approve the request for Human Resource's Sharalyn Arft to attend the Michigan Public Employer Labor Relations Association Annual Conference as a cost of four hundred forty-two dollars (\$442.00) plus mileage and meals.**

**MOTION carried.**

## **BOARD COMMENTS**

12. Supervisor Comments:

Supervisor GRABOW advised seniors to call the number given for the Senior Advisory Committee, for follow up from him. Calls should be after hours and residents were directed not to call Town Hall during during the day. He also thanked the Water & Sewer Department for their work on a water main recently without resulting in a "water boil issue" being

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 8, 2009

needed. He also thanked Parks and Recreation Director Salvatore DiCaro for his work in securing the recent bids for Macomb Corners Park Phase II.

13. Clerk Comments:

Clerk KOEHS addressed and answered several issues and questions that came up at the last Board meeting from residents as well as issues brought up at this meeting.

14. Treasurer Comments: none

15. Trustees Comments:

Trustee BUCCI asked that the **Manpower Study be placed on the August 12, 2009 Board meeting agenda.**

**MOTION by BUCCI seconded by KRZEMINSKI to place the Manpower Study on the August 12, 2009 Board agenda for review.**

**MOTION carried.**

Trustee KRZEMINSKI thanked Clerk KOEHS for his comments, as did Trustee NEVERS.

**MOTION by BUCCI seconded by KOEHS to move to Executive Session at 8:28 p.m.**

**MOTION carried.**

**EXECUTIVE SESSION**

**Back from Executive Session at 8:52 p.m.**

16. Malone Condemnation

**MOTION by KOEHS seconded by BUCCI to accept the Case Evaluation Award and pay the statutory costs.**

**MOTION carried.**

17. 25 Mile Rd. Easement Acquisition

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JULY 8, 2009

**MOTION by KOEHS seconded by KRZEMINSKI to reject the offer and for Legal Counsel to make a counter offer.**

**MOTION carried.**

18. Koss Fire Arbitration

**MOTION by KOEHS seconded by DUNN to authorize Legal Counsel to re-arbitrate this personnel issue.**

**MOTION carried.**

**ADJOURNMENT**

**MOTION by BUCCI seconded by KRZEMINSKI to adjourn the Board meeting at 8:53 p.m.**

**MOTION carried.**

Respectfully submitted,

---

Mark H. Grabow  
Macomb Township Supervisor

---

Michael D. Koehs, CMC  
Macomb Township Clerk