

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, FEBRUARY 24, 2010

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

PRESENT: MARK H. GRABOW, SUPERVISOR
MICHAEL D. KOEHS, CLERK
KAREN GOODHUE, DEPUTY TREASURER
DINO F. BUCCI, JR, TRUSTEE
JANET DUNN, TRUSTEE
ROGER KRZEMINSKI, TRUSTEE
NANCY NEVERS, TRUSTEE

ABSENT: MARIE MALBURG, TREASURER

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 except for Treasurer MALBURG.

APPROVAL OF THE AGENDA

2. The agenda was reviewed and items 5b2 and 5b3 were added to the Consent Agenda.

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.

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APPROVAL OF THE PREVIOUS MEETING MINUTES

4. The minutes of the previous meeting held on February 10, 2010 were reviewed and any additions, corrections or deletions were discussed and made.

MOTION by DUNN seconded by BUCCI to approve the minutes of the meeting of February 10, 2010 as presented.

MOTION carried.

5.  **Consent Agenda Items:**

A. Clerk's Department:

1. Ground Sign Bond Release; Advanced Auto Parts; Section 31; WXZ Construction, LLC, Petitioner.
2. Site Plan Bond Release; Farmbrooke Shoppes; Section 30; D.M. Investment, Petitioner.
3. Wall Sign Bond Release; Moda Repeat; Section 32; Moda Repeat Fashionessa, Petitioner.
4. Landscape Bond Release; Buckingham Village Subdivision; Section 22; Pulte Homes of Michigan Corporation, Petitioner.

B. Water/Sewer Department:

1. Easement Encroachment: 16861 Huntington Woods Drive, Lot 18, Huntington Woods Subdivision, Sidwell # 08-08-152-002.

C. Human Resources:

1. Request to Approve a Position Description, Election Coordinator.
2. Request to Approve a Position Description, Election Supervisor.
3. Request for a Family Medical Leave of Absence
4. Request to Approve Updated Drug Free Work Place Policy.

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 KOEHS to approve the Consent Agenda as presented.

MOTION carried.

6. **Public Comments, Agenda Items Only.**

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None

NEW BUSINESS

7. Community Development Block Grant Allocations.

Trustee DUNN reviewed this matter and explained the reasoning behind the subsequent motion to distribute the funds, as follows:

MOTION by DUNN seconded by KRZEMINSKI to appropriate four hundred fifty dollars (\$450.00) to the Administration fund.

MOTION carried.

MOTION by DUNN seconded by KRZEMINSKI to deny the request for funding for Planning Activities.

MOTION carried.

MOTION by DUNN seconded by BUCCI to grant the Public Service funds to the Macomb Township Senior Activities in the amount of two thousand one hundred forty eight dollars and ninety five cents (\$2,148.95) and to St. Vincent DePaul in the amount of two thousand one hundred fifty dollars (\$2,150.00).

MOTION carried.

MOTION by DUNN seconded by BUCCI to deny all of the remaining request for Community Development Block Grant allocations.

MOTION carried.

MOTION by DUNN seconded by KOEHS to grant the Brick and Mortar Construction Funds to the Macomb Township Senior Center for a multiyear project in the amount of fifty one thousand nine hundred seventy seven dollars and five cents (\$51,977.05).

MOTION carried.

8. Request from the Planning Commission to Authorize Legal Counsel to Review the Zoning Ordinance regarding Charitable Gaming Activities.

Clerk KOEHS reviewed this matter and stated the Planning Commission's recommendation that the Board authorize a review of the Township's ordinances as they relate to Charitable Gaming.

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MOTION by NEVERS seconded by KRZEMINSKI to authorize the Planning Commission to conduct a public hearing regarding any suggestions concerning Charitable Gaming.

MOTION carried.

9. Request for a Variance of Section 17.162 (a)(9) of the Code of Ordinances.

Clerk KOEHS reviewed this matter and stated that the Board has, on previous occasions, allowed for this type of variance concerning the posting of moneys for the future development of roads. He further stated his recommendation to treat all petitioners in the same manner.

MOTION by KRZEMINSKI seconded by BUCCI to grant a variance request from section 17.162 (a) (9) to Di-Kar Development LLC regarding the posting of funds for the development of future Luchtman Road along the Clearstone Subdivision.

MOTION carried.

- 9a. Request Authorization to Retain Ambassador Capital Management, LLC.

Deputy Treasurer GOODHUE reviewed this matter and stated that the agreement has been reviewed by township's legal counsel and that she is recommending approval of this agreement.

MOTION by BUCCI seconded by KRZEMINSKI to authorize the Township Treasurer to sign the agreement with Ambassador Capital Management to oversee the township's investments.

MOTION carried.

HUMAN RESOURCES

10. Request Authorization to Attend the 7th Annual ASE Conference.

Mr. John Brogowicz, Human Resources Director, reviewed this matter and stated his recommendation for approval.

MOTION by KOEHS seconded by DUNN to approve the request for the Human Resource Director training as requested.

MOTION carried.

11. Request Authorization to Extend an Offer of Employment.

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Mr. John Brogowicz, Human Resources Director, reviewed this matter and stated his recommendation that the Board extend an offer of employment to Matthew Labadie for the position of Water and Sewer Department Foreperson, contingent upon his successful completion of a [post offer and pre-hire psychological evaluation, physical examination, drug and alcohol screening and background check.

MOTION by BUCCI seconded by KRZEMINSKI to extend an offer of employment to Matthew Labadie for the position of Water and Sewer Department Foreperson, contingent upon his successful completion of a post offer and pre-hire psychological evaluation, physical examination, drug and alcohol screening and background check.

MOTION carried.

BUILDING DEPARTMENT

12. Request to Work with Legal Counsel to Develop a Foreclosure Ordinance.

Mr. Daniel Fairless, Building Official, reviewed this matter and stated the need for an ordinance to control the issues that are stemming from the current amount of foreclosed homes in the Township.

MOTION by KRZEMINSKI seconded by KOEHS to approve the request for the Building Official to work with legal counsel to develop a proposed ordinance for the regulation of foreclosed properties.

MOTION carried.

FIRE DEPARTMENT

13. Request to Promote a Fire Fighter.

Chief Robert Phillips, reviewed this matter and stated that himself and the Command Staff are recommending that Probationary Fire Fighter Gregory Flick be promoted to Fire Fighter.

MOTION by DUNN seconded by KOEHS to approve the request to promote Probationary Fire Fighter Gregory Flick Fire Fighter.

MOTION carried.

14. Request to Perform the Annual SCBA Testing.

Chief Robert Phillips, reviewed this matter and stated that this is an annual test of the self contained breathing apparatus.

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MOTION by DUNN seconded by NEVERS to approve the request to have Argus-Hazco perform the annual testing on the self contained breathing apparatus at a cost of two thousand seven hundred ten dollars (\$2,710.00)

MOTION carried.

15. Request to Replace the Tires on Engine 2.

Chief Robert Phillips, reviewed this matter and stated his recommendation that this project be awarded to Leslie Tire Co. in the amount of one thousand five hundred seventy five dollars (\$1,575.00).

MOTION by KRZEMINSKI seconded by KOEHS to approve the request and that the project be awarded to Leslie Tire Co. in the amount of one thousand five hundred seventy five dollars (\$1,575.00).

MOTION carried.

16. Request to Replace the Tires on Heavy Rescue 1.

Chief Robert Phillips, reviewed this matter and stated his recommendation that this project be awarded to Leslie Tire Co. in the amount of one thousand four hundred fifteen dollars (\$1,415.00).

MOTION by DUNN seconded by NEVERS to approve the request and that this project be awarded to Leslie Tire Co. in the amount of one thousand four hundred fifteen dollars (\$1,415.00).

MOTION carried.

WATER AND SEWER DEPARTMENT

17. Request to attend Pumps and Motor Class

Mr. Gerry Wangelin, Water & Sewer Superintendent, reviewed this matter and stated his recommendation that two employees be sent for a total cost of three hundred dollars (\$300.00).

MOTION by BUCCI seconded by DUNN to approve the request for training and that two employees be sent for a total cost of three hundred dollars (\$300.00).

MOTION carried.

Public Comments – Non-Agenda Items

Fifteen persons addressed the Board regarding their support and concerns with the Senior Citizen programs and the Senior Center on 23 Mile Road. Three persons addressed the

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Board regarding the right to carry a weapon openly in public, and three persons addressed the Board regarding the Brentwood Limousine Issue.

BOARD COMMENTS

18. Supervisor Comments:

- a. Review of the Senior Citizen Program – Supervisor GRABOW reviewed his research into the cost of Senior Citizen programs in neighboring communities. He also addressed the questions regarding the Brentwood Limousine matter and the concerns raised by the people advocating for changes to our ordinances regarding the right to openly carry a weapon.

19. Clerk Comments:

- a. Sign Bond Release Procedure

Clerk KOEHS reviewed this matter and stated his recommendation to adopt this proposal as an administrative process to be handled by the Building Official.

MOTION by KOEHS seconded by DUNN to approve the adoption of processing the release of sign bonds and an administrative procedure to be handled by the Building Official and his staff.

MOTION carried.

20. Treasurer Comments:

None

21. Trustees Comments:

Trustee KRZEMINSKI addressed his concerns regarding the Senior Citizen programs and responded to the comments made regarding the Brentwood Limousine issue.

Trustee BUCCI addressed his concerns regarding the Senior Center and the programs there, and he informed everyone that he had continued to pursue the issue of a guard rail for 25 Mile Road near Macomb Corners Park. He stated that the Road Commission of Macomb County has agreed that the site qualifies for guard rails and that they will work to include them in their upcoming project list.

MOTION by BUCCI seconded by KRZEMINSKI to adjourn to Executive Session at 8:50 p.m.

MOTION carried.

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

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EXECUTIVE SESSION

22. Proposed Consent Judgment; Ozzad Property Mgt., LLC vs Macomb Township.

MOTION by KOEHS seconded by DUNN to direct legal counsel to proceed with the Consent Judgment as discussed.

MOTION carried.

22a. Fire Department Purchasing Investigation (*Tabled from February 2, 2010*)

MOTION by KOEHS seconded by BUCCI to issue the Fire Fighter involved a written reprimand for signing the Order Contract with Excel Sportswear without authorization.

MOTION carried.

ADJOURNMENT

MOTION by BUCCI seconded by DUNN to adjourn the Board of Trustees meeting at 9:30 p.m.

MOTION carried.

Respectfully submitted,

Mark H. Grabow
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk