

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, AUGUST 25, 2010

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

PRESENT: MARK H. GRABOW, SUPERVISOR  
MICHAEL D. KOEHS, CLERK  
KAREN GOODHUE, 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 7A, 20A, 21C, 21D, 27 and 28 were added. Item 5B2 was removed from Consent agenda and placed under New Business and item 11 was removed from Consent Agenda 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 KOEHS 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 August 11, 2010 were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by DUNN seconded by GOODHUE to approve the minutes of the meeting of August 11, 2010 as presented.**

**MOTION carried.**

5. **Consent Agenda Items:**

A. Water/Sewer Department:

1. Request Approval to Pay Dan's Excavating for the Emergency Sanitary Manhole Repair at 21 Mile Road and Romeo Plank Rd.
2. Request Approval to Pay Plant Pros Inc. for custodial supplies for Township Hall & Water and Sewer Department.
3. Request Approval to Pay East Jordan Iron Works for Water Main Maintenance Materials.
4. Request Approval to Pay Messina Trucking for Water Main and Sewer Main Maintenance Materials.
5. Request Approval to Pay Theut Products Inc. for Sanitary Sewer and Sidewalk Maintenance.
6. Request Approval to Pay Subterranean Inc. for Storm Manhole Rehabilitation.
7. Request Approval to Attend Conference.

B. Human Resources:

1. Request for a Family Medical Leave of Absence.
2. Request to Enter into an Agreement with an Actuary to Continue to Participate in the Retiree Drug Subsidy Program.

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 KOEHS to approve the Consent Agenda with item 5B2 removed and placed on the regular agenda.**

**MOTION carried.**

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

Gracie Battani spoke regarding Crossing Guards and Mike Jackson spoke regarding the custodial cleaning contract.

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**PLANNING**

7. Request to Approve Final Plat; Gloede Park Estates; located west of Garfield Road north of 21 Mile Road, Section 30; SE Michigan Land Holdings, LLC, Petitioner; Permanent Parcel 08-30-431-020.

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

**MOTION by DUNN seconded by BUCCI to approve the Final Plat for Gloede Park Estates, located west of Garfield Road north of 21 Mile Road in Section 30, Permanent Parcel 08-30-431-020 and to direct the Clerk to sign the mylar.**

**MOTION carried.**

- 7A. Request for Model Permits; Bridgewater Estates Site Condominiums, located on the south side of 24 Mile Road east of Romeo Plank Road, Section 17.

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

**MOTION by KOEHS seconded by BUCCI to approve the request for four (4) Model Permits for the Bridgewater Estates Site Condominiums, located on the south side of 24 Mile Road east of Romeo Plank Road, Section 17 contingent upon the Model Agreement being followed and the posting of a seven thousand five hundred dollars (\$7,500.00) bond per model.**

**MOTION carried.**

**OLD BUSINESS**

8. Award of Bid for Sale of Huntcliff Village. (*Tabled from August 11, 2010*)

**This item has been tabled to the Board of Trustees meeting scheduled for September 8, 2010. No action taken at this time.**

9. Request to Approve Extension of Contract; Level IV Assessor.

Supervisor GRABOW and Lawrence Dloski, Township Legal Counsel, reviewed this contract and stated that this is in the best interest of the Township.

**MOTION by BUCCI seconded by DUNN to authorize the Supervisor and Clerk to sign the extension of the contract for the Level IV Assessor services as presented.**

**MOTION carried.**

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**NEW BUSINESS**

- 5B2. Request to Enter into Agreement with an Actuary to Continue to participate in the Retiree Drug Subsidy Program. **(removed from the Consent Agenda and placed on regular agenda.)**

Clerk KOEHS reviewed this matter and indicated that it should be on the regular agenda as the Supervisor is the appropriate signing authority for the Township.

**MOTION by KOEHS seconded by BUCCI to approve the Actuary Agreement and authorize the Supervisor to sign the agreement.**

**MOTION carried.**

10. Request to Approve the Veterans Memorial Agreement; Macomb Township Community Foundation.

**This item has been tabled to September 8, 2010. No action taken.**

11. AFSCME1917.43 Grievance. *(This matter was moved to Executive Session at the request of the Supervisor.)*
12. Set Compensation for Building Board of Appeals.

Supervisor Grabow reviewed this matter with Board members.

**MOTION by BUCCI seconded by KRZEMINSKI to approve the compensation rate of \$15.00 per appeal as presented for Building Board of Appeal members.**

**MOTION carried.**

13. Request for a Class C Liquor License Transfer; 48824 Romeo Plank Road, B. Hanna, Petitioner.

Clerk Koehs reviewed this matter with Board members regarding the proposed resolution.

**MOTION by KRZEMINSKI seconded by DUNN to adopt the following resolution:**

**Resolution**

**At a regular meeting of the Macomb Township Board of Trustees called to order by Supervisor Mark H. Grabow on August 25, 2010 at 7:00 p.m.**

**The following resolution was offered:**

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**Motion by Trustee KRZEMINSKI and seconded by Trustee DUNN that the request to transfer ownership of the escrowed 2008 Class C & SDM licensed business located at 24214 Jefferson, St. Clair Shores, MI 48080, Macomb County from ABST, Inc., David M. Finding, Receiver; Transfer location Governmental Unit under MCL 436.1531 (1) to 48824 Romeo Plank, Macomb, MI 48044, Macomb Township, Macomb County be considered for approval.**

**No dance and/or entertainment permit is approved or recommended for approval by this resolution and all conditions of the existing Consent Judgment on this property apply.**

**YEAS: KRZEMINSKI, DUNN, NEVERS, BUCCI, GOODHUE, KOEHS  
GRABOW.**

**NAYS: None.**

**ABSENT: None.**

**It is the consensus of this legislative body that the application is recommended for issuance.**

**MOTION carried, resolution declared adopted.**

14. Request for Training; Michigan Treasurer's Fall Conference.

Treasurer Goodhue reviewed this matter and stated her recommendation for approval.

**MOTION by BUCCI seconded by NEVERS to approve the request for the Treasurer to attend the Michigan Treasurer's Fall Conference.**

**MOTION carried.**

15. Crossing Guards for Utica Community Schools and Chippewa Valley Schools.

Supervisor Grabow reviewed this matter, indicating Utica school district no longer wants to pay for crossing guards, citing an old law that states the local jurisdictions must pay for the crossing guards. He further indicated that the Sheriff department along with our Human Resource department will be organizing and doing background checks on crossing guard personnel and that the cost for the 90 day period will be \$16,000.00.

**MOTION by KRZEMINSKI seconded by KOEHS to authorize up to sixteen thousand dollars (\$16,000.00) for ninety (90) days of operation for the Crossing Guard program as presented.**

**MOTION carried.**

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**PARKS AND RECREATION**

16. Request to Award Custodial Services Bid; Parks and Recreation Center.

**MOTION by KRZEMINSKI seconded by KOEHS to table this item until September 8, 2010.**

**MOTION carried.**

**HUMAN RESOURCES**

17. Request to Start the Recruitment Process for a Secretary in the Supervisor's Office.

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

**MOTION by KOEHS seconded by BUCCI to approve the hiring of a temporary Secretary for the Supervisor's office for period of 89 days.**

**MOTION carried.**

**MOTION by DUNN seconded by GOODHUE to start the recruitment process for a Secretary in Supervisor's office.**

**YEAS: DUNN, GOODHUE, KRZEMINSKI, GRABOW  
NAYS: BUCCI, NEVERS, KOEHS**

**MOTION carried.**

**FIRE DEPARTMENT**

18. Request to Recruit Eight (8) Paid On Call Fire Fighters.

Chief Robert Phillips reviewed this matter and stated his recommendation for approval to recruit ten (10) Paid On Call Fire Fighters rather than eight (8) as originally requested.

**MOTION by KOEHS seconded by KRZEMINSKI to approve the recruitment of 10 Paid On Call Fire Fighters as presented.**

**MOTION carried.**

19. Request to solicit Quotes for Fire Prevention Materials.

Chief Robert Phillips reviewed this matter and stated his recommendation for approval.

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**MOTION by DUNN seconded by KRZEMINSKI to approve the request to solicit quotes for Fire Prevention materials according to our Purchasing Policy.**

**MOTION carried.**

20. Request to solicit Quotes for Motorola Fire Pagers.

Chief Robert Phillips reviewed this matter and stated his recommendation for approval.

**MOTION by KRZEMINSKI seconded by KOEHS to approve the request to solicit quotes for Motorola Fire Pagers according to our Purchasing Policy.**

**MOTION carried.**

- 20a. Request to Purchase Tires for Fire Vehicles

Chief Robert Phillips discussed this item with Board members and recommended approval for purchase of twenty four (24) tires from Leslie Tire for \$3,450.96.

**MOTION by BUCCI seconded by KRZEMINSKI to approve the request to purchase tires from Leslie Tire Co. for the amount of three thousand four hundred fifty dollars ninety six cents (\$3,450.96).**

**MOTION carried.**

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

William Franchy thanked the Board for their cost saving efforts and indicated that he felt that only those registered to vote in the township should receive the resident rate" at the Recreation Center.

**BOARD COMMENTS**

21. Supervisor Comments:

A. Consideration of SEMCOG Membership.

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

**MOTION by KOEHS seconded by BUCCI to join SEMCOG and pay the annual dues in the amount of four thousand three hundred eighty nine dollars (\$4,389.00).**

**MOTION carried.**

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B. Confirmation of Macomb Township Negotiations Team.

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

**MOTION by BUCCI seconded by GOODHUE to approve the confirmation of the current Township Negotiating team consisting of Supervisor GRABOW, Clerk KOEHS and Trustee BUCCI.**

**MOTION carried.**

C. Consideration of Fuel Surcharge Data for Single Waste Hauler.

Supervisor GRABOW reviewed this matter, indicating per contract, the surcharge will go up 20 cents and that the rate fluctuates depending on market prices. He further stated his recommendation for approval.

**MOTION by KOEHS seconded by DUNN to approve the twenty cent (\$0.20) per month fuel surcharge rate adjustment as required by the Single Waste Hauler contract.**

**MOTION carried.**

D. Request to Authorize Legal Counsel to Draft Medical Marijuana Ordinance.

Supervisor Grabow indicated he has received numerous calls regarding this item and would like authorization for Legal Counsel to draft an ordinance that would address this issue.

**MOTION by KOEHS seconded by KRZEMINSKI to authorize Legal Counsel to draft an ordinance for the medical marijuana issue.**

**MOTION carried.**

Supervisor Grabow thanked the Police, Fire and Park and Recreation employees for their excellent service during the recent tornado event.

He advised everyone that a letter is forthcoming from MDOT regarding the access road for Twin Rivers entrance, which MDOT has indicated they approve.

He also reminded residents that September 18, 2010 is the Hazardous Waste collection day to drop off such items for disposal.

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22. Clerk Comments:

Clerk Koehs thanked his staff and election workers for their excellent service during the recent election and indicated the County certified the election with no errors detected by our personnel.

23. Treasurer Comments:

None.

24. Trustees Comments:

None.

**MOTION by BUCCI seconded by GOODHUE to adjourn to Executive Session at 8:18 p.m.**

**MOTION carried.**

**EXECUTIVE SESSION**

11. AFSCME Greivance

Clerk KOEHS indicated there will be no motion or action taken as this item was withdrawn by the Union.

25. Brianne Tax Appeal.

**MOTION by KOEHS seconded by BUCCI to authorize the Assessor and Legal Counsel to sign the settlement agreement.**

**MOTION carried.**

26. TTCH vs. Macomb Township; Litigation Update.

**This item was tabled indefinitely.**

27. Fountains of Macomb Tax Appeal.

**MOTION by KOEHS seconded by DUNN to authorize Legal Counsel to sign the agreement.**

**MOTION carried.**

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28. Simone Grabow et al v. Macomb Twp

**MOTION by KOEHS seconded by DUNN to authorize Legal Counsel to proceed as discussed.**

**MOTION carried.**

**ADJOURNMENT**

**MOTION by KRZEMINSKI seconded by BUCCI to adjourn the Board of Trustees meeting at 10:00 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