

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, SEPTEMBER 22, 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 item 12 was tabled to October 13, 2010, item 11 was moved to the Consent Agenda as 5D2, and items 5A7, 5B6, 9a and 9B 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, deletions or corrections.

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MOTION by NEVERS seconded by KRZEMINSKI to approve both bill runs as presented.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES

4. The minutes of the previous meeting held on September 8, 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 September 8, 2010 as presented.

MOTION carried.

5. **Consent Agenda Items:**

A. Clerk's Department:

1. Request for Bond Release, Vendor Permit; Cotel Transport, Inc.
2. Vendor Bond Release; Emily C. Woods, Petitioner.
3. Site Plan Bond Release; White Castle; Section 33.
4. Site Plan Bond Release; Bethel Church of the Nazarene; Section 13.
5. Monuments & Irons Bond Release; Country Club Village of the North Subdivision; Section 05.
6. Site Plan Bond Release; BP Service Station, Section 36.
7. Approval of Emergency Repair – Fire Paging System.
8. Approval of Emergency Repair – Gymnasium Backboard.

B. Water/Sewer Department:

1. Request Approval to Pay Standard Electric Co. for Stop Box Repair Parts.
2. Request Approval to Pay Hydro Meter Service Inc. for meter testing for Gardner White & Mt. Clemens Medical Center.
3. Easement Encroachment: 18871 Newbridge Drive, Macomb, 48044, Lot 40, Brook Run Subdivision, Sidwell # 08-21-306-025.
4. Easement Encroachment: 17985 Marsal Drive, Macomb, MI, 48042, lot 174, Winding Creek Sub, Sidwell # 08-05-202-009.
5. Easement Encroachment: 21358 Venice Drive, Macomb, 48044, Lot 229, Edinburgh Estates Sub, # 2, Sidwell # 08-22-253-006.
6. Request to Attend Regional Training Conference.

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C. Human Resources:

1. Request to Attend ASE Annual Summit Meeting.

D. Parks and Recreation:

1. Request to Receive Bids; Parks and Recreation Center Heating and Cooling Maintenance Agreement.
2. Request to Receive Bids, REACH Printing and Typesetting.

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 earlier amended.

MOTION carried.

6. Public Comments, Agenda Items Only

None.

OLD BUSINESS

7. DTE Energy Manager Presentation. (Tabled from September 8, 2010)

Mr. George Biondis from DTE Energy gave a presentation on the duties, responsibilities and benefits of retaining an energy Manager to oversee the Federal Energy Grant.

MOTION by KOEHS seconded by KRZEMINSKI to approve the agreement with DTE Energy for an Energy Manager and to authorize the Supervisor to sign it.

MOTION carried.

NEW BUSINESS

8. Approve Final Plan; Veterans Memorial, Town Center Square.

Clerk KOEHS reviewed the proposed final plan for the Veterans Memorial in front of the Town Hall and indicated that the Town Center Committee had reviewed this plan and was recommending approval by the Board of Trustees.

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**MOTION by NEVERS seconded by KRZEMINSKI to approve the final plan for the Veterans Memorial in front of the Town Hall and to pay all of the bills for sidewalk construction and tree planting as agreed.
MOTION carried.**

9. Review of Code of Ordinances Amendment Proposal; Fire/Rescue Call Reimbursement and Cost Recovery.

Informational only. No action taken.

- 9A. Request to Authorize a Public Hearing for a Proposed Zoning Ordinance Amendment.

Clerk KOEHS asked the Board for permission to have the Planning Commission conduct a public hearing relating to a proposed amendment to the Zoning Ordinance as it applies to car rental companies.

MOTION by BUCCI seconded by KRZEMINSKI to approve the Public Hearing to be conducted by the Planning Commission regarding a proposed Zoning Ordinance amendment.

MOTION carried.

- 9B. Request to Approve an Extension of Time for the Renaissance Recovery Zone for Carroll Tool and Die Company.

Clerk KOEHS reviewed this request from Carroll Tool and Die Company and explained that it was identical to the two previous requests for extensions to other economic recovery zones. This action would be a resolution to the State of Michigan to extend the designation for Carroll Tool and Die Company from five years to fifteen years.

MOTION by KRZEMINSKI seconded by NEVERS to adopt the following resolution:

**A RESOLUTION TO EXTEND THE DURATION OF A TOOL AND DIE
RENAISSANCE RECOVERY ZONE FOR CARROLL TOOL AND DIE COMPANY**

WHEREAS, the Township of Macomb desires to promote economic activity and maintain/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;

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

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WHEREAS, the business has entered into a 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;

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

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

WHEREAS the Township of Macomb had previously supported a Recovery Zone for this property for a period of up to five (5) years in a previous resolution adopted on July 22, 2009.

WHEREAS, the Michigan Strategic Fund designated the company as a Recovery Zone for a period of five (5) years;

WHEREAS, recent legislation has allowed individual businesses in a Recovery Zone to have differing time periods for the abatement.

THEREFORE BE IT RESOLVED, that the Township of Macomb requests that the State of Michigan extend the duration of the Recovery Zone of Carroll Tool and Die Company for an additional five (5) years.

AYES: KRZEMINSKI, NEVERS, DUNN, BUCCI, GOODHUE, KOEHS, GRABOW.

NAYS: None

MOTION carried, resolution declared adopted.

HUMAN RESOURCES

10. Request to Provide Annual Influenza Vaccination Program.

Supervisor GRABOW reviewed this request and reminded the Board that this program has been successfully offered in the past.

MOTION by DUNN seconded by NEVERS to authorize the Influenza Vaccination Program as requested by the Human Resources Department.

MOTION carried.

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PARKS AND RECREATION

11. Annual Report.
Mr. Sal DiCaro, Parks and Recreation Director, reviewed the annual report summary for the Parks and Recreation Department. He indicated that it had been a very active year for participation in the programs and activities.

FIRE DEPARTMENT

12. Request to Promote Two Fire Fighters.
Tabled to the meeting of October 13, 2010.

13. Request to Attend Emergency Management Conference.
Chief Robert Phillips reviewed this request for training and indicated that all costs associated with it were being paid for by a grant to Macomb Township.

MOTION by BUCCI seconded by KRZEMINSKI to approve Chief Phillips to attend the Emergency Management Training Conference.

MOTION carried.

14. Request Authorization to Initiate Litigation in Circuit Court; LeMieux Plumbing Building, Store and Apartment; 49015 Romeo Plank Road.
Chief Robert Phillips reviewed this matter and indicated that the Fire Department has exhausted its administrative remedies and is asking the Board for authorization to proceed to Court to enforce compliance with the codes and ordinances.

MOTION by KOEHS seconded by BUCCI to authorize legal counsel to initiate litigation in the matter regarding LeMieux Plumbing.

MOTION carried.

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

None.

BOARD COMMENTS

15. Supervisor Comments

Supervisor GRABOW thanked everyone for their participation in the Hazardous Materials Disposal Day, which was very busy.

Supervisor GRABOW informed the Board that in order to keep sufficient drivers scheduled to handle the three SMART vehicles, we will need to recruit new Dial a Ride drivers.

**MOTION by KOEHS seconded by GOODHUE to authorize Human Resources to recruit two (2) additional Dial a Ride drivers.
MOTION carried.**

Supervisor GRABOW explained that the cost of fingerprinting for School Crossing Guard applicants has been shared between the applicant and the School District in the past. He is requesting that we continue this practice for now and suggested that we adopt a temporary policy of charging the applicants twenty dollars (\$20.00), and the Township covers the remaining forty five dollars (\$45.00) of the fee.

MOTION by KRZEMINSKI seconded by BUCCI to share the sixty five dollar (\$65.00) fingerprinting fee for School Crossing Guards as follows: the Township will pay forty five dollars (\$45.00) and the applicant will pay twenty dollars (\$20.00).

Supervisor GRABOW also informed the Board that the committee overseeing the refurbishing of the Sheriff Department Substation has completed the process for securing the contractor services and they need Board approval to proceed with the refurbishing.

MOTION by KRZEMINSKI seconded by KOEHS to authorize the refurbishing of the Substation as requested.

MOTION carried.

16. Clerk Comments

Clerk KOEHS informed everyone that the Absentee Ballots for the November Election have arrived and that testing of those ballots was in progress. The anticipated mailing date is by Wednesday, October 6, 2010.

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Clerk KOEHS also distributed a draft copy of a proposed Medical Marijuana Ordinance and indicated that this initial draft is for review only. No action is requested at this time.

17. Treasurer Comments

Treasurer GOODHUE requested to send two employees the BS&A Tax Training seminar.

MOTION by KOEHS seconded by BUCCI to approve two employees from the Treasurer's office to attend the BS&A Tax Training Seminar as requested.

18. Trustees Comments

Trustee KRZEMINSKI reminded everyone that the memorial brick paver forms for the Veterans Memorial are still available at the Township Hall during business hours.

EXECUTIVE SESSION

19. AFSCME Grievance; Proposed Resolution. (*Tabled from September 8, 2010*)

Informational only. No action taken.

20. Farmbrooke Shoppes; Proposed Tax Appeal Settlement.

MOTION by KOEHS seconded by BUCCI to authorize Legal Counsel to sign the settlement proposal.

MOTION carried.

21. MAPE/MTPEA; Settlement Proposal.

MOTION by KOEHS seconded by KRZEMINSKI to accept the proposal to settle the Wage Reopener for MAPE/MTPEA.

MOTION carried.

22. Grievance Review; MAFF Grievance #10-002.

Informational only. No action taken.

23. TTCH Development vs. Macomb Township; Proposed Consent Judgment

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MOTION by KOEHS seconded by KRZEMINSKI to conduct a special meeting of the Board of Trustees on Thursday, September 30, 2010 at 1:00 p.m. for the purpose of reviewing the proposed Consent Judgment regarding the matter of TTCH Development vs. Macomb Township.

MOTION carried.

ADJOURNMENT

MOTION by BUCCI seconded by KRZEMINSKI to adjourn the Board of Trustees meeting at 8:40 p.m.

MOTION carried.

Respectfully submitted,

Mark H. Grabow
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk