

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, MARCH 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 Treasurer MALBURG was absent.

**MOTION by KRZEMINSKI seconded by BUCCI to refrain from calling Treasurer MALBURG's name for any roll call vote this evening.**

**MOTION carried.**

#### **APPROVAL OF THE AGENDA**

2. The agenda was reviewed and items 5C4, 5C5, 7A, 7B, 11A, 20A and 22B were added, and items 5B4, 5B6, 5B7, 5B10 were removed, from the 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 was one deletion; CDL License fee.

**MOTION by NEVERS seconded by KRZEMINSKI to approve both bill runs as presented except for the CDL License fee.**

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**MOTION carried.**

**APPROVAL OF THE PREVIOUS MEETING MINUTES**

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

**MOTION by DUNN seconded by KOEHS to approve the minutes of the meeting of March 10, 2010 as presented.**

**MOTION carried.**

5. **Consent Agenda Items:**

A. Clerk's Department:

1. Site Development Bond Release; Huntington Woods No. 1; Section 8; Huntington Woods Estates, Inc., Petitioner.
2. Site Plan Bond Release; Mobile Car Wash Addition; Section 14; AAA Auto Wash, Inc., Petitioner.

B. Water/Sewer Dept.

1. Buckingham Village # 2: Sanitary Sewer Bond Release
2. Englewood Parcel Splits: Sanitary Sewer Bond Release
3. Huntington Woods Subdivision #1: Storm Sewer Bond Release
4. Lakeside Industrial: Storm Sewer Bond Release
5. Macomb Industrial Park # 5 & 6: Sanitary Sewer Bond Release
6. Stillwater Crossing Subdivision: Sanitary Sewer, Storm & Water Main Bond Release
7. Stratford Plaza: Sanitary Sewer Bond Release
8. The Retreat Phase 1: Utility Bond Release
9. The Retreat Phase 2: Utility Bond Release
10. Wellington Center: Sanitary Sewer, Water Main & Grading Bond Release

C. Human Resources

1. Request for a Medical Leave of Absence – Fire Department
2. Request for a Medical Leave of Absence – Fire Department
3. Request to Approve the Updated Drug Free Work Place Policy.
4. Military Leave Policy
5. Military Leave Request

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

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**MOTION carried.**

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

Ed Gallagher asked questions regarding the Executive session items.

**NEW BUSINESS**

7. Consideration of "Work for Americans" Resolution

Supervisor Grabow reviewed this item from Macomb County and asked if the Board was interested in supporting it. During the discussion it was pointed out that this is not an official federal works program, but rather a suggestion from one of the County Commissioners.

**MOTION by NEVERS seconded by KOEHS not to adopt the "Work for Americans" Resolution.**

**MOTION carried.**

7A. A-Autopoint Consent Judgment Enforcement

Dan Fairless, Building Official, informed the Board that A-Autopoint was in violation of its consent judgment agreement by offering vehicles for sale at its 23 Mile Road site. He requested that the Board authorize legal counsel to initiate the necessary actions to enforce the consent judgment.

**MOTION by KOEHS seconded by KRZEMINSKI to authorize Legal Counsel to initiate the necessary actions in the Circuit Court to enforce this Consent Judgment.**

**MOTION carried.**

7B. 41-A District Court Sub-Committee Report

Clerk Koehs reviewed this item with the Board and read a letter from Chief Judge Michael S. Maceroni indicating that the Court is "fully committed to the move from our present Shelby location to a Macomb Township location". Clerk KOEHS then outlined the processes needed in order for the Board to initiate this project.

**MOTION by NEVERS seconded by DUNN to support the relocation of 41-A District Court from Shelby Township to Macomb Township.**

**MOTION carried.**

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**MOTION by NEVERS seconded by DUNN to authorize the 41A District Court Committee to establish a tentative plan for the court relocation project.**

**MOTION carried.**

**MOTION by KRZEMINSKI seconded by DUNN to have Plante Moran work with the 41A District Court Committee to complete a review of the Courts' financial records.**

**MOTION carried.**

**MOTION by NEVERS seconded by DUNN to request a resolution from the City of Utica and the Charter Township of Shelby to maintain court activities at the new location in Macomb Township.**

**MOTION carried.**

**PARKS AND RECREATION**

8. Lease of New Cardio Equipment

Sal DiCaro, Park and Recreation Director reviewed this item and recommended approval. He indicated the breakdown of bids as such; 36 pieces from All Pro Exercise for \$128,420.00; 25 pieces from Direct Fitness for \$95,375.00; 3 pieces from Fitness Things for \$15,000.00. He further indicated the total of \$238,795.00 could be further reduced to \$203,637.00 by paying yearly and a 25% residual buy back.

**MOTION by KRZEMINSKI seconded by BUCCI to approve these three lease agreements for new cardio equipment in the amount of two hundred three thousand six hundred thirty seven dollars (\$203,637.00).**

**MOTION carried.**

9. Lawn Maintenance Contract

Sal DiCaro, Park and Recreation Director reviewed this item and indicated the bids as follows: Universal Lawn Care for \$14,810.00; Autumn Oaks Landscaping for \$23,025.00 and Autumn Oaks for \$100.00. He further recommended approval of these three bids.

**MOTION by KRZEMINSKI seconded by DUNN to approve the lawn maintenance agreement in the amount of thirty seven thousand nine hundred thirty five dollars (\$37,935.00).**

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**MOTION carried.**

**BUILDING DEPARTMENT**

10. Request Authorization for Plumbing Inspector to Attend Out of Town Overnight Conference

**MOTION by DUNN seconded by KOEHS to approve the Authorization for Plumbing Inspector to Attend Out of Town Overnight Conference for four hundred thirteen dollars and twenty six cents (\$413.26).**

**MOTION carried.**

**FIRE DEPARTMENT**

11. Request to Promote Two Firefighters

Chief Phillips reviewed this item and recommended the promotion of Probationary Firefighter Raymond Gilson and Probationary Firefighter Nathan Kuzdal.

**MOTION by KOEHS seconded by BUCCI to approve the promotion of Probationary Firefighter Raymond Gilson and Probationary Firefighter Nathan Kuzdal.**

**MOTION carried.**

- 11A. Request for Fire Inspector Training

Chief Phillips reviewed this item and recommended that the Fire Inspector Operations Level II training be approved.

**MOTION by NEVERS seconded by KOEHS to approve the training request for the Fire Inspector Operations Level II as presented for one hundred fifty dollars (\$150.00).**

**MOTION carried.**

**WATER AND SEWER DEPARTMENT**

12. Request to Attend Spring Regional Meeting

Gerry Wangelin, Water & Sewer Superintendent, reviewed this item and recommended approval.

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**MOTION by BUCCI seconded by DUNN to approve the request for the 2010 Spring Regional Meeting training conference as presented in the amount of three hundred twenty five dollars (\$325.00).**

**MOTION carried.**

**Public Comments, Non-Agenda Items Only - (3 minute time limit)**

Drake Herz, spoke to the Board regarding township parking ordinances.

**BOARD COMMENTS**

13. Supervisor Comments:

Supervisor Grabow thanked the 41-A Court Subcommittee for its actions regarding the court relocation to our township. He also spoke regarding the 2010 Census currently underway.

14. Clerk Comments:                 None

15. Treasurer Comments:

Deputy Treasurer GOODHUE informed the Board that she has been awarded a \$550.00 scholarship to attend the Certified Treasurers Training Program.

16. Trustees Comments:

Trustee Dunn stated that the Chippewa Valley School Board has approved, and will contribute, one third the cost for improvements of the 22 Mile Road and Heydenreich Road intersection. She requested that this Board also approve the payment of one third of the total project contingent upon the Road Commission of Macomb County contributing the final third.

**MOTION by DUNN seconded by KRZEMINSKI to approve the one third (1/3) cost of 22 Mile Road Heydenreich intersection improvement contingent upon the CVS paying one third also.**

**MOTION carried.**

**MOTION by BUCCI seconded by KRZEMINSKI to adjourn to Executive Session at 7:36 p.m.**

**MOTION carried.**

*The Board returned from Executive Session at 8:27 p.m.*

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**EXECUTIVE SESSION**

17. Property Acquisition. (Tabled from March 10, 2010 Meeting)

**MOTION by KOEHS seconded by BUCCI to approve the purchase of property at 45603 Bristol Bay from Macomb County.**

**MOTION carried.**

18. City of Riverview vs. MDEQ; National Pollutant Discharge Elimination Systems.

**MOTION by KOEHS seconded by DUNN to remain in the Class Action lawsuit and not opt out.**

**MOTION carried.**

19. Donald West, et al vs. Macomb Township; Case No. 07-2929-CE.

**MOTION by KOEHS seconded by BUCCI to withdraw the appeal and sign the Consent Judgment.**

**MOTION carried.**

20. Fire Fighter Disciplinary Matters

**MOTION by KOEHS seconded by BUCCI to table the matter regarding Sgt. Weigand to April 14, 2010 meeting.**

**MOTION carried.**

**MOTION by KOEHS seconded by DUNN to issue written warning to Probationary Fire Fighter Daniele.**

**MOTION carried.**

**ADJOURNMENT**

**MOTION by BUCCI seconded by KRZEMINSKI to adjourn the Board meeting at 8:29 p.m.**

**MOTION carried.**

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Respectfully submitted,

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Mark H. Grabow  
Macomb Township Supervisor

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Michael D. Koehs, CMC  
Macomb Township Clerk