

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 22, 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 item 9 was tabled to 8-12-09 meeting and item 15 tabled indefinitely. Items 23 and 24 added to Executive session.

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 DUNN to approve both bill runs as presented.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES

4. The minutes of the previous meeting held on July 8, 2009 were reviewed and any additions, corrections or deletions were discussed and made.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 22, 2009

MOTION by DUNN seconded by NEVERS to approve the minutes of the meeting of July 8, 2009 as corrected.






MOTION carried.

5.  **Consent Agenda Items:**

A. Clerk's Department:

1. Wall Sign Bond Release; ACF Stores, LLC, Harmon Sign, Inc., Petitioner.
2. Special Events Bond Release; Jiffy Lube; Dav-Tyre Enterprises, Inc. Petitioner.
3. Site Plan Bond Release; Walgreen's Pharmacy; Alfred Tartaglia, Petitioner.
4. Monuments and Irons Bond Release; Brook Run Subdivision; GTR Builders, Petitioner.
5. Monuments and Irons Bond Release; Middle Branch Estates; Concord Industrial Group, Petitioner.
6. Ground Sign Bond Release; Glen Eden Memorial Park; Glen Eden Lutheran Memorial Park, Petitioner.
7. As-Built Bond Release; Middlecreek Estates Subdivision; Middlecreek Development Limited, Petitioner.

B. Water/Sewer Dept:

1.  Easement Encroachment: Samuel A. Wasik & Cindy Quick-Wasik, husband & wife, 48646 Lorenzo Drive, Macomb, MI, 48044, Lot 128, Rose Pointe Estates Subdivision.
2.  Easement Encroachment: 17201 Muirfield Drive, Macomb, MI, 48042, Lot 150, Country Club Village of the North.
3.  Easement Encroachment: 18161 Sabine Drive, Macomb, MI, 48042, Lot 222, Sumpter Forest Subdivision.
4.  Easement Encroachment: 50284 Shenandoah Drive, Macomb, MI, 48044, Lot 61, Stagsleap Pointe Subdivision.
5.  Purchase Requisition: Blue Water Tires (Truck 122)

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 BUCCI seconded by MALBURG to approve the Consent Agenda as presented.

MOTION carried.

Presentation of Life Safety Awards to Macomb Firefighters, AED Donation to Macomb Township Offices by Medstar.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 22, 2009

Fire Chief Phillips presented Life Saving Awards to several township firemen for their lifesaving efforts in the line of duty.

Mr. Kolby Miller from Medstar, talked about the defibulator program and donated one to the township.

6. Public Comments

Supervisor Grabow stated he would like to waive the 3 minute rule and try a five (5) minute time limit for residents to speak under Public Comments section for tonight only.

MOTION by BUCCI seconded by KRZEMINSKI to waive the 3 minute rule for tonight only.

MOTION carried.

The following people spoke under Public Portion regarding a variety of issues: William Franchy, Wanda Sudal, Robert Barsotti, Cathleen Borgia, Rita Bacon, Ben Polselli, Brian Winston, Tom Hable, Mathew Karraneja, Rona Myers, Mark Michling, Curtis Williams, Kevin Karwowicz, Maryjo Imbronone, Richard Copeland, Aaron Tuckfield and Elizabeth Malburg.

PLANNING

7. Adoption of an Ordinance to Regulate Signs

Mr. Jerome Schmeiser, Planning Consultant, and Larry D'loski, Legal Counsel, reviewed this matter and stated their recommendation for approval.

MOTION by DUNN seconded by BUCCI to approve the Adoption of an Ordinance to Regulate Signs as presented and summarized below:

**MACOMB TOWNSHIP
MACOMB COUNTY, MICHIGAN
SUMMARY OF CHAPTER 20 OF THE TOWNSHIP CODE
PERTAINING TO SIGN AND SIGN REGULATIONS**

Section 20-1. Short Title. This chapter shall be know and cited as the Macomb Township Sign Ordinance.

SECTION 1. SEVERABILITY

If any section, paragraph, clause or provision of this Ordinance is for any reason held to be invalid or unconstitutional, the invalidity or unconstitutionality of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 2. PUBLICATION

This Ordinance shall be published in full in the *Macomb Daily* a newspaper of general circulation in the Township of Macomb, within thirty (30) days after its adoption.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 22, 2009

SECTION 3. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days from and after the date of publication of a true copy in a newspaper circulating within the Township of Macomb, as provided by Section 2.

MOTION carried.

8. Amendment to Zoning Ordinance Regarding Regulation of Signs

Mr. Jerome Schmeiser, Planning Consultant, and Larry D'loski, Legal Counsel, reviewed this matter and stated their recommendation for approval.

MOTION by DUNN seconded by KOEHS to approve the Amendment to Zoning Ordinance Regarding Regulation of Signs as presented and summarized below:

**MACOMB TOWNSHIP
MACOMB COUNTY, MICHIGAN
SUMMARY OF AMENDMENTS TO THE
TOWNSHIP ZONING ORDINANCE**

ARTICLE I. In General. On July 22, 2009, the Township Board of Trustees, adopted amendments to the Township zoning ordinance regarding signs. The amendments removed all reference to signs and regulations thereof from the Township zoning ordinance. Signs will be regulated by a new ordinance contained in the Township Code of Ordinances.

ARTICLE II. Certification. I hereby certify that the foregoing constitutes a true and complete summary of the zoning ordinance amendments adopted by the Township Board of Macomb Township, Macomb County, Michigan at a meeting held on 22nd day of July, 2009. The ordinance amendments may be inspected or a copy obtained at the Macomb Township offices located at 54111 Broughton Road, Macomb, MI 48042.

MOTION carried.

NEW BUSINESS

9. **Review of Manpower Study**

This matter has been tabled to the August 12, 2009 meeting.

10. AT&T Wireless Facility at Fire Station No. 3-Proposal

Legal Counsel Larry D'loski reviewed this matter with the Board members and discussed the potential income opportunity for the Township.

MOTION by KOEHS seconded by MALBURG to authorize legal counsel to negotiate with AT&T on this issue and bring proposal back to the Board.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 22, 2009

MOTION carried.

11. Vanguard Fire & Security Systems Work Authorization and Contract Proposal for this year's service.

Supervisor Grabow reviewed this item with Board members.

MOTION by NEVERS seconded by KOEHS to approve the Vanguard Fire & Security Systems Work Authorization and Contract Proposal for this year's service, subject to revisions by Legal Counsel.

MOTION carried.

12. Tool & Die Recovery Zone Consideration: Baker Machining; Carroll Tool & Die; and Majestic Industries (FYI packet distributed at last meeting)

Mr. Jim Ahee and Ms. Margaret O'Reilly, representing the three businesses involved in this proposal, reviewed this matter with the Board members.

MOTION by BUCCI seconded by DUNN to adopt the following resolution:

**Resolution to Request a Renaissance Recovery Zone
For Baker Machining and Mold Technologies, Inc.**

WHEREAS, the Township of Macomb desires to promote economic activity and to maintain and increase the number of jobs available to residents of the area, and;

WHEREAS, certain industries in the State are facing difficult times and the tool and die industry, in particular, has sustained losses due to foreign competition and increased productivity, and;

WHEREAS, the designation of a Renaissance Recovery Zone will temporarily reduce the tax burden paid by Baker Machining and Mold Technologies, Inc., enabling it to reposition itself to compete globally, and;

WHEREAS, Baker Machining and Mold Technologies, Inc. will enter into collaborative agreement with other business entities having the appropriate North American industrial classification, and;

WHEREAS, the qualified tool and die business property is property leased or owned by a tool and die business and used primarily for tool and die operations, and;

WHEREAS, should the area be designated a Renaissance Recovery Zone, the property within that zone will be exempt from taxes levied by the Township, County and other units of government as provided under the Act, and;

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 22, 2009

WHEREAS, we estimate that the revenue lost would be a small fraction of the benefits the designation of a Renaissance Recovery Zone will bring to the community.

THEREFORE BE IT RESOLVED, that the Township of Macomb requests that the State of Michigan designate Baker Machining and Mold Technologies, Inc., located at 46650 Erb Drive, Macomb Township, Michigan, 48042, including parcel numbers 08-20-104-005, 80-20-104-005, 80-20-104-A05, 09-25-16936-1, 90-25-16936-1 and 90-25-16936-2.

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

MOTION carried.

MOTION by BUCCI seconded by DUNN to adopt the following resolution:

**Resolution to Request a Renaissance Recovery Zone
For Majestic Industries, Inc.**

WHEREAS, the Township of Macomb desires to promote economic activity and to maintain and increase the number of jobs available to residents of the area, and;

WHEREAS, certain industries in the State are facing difficult times and the tool and die industry, in particular, has sustained losses due to foreign competition and increased productivity, and;

WHEREAS, the designation of a Renaissance Recovery Zone will temporarily reduce the tax burden paid by Majestic Industries, Inc., enabling it to reposition itself to compete globally, and;

WHEREAS, Majestic Industries, Inc. will enter into collaborative agreement with other business entities having the appropriate North American industrial classification, and;

WHEREAS, the qualified tool and die business property is property leased or owned by a tool and die business and used primarily for tool and die operations, and;

WHEREAS, should the area be designated a Renaissance Recovery Zone, the property within that zone will be exempt from taxes levied by the Township, County and other units of government as provided under the Act, and;

WHEREAS, we estimate that the revenue lost would be a small fraction of the benefits the designation of a Renaissance Recovery Zone will bring to the community.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 22, 2009

THEREFORE BE IT RESOLVED, that the Township of Macomb requests that the State of Michigan designate Majestic Industries, Inc., located at 46650 Erb Drive, Macomb Township, Michigan, 48042, including parcel numbers 08-18-300-029, 80-18-300-029, 09-34-15378-1, 90-34-15378-1 and 90-34-15378-2.

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

MOTION carried.

MOTION by BUCCI seconded by DUNN to adopt the following resolution:

**Resolution to Request a Renaissance Recovery Zone
For Carroll Tool and Die, Inc.**

WHEREAS, the Township of Macomb desires to promote economic activity and to maintain and increase the number of jobs available to residents of the area, and;

WHEREAS, certain industries in the State are facing difficult times and the tool and die industry, in particular, has sustained losses due to foreign competition and increased productivity, and;

WHEREAS, the designation of a Renaissance Recovery Zone will temporarily reduce the tax burden paid by Carroll Tool and Die, Inc., enabling it to reposition itself to compete globally, and;

WHEREAS, Carroll Tool and Die, Inc. will enter into collaborative agreement with other business entities having the appropriate North American industrial classification, and;

WHEREAS, the qualified tool and die business property is property leased or owned by a tool and die business and used primarily for tool and die operations, and;

WHEREAS, should the area be designated a Renaissance Recovery Zone, the property within that zone will be exempt from taxes levied by the Township, County and other units of government as provided under the Act, and;

WHEREAS, we estimate that the revenue lost would be a small fraction of the benefits the designation of a Renaissance Recovery Zone will bring to the community.

THEREFORE BE IT RESOLVED, that the Township of Macomb requests that the State of Michigan designate Carroll Tool and Die, Inc., located at 46650 Erb Drive, Macomb Township, Michigan, 48042, including parcel numbers 08-36-228-010 and 09-90-46650-1.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 22, 2009

YEA: BUCCI, DUNN, NEVERS, KRZEMINSKI, MALBURG, KOEHS, GRABOW.

NAY: NONE

ABSENT: NONE

MOTION carried.

13. Request for Training for Supervisor's Department

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

MOTION by KOEHS seconded by BUCCI to approve the training request for the amount of one hundred ninety nine dollars (\$199.00) plus meals and mileage.

MOTION carried.

PARKS AND RECREATION

14. Bid Awards for Phase II Macomb Corners Park

Mr. Salvatore DiCaro, Parks and Recreation Director, reviewed this matter and stated his recommendation for approval for the several bids presented regarding Macomb Corners Park Phase II.

MOTION by BUCCI seconded by KOEHS to approve the Play Area Bid for Miracle of Michigan for one hundred thirty two thousand seven hundred seventy seven dollars (\$132,777.00).

MOTION carried.

MOTION by DUNN seconded by NEVERS to approve the Masonry Bid #12 to Efficient Design for eighty six thousand eighty six dollars (\$86,086.00).

MOTION carried

MOTION by NEVERS seconded by DUNN to approve the Metals #13 Bid to Men of Steel for twenty two thousand five hundred dollars (\$ 22,500.00).

MOTION carried.

MOTION by DUNN seconded by MALBURG to approve the Roofing/Fascia Bid #14 for forty eight thousand dollars (\$48,000.00) to Four Seasons Roofing.

MOTION carried.

MOTION by NEVERS seconded by BUCCI to approve the Flooring #15 Bid for three thousand two hundred eighty five dollars (\$3,285.00) to Imperial Floor Covering.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 22, 2009

MOTION carried.

MOTION by DUNN seconded by MALBURG to approve the Painting #16 Bid for four thousand ninety four dollars (\$4,094.00) to Duncan Painting.

MOTION carried.


MOTION by DUNN seconded by MALBURG to approve the Electrical #18 Bid for three hundred thousand dollars (\$300,000.00) to G & B Electrical.

MOTION carried.

15. Recreation Center Membership Rates

This item was tabled indefinitely.


WATER AND SEWER DEPARTMENT

16.  Engineer's Change Order No. 1 – Final Balancing Macomb Corners Park Phase II Sanitary Sewer SDA Job No. MA08-005

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

MOTION by DUNN seconded by NEVERS to approve the Engineer's Change Order No. 1 – Final Balancing Macomb Corners Park Phase II Sanitary Sewer SDA Job No. MA08-005 for \$181,272.75 as presented.

MOTION carried.

17.  Engineer's Payment Certificate No. 2 ; Macomb Corners Park Phase II Sanitary Sewer SDA Job No. MA08-005

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

MOTION by BUCCI seconded by KOEHS to approve the Engineer's Payment Certificate No. 2 ; Macomb Corners Park Phase II Sanitary Sewer SDA Job No. MA08-005 for twenty six thousand one hundred seventeen dollars and fifty cents (\$26,117.50) as presented.

MOTION carried.

18.  Review and Consider 2009-2010 Macomb Township Water & Sewer Rate Adjustment

Mr. Gerry Wangelin, Water & Sewer Superintendent, reviewed this matter as did Mark Hurst from Plante Moran to the Board members.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 22, 2009

MOTION by KRZEMINSKI seconded by NEVERS to approve the 2009-2010 Macomb Township Water & Sewer Rate Adjustment as presented.

Supervisor GRABOW voted against this motion.

MOTION carried.

BOARD COMMENTS

19. Supervisor Comments

Supervisor Grabow mentioned the date for the hazardous waste pickup in the township as September 19, 2009. He also thanked Trustee Janet Dunn and Secretary Jackie Marchese for their work in the Community Block Grant program.

20. Clerk Comments: None

21. Treasurer Comments: None

22. Trustees Comments:

Trustee NEVERS suggested the Public portion be moved to the end of the meetings so as to facilitate taking care of business for the business people here to conduct business.

MOTION by BUCCI seconded by KOEHS to move to Executive Session at 9:47 p.m.

MOTION carried.

EXECUTIVE SESSION

23. TTCH v. Macomb Township

MOTION by KOEHS seconded by MALBURG to table this matter to the meeting scheduled for August 12, 2009.

MOTION carried.

24. 25 Mile Road Sewer Easement

MOTION by KOEHS seconded by BUCCI to accept the counter offer as proposed.

MOTION carried.

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, JULY 22, 2009

ADJOURNMENT

MOTION by BUCCI seconded by MALBURG to adjourn the Board of Trustees meeting at 10:02 p.m.

MOTION carried.

Respectfully submitted,

Mark H. Grabow
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk